



United States Department of the Interior

OFFICE OF HEARINGS AND APPEALS
Interior Board of Contract Appeals
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APPEAL OF Yukon-Kuskokwin Health Corp., Inc. October 18, 2006

Under Indian Health Service
Compact Nos. 1SG950033-01 & 02

IBCA 4785-4791/2006

APPEARANCES FOR APPELLANT:

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APPEARANCE FOR GOVERNMENT:

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Order Urging Settlement Negotiations

This appeal was docketed on August 8, 2006. Appellant's Complaint was filed on the same date, and the Government's Answer was filed on October 9, 2006. The file contains no indication that the parties have yet undertaken settlement negotiations. Accordingly, the Board defers further action on the basis of Public Law 101-552, the Administrative Dispute Resolution Act, 104 Stat. 2736, 5 U.S.C. § 571 and 41 U.S.C. § 605, which authorizes and encourages Federal agencies to use mediation, conciliation, arbitration, and other techniques for the prompt and informal resolution of disputes. Subsection 605(d) specifically authorizes contractors and contracting officers to make use of alternative dispute resolution (ADR) to resolve claims.

The parties are urged to undertake prompt ADR negotiations in an attempt to resolve these matters without an evidentiary hearing. They are directed to file a joint written progress report with the Board by December 15, 2006. Extensions of time may be requested, and the Board will be available for ADR assistance if desired. But if insufficient progress toward settlement has been made by that date, the report should state whether an oral hearing is being requested; and if so, the hearing location convenient to the most witnesses, the probable duration of the hearing, and no less than three proposed mutually acceptable alternative hearing dates.



Bernard V. Parrette
Administrative Judge



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FAX COVER SHEET

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