

THE NAVAJO NATION  
LEGISLATIVE BRANCH  
INTERNET PUBLIC REVIEW PUBLICATION



LEGISLATION NO: \_0027-22\_

SPONSOR: Mark A. Freeland

**TITLE: An Act Relating to the Resources and Development, and Budget and Finance Committee; Accepting the Auditor General's Audit Report of the Fish and Wildlife Department ("FWD") and the Corrective Action Plan Proposed by FWD**

**Date posted: February 11, 2022 at 10:40AM**

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## LEGISLATION SUMMARY

TrackingNo. 6027-22

Date: February 3, 2022

Re: **AN ACT RELATING TO THE RESOURCES AND DEVELOPMENT, AND BUDGET AND FINANCE COMMITTEE; ACCEPTING THE AUDITOR GENERAL'S AUDIT REPORT OF THE FISH AND WILDLIFE DEPARTMENT ("FWD") AND THE CORRECTIVE ACTION PLAN PROPOSED BY FWD**

Purpose: to accept the Auditor General's Audit Report of the Navajo Nation Fish and Wildlife Department, and to accept the Corrective Action Plan submitted by FWD in response to the Audit findings.

OLC No. 21-496-1

5-DAY BILL HOLD PERIOD: Johnson

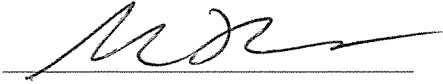
Website Posting Time/Date: \_\_\_\_\_

Posting End Date: 02-16-22

Eligible for Action: 02-17-22

PROPOSED STANDING COMMITTEE RESOLUTION  
24<sup>th</sup> NAVAJO NATION COUNCIL - Fourth Year, 2022

Introduced by:



(Sponsor)

Tracking No. 0027-22

AN ACT

**RELATING TO THE RESOURCES AND DEVELOPMENT, AND BUDGET AND FINANCE COMMITTEE; ACCEPTING THE AUDITOR GENERAL'S AUDIT REPORT OF THE FISH AND WILDLIFE DEPARTMENT ("FWD") AND THE CORRECTIVE ACTION PLAN PROPOSED BY FWD**

**BE IT ENACTED:**

**SECTION ONE. AUTHORITY**

- A. The Resources and Development Committee is a standing committee of the Navajo Nation Council with statutory oversight over the Division of Natural Resources. 2 N.N.C. §501(C). The Department of Fish and Wildlife ("FWD") is within the Division of Natural Resources. 13 N.N.C. §1700(B)(1), Resolution No. CJY-64-18. The Resources and Development Committee recommends to the Navajo Nation Council the approval of resolutions that will accomplish the Committee's purposes. 2 N.N.C. §501(B)(4)(f).
- B. The Budget and Finance Committee has the authority to review and approve audit reports of the Auditor General, and corrective action plans proposed by audited Navajo Nation programs. 12 N.N.C. §6(A) and §7(D).

**SECTION TWO. FINDINGS**

- A. Pursuant to 12 N.N.C §6 the Office of the Auditor General has prepared a fiscal review of

1 FWD titled: "A Performance Audit of the Navajo Nation Fish and Wildlife Department" -  
2 Report No. 21-13 - dated June 2021 ("Audit"). **EXHIBIT A.**

3 B. FWD responded to the Audit in a memorandum to the Auditor General dated April 12, 2021.  
4 **EXHIBIT B.**

5 C. FWD has also prepared a detailed Corrective Action Plan, dated November 12, 2021, to  
6 address the findings in the Audit Report. In the Plan FWD proposes to cure the Audit findings  
7 by various deadline dates during 2022, beginning with March 1, 2022 and ending with  
8 December 31, 2022. **EXHIBIT C.**

9 D. The Budget and Finance Committee has final authority to approve corrective action plans  
10 proposed in response to audit findings. 12 N.N.C. §7(D).

11  
12 **SECTION THREE. APPROVAL OF AUDIT OF THE FISH AND WILDLIFE**  
13 **DEPARTMENT AND FWD'S PROPOSED CORRECTIVE**  
14 **ACTION PLAN**

15 A. The Navajo Nation hereby approves the Auditor General's fiscal review of the Fish and  
16 Wildlife Department titled: "A Performance Audit of the Navajo Nation Fish and Wildlife  
17 Department" - Report No. 21-13, dated June 2021, attached hereto as **EXHIBIT A.**

18 B. The Navajo Nation hereby approves the Corrective Action Plan proposed by the Fish and  
19 Wildlife Department, attached hereto as **EXHIBIT C.**

20  
21 **SECTION FOUR. DIRECTIVES**

22 A. FWD shall prepare and submit a written status report on its progress implementing its  
23 Corrective Action Plan. FWD shall submit such report to the Auditor General no later than  
24 six months after the effective date of this Legislation. 12 N.N.C. §7(F).

25 B. The Auditor General shall receive and review FWD's status report, shall prepare a  
26 memorandum explaining the Auditor General's opinion about the success of FWD's  
27 corrective efforts, and shall promptly submit such memorandum along with FWD's status  
28 report to the Resources and Development Committee and the Budget and Finance  
29 Committee. 12 N.N.C. §7(F).

30 C. Twelve months after the effective date of this Legislation the Auditor General shall conduct

1 a follow-up review of FWD to determine whether or not FWD has successfully implemented  
2 its Corrective Action Plan. The Auditor General shall then prepare a report on its findings  
3 resulting from the follow-up review, and such report shall include the Auditor General's  
4 recommended sanctions, if any, to be imposed upon FWD for failure to implement its  
5 Corrective Action Plan. 12 N.N.C. §7(G).

6 D. The Auditor General's follow-up report shall be presented to the Resources and Development  
7 Committee and the Budget and Finance Committee. 12 N.N.C. §7(G).

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9 **SECTION FIVE. EFFECTIVE DATE**

10 This Legislation shall become effective pursuant to 12 N.N.C. §6(A) and §7(D).

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12 **SECTION SIX. SAVING CLAUSE**

13 If any provision of this Legislation is determined invalid by the Navajo Nation Supreme Court,  
14 or by a Navajo Nation District Court without appeal to the Navajo Nation Supreme Court, those  
15 provisions of this legislation not determined invalid shall remain the law of the Navajo Nation.