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# Senate President Shares Concerns About Appointment of Unconfirmed Cabinet Nominee As Territory's Acting Chief Executive

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President of the 35th Legislature Novelle Francis has voiced concerns over the decision of Governor Albert Bryan to appoint an [unconfirmed Cabinet nominee](#) to act as the territory's chief executive while he and Lt. Governor Tregenza Roach are out of the territory.

Despite the Revised Organic Act being clear about the line of succession in the absence of the Governor for several reasons, including absence from the territory, Government House announced that Kevin McCurdy, awaiting legislative approval as Finance commissioner, would take up the mantle of leadership while Mr. Roach is away until September 24, and Mr. Bryan until September 28.

It is Senator Francis, according to the [Act](#), who is third in the line of succession in case of permanent vacancy. Relative to temporary vacancy, the Finance Commissioner is next in line, followed by the V.I. Attorney General. He says his concern is that the current arrangements may not comport with what the law allows. "I have certainly reached out to Government House," Senator Francis told Consortium journalists. He is also seeking advice from the Legislature's legal counsel on the matter.

According to the Senate President, the executive branch believes that the acting Commissioner of Finance is "empowered with all the rights and privileges of the commissioner and thus properly sits as a first level of succession." However, Mr. McCurdy has not gone through the Senate confirmation process, which is at the basis of Senator Francis's unease over the arrangements.

Nonetheless, Senator Francis says that legal counsel on both sides are conferring on the issue, and indicated that Government House representatives have indicated their willingness to take "corrective action" should the consensus be that an error was made in appointing Mr. McCurdy to act. "That is what happens in these scenarios," said Senator Francis. "There's opportunities for cooperation."

The legislature, however, will continue to exercise its responsibility to provide the necessary checks and balances on the executive, its president declared.