

APPENDIX M

PROCESS FOR REQUESTING INTERPRETATIONS

The following process will be used for requesting an official interpretation of a requirement contained in this manual. Other DOD Components must submit their requests for interpretations through their chain of command.

1. Official requests for interpretation and all responses shall be in writing.
2. The requester must specifically identify the requirement for which he/she seeks an interpretation. The requester must provide the exact citation and quote the requirement in question. A separate request must be made for each requirement.
3. The requester must state his/her source of confusion regarding the requirement.
4. The requester must provide all the information necessary to understand the context in which the requirement is being applied.
5. The requester must provide his/her interpretation of the requirement and his/her rationale.
6. Every effort shall be made to clarify the requirement at the lowest possible level.
 - a. The requester shall work the request for interpretation with the local USACE Command Safety and Occupational Health Office. A Contractor must request interpretation of a requirement from the field office under which they work who will then coordinate with the local Command SOHO to provide a response. The local SOHO must then render a written interpretation of the requirement within 5 working days of receipt.

EM 385-1-1
15 Sep 08

b. If either the field office or the requester is not satisfied with this response, either may appeal their position in writing to the Division SOHO. The entire package containing the requester's, and the local SOHO's interpretation, rationale, and supporting information shall be sent to the Division SOHO who shall render a written response to the local SOHO within 5 working days of receipt.

c. If the requester, the field office, or local SOHO is not satisfied with the Division SOHO's response, they may appeal it to the USACE-SO for final resolution. All of the information sent to the Division, the interpretation, rationale, and supporting information shall be provided. Within 5 working days of receipt, USACE-SO will provide a written interpretation to the Division SOHO for dissemination and it shall be final.

7. Interpretations apply ONLY to the specific time and the context in which the requirement is being applied. They may not be used as precedents to determine future applications of the requirement. USACE-SO will make the proper notifications if an interpretation may be applied globally.

8. Unofficial requests for interpretations/clarifications of requirements from local SOHOs may be made via email or telephone. However, the answers provided via this mode will be considered general guidance, not official interpretations.

9. USACE-SO will NOT accept requests for official interpretations from parties outside the USACE structure.