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# Update: Finance Commissioner Nominee Takes on Role of Acting Governor; Questions Arise Over Authority

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**Finance Commissioner Nominee Kevin McCurdy. By. GOV'T HOUSE**

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Government House announced Tuesday that Finance Commissioner Nominee Kevin McCurdy has assumed the role of acting governor while both Governor Albert Bryan and Lt. Governor Tregenza Roach are out of the U.S. Virgin Islands. This development has led to questions and debates over the legality and appropriateness of a Finance Commissioner Nominee serving as acting governor. The questions have further been fueled by existing laws on the succession of leadership in the U.S. Virgin Islands.

Mr. Bryan is scheduled to be out of the territory for two weeks. He is traveling to Washington, D.C., to meet with senior White House officials and members of Congress on key federal policy priorities, including the rum cover-over extension, the reopening of the refinery on St. Croix, and the waiver of FEMA's 10 percent cost-share requirement for disaster recovery projects. In Chicago, Governor Bryan will speak at the Benzinga Cannabis Capital Conference. He is set to return on September 28.

Mr. Roach is in Germany attending the National Lieutenant Governors Association (NLGA) cultural and economic development mission and is expected to return on September 24.

### **Questions Over Authority and Legal Succession**

The absence of both the governor and the Lt. governor has raised questions about who has the legal authority to serve as acting governor. According to the Revised Organic Act of the Virgin Islands, which serves as the territory's de facto constitution, the lieutenant governor is the first in line to assume the governor's role in death, resignation, or inability to perform the duties of the office. If the lieutenant governor, who has assumed the role of governor is also unable to serve permanently, the president of the V.I. Legislature is next in line.

But in this particular case, both leaders are out of the territory temporarily, and [the law clearly outlines](#) leadership succession. It says the Finance Commissioner is first in line, followed by the Attorney General if both governor and lieutenant governor are temporarily unavailable. Given that both the governor and Lt. governor are temporarily out of the territory, the appointment of a Finance Commissioner Nominee as acting governor has sparked debate. Some argue that the position should fall to the Attorney General.