

# The Virgin Islands Consortium

## Bill Would Require Governor to Seek Senate Approval Before Expending Over \$600 Million in Federal Funds

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Lawmakers during a Committee on Finance hearing Monday passed a bill whose aim is to provide oversight of federal funds being provided to the territory.

Sponsored by Senate President Donna Frett-Gregory, the measure, Bill 34-0073 requires the governor to obtain approval for spending over \$600 million dollars in federal relief funds allocated to the territory and to provide the community with a detailed accounting of the funds.

The territory has been appropriated over \$1 billion by Congress since the Covid-19 pandemic, according to Governor Albert Bryan, much of which has yet to be expended

for a number of reasons.

Ms. Frett-Gregory said the measure is not unique to the territory as many state legislatures have taken similar action. "What we are attempting to do here in the Virgin Islands is not new, strange or unprecedented," she said.

She added, "While some states have passed measures that have limited their governors' emergency power significantly," this measure "does not impact the governor's ability to declare a state of emergency or exercise his rights during the immediate phase after the threat has passed."

The Senate president said that during a recent Committee of the Whole hearing, lawmakers were told by representatives of Governor Albert Bryan's financial team that there were many gov't agencies not utilizing federal dollars allocated to them. She acknowledged that there are timelines associated with the spending of federal dollars and there was still significant time to spend the funds. Even so, "it is important as Virgin Islanders that we recognize and see to it that we are better for these funds," she said. "These are unprecedented times and this is an unprecedented amount of money."

Ms. Frett-Gregory said the oversight would give the Legislature a chance to ensure that the funds are being spent within certain parameters so that Virgin Islanders and the 34th Legislature "do not become responsible for paying one penny of these funds."

Chairman of the Finance Committee, Sen. Kurt Violet, said, "The overall intent is that five years from now the Virgin Islands must look different with all the federal funds that we are receiving. We can't continue to not know how these monies are going to impact the Virgin Islands."

Mr. Violet said the bill gives the governor authority to expend up to \$5 million from any of the federal appropriations before seeking Senate approval.

Non-committee member Novelle Francis expressed his support for the measure. "We have close to \$600 million coming to the Virgin Islands as a result of the American Rescue Plan Act, and we need to make sure that there is accountability, transparency and integrity..."

Senator Janelle Sarauw, who supported the measure, added, "It is imperative that the executive branch understands that you can't come up with a plan when the money comes. We have to plan prior to..."

Multiple senators said that when the bill is being discussed in the Committee Rules and Judiciary, amendments will be offered for added clarity.

The Senate requested testimony from Bryan administration Chief of Staff Karl Knight, Office of Management and Budget Director Jenifer O'Neal, and Office of Disaster Recovery Director Adrienne Williams-Octalien, however they were unable to attend the hearing.

The Legislature will convene in Legislative Session on August 3, 2021 at 10:00 a.m., in the Earle B. Ottley Legislative Chambers.

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