

website and through the CPRC. Information may include model agreements to mediate, case selection criteria, descriptions of ADR processes, mechanisms for accessing external neutral third parties, case studies, guidance on confidentiality and evaluating ADR processes, directories of EPA ADR contacts, bibliographies, and links to external sources of information.

**Training:** The Agency strongly encourages all EPA personnel to learn about ADR. Training is crucial not only for those selected to serve as in-house neutrals, but also for negotiators and others who need to understand how ADR can enhance negotiation and agency decision making. The Dispute Resolution Specialist will identify and recommend relevant ADR training. Training sources may include existing EPA training programs, training sponsored by other agencies, newly developed courses, and commercially available training.

This policy affirms a goal of EPA's Labor/Management Partnership Strategic Plan (Spring 2000) to train line managers, first line supervisors, Federal union representatives and other employees in consensual methods of dispute resolution such as ADR and interest-based negotiation. Finally, the Agency will add skills in negotiation and alternative dispute resolution to its inventory of desirable management characteristics used to prepare and select managers for the Senior Executive Service.

**Mentoring:** The Agency encourages those with ADR experience to share their expertise with other Agency personnel. Mentoring and apprenticing can strengthen EPA's ADR program by expanding the number of staff with ADR skills, increasing opportunities to practice ADR techniques, and providing for exchange between more and less experienced ADR professionals.

**Funding:** Costs associated with ADR processes, including fees for external neutral third parties, are typically paid in whole or in part by the sponsoring EPA office. Depending on the circumstances, other parties or offices also contribute. The Agency expects each program office at Headquarters and each Region to demonstrate a commitment to ADR by making funds available for ADR processes.

*How will EPA measure the success of its ADR programs?*

Many federal agencies have shown significant time and money savings from the use of ADR and have received intangible benefits such as improved relationships and broader stakeholder support for their programs. Evaluation is

an important way to identify these savings and benefits and is key to systematic improvement of ADR programs. Through evaluation, EPA is committed to measuring the success of its ADR programs and continually improving them to better meet the needs of EPA offices, Regions, and external stakeholders.

Several EPA offices and Regions have already evaluated their ADR efforts. To build on these evaluations and to strengthen the evaluation component of ADR practice across the Agency, the CPRC, consulting with internal and external stakeholders, will develop an evaluation system for ADR at EPA. The evaluation system will include goals and both qualitative and quantitative measures of success.

*Where can I get additional information or help with ADR at EPA?*

Additional information on ADR contacts within EPA, topics covered in this policy, and others, may be obtained from the CPRC at (202) 564-2922; [adr@epa.gov](mailto:adr@epa.gov).

*What is the legal authority for this policy?*

This policy satisfies the requirement of the Administrative Dispute Resolution Act of 1996, 5 U.S.C. 571-583, that each federal agency adopt a policy that addresses the use of ADR. The policy is also consistent with the following federal statutes, regulations, and orders:

- Regulatory Negotiation Act of 1996, 5 U.S.C. 561-570.
- Civil Justice Reform Act, 28 U.S.C. 471-482.
- Alternative Dispute Resolution Act of 1998, 28 U.S.C. 651-658.
- Federal Acquisition Streamlining Act, 41 U.S.C. 405.
- Contracts Disputes Act, 41 U.S.C. 601-613.
- Federal Acquisition Regulation, 48 CFR 33.103 & 33.204.
- Federal Sector Equal Employment Opportunity Regulations, 29 CFR part 1614.
- Civil Justice Reform, Executive Order 12988, 61 FR 4729 (Feb. 5, 1996).
- Agency Procurement Protests, Executive Order 12979, 60 FR 55171 (Oct. 27, 1995).
- Presidential Memorandum, "Designation of Interagency Committees to Facilitate and Encourage Use of Alternative Means of Dispute Resolution and Negotiated Rulemaking," May 1, 1998.

Dated: December 18, 2000.

**Carol Browner,**  
Administrator.

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## FEDERAL DEPOSIT INSURANCE CORPORATION

### Sunshine Act Meeting; Notice of Agency Meeting

Pursuant to the provisions of the "Government in the Sunshine Act" (5 U.S.C. 552b), notice is hereby given that at 11:28 a.m. on Thursday, December 21, 2000, the Board of Directors of the Federal Deposit Insurance Corporation met in closed session to consider supervisory, resolution, corporate, and personnel matters.

In calling the meeting, the Board determined, on motion of Director Ellen S. Seidman (Director, Office of Thrift Supervision), seconded by Vice Chairman Andrew C. Hove, Jr., concurred in by Director John D. Hawke, Jr. (Comptroller of the Currency), and Chairman Donna Tanoue, that Corporation business required its consideration of the matters on less than seven days' notice to the public; that no earlier notice of the meeting was practicable; that the public interest did not require consideration of the matters in a meeting open to public observation; and that the matters could be considered in a closed meeting by authority of subsections (c)(2), (c)(6), (c)(8), (c)(9)(A)(ii), and (c)(9)(B) of the "Government in the Sunshine Act" (5 U.S.C. 552b(c)(2), (c)(6), (c)(8), (c)(9)(A)(ii), and (c)(9)(B)).

The meeting was held in the Board Room of the FDIC Building located at 550-17th Street, NW., Washington, DC.

Dated: December 21, 2000.

Federal Deposit Insurance Corporation.

**James D. LaPierre,**  
Deputy Executive Secretary.

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## FEDERAL DEPOSIT INSURANCE CORPORATION

### Notice of Change in Subject Matter of Agency Meeting

Pursuant to the provisions of subsection (e)(2) of the "Government in the Sunshine Act" (5 U.S.C. 552b(e)(2)), notice is hereby given that at its open meeting held at 10:04 a.m. on Thursday, December 21, 2000, the Corporation's Board of Directors determined, on motion of Vice Chairman Andrew C.