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Senators Seek Legal Guidance on Bryan Administration's Controversial \$45 Million Fund Transfer

Government / **Published On June 09, 2023 04:35 AM /**

Janeke Simon **June 09, 2023**

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Following the news earlier this week that the Bryan administration had, without seeking legislative approval, taken money out of the territory's general fund to meet a payment deadline in the negotiated settlement between WAPA and Vitol, the Consortium has learned that senators are now seeking a legal opinion on the options before them.

On Tuesday's sitting of the Senate Committee on Budget, Appropriations and Finance, Office of Management and Budget Director Jenifer O'Neal disclosed that the \$100m line of credit that had been approved by the legislature in mid-April had not yet been finalized by the government, and thus the credit facility was not available to supply the \$45 million that was needed as WAPA's first payment in the buyout agreement with Vitol. With the payment deadline at hand, Ms. O'Neal

said that the money had been [taken from the general fund](#) instead. She reassured the legislators that these funds would be restored to the general fund once the credit line is approved.

The reaction of committee members to this information was scathing, with several lawmakers expressing that they felt misled by Governor Albert Bryan's finance team when they appeared before a special session of the Senate on April 5 to request approval for the line of credit.

Senator Kenneth Gittens even carried his frustration across to the sitting of the Senate Committee on Health, Hospitals and Human Services. After hearing of the funding gap of just under \$2 million affecting the provision of dialysis care to patients in the territory, the senator noted that the problem could have been solved were the \$45 million still in the territory's general coffers. "If we had that \$45 million sitting aside that we could move just like that, we could assist our people. It's a crying shame," the senator said on Wednesday.

Now, sources with knowledge of the matter have indicated that several requests have been made by lawmakers for legal guidance on how best to proceed in the face of this seeming overstep of executive authority.