



United States Department of the Interior

FISH AND WILDLIFE SERVICE
Washington, D.C. 20240 .

DIRECTOR'S ORDER NO. 129

Subject: Federal Aid Grant Audit Resolution

Sec. 1 What is the purpose of this Order? This Order establishes time frames and approval procedures for resolution of audits of Federal Aid grants to State fish and game agencies.

Sec. 2 What is the authority for this action? 361 DM 1 establishes the basic framework of policies and procedures for use by the Department and bureau management when responding to and implementing recommendations in Office of Inspector General (OIG) audit reports. Part 361 identifies and implements pertinent statutes, regulations, and directives that apply to audit followup to OIG and General Accounting Office (GAO) reports and defines terms normally used in the audit resolution process.

Sec. 3 To whom does this Order apply? This Order applies to Service employees who administer Federal Aid grants to State fish and game agencies and who are involved in the process of audit resolution related to the audit of those grant awards.

Sec. 4 When does the audit resolution process begin? The process begins on the date the OIG issues the final audit report. The OIG allows 90 calendar days for receipt of a corrective action plan (CAP) in which bureaus must address each of the findings and recommendations contained in the audit report. Exhibit 1 provides the maximum time frames for each phase of the audit resolution process. Federal Aid staff members assigned responsibility for the CAP should begin preparing resolution action to the audit findings immediately upon becoming aware of the finding or issue.

Sec. 5 Who prepares the draft CAP? The Regional Division of Federal Aid prepares the draft CAP in coordination and consultation with the State fish and game agency and the Washington Office Division of Federal Aid.

Sec. 6 What is the time frame for transmittal of the CAP to the Washington Office? Within 45 calendar days from the date the OIG issues the final audit report, the Regional Office must forward the draft CAP to the Assistant Director - Migratory Birds and State Programs, attention: Division of Federal Aid. The Regional Director must approve the draft CAP before transmitting it to the Washington Office.

Sec. 7 Who reviews and approves the CAP?

a. The Washington Office Division of Federal Aid:

(1) Provides advice and assistance to the Regional Office during the early stages of CAP preparation.

(2) Reviews the draft CAP.

(3) Forwards the draft CAP to the Assistant Director - Migratory Birds and State Programs (Assistant Director).

b. The Assistant Director will review the CAP and indicate concurrence or nonconcurrence.

Sec. 8 What is the time frame for Washington Office review and decision? The Washington Office will review the draft CAP and either concur or nonconcur within 30 calendar days from the date the Region forwards the CAP to the Washington Office.

Sec. 9 What happens if the Washington Office does not concur with the draft CAP? If the Regional Office and Washington Office do not concur, the Chief, Division of Federal Aid, Washington Office, will forward the CAP to the Assistant Director - Migratory Birds and State Programs, providing the reasons for the suggested revisions and the results of discussions with the Region. The Assistant Director will notify the Regional Director of the nonconcurrence. If agreement cannot be reached on issues related to the draft CAP, the Assistant Director will forward information related to the nonconcurrence to the Director for final decision prior to the 90-day resolution time frame. If this happens, the Assistant Director will formally request a 30-day extension from the OIG.

Sec. 10 Who prepares the final CAP? If the Assistant Director concurs with the CAP or after the Director makes a decision, the Assistant Director will return the draft CAP to the Regional Office. The Regional Office will prepare the final CAP for signature by the Regional Director and forward the original to the OIG with copies to the Washington Office Division of Federal Aid and the State. The Region must prepare the final CAP within 2 weeks of Washington Office decision.

Sec. 11 Can the State appeal the Service's determination? If the State fish and wildlife agency does not agree with the Service's determination of the audit recommendation, the State may initiate an appeal to the Director, Fish and Wildlife Service. The appeal must identify the specific issue being appealed and include all documentation that should be considered in the appeal process.

Sec. 12 How long does the State fish and game agency have to initiate the appeal process? The State must initiate appeal actions within 21 calendar days from the date the Regional Office issues the final CAP.

Sec. 13 How much time does the Service have to address the State appeal? The Director will work with the State(s), appropriate Service Region(s), Washington Office staff, and others, as needed, to resolve the State appeal within 30 days after receipt of all pertinent documents. If the State does not agree with the resolution, the State may appeal the Director's decision to the Secretary of the Interior.

Sec. 14 When is this Order effective? This Order is effective immediately. We will include the contents of this Order into Part 417 of the Fish and Wildlife Service Manual.

Sec. 15 When does this Order expire? This Order will expire on September 30, 2001, unless amended, superseded, or revoked.

A handwritten signature in black ink, appearing to be 'R. B. ...', written over a vertical line that extends downwards to the title 'DIRECTOR'.

DIRECTOR

Date: September 14, 2000