

The Virgin Islands Consortium

Senators Lament Lack of Transparency From Bryan Administration During Hearing on Covid Federal Funding

Government / **Published On June 24, 2021 06:49 AM /**

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The 34th Legislature called a recess during a Committee of the Whole hearing Wednesday to wait on additional information from the Bryan administration relative to how it was spending the over \$1 billion coming into the territory from multiple federal Covid-19 relief packages.

Testifying during the hearing were Office of Disaster Recovery Director Adrienne L. Williams-Octalien and Office of Management and Budget Director Jenifer O'Neal. Senators expressed dissatisfaction with the lack of details and transparency and said

more government officials should have been at the hearing to provide assistance and explanations to the questions posed.

Senate President Donna Frett-Gregory conveyed her frustration shortly after the hearing started. "I am trying to exercise some patience here, but it's tough. When the correspondence was sent out to the chief of staff of the governor it was very clear. It asked for a full accounting of all the funds received from the federal government to include details on the amount of funds received, amounts obligated, amounts expended to date and funds awarded thus far. Today we are having a high level conversation and we asked for details. We asked for details because there is a lack of transparency and we shouldn't be begging as the Legislature for transparency."

Moments later, Senator Kurt Vialet recommended to the chairwoman that the Senate take a 90-minute recess so that the information requested could be provided. The Senate president agreed.

"I don't want to make you feel like we are digging you, but transparency is important," she told Ms. O'Neal and Mrs. Williams-Octalien. "We are the legislative branch of this government and we need the information that is requested of the executive branch."

Ms. O'Neal said a spreadsheet with details would be forwarded to the Senate, prompting Ms. Frett-Gregory to state, "Why do we have to drag it out of you?" Ms. O'Neal responded, "Understood. There were a couple of things we needed to verify to be certain before we sent it."

Ms. Frett-Gregory said that without transparency and accountability, "we are going to have to pay this back and this body — the same body that is trying to get the information to ensure that we see the transparency and the accountability — is the same body the government is going to have to come [before] to appropriate funds to pay back the federal government."

She then called the recess.

Returning from the break, Sen. Javan James sought to learn of the administration's priorities relative to the Covid funds. "We continue to work on that, we should have plans completed or substantially completed in the next few weeks and we will provide that to this body as soon as we have that," stated Ms. O'Neal.

Ms. Frett-Gregory urged the government officials to use U.S. states as a blueprint on how the government should make and approve plans to expend the funds. "States aren't managing, the state legislators are managing these funds," she said.

She also said information on the spreadsheet was not consistent across all departments. "In some instances, particularly in the Office of Management and Budget, there are details as it relates to the expenditures. However when you look at the other departments, you only have the funds allocated and the funds expended. The Legislature moved legislation around transparency... this information is not transparent."

She added, "It's not good enough for us to have the allocated amounts, the expended amounts and not the details. Even if a department or agency is given these funds, there must be some external force that's determining allowability. I'll say what I said before: the

federal government is not going to give us [over] \$1 billion and not come back and conduct the necessary audit.”

Senator Samuel Carrion was not content with the level of information provided either. He was also displeased with the format in which information provided was presented. “We are trying to do our duty as senators of oversight and accountability with information that we have available,” he said. “I would love to see the details and expenditures but also in a format that is clear and understandable [to include] what’s awarded, what’s obligated, what’s expanded and what’s remaining — dates when it was obligated and expiration. There is some information that we have been provided now in the Excel sheet, but there are still some inconsistencies.”

Speaking to Ms. O’Neal, Senator Novelle Francis asked, “From where you sit as the director of Management and Budget, are you comfortable, are you satisfied with the spreadsheet and the information contained in the spreadsheet in terms of the funding we have received and the expenditures of those funds?”

Ms. O’Neal said in response, “There is always room for improvement.” She explained that the process was new and O.M.B. had to follow strict guidelines. “Would I do things differently knowing what I know now? Of course I would. I can’t sit here and say I am 100 percent satisfied.”

Closer to the end of the hearing, Ms. Frett-Gregory said, “The questions we are asking today as legislators we shouldn’t be asking. It’s a shame that we have to ask these questions. This is information that should be coming to us. We should at least have a plan when the FY 2022 budget was submitted. A plan with what we are doing with the CARES Act should have come with it. That’s what states are doing and we should be no different. We have huge expectations. ”