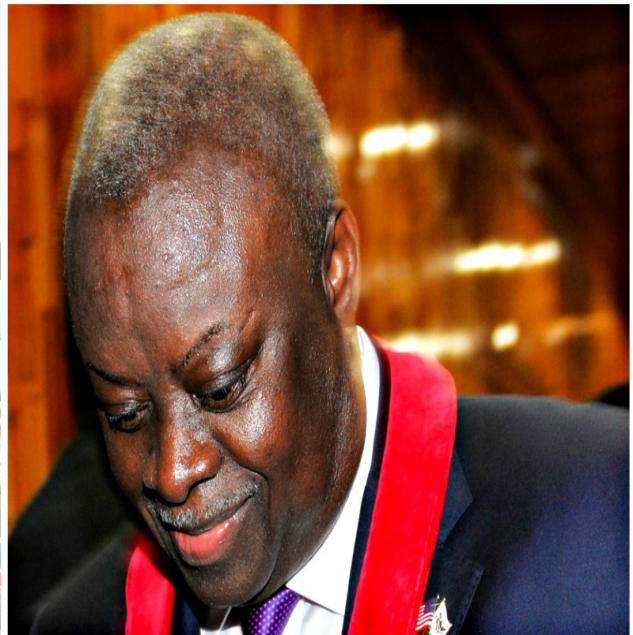


The Virgin Islands Consortium

Pressure Mounts On Mapp To Consult Legislature Before Issuing Executive Order To Merge VI Tech Agencies

VIC News / **Published On May 15, 2015 09:32 AM /**

Ernice Gilbert **May 15, 2015**



ST. CROIX -- On Wednesday, Sen. Novelle Francis called on Governor Kenneth Mapp to [consult with the 31st Legislature](#) before signing an executive order to merge the Virgin Islands Next Generation Network (viNGN) and the Bureau of Information Technology of the Central Government (BIT) under one roof, with viNGN being the lead agency.

Now, Sen. Kenneth "Kenny" Gittens has joined the chorus, calling Mapp's pending action illegal in a press release issued on Thursday, "because it is certainly not lawful to merge an executive branch agency established by law with a semi-autonomous agency,"

Gittens said.

According to Gittens, Section 11 of the Revised Organic Act of 1954 establishes the powers of the governor to prepare executive orders, but according to the law, while the governor shall have the power to issue executive orders and regulations, such actions cannot be done in conflict with any applicable law, according to Gittens.

The senator, serving his second term in office, cited Title 3 V.I.C. § 10 to give credibility to his argument, which states that BIT was established within the Office of the Governor, to be administered by a director, who shall be appointed by the governor with the advice and consent of the Legislature. According to Gittens, this structure cannot be dissolved by an executive order.

"I'm going to be signing an executive order which I will effectively place the Bureau of Information Technology of the Central Government under the control of viNGN," Mapp [said during a viNGN board meeting](#) held on Monday in St. Thomas.

The governor, wanting to create a structure that makes communication between government agencies seamless, said the purpose of the consolidation is to work through "governmental connectivity, and the systems we need in place to begin the process of rolling out public service across the digital divide."

Mapp said one of the first priorities he would like to see viNGN/BIT undertake, is the public safety/first responder interconnectivity, because the "whole first responding community is in complete disarray when it comes to being able to communicate, to use any level or type of technology at work, in their vehicles and 911 system reporting," the governor said. And while he acknowledged that the undertaking will be great, first responder interconnectivity remains a top priority for Mapp, because it directly affects the safety of the territory's communities.

Gittens, while understanding the governor's intentions, said the merger cannot be enacted legally.

"Whereas I understand that the Governor wants government agencies to have access the broadband network without incurring 3rd party charges for its use - the merger is something that cannot be lawfully done through an Executive Order because it will be inconsistent with existing law," he said. "I support my colleague in his call for legislative input and it is my hoped that the governor will realize how this type of action would be inappropriate and therefore reconsider his decision to merge."

During the Monday board meeting, Mapp said he planned on signing the executive order today.