



Committee on Finance | Budget Hearing | July 1, 2021

Legislature USVI

July 1, 2021 · 4.1 hours · gov

Source recording	https://youtu.be/UsWDH67U3kk
Status	This is a working transcript produced by machine from a recording of a public proceeding. It is a finding aid, not an official record of the Legislature.
Transcribed by	VI Update, using OpenAI Whisper large-v3-turbo, run locally. Not reviewed by a person.
Reliability	Automatic transcription, UNVERIFIED. Verify every quotation against the recording before relying on it. Speech recognition splits spoken digits and wraps figures mid-number, so a dollar amount, a vote count or a bill number can be wrong in a way that reads as correct. Speakers are not identified: automatic speaker labelling was measured unusable and removed.
Public record	The underlying proceeding is a public record of the Legislature of the Virgin Islands. 3 V.I.C. § 881(a) defines public records to include all records and documents of or belonging to this Territory or any branch of government, or any "department, board, council or committee of any branch of government" · which names legislative committees by category. § 881(b) gives every citizen the right to examine and copy such records, and the news media the right to publish them. (The open-meetings chapter, 1 V.I.C. § 254, does NOT reach the Legislature: § 253(b) expressly excludes it and its Standing and Special Committees. § 881 does, and it is § 881 that confers the right to copy and publish.) The Legislature broadcast this proceeding publicly itself. The source recording is not ours, is not hosted here, and remains with its publisher at the link above.
Rights	To what we added · the transcription, its arrangement and its description · we assert nothing. A verbatim transcript is mechanical rather than authored, so there is likely nothing in it to own; to the extent any copyright is nonetheless found to subsist, it is dedicated to the public domain under CC0 1.0. Please copy it, quote it, index it, train on it, republish it, mirror it, sell it. Redistribution is the point: a public record with one copy is one fire from gone. No permission is needed, and none is ours to grant or withhold.

- 0:00:00 trailers we would you talk about to get it to the site to put the equipment on this this machine um i don't have trailers okay you're not going to drive the machine from christian set to crema swap you need to go on a trailer and drop it there so did you include trailers yeah i think we have we don't have a trailer on st thomas i gave you a chance to say what you need We do need a trailer, Senator. We do need a trailer. Thank you. So I'm going to ask you to submit a cost of those equipment. Are the trailers, I mean are the tractors, you have the monies now for the tractors? Yes, we do. So you have the monies for the tractors and you have the money for the equipment that picks up the garbage?
- 0:00:47 Yes. Okay. And the money for the implements? Yes. Okay. Okay. But no money for trailers? No money for trailers. No money for vehicles. Okay. We got two points of inquiry. I know they're going to bring it up. Senator Johnson had actually before, and then I'm going to go to Senator Fred Gregory, and then colleagues, you're going to do a two-minute round after this. Senator Johnson. Thank you very much. Thank you very much, Mr. Chair.
- 0:01:16 I have two points of inquiry, one for Mr. White and one for Mr. Morales. thank you senator the status on the vincent mason pool is a contractor was selected uh polaris won the bid for that contract i think it came in at an estimated 2.8 or 2.9 million dollars and we have already started the process of doing a contract with a notice to proceed Your question was answered tonight?
- 0:02:16 Yes, and then Mr. Morales' question was asked for Tokyo and Cali. Yes, initially when we submitted these funds, for Tokyo we had roughly about 12 athletes were possible, who were training and trying to attain the qualifying standards to compete in the Olympic Games. So initially, we had to include funds for them. However, since then, we only had four athletes of the 12 who were able to qualify.
- 0:02:57 So the numbers for Tokyo have gone down. Now, the numbers for Cali, this is some junior games where we anticipate taking a delegation of around 50 athletes and supporting personnel, which, you know, that's how we came up with those figures of 100,000 for the games in Cali. Thank you very much. That's a good question. Thank you very much. Thank

you very much. Thank you very much. Thank you very much.

0:03:25 Thank you very much. You're welcome. Thank you, Senator Johnson. The young man that qualified in archery, it's looking good. It looks like we might be able to get an Olympic medal this year. He is a medal contender. Right now he's ranked number four. In the world. In the world, correct. And he is just steadily improving. He's steadily climbing up the ladder. Put his name on the record.

0:03:52 His name is Nicolas D'Amour. I'm seeing Thomas. In a short period of time, I've been following this young man. A short period of time he has just been kicking butt yes yep and just moving from one level to the next every competition he gets better I think he uh he has taken a break from college and he has been focused 110 percent on his goal and and a sport that really isn't played in the Virgin Islands or um as much you know we have an archery club now in St. Croix by Lagrange and there's one here too okay at the BCB school but uh because of COVID the lockdown of schools are uh is different in St. Croix it's a open field not associated with any uh government properties such as school etc and that's the that's why they've been able to continue practicing in St. Croix and I think that's government land practicing on right Dr. Cole is the person correct okay so DPNR your modular classroom my day excellent idea if you could replicate that in some other areas that would be good but that's an excellent idea to tie in the academics we spoke before about those structures um for the outside basketball court and you said you were going to try to get a price you ever got it yes we got the price I think 150,000 for the construction of that structure and LED lights underneath it and colleagues this is that um you see them in Puerto Rico a lot it's it's not a gym itself but it's it's a structure and with the the post there's a covered roof is extremely high and then there's light underneath so that when it's raining the students

0:05:39 can still have utilization of that outdoor court and it's something that we passed like five years ago and then the monies ran out because there was no action, we had actually passed I think \$450,000 to get it started but it is something that we need to fund again. I think that you, so the one piece of equipment, you're going to have the equipment travel. It's not easier to just buy the equipment for St. John. You don't have the need over there as much. So I think it's supply and demand. I don't know if we have the need that much. I did speak to the commissioner of DPNR, and he said that when he listened to the hearing, he said he might be able to identify some funds or a grant to get us an additional one. At this time, I don't know if the need is there, but if it is, we will look for the funds.

0:06:32 Okay, so Senator Gregory has a very applicable question to that piece of equipment. Very quickly, I'm glad that the chair brought it up. So I'm trying to figure out the correlation between what discussions you're having with DPNR and the equipment and the seaweed removal, the authority for your department to in fact do that. I know that there's some, you know, there's some, we call it fish and wildlife matters around the whole seaweed, et cetera. So what's that discussion? What are we doing with the seaweed once we remove it? So there's a lot to contemplate. And I really want to ask you, from your department, do you really believe that it is your responsibility to remove the seaweed?

0:07:20 Because I'm thinking that DPNR should be able to get a grant, in fact, to purchase those types of equipment. Or it should be part of the regular federal funding that's coming down. The seaweed situation is not going away. The sargassum situation is not going away. So what's that discussion? Yeah, so I think it's a co-effort between both departments. Remember, we are just on the land. There's a big problem in the water with the seaweed also, which then is DPNR. I had a conversation just yesterday with Commissioner DiPiana and the individual that makes these machines, which is why life is in consideration to that. The individual who can find out what to do with this sargassum problem will be an instant millionaire. It's a problem all over the world. Oh, absolutely.

0:08:10 Absolutely. My primary concern is we need to make sure that we are funding the appropriate entity, whether it be yourself or DP&R, when it comes to this whole, whatever equipment is required. And at the end of the day, who's truly accountable and responsible for the whole removal? I mean, once it gets on land, it probably could become your problem. I don't know. It just depends on, you know, parameters of the law, but there must be some MOU or something that needs to be worked out in order for this to be worked in tandem and effective.

0:08:52 It is an issue, Senator. I know I spoke to the Director of Fire, and the volume is so much where he's at the point where he's asking us not to even bring it to the dump anymore. The sarcasm can be used for fertilization. I can tell you this. If we was to fertilize every home in the Virgin Islands, we would still have sarcasm left over. That's how much it is. I don't know if there's any one way to get rid of it. Like I said, it's a problem all over. Nobody has seemed to figure out what we do with it. I started to think of a way to incinerate it and then get rid of it, and then the lady who we're buying the machine off start talking about all the biochemicals that are going to be left over, the salt.

0:09:36 SO IT'S NOT AN EASY FIX, BUT I AM HAVING THE CONVERSATION WITH DPNR ABOUT THAT. THAT'S WHAT I WANTED TO KNOW, IF THAT CONVERSATION IS ONCURRENT. THANK YOU, MR. CHAIR. THANK YOU, SENATOR GREGORY. COLLEAGE, LET'S GO TO A QUICK TWO-MINUTE RUN AND WE

WANT TO CLOSE OUT THIS PARTICULAR GROUP. SENATOR DEGRAFF, DO YOU RECOGNIZE? IF YOU HAVE ADDITIONAL QUESTIONS, YOU CAN. IF YOU DON'T, THAT IS FINE, SENATOR DEGRAFF. Okay, while he comes there, Senator Johnson.

0:10:11 Thank you very much, Mr. Chair. Commissioner White, does any of your bar park have a generator? None of my bar parks have a generator. However, the D.C. Kanagata facility, because that center has been identified as a shelter, we receive funding for the purchase and installation of a generator. Is that only one of the ones that has a generator?

0:10:40 Correct. Do you have any data to where the sports complex, where the sports complex will be ready to go? Are you talking the one under the Olympic Committee? No, the sports complex is in ground. The car is in track. Yeah. So work has resumed on the contract. The 34th appropriated another \$675,000. That funding came through the Department of Sports Park and Recreation. There were some issues there because the original \$500,000 was through the St. Koi Community Foundation. Their procurement laws are not as strict as ours because now it's coming through the department. The contractor that is there already started the work. We felt that we needed him to finish, so a justification will be sent up to property and procurement when invoices start coming in, but the contractor, VIP, has resumed work on the contract. I think the date that they're looking at is November.

0:11:52 is what the President responded to me. Will you get a chance, if you can, . Will do, Senator. Thank you very much. Mr. Morales? Yes, sir. Do you have a public police officer? No, we don't. So how do you get your information out? basically between us we just write up whatever information needs to be sent out and we just sent it to the different medias time thank you so much mr. Johnson mr. Arthur Hector is a contact person for the car race and he can provide details as to exact a completion date and phase and project he's supervising that particular project the desire of the body was to funnel the money the same way it was done before however our request was made by government house to send the money to park and recreation recreation hence we did we got original legislation had the monies going back to the community foundation but a request was made so we wanted to make sure the bill was passed so we went ahead and utilize the recommendation of the chief council for GOVERNMENT HOUSE SENATOR CARRY ON THANK YOU COMMISSIONER I JUST WANTED TO GO BACK TO STAFFING I KNOW WE TOUCHED IT BUT AND I KNOW WITHIN THE BUDGET AND YOUR TESTIMONY TODAY YOU HAVE FOUR VACANT POSITIONS RIGHT AND I THINK NINE NEW ONES NOW I'M HEARING YOU THIS DISCUSSION THIS MORNING ABOUT EQUIPMENT AND YOUR NEED FOR EQUIPMENT AND SOME NEW MACHINES

0:13:45 that are coming on do you have staff to be able to operate those machines yes so again that in our senior staff meeting those are discussions that we have I do know on St. Croix there is a heavy equipment operator qualified ready to go as that machine gets an island on St. Thomas we do not but I have been in communication with Public Works who's already agreed to assist us what is it a training someone that's on staff now of operating the equipment, or we did have a conversation of bringing on a heavy equipment operator on the island of St. Thomas.

0:14:23 Is that included within your budget? It is not, it's not included, and I'll tell you why. And I had this conversation with my staff. I questioned whether we needed or whether we would have been able to create eight hours out of the day for just a heavy equipment operator. And St. Thomas, absolutely, I know we can create enough work for that person. The individual on St. Thomas, I wanted someone who could create, who could operate the heavy equipment, but also be able to deal with additional duties at the facilities. It would be great, like I said, we have the supervisor parks coming on, some other employees, if that person would be either trained or qualified to learn how to be a heavy equipment operator.

0:15:09 I know in previous conversations you expressed the challenge you have with staff, especially because most of your facilities are spread out through the territory and sometimes having to move staff and not having enough staff. Do you think the staffing that you have submitted within the budget is adequate? What is realistic or wish list in order to effectively carry out your duties and mandates? Yeah, I'll pass this question on to my assistant commissioners. they run the day-to-day operations of the department. So when I'm requesting, you know, whether it's critical positions or hires, I always ask them what they want, what they need to get the job done. I can tell you it's not enough, but I'll pass this question on to them and let them know their challenges and needs as far as staffing.

0:16:02 ACs? We're trying them first, St. Croix or St. Lawrence? Ladies always first. St. Croix. Hi, good morning, Renee Hanson, Assistant Commissioner. You can hear me well? Yes. Okay. If I'm not mistaken, the question was if we have adequate staff on board? And, yeah, within the budget, there's nine new positions that you guys are asking for.

0:16:35 And if that's enough, what's the realistic need that you have for staffing to be able to carry out effectively your mandate? well um the the six that we requested um six of the nine um we asked for three physical sorry um general maintenance workers and custodial workers currently we only have one custodial worker for the entire island another is out on sick leave and that there's no way that one individual can help take care of the entire island so the three additional I think will

be it's not the best case scenario how many how many facilities assistant commissioner we're talking about that they're responsible for?

0:17:37 Approximately. Between, I would say 15 to 20. 15 to 20. But because of COVID in a way has been a little blessing because some of our facilities are not online. So she may not have to go there as often, but when we get back to normal, Yes, there will be, that'll be a real issue. So I would say 15 to 20 facilities, she will be, or they will be responsible for. So it's for an accurate amount, can everything be covered with four individuals, four considered workers? And I think the same thing applies for your maintenance people.

0:18:20 Not really, realistically we wanted to mirror maybe what we have with the grounds group. So if if we have the vehicles and the supplies we could have crews accruing in the eastern dish in the eastern part of the island mid-island and west. If I could mirror that with the custodian that would make it much easier. But I don't think that's realistic. So that would be at least four custodian per per district. That's that's 12.

0:18:51 So I don't think that's realistic but. It will help along the way to minimize the need, what we have now. So 12 is realistic, but I'm happy with the five that we will be happy, we'll have. As far as the general maintenance workers, same thing. With the maintenance crew, though, they work together, so they're able to disperse the same weight. East, West, Mid-Island. So I think that would be sufficient for now.

0:19:29 But what would be the realistic amount, I mean, that you would need to be able to cover all your facilities? Well, to be realistic, if we could have people just stationed at certain facilities, for instance, if I could have a group at Kramer's Park, someone mentioned something earlier about the beaches. If we can have a crew, whether it's grounds crew, custodial, maintenance that's actually stationed and they maintain the beaches that will make life much easier and back to the machines the machines that we're that we're getting they're not just for sarcasm they they can um pick up the garbage in the sand they can help level and beautify the beaches right now you will see our sand is very bumpy it's it's not level we're trying to just beautify our beaches as much as we can and I think that that machine will will serve that purpose so I know I covered I said I went all over the place but I needed to get that out all right uh I think we need to hear from St. Thomas I'm waiting for St. Thomas to answer your concern also.

0:20:41 Yes, Commissioner of St. Thomas in the district. In our district, we can't use the- Name, put your name. Recruitment for us in the- Name, sir. Vita Quart, Assistant Commissioner. Hello, you hear me? Yeah, go ahead now. Okay, Vincent Roberts, Assistant Commissioner, St. Thomas, St. John District. In our district, we could use more recreation as well as groundskeepers, but without rectifying our vehicle issue, it's something I would look into because bringing more employees employees that are coming up with to transport them is is will just create a bigger issue um not even with is kind of trying to correct our chart as far as in thomas and st croix is concerned so i've been working with ht hansen and misspell to kind of get that straight you know um whereas st croix has a lot more supervision and supervisors since i was lacking in supervise in supervisors um overall we could definitely use more rec personnel and symptoms and more um i could use maybe i would say another five recreation personnel uh another five ground keepers um in st john we need at least another two or three recreation personnel how much ground keepers do you have on st damas number of ground keepers and damas number of custodians number of ground keepers in cry number of custodians number of rec specialists break it down for me

0:22:40 let me spell answer it nature give me a minute let me get that number okay while you're looking I'll go to Senator Potter Senator Potter you recognize thank you Mr. Chair um Commissioner I wanted to ask you a question about and I know you're making some strides with regards to repairing the facilities the basketball courts racquetball courts and the like I have I have a particular concern about the Smith Bay basketball court, and my concern is the retaining wall. I know you're familiar with that.

0:23:17 I don't know if it's under your jurisdiction and you can educate me on that. The retaining wall is missing. Obviously, it's a dangerous situation. If a car gets out of control and, you know, heads into, you know, on the court, it could pose a life and death threat to someone. Is that something you're aware of and what role do you play in rectifying that? I'm aware of it. I've had a conversation with Public Works. I don't know if there's barriers there now. I'm not sure if there's barriers. I don't think there is. But I am aware of it. I think both of us have a responsibility. The wall is on sports, park, and recreation property, But the road is what Cavin and Public Works is who deal with roads. I know the wall is covered as part of the project for that facility. So that will be addressed once that project starts. I don't know what Public Works plans is for the road.

0:24:19 I can't speak on that. In the meantime, there should be something that we could do just to... I thought there was the arranged barriers there. I'm not sure, but I thought there was the arranged barriers there, blocking off that sink in the road. Okay. My next question really is for Mr. Morales. Mr. Morales, in your testimony, you stated that you continuously, you

know, submit grant proposals to the International Olympic Committee and to the Pan Am Sports for funding. On average, how much funding do you receive from these organizations? Do you get funding on a regular basis? We receive anywhere between \$700,000 to \$800,000, depending on the needs. Okay. How much do you anticipate receiving in fiscal 22?

0:25:07 Well, we always round it out to around \$700,000. Okay. And hopefully we get the other \$300,000 from the government, which takes care of our needs. Okay. Final question, Commissioner. What's the relationship like between sports parks and recreation and the Department of Education regarding sports? I know that there is a challenge getting, some of the organizations have a challenge getting permission to use sports facilities, recreational facilities at the schools. I know this is outside of your control, but is there, in addition to that, like recreational sporting activities, is there some interaction or some relationship between sports parks and recreation?

0:26:01 the Department of Education yeah absolutely I think in the last couple of months you've seen the two programs that was rolled out the combine in a bubble where both entities collaborated together as well as the naming of a legend base balance our ball tournament which was also a collaboration between the two departments let's be honest there's no educational sports without about sports, park, and recreation. A lot of our fields and parks that these games are played on is at our facilities and vice versa. So there is conversation. I know my district administrators are the ones who are more involved with those programs. Can it get better? Absolutely. But I think we will continue to work, too, because there is a marriage that we call each other like a brother-sister agency, but the programs go hand-in-hand together.

0:26:56 Are you aware of an MOU that's been out there between, I think, the Track and Field Federation and the Department of Education regarding the use of facilities? And I think that that is something that has been lingering, I understand, for like three or four years. If we're saying we're preparing and training folks to go in the Olympics, shouldn't that be something that would be solvable? And can you interject yourself in the equation, you and Mr. Morales, to try to get that issue resolved? I am aware of the MOU, and if I'm not mistaken, it should be signed by now. I've been part of a couple of the meetings, you know, just to give my advice or what I think should happen. But I do agree that our facilities should be more accessible, not just for programs and the community, but, you know, our national teams, any travel team that needs to use it. That's the purpose of the facility is for it to be used.

0:27:59 But I could only speak from sports park and recreation. Like I said, it's as simple as filling out a use of facility form. We try to make our facility available for the use of the public. Just for your information, MOU still has not been signed. I'm just trying to gather in my mind what could be the holdup over a three or four year period. It baffles me, but ultimately our kids suffer. Thank you very much for your response. Thank you, Senator Potter.

0:28:32 Just for my own edification, the MOU is with the Track and Field Federation and Department of Education. Okay. I, our entities that represent the Virgin Islands, our national teams, I cannot understand why they are being charged thousands of dollars to use government facility. And the Basketball Federation has had help being able to practice the teams because they're being charged thousands of dollars. And I know that for sure because I intervene with the Basketball Federation and the use of a facility on St. Croix. I went all the way to call the commissioner, I mean the superintendent, not the commissioner, and after wrangling and trying to get the fees down, they were still charged over \$1,000 to utilize the facility. National teams represent the Virgin Islands.

0:29:36 We should be opening and making it as accessible as possible to these national teams that represent the Virgin Islands. Track and Field Federation, those are national federations representing St. Croix. St. Grand Education Complex, Gate Lack. For the track, the grass is encroaching, we don't have problems there. Instead of allowing a federation to utilize it, I mean, there's no logic. And that's an in-house discussion, Senator Potter. All you need to do is you send out an executive order saying national federations must be given access priority. Once it's not interfering with a school activity or something, they should be given access.

0:30:17 You know, that's a no-brainer, Mr. Morales. Yes, and I just wanted to follow up on what you just said. Because if government charges \$1,000, the other facilities that are available even charge more. So I just, you know, just to put it on record, we've approached UVI, and many tournaments that our federations could have bring in to help promote the sport tourism industry, we have had to just forget about, you know, pursuing it because of the high cost to rent the facility. And that's one of the problems that this facility, this multi-sposed facility, which we want to build, will resolve. And I agree, but we fund UVI.

0:31:05 Pardon? We fund the University of the Virgin Islands. I know that. I work there. And when they come before us and there is a need, I have made sure, we have made sure, we have provided additional monies for the University of the Virgin Islands. So it should not be an obstacle for us to be able to host competition at UVI because of the cost. If it's a private group that hosts it, that's a different story. The travelers, basketball, that's a different story. But if the federation is hosting

a game between Virgin Islands and Canada, it shouldn't be any exorbitant cost.

- 0:31:44 And colleagues, we might have to craft something and build it into legislation where you were working on it, Senator Carrillo? Okay, we got to craft that so we could better protect our national teams. Any other island, when the national team are ready to practice and leave, they are given the red carpet. And I look at what happened in the BVI. somebody won a medal they gave her a piece of land when she came back i think she's silver medalist the government gave her a half acre land thanking her um there was a next caribbean island gave the medalists a car but we kind of so proud of the the the the glory that it brings to your nation your ability a small caribbean island to produce somebody of that magnitude you look at how puerto treat their national teams, you know.
- 0:32:43 When they're traveling, they're traveling a while, the bells and whistles, and the economy worse than ours. So we have to revisit how we are dealing with our national team members, and that's why I made it a point today to emphasize on that young Archer, because it is something that we should just brush on the side. It's a wonderful accomplishment that's taken place. Senator Gregory, you'll close it out. I'm back. Go ahead. Okay. Thank you, Mr. Chair. A couple of things, Commissioner. One, I just wanted to the \$110,000 miscellaneous reported in the post-audit report for the youth programs St. Croix, Boxing and Leche, that's an additional to the \$500,000 from the miscellaneous fund. Hi, Carol Peters, Director of Business Financial. The \$110,000 is the miscellaneous appropriation grant that is part of the budget.
- 0:33:54 Okay because I think without that 110, what were these particular programs funded before? That was always it? Yes, that's correct. Okay and finally again I want to just go over that situation with the you said you have a union because I'm being told that you have a union that was supposed to receive wage increases last year 2020. correct senator is that so correct senator that's the one that's in at OMB right now okay so that is for the 2021 budget it's supposed to be funded for it was already supposed to be paid out so we're behind but it is in the 2020 2022 budget and which union or how much personnel are we talking about that that affects that one 59 59 personnel was supposed to have already been paid wage increases and they have not been for the 21 budget. And now we're saying it's being proposed to the 22 budget.
- 0:35:30 Correct Senator. So it was it ever in the 21 budget. Time. No it wasn't. okay 59 employees is is is a very high amount and it could cause a lot of dissension among your troops commissioner and um so we could really walk and get together with these individuals that give them for basically i say i i thank you on your team for what you do and continue to do it for for the service that you provide the territory but to have 59 people who should have have been getting, we see the wage increases that have not, it is not good. Thank you for the time Mr. Chair.
- 0:36:18 Thank you. Thank you Senator. You're saying that that we did not include an increase for those 59 in your budget? in the 2022 budget. Okay but we did pass monies through OMB for wage increases at an amount that came down to us and government house that should have taken care of those 59 positions.
- 0:36:55 Did you make a request for those 59 positions for that particular wage increase? Yes we sent those, I sent that spreadsheet to OMB back in 2020 but it was not approved at the time. Okay. What's the cost? So you're trying, you, what are they up to 2018, 2019, your employees are up to what?
- 0:37:31 currently on the 2018 salary okay so which was paid out in 2019 okay and that was that that union contract was what a five-year union contract it's it's expiring 2023 yes so in 22 what do you plan to give them 20 the 19 and 20 they don't have any for the next two years okay so the contract is also 19 Yes, 18 and 19.
- 0:38:04 And they receive 18 already? Correct. Okay, so we owe him 19. Correct. And it's in there as being retroactive or? We did include the back pay in there, yes. The back pay for how much? For how long? For a year? Well, as long as we don't pay it, the back pay is being counted. So tell me one of those figures, what you came up with. Ms. Peters?
- 0:38:40 You see your actual expenditures for 2019 was 3,516. What was your actual expenditures for 2020? Not 21, not this year. Oh, what's your actuals up to this point for personnel? Hi, Carol Peters, Director of Basics and Financial Management. As of June 15, our actual for personnel services is actually Two million five hundred and forty two thousand two hundred and sixty eight thousand forty two cents. Wait, one minute. Two million. Two million five forty two, two hundred and sixty eight.
- 0:39:42 And that is up until when? As of June 15th. Okay, I will calculate that quickly. The government, the recommendation from Government House for Fiscal Year 21 was \$4,168,702. That was a recommendation from Government House. This body funded you at \$4,534,907. So we increased the recommendation. Yeah, go ahead.
- 0:40:20 Okay, excuse me. The \$4,005,000 that you just referenced is not correct. Our budget for personnel is actually \$4,437,860. \$4,437,860. Okay. Recommendation was \$4,168. So we increased it almost by \$300,000,000. And those monies that we increase it was put in there so that we could be able to give those 59 individuals an increase. We got the \$4,168,702, according to what was sent down to us, was sufficient to fund all the existing positions.

- 0:41:05 And we increased it by some \$300,000 because I think at that time we wanted to give the commissioner some flexibility. The \$2,542,000 would represent eight and a half months, right? There are additional funds that you just spoke about, the \$300,000 and something. Those funds were actually used for our critical positions that were taking out the budget that we spoke about. And those were like four lifeguards.
- 0:41:41 Anyway, I will point the inquiry, Senator Johnson, while I walk this quick. Thank you very much, Mr. Chair. Commissioner White, you spoke about financing security, and there's three facilities in The territory that I know is utilized heavily in the Griffith Park, the Kanegata Saabaw Park, the Reynolds-Jackson Park. These three facilities, most of your apartments and everything that goes on in the street.
- 0:42:22 Can you not tap into that resources or generate them so that when you have these activities, that the facility can stay elected to see if everyone is there? Would that be a possibility for you to look at them? Yes, Senator. I appreciate that you could check into that because if we could keep those three facilities like it, especially when you have these activities, it provides security for everyone that's in the area at the time. Thank you very much, Mr. Jim. Thank you, Senator Johnson.
- 0:42:58 Ms. Phel, Ms. Peters, if you, 2,542,268, up until June 15th, that represents eight and a half months, right, three months, October, November, December, and then five and then a half, so eight and a half months. So if you divide 2,542,268 by 8.5, you get 299,090, and then you multiply that by 3.5, which would represent the next three and a half months to finish the fiscal year, you You get 1,046,816.
- 0:43:50 You add those numbers together and you're going to have 3,589,000 and a little bit left. You have sufficient money in your budget right now to give all of them the raise for fiscal year. If you calculate it, you have enough. At the appropriation level that we gave, there is sufficient money that right now you can execute the raise for those 59 employees. If you don't, you're going to lose it. And then it's going to be an expense that we have again next fiscal year while you have sufficient in this fiscal year. Commissioner, you can go ahead and execute it. You're going to say something. Go ahead and say it. Oh, no. I'm listening. Okay. We'll proceed. and you let this body know when you proceed because once our revenues coming into the GVI is on target with what we projected then you have utilization of the full amount that was allotted to the department but what's the cost of the 59 employees for the raise. What's the cost?
- 0:45:16 The cost is for year two it's only 38,000. 28,000? 38. Okay. But that does not include the back pay. So there are 59 employees and it's like a \$500 increase? Pretty much. Pay the money. The monies are there. Yes. Matter of fact, pay both years so that we don't have to fund it again because you have more than that. No, it's just one year.
- 0:45:48 There's only one? Yes. Oh, please pay it. The monies are there. um just give us a just please please please pay that we have sufficient base on the numbers that that we are seeing and why i'm saying please face is because your salary is already so low and it's minuscule what they're getting as a raise so let's just go ahead and execute that i know our good budget director miss jennifer neil will gladly sign the documentation and get rid of this little minuscule amount a point of information find that information and then we don't allow him i thank you for the calculation of the numbers uh i i didn't do it as eloquent but uh i i figured we had already put the money in uh commission again like i said you have a great team and in order to keep that morale going, you know, I would highly appreciate, I just take the suggestion of Mr. Chair, we address those people this term and so they don't have to wait any longer. Thank you for the time, Mr. Chair.
- 0:47:00 Okay, so the average raise is \$661. You wanted to post something on the record, Senator? Go ahead. We have two minutes. Go ahead. that we are closed thank you thank you mr chair um and then we wonder why people in the virgin islands walk around angry when that letter went down to the office of management and budget i respond should i come back and say utilize the resources that you have in your budget we can't we can't continue to treat our employees like this that's why everybody around have vex we have vexed community because we don't do right by them it's wrong you have three more months in the fiscal year 59 no pause either no pause ready i just wait to pull the trigger right there's no pause ready yes yes yeah just pull the trigger and if y'all have an issue let us know um Mr. Morales, very quickly, do you have sufficient funds to cover the travel-related expenses for the individuals who's participating in the Olympics?
- 0:48:22 Yes, we have everything covered already. Okay, good. Right, I don't have that many. I have one more question, and that's tied to the technical assistance grant. You received that grant, Commissioner? I think in your testimony on page 9, you made reference to the grant. Did you receive it? i am so sorry yeah i apologize the technical assistance program grant you you reference in your testimony have you received the funding yes how much is it that that was only ten thousand dollars this is a ten thousand dollar grant and the purpose of the grant is to develop a territorial comprehensive correct outdoor recreational plan for the territory yeah so is that work started is it something that you have to do in collaboration with dpnr What's happening there?
- 0:49:10 So the work for that initial grant has not started. We just received that, I think, if not last week, the week before. Okay, so you've just started. Just got it. And I have one more question. I think, Miss, gosh, we messed up your team all day. You're

a fiscal person. Let me just keep it to your HR. Did you make mention to your critical hires and utilizing the funding in your current budget to fund your critical hires that's what you said you may have mentioned to critical hires did we put the lifeguards in the budget for 2020 FY 2021 or it was it a extension of critical hires no it wasn't an extension of critical high well we submitted was the life let me i'm confusing you was the lifeguards in your FY 2021 budget your current budget no we actually did not have any vacancies at all in our 2021 budget so when you funded when you when you hired them where did you get the funding from did you get additional funding from omb no you utilized your current budget to support that current budget okay so that's probably why you were dancing with the um with the salary increases because we did so then But we did fund it, so you didn't see any vacant, that's why you were able to fund it out of your budget, because we did give the additional \$300,000 to support your additional positions. And this is why, and I'm going to go back to the chair on this, but this is why I am challenged by this budget that was sent down.

0:51:08 You know why we're having this discussion and this little confusion? Because the budget needs to be submitted by activity center. If it's submitted by activity center and you give me a roll-up total, then we are able to clearly see what it is. That's our challenge. And this is a whole new way of budgeting that's been coming down to the legislature that, frankly, it's confusing for the senators. And again, again, I ask you, Mr. Chair, please ask the departments and agencies to provide their budget information by Activity Center so we could be clear on what we are providing the funding for. I have no other comment around this. I think all my questions were answered. Thank you, Mr. Chair.

0:51:51 Thank you, Senator Gregory. and Senator Gregory, you are present, Senator Blyden, Senator Saro, at the budget markup. And at the budget markup, we called a number of commissioners from the budget markup, and we had concerns about those particular departments and what was needed. and we did call the commissioner in reference to you need these positions this lifeguard what is the cost so we increased the amount by over 300 000 to make sure that they were able to bring on the lifeguards and they raised it was so minuscule 59 000 that we included those numbers So if you look at what you have presently paid out, unless you're going to hire a dramatic among the people in the next two weeks, you're going to come way under what is your allotment.

0:52:54 So you have sufficient fund to continue with those lifeguards and sufficient. Matter of fact, you have sufficient fund to bring on some other individuals, if you would like right now, one or two of those custodial workers. If you look at the numbers, Commissioner, you could bring on some of those new positions right now, custodial, maintainers, workers, because there's sufficient capacity in the budget for that. So I'm glad you did mention that. I did speak with the director previous to coming in to this area, and she did tell me we do have the savings to go ahead and hire those individuals now. Okay, we don't have to, colleagues, I don't have to go on real scrub, okay, on the budget.

0:53:36 Senator Carla Joseph will join us at the very very end as we were about to conclude so we'll give her a quick two minutes so that she can ask some questions thank you mr. chairman a pleasant good afternoon to you the members of this committee the testifiers are listening and viewing audience I will be very succinct thank you for this opportunity I've been watching the proceedings in and out of meetings I'm not a member of this committee but I try to carve out some time to be here I hope one of my questions is not has not been answered and it would go to you mr. Angel Morales from the Olympic Committee relevant to your plans, which I love, getting the whole sporting facilities built at Ivana Eudorikin High School. How far along are you with that? Because I know you said for your objective or one of your goals is to build for 2020. How far along are you with achieving that goal? I think you should use a different word, but commence, commence building. Tell me how How far along are you with reaching that goal and what have been your wish list from this body to help you meet that goal, if you haven't covered that already?

0:55:03 Okay, thank you for the question. Like I mentioned earlier, the first step that we need to be in place is that we get the long-term lease for the land. As soon as we get that long-term lease for the land, we will submit a request for some funds from panam sport and we will begin the process groundbreaking etc where are you with getting that long-term lease the well um right now um we had a meeting last week thursday with uh with governor brian and he gave his uh approval for us to move ahead so now the next step that needs to be done is through the commissioner white his office or his department to get the land utilization uh plan uh done and and once that is done where where they can identify the parcels that we need we proceed yes okay okay once once we get the uh that in place and then um then we can begin um submitting our uh proposal to fema who will be the major sponsor for this Just one follow-up question, and I'll wrap up with him. Did you not state in your presentation that you were looking for funding from this body to support? Yes, yes. So you said \$2 million, right?

0:56:29 \$2 million, correct. So you were looking for us to appropriate that \$2 million to you simultaneously while you do what you have to do to begin the process and use that as bridge funding? Well, I haven't submitted a request for the \$2 million until, you know, yet, because I don't know if I will get the long-term lease. Once that is in place, then I will be moving forward for these funds. Okay. I won't hold up my time, but if I could just put on the record, Mr. Chairman, to you as well

as to Senator Novell Francis, happy anniversary to the both of you. I did hear that. Happy anniversary.

0:57:10 Thank you kindly. Thank you so much. I appreciate that. Mr. Morales, is there a window for that application process to FEMA? Well, once we get, like I said, once I get this long-term lease, then I will be meeting with the contractors. They have personnel who focuses only on grant writing for FEMA. And once we get this approval, then we will submit the request to FEMA. So you need a long-term lease, and then there's somebody within the Olympic Committee world that does these grant applications for these type of facilities?

0:57:52 No, it's the contractor for the Dome Tech. Oh, the contractor is who does that? Okay, that makes sense. They have somebody who works specifically with FEMA grants. we have already had a conversation with that contractor yes okay so point to inquiry yes ma'am recognize senator donna fred gregory for me please commissioner white you know this project is a project that i have been on top of you guys on right i need to understand if if we didn't move the money for the site plan right this site plan evaluation then this long-term lease discussion will never happen i'm trying to figure out why is it that we cannot move forward with this lease this is a major project this is a good project why don't we move forward what's preventing well I can't you can't you can't really answer the least question but are you what is the discussions that you're having with the department of property and procurement around this lease we've been having this discussion for a couple months well since last year so so senator the the conversation started way before we had a conversation about the lease um keep in mind Mr. Morales is only one of 50 other people that want a piece of that land out there. Again, it's good for us to say now we're going to put that structure at the... It's good for us to say we're going to put that structure out on the eastern end of the island. An engineer might come in and say, Commissioner, after doing my research and what, that is not going to work. The conversation is being held and once we do the site I know that the chair wants to wrap up but I don't think I think you totally missed my point my point was absent of us moving our site plan assessment the VI Olympic committee was in abeyance because there was no plan to look and make a determination I understand 50 people want it but the question is what benefits us better we always have

1:00:12 to ask ourselves that we gotta dig deep and ask ourselves those types of questions right So, you know, while the site plan is moving forward, yes, it's moving forward, but absent of us, you know, having the wisdom to kind of take care of that, then this would have just been what would have happened all the time here? No, I disagree. I disagree. As a matter of fact, can I think I know that the chair has to close, so I'm going to just talk to you. I'll speak on the chair. Can I speak on the chair? Spare time. You can make it a part of your closing statement. Let me need it. Let me need it 30 seconds. Go ahead.

1:00:44 Yeah, so the conversation that I had with Mr. Morales was the Olympic Committee did have some funds to start this site utilization, and we did have a conversation about picking a contractor to do the work and whatnot. At the time, and I didn't speak with the senator yet, but the president did tell me that he knew that the Senate president was thinking about moving legislation to give us that money for the site utilization. But prior to that, I did reach out to the Olympic Committee to fund that site utilization plan. Thank you so much, Commissioner. Now I'll allow you to put an abbreviated closing statement on the record after Senator Carrion asked the next question. Thank you Mr. Chair I just want to request the commissioner if he could submit to this committee his plan towards reprogramming the 3 million dollars that was destined for the racetrack so we would like to see what that plan is thank you yeah you may proceed commissioner closing statement on the record I also did you answer the question yet you okay I'm sorry I'm just a little bit distracted okay so Commissioner you go ahead and put a closing statement on the record and then Mr. Morales you may also close thank you Mr. Chair for allowing the team and myself to come here and defend our budget I think that again this department

1:02:37 and have a lot of things to celebrate. I see that we're moving in a positive direction, but there is more to be done. We're starting to see an increase in the amount of funds that we're getting to support our different programs, so that is great. However, I think where we fall short is the funds that we need for those human resources and then the equipment that we need to support the employees to get their work done.

1:03:09 Once again, I would like to give a shout out to all the Parks and Recreation employees around the nation, but more so the Department of Sports, Park and Recreation. The work that these men and women do, I applaud them. We will continue to make strides. We will continue to try to change and better the life people at the virgin islands through our facilities parks and programs that we administer thank you commissioner mr morales yes uh thank you again um i want to thank the finance committee for having us here and i would like to uh exhort them to uh reconsider the recommendation of the governor for the \$150,000 and make sure that we get the \$300,000 requested for our operations. This body can, you know, do be of great benefit once we get this multi-purpose sports facility It will not only benefit the people of the Virgin Islands as a shelter, but also the athletes, the up-and-coming athletes in the Virgin Islands. So, once again, thanks for having us here, and I await the recommendation from this body to go against the recommendation of the governor. Thank

you so much, Senator.

1:04:45 Thank you so much, Mr. Morales. So the colleagues at the next entity that's going to be before us have quite a lengthy testimony. So you guys will have some time during a testimony to grab something to eat because I am going to take a five minute recess and then I'm going to bring in the next group. of the committee i'm teresa white along with your staff of past sports park and recreation we want to thank you for your testimony and the work you're doing with the children of the virgin nons on a regular basis i'm mr morales thank you for your service as the chair of the olympic committee the committee of finance will recess for five minutes Thank you. Thank you. Thank you. Thank you. Thank you. Thank you. Thank you. Thank you. We'll be right back. We'll be right back. We'll be right back. Thank you. Thank you. Thank you. Thank you. Thank you. Thank you. Thank you. Thank you.

1:15:40 Thank you. Thank you.

1:16:40 Thank you. Thank you. Thank you. Thank you. Thank you.

1:19:10 the committee of finances hereby call to order madam clerk can you read the next item on the agenda office of the adjutant general invited testifiers major general cujo s knox limbocker the adjutant general thank you madam clerk and you also have a letter that you need to read into the record okay we will do that right after general I'm going to allow you to put your name and title on the record along with those individuals who are here with you today are you going to have individuals participating virtually also or none no sir okay great so you go ahead with your name? Name of title. Good afternoon. Kojo Noxenbacher, Major General, the Adjutant General, the Virgin Islands National Guard. Thank you. Good afternoon. Nikita Ward, Director of Administration and Business Management. Thank you. Good afternoon. Colonel Deborah Lobin-Meyer, United States Property and Fiscal Officer for the Virgin Islands National Guard.

1:20:29 Thank you so much. You may proceed with your testimony. Good afternoon. 34th Legislature Finance Committee Chair, The Honorable Senator Kurt E. Viale, Vice Chair Senator Donna Fred Gregory, Senator Marvin A. Blyden, Senator Samuel Carrione, Senator Dwayne M. DeGraff, Senator Janelle K. Saro, and Senator Javon E. James Sr. other non-committee members present in the Senate chamber, family, friends, and the general public viewing and listening locally and abroad. I'm Major General Kojo Knox-Landbracker, the Adjutant General for the Virgin Islands National Guard and the Commander of the Virgin Islands National Guard, serving at the discretion of the Commander-in-Chief of the Virgin Islands National Guard, Governor Albert Bryan Jr.

1:21:24 It is an honor to be sitting here before this esteemed body to discuss our proposed fiscal year 2022 operating budget for the Office of the Adjutant General. My teammates joining me here today to provide testimony are Ms. Nikita Ward, Director of Administration and Business Management for the Office of the Adjutant General, Colonel Deborah Lovemeyer, the United States Property and Fiscal Officer for the Virgin Islands National Guard.

1:22:00 My teammate and I thank you for the opportunity to provide our testimony today while members of our guards are deployed in combat operations around the globe, supporting COVID-19 pandemic requirements, regaining warfighter readiness, and posturing to respond to this active hurricane season. We look forward to answering your varied questions after articulating our mission, vision, priority for continued support to the territory with our proposed budget. During my testimony, I will provide the context of our operational environment, our responsibilities, and prioritize financial strategy to fund our plan to sustain and improve operational readiness of the Virgin Islands National Guard. The supplementary funding proposed for the Office of the Agent General is essential to successfully support the requirements of the people of the Virgin Islands under the Bryan and Roach Administration.

1:23:08 The Context The Virgin Islands Army and Air National Guard continues to be a lethal, dual-role operational force that make up an operational reserve serve for the Army and the Air Force, respectively. With 334,575 soldiers, the Army Guard provides 39% of the Army's operational force, while the Air Guard, with 108,100 Airmen, make up 30% of the Air Force operational force. The National Guard's primary mission is to fight and win our nation's war, while serving a secondary purpose of defending the homeland by responding to all hazards and crises in our states and territories within our authorities. Our Guardsmen and women have supported overseas combat operations as well as defended domestic requirements here in the homeland. To provide greater context, on January 6, 2021, the Virgin Islands soldiers and airmen were among the 120,000 mobilized from the Army and Air National Guard to support the largest level of National Guard support to our nation since World War II. The Office of the Agent General has adjusted to a new normal in these unprecedented times for our operational tempo is a highest it's been in the history of the Virgin Islands National Guard since its exception in 1973 at almost every port of entry your CVC sites and throughout the community you will see the Virgin

1:25:00 Islands National Guard we are always there and we're always ready our efforts Students supporting the territory's COVID-19 protocols have enabled many agencies and businesses to open offices and operations with some resemblance

of normalcy to generate revenue and productivity. The Virgin Islands National Guard have increased its support within the territory threefold, which provided new temporary full-time employment opportunities for our soldiers and airmen who very well may have been unemployed.

- 1:25:43 As I articulated previously, it was our governor's foresight and willingness to quickly engage the White House that enabled the Virgin Islands to be one of the first set of states and territory to receive the vital 502F 100% federal funding to safeguard our community the ability for the Virgin Islands National Guard to rapidly respond to the COVID-19 pandemic in an active duty federal status resulted in assured payments of our soldiers and airmen at the rate commensurate to their rank and time and service governor Brian's action like that of only a few other proactive governors led to the unprecedented federal funding for states and territories while remaining in command and control of our National Guard forces the extraordinary support from the office of the governor's staff was instrumental in a National Guard's territory response in a federal status to COVID-19 requirements the level of response but the soldiers airmen and civilians to safeguard the people of the Virgin Islands continues to exceed historic operational norms while they continue to exceed the standards of performance the significant missions executed by the men and women the Virgin Islands National Guard as of June 23rd 2020 are as follows they've screened over 655,000 532 passengers arriving at our airports and seaports this is six times our population we've been driving over 53,232 statute miles providing safety and security patient transport COVID-19 testing, community vaccination center support, personal protective equipment distribution,
- 1:27:44 and food distribution. The Virgin Isles National Guard increased its full-time force approximately by over 70% to execute its COVID-19 operations. This comes at a cost of over \$10.3 million. to our state of emergency and 502F federal funding the entire sum of 10.3 million dollars for the National Guard support for COVID-19 comes at no cost to the government of the Virgin Islands at at the territory's request the Department of Defense provided title 10 active duty reserve forces under Task 51 to support the joint efforts of the Department of Health, Virgin Islands National Guard, Virgin Islands Emergency Management Agency, and the Federal Emergency Management Agency to establish community vaccination centers on St. Thomas and St. Croix with pop-up vaccination sites on St. John.
- 1:28:48 The 2103 Training Institute is reverting back to its Training and Doctrine Command Institute for military training. In the event of a surge in the pandemic the RTI can be rapidly reconfigured back to a COVID-19 alternative acute care facility within 10 days should the need arise. The overview of our department. The Office of the Agent General plans, coordinates and implements support of territory emergency support function responders to natural and man-made disasters, civil disturbances, foreign and domestic threats, and weapons of mass destruction. Executive summary. The Office of the Agent General was established in Executive Order 30-1987 to support the Virgin island's national guard which was established in october of 1973 pursuant of federal law all states territories and the district of columbia appoints an agent general and an associate agency to provide the necessary infrastructure for the national guard in their prospective jurisdiction pursuant to virgin islands code annotated title 23 internal security and public order chapter 19 national guard sub chapter 1 general provision section 1508 adjutant general of the virgin islands establishes the responsibility of the adjutant general per statute the adjutant general shall keep and administer all funds appropriated and shall be in charge of all property entrusted to the National Guard of the Virgin Islands and shall render an annual report of such
- 1:30:46 funds and property to the Commander-in-Chief and Legislature of the Virgin Islands. Additionally, make annual estimates of funds and prepare the budget required for the operations the National Guard and the Virgin Islands exclusive of federal funds. The Virgin Islands National Guardsmen have fought in many of our nation's wars while providing ready and responsive troops in support of our territory's disasters and emergencies. To achieve a higher state of readiness the virgin islands guard national guard must be appropriately funded to train man and equip its joint force to answer the call for both territory and federal mandated missions at the request of the governor and the president respectively what is your return on investment The fiscal year 2021 budget of \$2,316,510.54 approved by the 33rd legislature combined with the federal contribution of \$83,100,000 enabled an unprecedented level of support in fiscal year 2021 by the Office of the Adjutant General to the Virgin Islands National Guard.
- 1:32:20 The Brian Roach Administration's commitment to support the Virgin Islands National Guard is beyond reproach. In order to continue simultaneously answering the call to provide defense support to civil authorities locally and warfighting requirements in defense of our nation globally, I must have a sustainable operational force the National Guard in its 384th year is the most modern ready and interoperable joint force since its exception on 13 December 1636 we've deployed as part of the Virgin Islands National Guard has deployed a part of a 26,000 National Guardsmen mobilized from 54 states and territories to Washington DC within two weeks to secure the nation's capital they've secured the president 59th presidential inauguration and have conducted COVID-19 support consisting of seaport and airport screening mobile testing and public service announcements they've conducted support to the Veterans Memorial Day ceremonies and

funeral honors for our caught falling comrades the support provided support to stay the territory and numerous dignitary visits they've completed the Army Guard the Army Guard has completed a 66 first military police attachment reneigation and the Air Guard has completed 285th Civil Engineering Squadron reintegration upon redeploying back from combat operations we've deployed a civil support team weapons of

- 1:34:13 mass destruction in support of environmental orders affecting our community so with all this what's our process of evaluation to say just how well we're doing on the return of your investment in line with the change course now vision of Governor Bryan and Lieutenant Governor Roach the office of the Agent General developed and implemented policies and procedures that supported key strategic objectives of the Virgin Islands National Guard to rapidly transform the three collective performance goals were to promote operational effectiveness to have a safe and secure territory to be effective and efficient preparedness and to build a comprehensive territory support capability to expand to all threats our organization opportunities the administrative services supervise the operations of the of the as in general through fiscal control personnel and administrative management the maintenance division provided supplies for building repairs and maintenance custodial services ground keeping and environmental protection services for the Virgin Islands National Guard facilities the security force protects all Virgin Islands National Guard personnel facilities and property the changes implemented in fiscal year 2020 continues as lines of effort a line of Line of Effort 1 was to increase readiness and responsiveness. It was to create a ready and responsive joint force by leveraging institutional, organizational and operational developmental learning.
- 1:36:07 Line of Effort 2 was to change the performance culture. We had to rebrand and change our overall performance culture by achieving the minimums to exceeding the standards. Our line of effort was to build a relevant force structure. We knew we had to change or die. We had to build relevancy to conduct full-spectrum operations in a multi-domain environment by restructuring and right-sizing our joint force. And finally, our line of effort was to increase our lethality.
- 1:36:45 authority by recruiting, retaining, and developing future leaders to achieve our core war fighting and defense support to civil authorities' training requirements to support both our nation abroad and here within the homeland. I want to personally thank all the members from the executive and legislative branches, Congressional Office, and the Commander-in-Chief of the Virgin Islands National Guard, Governor Albert Bryant Jr., for your unwavering support to the Virgin Islands National Guard.
- 1:37:23 I would be remiss if I did not thank the men and women of the Virgin Islands Army and Air National Guard, who are our sons, daughters, fathers, and mothers in our community, who have been answering the call to service every single day whether in supporting our national defense strategy overseas or supporting the homeland during time of crisis they continue to exceed the standards and they embody the warrior ethos the support provided to our guardsmen while away and here on duty the territory showed just how much our community cares about their welfare we We all should be thankful for the sacrifices of our service members and their families that they endure every day to safeguard our great nation.
- 1:38:26 Our soldiers and airmen and the Family Readiness Program volunteers, our families, civilians, employers in the community as a whole must be recognized they continue to support all the endeavors and all the requirements of the officer as in general and the Army and Air National Guard the Army and Air Force and the territory continues to recognize the increased readiness and the relevance of the Virgin Islands National Guard we are positive to sustain COVID-19 pandemic support and respond to natural and man-made disasters this hurricane season.
- 1:39:08 Our soldiers and airmen have to be ready when called to deploy, fight, and win on the modern battlefield to meet our strategic military objectives to safeguard our freedoms here in the homeland. Our new level of readiness is a direct correlation of our soldiers and airmen's abilities to exceed the standards as they overcome personal challenges, increase their individual readiness and resiliency, and synchronize their efforts to execute mission requirements as a cohesive team. Their proficiency in individual, collective, and unit readiness requirements will be essential to operate in a complex global security environment of the future. We will continue to modernize and train our Guardsmen to be called off the bench and into the fight.
- 1:40:04 Our families and our community continue to be the driving force and inspiration for our service to our great nation and the territory of the Virgin Islands. The United States Army and Air Force exist for one primary reason, which is to be the guardians of America's freedom and its way of life. The guardians of the Eastern Front have worked hard to transform into an organization that exceeds the standards because we know the call to serve as an integral part of a war fighting force to fight and win our nation's war in a multi-domain complex battlefield environment can come at any time. As the Virgin Islands Army and When Air National Guard continues to increase our readiness and relevance as a member of the total force, we must achieve the optimal level of readiness with a right-sized Joint Force supported by a predictable and adequate budget to build and sustain the level of readiness and lethality required for our core warfighting mission.

- 1:41:17 Additionally, adequate resourcing enables our territory's government to provide response and relevant capabilities in support of defense support to civil authority missions, which has never been more vital. In order to safeguard the people of the Virgin Islands, the Governor continues to be reliant his go-to force the Virgin Islands National Guard to fill the gaps and assist with our emergency support function partners from supporting the development of our at-risk youth securing roofs at our homes for the age for Department of Human Services repairing schools and disappear for the Department of Education supporting local and federal law enforcement agencies providing manpower and facilities for Department of Health initiatives working closely with the Department of Tourism and Port Authority to help secure our sea and air ports of entry and to provide air sampling capabilities to the VI Fire Service and Environmental Protection Agency the presence and varied roles of our National Guard has never been more prevalent throughout our community the office of the agent general has proven to be an agile and a reliable part of the government of the Virgin Islands during a historically more active hurricane season amongst a worldwide COVID-19 pandemic as as in general my responsibility encompasses the administrative, security, maintenance, operations, and training required to achieve goals that
- 1:43:11 support war fighting and defense support to civil authorities operational readiness goals of a joint Army and Air National Guard force. These goals nest with the National Military Strategy's wartime goals and the Government Virgin Islands territorial civil support requirements the full capacity the National Guard's capabilities are only realized once activated for territory active duty by the governor per statute this activation happens in response to natural and man-made disasters the state of emergencies and other requirements at the discretion of the governor or the president the Virgin national guard that only continues to be always ready and always there but that we will be at a higher state of readiness one called my bottom line up front our proposed budget of fiscal year 2022 is \$3,134,411, which is \$1,219,442 higher than the \$1,914,969 requested in the fiscal year 2021 budget to sustain a ready relevant and responsive ear and army national guard joint force the proposed budget from the virgin islands government is 16.5 times less than a federal projected contribution of \$51,695,588.
- 1:45:13 This will enable us to safeguard our territory and execute our federal wartime mission supporting combatant commanders' efforts against belligerent actors while simultaneously supporting COVID-19 pandemic requirements the budget of three million one hundred and thirty four thousand four hundred eleven dollars represents a variance of sixty three point sixty eight percent which is one million two hundred nineteen dollars correction one million two hundred nineteen thousand four hundred and forty two more and the fiscal year twenty twenty one of appropriation of one million nine hundred and fourteen thousand nine hundred sixty nine dollars the projected five fifty one million six hundred and ninety five thousand five hundred eighty eight dollars will be received in control through the United States property and fiscal officer on behalf of the National Guard Bureau of Of the Office of the Adjutant General's proposed budget, \$1.7 million is to execute the cost share of a \$4,865,200 federal funds for the fiscal year 2022 Master Cooperative Agreement program. As outlined in our Master Cooperative Agreement, the territory is required to provide matching funds for expenditures that are not 100% federally funded.
- 1:46:50 Ms. Ward and Col. Lebermeyer will provide the details of such expenditures later in our testimony. The Virgin Islands National Guard has an authorized military workforce of 829 service members comprised of 756 soldiers and 73 airmen. Our territory's National Guard force consists primarily of a federally funded workforce. The workforce is comprised of an active guard and reserve force of 118 Army and 19 Air National Guard full-time employees.
- 1:47:26 Additionally, we have a 100% federally funded civilian technician workforce consisting of 126 full-time employees. The vast majority of the Virgin Islands National Guard's workforce is part-time. The full levels of the National Guard's capabilities are only realized once activated for territory active duty by the Governor. Per statute, this activation happens in response to natural and man-made disasters, state of emergencies, and other requirements at the discretion of the Governor or President.
- 1:48:05 In this manner, there are 122 additional personnel on full-time status supporting COVID-19 requirements throughout the territory to safeguard our population today. The Office of the Agent General's mission statement is to execute the day-to-day administrative, maintenance and security requirements enabling the Virgin Isles National Guard to be a ready relevant and responsive joint force. Its strategic vision is to provide first-rate support to the Virgin Isles National Guard's federal warfighting and territory defense support to civil authorities requirements. The Office of the Agent General will provide the administrative, maintenance, and security requirements for the training, manning, equipping, and leader development required to execute the Army and Air National Guard's warfighting and territorial domestic civil support missions. The Office of the Agent General's priority is ensuring the Virgin Islands National Guard achieves the readiness required to be a ready, relevant and responsive joint force. Today, we seek your favorable vote of approval for our proposed budget. Your approval enables our efforts to increase operational readiness with realistic ends, ethical, legal, and moral ways, and the appropriate means provided through funding by the Virgin Isles government and the federal

government.

- 1:50:03 Fiscal year 2021 accomplishments. We are currently completing a 50-year lease with the Virgin Isles Port Authority to build the \$39 million Army Aviation Support Facility awarded in the FY21 National Defense Authorization Act at 100% federal funding. This completion of this project within five years will be one of the milestones for the Virgin Islands National Guard's U872 Lakota helicopter to be restationed in our territory we have completed a reservation of the state Nazareth army here in st. Thomas we have launched the youth about face and for March program on St. Croix and we are currently in the process of hiring the youth about face and for March personnel to establish the program here in st. Thomas this year we've implemented additional internal processes to decrease document processing time and efficiencies reducing purchase order timelines from 30 to 5 days as we continue to complete facility maintenance repairs and the replacements of our air conditioning system restrooms and doors in the joint force headquarters Lana a Jackson Armory Regional Training Institute Spratt Hall, Ham's Bluff, and the Industrial Park facilities on St. Croix.
- 1:51:44 Before I close, I would like to close out some of the hot-button issues faced by the Office of the Agent General and its support to the Virgin Islands National Guard I spoke of in my last testimony. Issue number one, outstanding territory active duty pay for the soldiers and airmen for the 2017 Hurricane Irma and Maria support the current situation we are ongoing processing with FEMA to validate labor reimbursement costs the office of the Agent General has worked diligently with the office disaster recovery and by TEMA to secure the funds owed to soldiers and airmen my office has exhausted all recommended efforts to expedite the one million and ninety three thousand six hundred and ninety one dollars and eight cents owed to the soldiers and airmen for their territory active duty in 2017 this total sum is to be dispersed amongst 350 service members who would not pay the correct rate based on the virgin isles code our solution the office of the adjunct general has requested 1 million and ninety three thousand six hundred and ninety one dollars and eight cents to be included in governor Albert Bryan jr.s supplemental budget request that will come before this body shortly issue number two the post-exchange grand vocal building the situation the army and air force exchange services post-exchange with the PX commonly known store a grand vocal building st. Thomas has been closed for many years and is unlikely to
- 1:53:40 reopen at the same capacity in the current location mismanagement patient abuse of privileges limited veteran population with a fees privileges and profitability led to the closure of this store a previous effort to reopen and a fees PX was unsuccessful recent discussions in 2018 with a fees indicated a willingness to provide only a troop store trailer type facility with uniform items for both soldiers and airmen our solution the facility was transferred back to the department of property and procurement and reallocated to a different agency our future plans we received notification that the federal funding of a combined support maintenance shops on st croix and on st thomas will be reallocated this fiscal year in 2022 The funds for this project was deferred last year to build a border wall, but will be reallocated to support the Virgin Islands National Guard's vehicle maintenance sustainment requirements.
- 1:54:54 Additionally, discussions are underway to secure funding, design, and transform the dilapidated AFES building on St. Croix into a new multi-level warrior fitness center. to enable our soldiers and airmen to better meet their fitness requirements with the acquisition of additional real estate adjacent to the sergeant first-class Leonard B Francis armory on st. Thomas a warrior fitness center can be constructed there as well once funding is secured mr. chair this concludes the initial portion of my testimony I will now be followed by Ms. Nikita Ward, my Director of Administration and Business Management in the Office of the Adjunct General, and Colonel Lubbemeyer, the United States Property and Fiscal Officer for the Virgin Islands National Guard. Thank you. Good afternoon, 34th Legislature Finance Committee Chairman, the Honorable Senator Kurt Avila, Vice Chair, Senator Donna A. Fred Gregory, Senator Marvin A. Blyton, Senator Samuel Carrion, Senator Duane DeGraff, Senator Janelle Carreau, and Senator Jayvon James, and other non-committee members present in the Senate Chambers. Family, friends, and general public viewing, listening locally and abroad.
- 1:56:27 I am Nikita D. Ward, the Director of Administration and Business Management for the Office of the Adjutant General. Today I will outline the Office of the Adjutant General's budget for fiscal year 2022. The Office of the Adjutant General is requesting the general fund budget of \$3,134,411. The aforementioned figures include the miscellaneous budget appropriation of \$95,774 for the Virgin Islands National Guard Pension Fund, \$450 for the Youth About Face Forward March Program of St. Croix and St. Thomas.
- 1:57:06 Additionally, \$450,000 for the Youth About Face Forward March Program on St. Croix and St. Thomas. Additionally, the projected federal master cooperative agreement budget allocated of \$4,865,200 the amount proposed to support the Virgin Islands National Guard. The Office of the Auditor General is responsible for three divisions. Each division supports the policies and procedures to accomplish key strategic objectives for the Virgin Islands National Guard. This enables us to fulfill our federal and territorial missions as identified below. First, the Administrative Services Division

provides supervision and oversight for administrative and operational activities of the agency.

- 1:58:01 This includes, but is not limited to, budgeting, financial control, and personnel management. Second, the Maintainers Division provides operational supplies for building repairs and maintenance, custodial services, ground keeping, electronic security systems, and environmental protection for the Virgin Islands National Guard facilities. Third, the Security Division provides force protection measures for the Virgin Islands National Guard personnel, facilities, and equipment. The Office of the Adjutant General has three performance goals.
- 1:58:39 Promote operational effectiveness, establish a safe and secure territory to effective and efficient preparedness, build a comprehensive territorial support capability in response to all threats. I will now justify the recommended operating budget for fiscal year 2022. The Office of the Auditor General FY 2022 recommended appropriation. For personnel, \$637,735.
- 1:59:11 Infringed benefits, \$253,056. Supplies, \$309,333. Capital projects, \$365,255. Other services, \$1,379,035, which generates a grand total of \$3,134,411. As listed in the chart above, the general fund recommended budget for fiscal year is \$3,134,411.
- 1:59:49 The following diagram shows the breakdown of the general fund recommended budget by division and objective. The budget breakdown by description are as follows. In the amount of \$637,735 represents a salary of eight full-time positions and a 25 territorial match fund for two full-time positions. The amount of \$365,250 represents the local match of the master cooperative agreement for capital projects. This amount supports the repairs, rehabilitation and new construction projects for a state Bethlehem and a state Nazareth military compound to maintain compliance with local and federal codes. The amount of \$253,056 represent the total fringe benefits for the eight full-time employee physicians and the 25% for two positions funded through the general fund, along with two vacancies. The amount of \$309,330 will be for the purchase of supplies in support of the local match, the master cooperative agreement. The amount of \$1,379,035 and \$35 represents operational service and miscellaneous charges.
- 2:01:14 \$95,747 is earmarked for the National Guard Pension Fund, which provides a monthly stipend to qualified retired Virgin Islands National Guard members as mandated under Title 23, Section 155 of the VI Code. A total of 65 eligible members are projected for fiscal year 2022 to receive this stipend. The amount of \$450,000 is earmarked for the Youth Above Phase Forward March Program in accordance with Act No. 8035 for the Territory. This concludes the justification for the general fund budget of \$3,134,411, which includes miscellaneous appropriation of five hundred forty five thousand seven hundred forty seven dollars as recommended for fiscal year 2022. I will continue with the justification of the master cooperative agreement the department of defense national guard bureau enters into a master cooperative agreement with states and territories to provide federal support for services provided by the state territory military departments for authorized facility leases real property services real property maintenance and repairs operation and maintenance and minor construction costs the adjutant general and the United States property and fiscal officer are responsible for the execution of the MCA and their appendices. Otag in conjunction with the United States property and fiscal office through the master of cooperative agreement provide services to the territory on behalf of the Virgin Islands National Guard. This agreement is a fully executed contract between the territory and the federal government and is renewed every fiscal year on an annual basis the territory receives federal funds as a reimbursement for expenses incurred through the MCA program.
- 2:03:16 The MCA is comprised of eight program or appendices. Each appendix has its own funding. The Office of the Auditor General pays for services in advance and gets reimbursed for certain percentage depending on the program. Two of the program expenditures are calculated at a match split where the remaining five programs are 100% federally reimbursed. To date, we have expended \$2,672,325.49 and is in process to be reimbursed to the territory from the federal government. The pie chart on page 37 shows the breakdown of the projected federal funds of \$4,865,200, which supports the master cooperative agreement for fiscal year 2022. The distribution are as follows. \$1,111,900 represents the Army National Guard Security Program. There are presently 70 full-time Army Security Guards and three vacancies. All positions are 100% federally reimbursed. \$2,954,400 supports the Facility and Maintenance Program. Operational and maintenance expenditures are federally reimbursed at 75% of a general fund local match of 25%. A total of six positions are 100% reimbursed, and two positions are 75% reimbursed. Their presently eight positions failed, and a job announcement for one vacancy is in process for re-advertisement. \$123,000 is projected to cover the telecommunication program.
- 2:05:10 This amount will be federally reimbursed at 100%. \$241,100 represents the projected cost to support the environmental resource program. There are two filled full-time positions. All expenditures are federally reimbursed at 100%. \$104,500 is projected for the Air National Guard Operating and Maintenance Program. This program requires a 25-generational fund, local match, and a federal contribution of 75 of the total expenditures for supplies, repair, maintenance, electricity, and water charges. \$105,000 is for the support of the distance learning program. With presently one filled full-time position,

all charges incurred under this program are federally reimbursed at 100%. \$199,700 is a projected cost to support the electronic security system program. Presently, one filled full-time position and all expenditures are federally reimbursed at 100%. \$25,600 is a projected allocation for the anti-terrorism program.

2:06:21 We have presently one full-time employee vacant and expenditures are federally reimbursed. Mr. Chairman, it is of utmost importance to note that the requested general fund match for the master cooperative agreement operating on maintenance costs must be committed in order to receive a federal share. The budget projected presented to you today includes the recommended general fund budget of \$3,134,411 in order to receive the federal projection allocation of \$4,865,200. This allocates a combined total of \$7,999,611 in federal and local funds to support the Office of the Administrative General Operations for fiscal year 2022. This concludes my presentation of the fiscal year 2022 proposed budget. I thank you for your attentiveness and stand ready to answer your question on fiscal and administrative matters. I'll be followed by Colonel Debra Lovenmeyer.

2:07:32 Good afternoon, committee chairman, Senator Kurt A.B.L.A., members of the committee on finance and other members of the 34th legislature. I am Colonel Debra Lovenmeyer, the United States Property and Fiscal Officer the virgin islands national guard my testimony today will present the fiscal year 2022 projected federal funding and the required local match the virgin islands national guard is primarily supported by three army appropriations operations and maintenance army onmg or what we refer to as the 2065 appropriation national guard personnel army and gpa or the 2060 appropriation and military construction army or the 2085 appropriation and the air national guard two appropriations operations and maintenance and air national guard personnel the fiscal year 2022 national guard budget request supports an end strength of 336 000 soldiers to achieve the army's priorities of people readiness modernization and the interim national security strategic guidance The changes in the fiscal year 2022 budget are split between price and program changes. The price changes are due to increases in the rate for pay and allowances. The National Guard, Personnel Army budget request increases by \$3.9 million based on increases in rates for pay and allowances. general non-pay inflation cost of living adjustment and program changes military pay raises effective 1 january 2022 is projected to be 2.7 percent general inflation is 1.8 percent in fiscal year 2022 in fiscal year 2022 the virgin islands anticipates an overall funding increase of four percent over fiscal year 2021 actuals going from total funding of 44.17 million dollars in 2021 to 48.15 million dollars in 2022 areas that saw increases were the active guard reserve payroll from \$14.2 million to \$15 million. Technician payroll from \$10.5 million to \$11 million. Part-time, which is our MD force, payroll from \$3.2 million to \$3.46 million. And operation and training, \$6.68 million to \$7.22 million. Funding levels for installation and support, \$6.67 million, services and support, \$4.8 million, and ESGR, \$2,000, is projected to decrease by 11% in 2022. The graph below depicts the Air National Guard overall funding for fiscal year 2022, which is projected to be \$3.5 million. dollars, full-time and part-time payroll of \$3.1 million, and operations and maintenance of \$376,000. The chart above illustrates the difference between federal and territorial support to the Virgin Islands National Guard over five fiscal years. projections for fiscal year 2020 will require the local government to provide 1.7 million dollars to fully execute the master corporative agreement program the territories responsible for matching funding at varying totals based on the facility the St. Thomas Armory requires 43 percent the St. Croix Armory requires

2:12:03 25%, Spratt Hall facility 4%, Air Guards facility 25%, and the Joint Forces Headquarters 25%. This matching of funds is crucial because the federal share cannot be committed without the territorial's percentage being available. The fiscal year 2022 federal allocation projects a slight increase from 2021. Significant is the fact that we do everything we can to keep these monies in the territory to support the local economy. We estimate that during fiscal year 2022, 75% or approximately \$38.7 million will remain in the Virgin Islands. The National Guard is a good investment for the territory of the Virgin Islands.

2:13:03 Mr. Chairman, this concludes my testimony. I will be followed by the Adjutant General, Major General Knox-Lenbacher. Mr. Chair, at this time, this concludes our testimony. We are prepared to answer any additional questions and provide greater clarity in anything we present today with all the senators here and those who are calling in. Thank you. Thank you, General, for your testimony. Colleagues, you're going to go straight into a rung of questioning. I think we probably have one rung. So let's go with a six-minute rung, one rung of questioning. Senator Blyden, you recognize. Thank you so much, Mr. Chair.

2:13:48 Good afternoon, again, colleagues. Good afternoon, Major General, Adjutant General, Limbacher, and your team there, and thank you so much for that comprehensive testimony. Let me ask, you made a statement that is so true in terms of the federal funding that's coming to the territory, and you said how many times, the local budget, 16? 16.5, Senator. 16.5.

2:14:22 They have a chart here in the testimony that showed for 2021 federal government that 83.1, 57.1, and 22. It is in millions, correct? In 2021, 83.1 million dollars came into the territory. That is correct, Senator. It's in millions. because it was stated that in 2022 estimated \$51.7 million that's going to be spent here in the Territory, \$38.77 million will remain in the

Virgin Islands.

- 2:15:04 Do we know how much funds will remain in the Virgin Islands in 20, in this fiscal year based on \$83.1 million? Did we do account of that also? sir sir the um senator it's essentially we have the bill as you talked about the 39 million dollar aviation facility but that money is allocated once that build out starts over the next five years you will see that money circulate within our territory at a greater rate all right now the award's been there so that that amount includes that what's been there so you'll see that throughout the next five years incorporated in the additional spending that's what i thought because that's huge um that building is it's gonna it's gonna be a game changer basically in terms of many individuals coming to train et cetera correct in addition to our locals correct sir as you look today at the airport there in st croix we took off um we did see one of the uh dv um aircrafts that normally flies the most senior personnel within the department defense there they continue to come to visit the islands and they need facilities to bring more aircrafts of support throughout their European support throughout South America.
- 2:16:13 And let me ask, in terms of special projects, they're about face-and-forward march program that's basically doing very well in St. Croix, in the island of St. Croix, and I'm happy that we are expanding to the island of St. Thomas, St. John District. I know you said, what the time frame in terms of completion, I know you have started doing what needs to be done, but when can we see our young people on this end of the island start to join our program so right now we're in the process of hiring a dish actually did hire two personnel unfortunately they have both not taken the offers provided within the current version hours pay scale but so we're now putting it back out to fill those two positions as soon as those positions are filled we will have those personnel starts we've also acquired additional space within the National Guard particularly for the kids as well as vehicles to make sure we could transport them and they're already here in st. Thomas. Okay, good. And in terms of vacancies, how many vacancies are there federally and locally and what are some of those positions? We presently have five vacancies that are federal and one vacancy that's local. The federal vacancies, what are the positions? We have Three security guards, two based on St. Thomas, one based on St. Croix, and the master planner on St. Croix, and also the general maintenance worker. How long have these positions been vacant? The security guard position just recently went vacant this March. The master planner, we filled the vacancy, however, due to reallocation costs, the intended hire return on the position, so we had to re-advertise that position. And with the new pay scale, we had to reconfigure the salary for the general maintenance worker. Along with the one local funding position, the employee retired, but we are renaming that position, which is why we have not posted that out just yet.
- 2:18:28 Two minutes. And your professional service contracts are they up-to-date in terms of payments, et cetera? With our professional service contracts, yes, we are up-to-date. We have partnered with Property and Procurement to ensure that all our contracts are up-to-date. for our contracts that are ending on September 30th, then we will join the master government contract agreement with property and procurement to render the services that are needed. However, we are, we are rendering payments to the vendors at this time. Let me put on a record that I wanna commend and honor all of the men and women of the National Guard for basically protecting us of keeping us safe in the territory, especially when it comes to this COVID-19 space, they have gone above and beyond to do what is necessary to keep us safe.
- 2:19:34 I know you said that there were a hundred and how much employees say you have and you have an additional 122 just for the pandemic. Can you expand on that for me, please? Yes, Senator. So what we did when we requested the Department of Defense to support the federal funding, we had a cap for about 200 personnel that were authorized for diversion hours just for COVID-19. That goes above my normal full-time force to sustain operations. So today we have 122 right now on COVID-19 duty throughout the territory, whether CVC screening at the airport, screening at the seaports or doing their public service announcements. And that will then increase, as we know in the hurricane season, as we have to now cover down on COVID-19 requirements, should we have to shelter personnel as well as do patient transport? Well, again, I want to say thank you, thank you, thank you for that. One of your... Time. Go ahead. So the last question, in terms of opportunities, and you spoke to change performance culture.
- 2:20:47 Change performance culture. Expand another little for me, please. Senator, when I came in to be the Adjutant General in 2019, it was coming after evaluations for the National Guard Bureau, Department of the Army, and Department of the Air Force, but we had a minimum performing force on the previous tag to help identify that issue. And when I came in, I was continuing to change that culture from a minimum performing to exceeding the standards. When I say that is we were 54 of 54 states and territories in many categories of readiness. today we are the number one once again last week number one for recruiting retention in the nation for small states when I came in we had reset that recruiting organization our best war competition our competitor here from St.
- 2:21:37 Thomas one of our young man we just saw the first-class nips we just promoted from the band the Joe Major see him up front he was number five out of the ten states competing for the best warrior competition, which takes into account not just your warrior skills, but your intellect, agility, and performance. We'll go on to go from 54 to about number 7 in the

nation for officer evaluations, where we were significantly behind, which negatively affected our personnel's ability to get promoted.

2 : 22 : 08 And so we have a significant list of many instances where we went from 54 up to the chain. In October of this year, we would go from a 77.8% personnel manning rate, right-sized the force, to take us over 97% once that change has happened. So our men and women in the Army and Air National Guard continue to exceed the standards, and that change in performance culture expectations has happened and continues to be transforming is some folks move faster than others some are out front sprinting others you have to drag along but we're doing extremely well kudos to you and the team supporting staff and it goes to show that leadership leadership means a lot thank you so much mr chair for the time and thank you again thank you thank you senator blyton so you presently you said you have 122 individuals assigned to to COVID? To the COVID? That's correct, Mr. Chair. Okay. But you have authorization to go up to 200 in the event of a storm? Authorization to go up to 200 based on the COVID-19 needs. We incorporated that requirement for a storm support. Okay. And the expectation of the troops remaining at the airport is until the threat is gone or until when? It's until the threat's gone. Our strategy currently right now is to continue the 502 funding to support that once that funding is pulled at some point it will come to an end we'll have to transition to a territory active duty support which the governor has already indicated we would then use the covert 19 support funding to still fund that requirement as it's available okay i'm just trying to in my mind figure out how we balance

2 : 24 : 00 the professionals that are in the national guard that left other job sites example teachers etc and with resumption of in school in person school what is going to be the impact with the many individuals who are in the National Guard but also teachers police officers etc how do you balance you know you gain one way but then you lose in the next how do you balance that that's a great statement mr. chair says you know we unfortunately I often find myself saying sorry and thank you to many of the other commissioners and directors because I'm taking their talent to serve in the Guard. Oftentimes their individual talent in their agency is replicated across the territory because of their Guard presence and other roles. They do call me particularly when they have a particular individual that they need back for an emergency service, a law enforcement, any other requirements, and then we try to swap them out with someone else. Oftentimes you may have a especially, that only you can do, and you're a one of five in our agency, but you may be one of ten in a local agency, so that balance continues to be unique, and we know we treat it on an individual basis. And you're the National Guard, you're also manning the mass vaccination sites, right, on Boat Island?

2 : 25 : 20 That's correct, Mr. Chair. Let me dig down a little bit before I go to the next senator. Your issues. Your issue number one, outstanding territory active duty pay for soldier and airmen, and your solution is to include it in this year's budget. Correct? Correct, Mr. Chair. That may be part of the supplemental budget that Governor Brown will bring to this body here for approval here shortly.

2 : 25 : 55 Okay. Now, this is usually an amount that is reimbursed by the federal government during Islam, correct? That is correct. What is the reason why it has not been reimbursed? Because our pay was higher than the mainland? Two reasons. One, I would just, to be candid, it was poor record-keeping. So you had certain commanders or certain organizations within the National Guard that were able to account for every person when they served. There's also a confusion of the how we account for it. So unlike our other emergency responders, they get paid by the hour, and oftentimes they get overtime. If you're a guardsman, when you show up, it's a daily rate in our pay system. That would just equate to eight hours flat, no matter if you work 16 or 20 hours. That confusion and that accounting for when a soldier shows up for 16-hour days, one day, eight hours, a day to the next, has been causing a significant amount of confusion as we meet the requirements for FEMA to reimburse. So I will tell you with assurity, today, right now, we know of 11 of 350 people who actually showed up for duty that has met the requirement for FEMA to reimburse.

2 : 27 : 08 There are no more additional documents because they're not in our normal system. to correct this, every member of the Virgin Islands Guard that shows up at T-80 from here forward under my command and within our processes will punch a clock. And so they'll punch a clock like every other territory employee does, then you have that record-keeping in the system. Okay, well, I wanted to stop you there because sadly, in reality, this amount is a result of sloppy bookkeeping by the National Guard back in 2017. failure to account for who was working, so we're going and word of mouth, I worked, I was there, I worked X amount of time, and now the government has to assume a \$1 million bill based on word of mouth and the lack of documentation. So FEMA has said, you don't have any documentation to justify us reimbursing \$1 million because you didn't have an accountability system for your soldiers, and the bulk of it happened right here in St. Thomas, for your soldiers who are reporting to the shelters, the feeding sites, et cetera. There's no documentation. So this amount is based on individuals telling us that they work. But we have no verification, no verification whatsoever as to who actually work and what the actual amount is. So we're just assuming here that this is what we owe. And FEMA said, plane. No, you have no documentation. We're in pain. So now, bam. General fund, okay, we can't document the FEMA,

so let's take it out of the general fund and let's try to make these employees whole. And some have really worked and have put in the time, but it's not across the board. And it's a quandary for me. It's not a politically good response that

2:29:07 given but the facts are the facts because this has been haunting us for a long time and the next part was the rate etc we fixed that with the bill that's correct mr chair we did fix that with the bill and then we've also seek the process accountability and so unfortunately it took us a year to get to where we have gotten to to say not just word of mouth show me a documentation when they showed up show me when they left unfortunately exactly what you said there wasn't no hard document it was sloppy uh record keeping where we are today the risk to the territory should be if we don't pay our soldiers and airmen for the t80 over in 2017 when many of them showed up when their houses were uh actually damaged as well i'm not sure if you'll be assured if you transition to a t80 status today for a hurricane that they will choose to show up their soldiers their airmen they're going to report. It's mandatory though, so let's not go that wrong. When you put your hand up, that's mandatory. That's a given. You could get into some serious issues if you are supposed to show up and you refuse to show up. That's not the way the military works. Correct. That's correct.

2:30:16 However, they can transfer to any state and territory within the 54 territories and guards, which many of them have started doing since 2017. If you look at our numbers, we have not met our recruiting requirement for a total instinct because they have transferred so lack of pay lack of opportunities within the environment will continue to affect us if we don't actually make sure we can pay for we can account and we may be some cost that we actually eat I think there's some cost at the police department eight two for the thirty two million dollars a day had claimed for the hurricane so the 1.2 million for the guard members mom I wasn't here we may do what's here and we're trying to make it right but I own it because I'm now the tag and I'm making sure that we have every documentation so included my signature of saying I have looked people in the eye and said you may not have accountability but did you see John Jane or Harry show up and you're putting your career on the line to actually account for the time so we can get the soldiers and airmen paid do you presently have accountability measures in place for every single individual that is a part of this COVID task force so that we don't end up with this exact same situation can we account for every guardsman time for the COVID task force and the monies that are being paid for them yes every single guardsman is accountable the difference between also from a TAD it's a kind of foreign I local government system so they're going to have to punch a clock when they come on TAD when we transition on 502F for COVID. The reason is that gives you the actual hard documentation hour-by-hour requirements the local government has that the federal government does not have. Federal government and Department of Defense.

2:32:09 How are you calling them for the time now? They are reporting to all of their personnel. We have joint operations centers. We have task force commanders on both islands, and then we have a Joint Task Force Commander, Colonel Sally Petty, who ensures that all those commanders account for their personnel, and the days they say they sign in, and they come in and they come in. So they sign in? Yep, they're counted. Okay, thank you. And I'm gonna transition to the federal, Colonel Lopmeyer, because it's slightly different also for the, I'm sorry, it's slightly different for the federal accountability for the Department of Defense than it is for FEMA. I'll transfer. Hello. VLA, the process is very different when you're on a federal status. So first, that soldier, an order is produced for them from the federal system. The commander does a certification of attendance that that person was in attendance and performed the duties. Those are part of my supporting documents in order to process pay. So if we do not have that certification of attendance, it becomes an issue. Along with the other accountability measures that they have implemented where there is a daily per stat that goes to the joint operations center and that is the other form of accountability.

2:33:34 So I have the responsibility for COVID for the reimbursement process because it's not part of the National Guard appropriation so monthly I have a small staff we prepared a reimbursement package and I have the accounting system so I can account for every one pay down to the penny based on their attendance I hope that answers your question senator sir that was territorial active duty my My mission is federal, so I was not a part of that portion of the mission.

2:34:16 I know you've been in Nagat for, what, 25, 30 years? How much? 30 plus years, sir. I know it's 30 plus there. Senator DeGraff, you're recognized. Yeah, I just saw him a minute ago. Okay, while we await him, Senator Carrion, go ahead.

2:34:50 Senator, the graph, as soon as you are in your chair, I will recognize you. Senator Carrion. Good afternoon. Good afternoon. Good afternoon, Agent General. First of all, I want to say thank you to you and your staff and all the men and women, National Guard, for your service and your dedication to not only our nation, but specifically our territory. So thank you. Thank you for your service. I heard you were mentioning about the numbers of your men that have transferred out. Do you have an amount of how many have transferred? I'll have to give you kind of an end strength. So overall, the National Guard here has been authorized 756 personnel for the end strength for just the Army. Today, right now, you have 589 Army. You have 55 of the 73 offered Air Force. so and many of the force is fairly senior meaning senior in age or rank and so they will be you have to retire at the age 60 or if they didn't meet the requirements for their upper mobility

they will have to retire so that will continue to affect us and what that does from his end strength is if you have a state or territory that does not meet these requirements and the Virgin Islands hasn't met this for about a decade, they will take your end strength and reallocate it to another state, which is happening in October.

2 : 36 : 28 So, do you have a percentage of how many of these were retired and how many were transferred or retired? We can look and get that information. Very few were retired and many of them just transferred to states because it's fairly easy to transfer to Texas or Michigan or D.C. Since I've been here, I think I recall about at least 10 transfers within the past year and a half. Okay. Thank you for sharing that information. Now, I was looking at the post-honor report, and I see that there is an increase, of course, the 1.2 million increase, 64%. that shows up on page four. Is it because you're not getting as much federal funds as you did in FY21? Why do we see that increase in FY22?

2 : 37 : 32 The reason for the increase in FY2022 is because some of the new federal projects that we have on board, and these projects calculated from a total cost of exceeding \$500,000, And because of the percentage match that the territory has to meet, that was what was used to determine that budget. There's at least four projects category for fiscal year 2022 within that price mark. Okay. And then the same thing applies then to, there's a 14% increase for personnel services. within the personnel services from 2022 2021 to 2022 we've hired new individuals to support the about face program and within the administrative branch of the general fund so that what signifies that difference okay are these so are these also include some new positions that you plan to incorporate yes and fy 21 how many positions 20 20 22 about four of them those um yeah three um within the youth about face program and also one that we're going to um the chauffeur position that we're going to revise on um at the increase in according to the new pay plan got you so um about the youth about face office uh a program i should say what what budget you guys have for that program two minutes that is presently budgeted into special funds um this year we budgeted for this for 2021 we received 200 000 on st croix and 100 000 for st thomas and we're now requesting for 225 on st croix 225 on st thomas so that we can be able to support port district with at least a minimum of 25 um participants that's just the program uh were you able to do anything with it in FY21? Yes. Okay. Amount of participants? I'm sorry if the question was asked. I was away and it came back. Combined, it's a total of 16 due to COVID restrictions. We had to limit the

2 : 39 : 44 amount of participants. 16, right? Yes, combined. And that's including St. Thomas? Including St. Thomas. okay and what what you're projecting for uh fy 22. in fy 22 we do intend to at least have a minimum of 25 at both districts okay that's good um are there plans to increase that in the future yes senator to what the program is tailored to at-risk use within our territories so it's all based on the needs of the at-risk use in our territories okay and so the staff that is dedicated to these programs how many staff at this present moment we have three individuals that dedicated to this program due to the fact that we did have hiries who no longer um um selected the opportunity we also have volunteers and participants that do assist in the program. What about your March Forward program? The Forward March program? Yeah.

2 : 40 : 49 It's all combined within one. It's combined within one? Okay. All right. And how is the Guard doing to be able to promote and advertise these programs? Time. May I answer Mr. Chair? Yes, Your Ma'am. Yeah, so as we continue to promote and advertise, we do use some of our Facebook programs, also be aware that some of the kids are in the program and don't want to disclose their identity because some of them are in the program for different reasons, but we go to the Department of Labor, we go to the Department of Human Service and look at what opportunities we have from kids there throughout the community as well as to the educators. So we've been speaking now with members of the Department of Education to see what identifying counselors what personnel the counselors identify that may benefit from the program and so for example we've had I think it's six of the person that came to the program this past year they had issues with studying and and tutoring requirements and we were able to ensure that all of the personnel who came to program passed one student had to go to summer school and I think he is now good to go to pass so it's a good program good mentorship program and then we do We have some of those students who go on to work within our community. A couple of them have jobs within the Department of Labor Summer Program right now.

2 : 42 : 17 And some will actually go in the military, which is a plus for our nation overall. That is definitely a plus. So I want to commend you and your team for the work that you're doing with this program. And I would love to see it expanded. And please look into, understand that now you could use some of the federal dollars that was designed for COVID It can now, according to President Biden, can be used now for crime prevention, I think, and crime prevention programs. So I think this would fall perfectly in that line. So I suggest you look into that in order to possibly expand it. Thank you very much. Thank you very much, Mr. Chair. Thank you so much, Senator DiCario. I'd like to hear about our program. It was a bill that we fought for. It was one of the responses of the bill. So I'm very happy that it's working out and it now has been extended to the island of St. Croix. You started with a little group this summer, right, St. Thomas? St. Thomas. You have a small group this summer.

- 2:43:14 A small, small group. I know, but you have something. So we can't, it is what it is. So the key is that we have started in St. Thomas, and the plan is to be able to expand those numbers as we begin the school year. and the about phase is for one age group. That's like 14 to 18, the way the bill is written. And the forward march is for the older students, like from 18 to 24, it was?
- 2:43:44 24. Okay. And the idea with that is that we also have a lot of black men that are 18 and above that are on the street. And what better place to send them than to the National Guard? i have a lot of men that are doing well to offer some apprenticeship program and and some other skill building and motivation etc so um continue to push our program and very good idea center in reference to the additional funds that can be utilized and those are federal funds so we'll be able to even offset the 450 000 from the general fund this year if we have a mechanism that they can really give you the funding necessary for that you might be able to buy vehicle etc because As we do, there is a chunk of money for crime prevention, and I know that we did look at YRC. You did look at YRC and then the bridge also from YRC going through that program so that they can hopefully be able to develop a different outlook. So thank you so much. Senator DeGraff, yes, you're there. Senator DeGraff.
- 2:44:48 Yes, sir, thank you, Mr. Chair. Do you recognize? Absolutely. Thank you, Mr. Chair. Mr. Chair, I did support that bill. Well, I thank you for proposing that about page 4 mark, you're excellent. Congratulations on your anniversary to Mr. Vice President. Congratulations on your promotion. Thank you.
- 2:45:14 Thank you, sir. You and your staff, everybody. Good to see you. Good afternoon. How many union employees do you have? Moza? Union employees. Two. Senator, we only have two union employees. Okay. So are they up to date with their wage increases and everything? That's correct. They're in the system. Are your security guards unionized employees? No, Senator, but they are all up to date.
- 2:45:47 all of my non-union and my union personnel have all been up-to-date with their pay scales okay good good good um the the match that we need for the further uh do we receive a higher match get the across the board sir you came in broken and unavailable can you please repeat the question Is it a standard across the board or the territory gets a higher or lower match?
- 2:46:30 A higher or lower match for what particular center? For the funding, for the federal government. Are you talking particularly COVID-19? Well, any federal funds that we have to match, but with local funds, are we receiving a higher match? No, it's not a higher match, it's a standard match, so either it's going to be a 25% match or 50% match that we know we have to require, and then any unique match that's determined by the project or requirement that set forth, Senator.
- 2:47:06 Okay, the next \$5,747 for the pension fund, how many has been, how much has been expended? What was that? What was that? What was that? What was that? How many expected? We understand the question, Senator, was how many of the pension fund funding has been expended or personnel? Correct. The fund.
- 2:47:43 How many expended for 2022? Not yet. Hi, Senator. You're inquiring on how many is expended for 2022? From the 2021. Okay, for 2021, 70, and for 2022, we anticipate 65. Okay, I do apologize for the connection.
- 2:48:18 Are you hearing me any better? I got a couple of speakers. Yes, no, we're hearing you, Senator. Go ahead, we're hearing you now. Okay, all right. Thank you. Yes, I just wonder in regards to the pension fund, if you anticipate 65 personnel next year added to the 17th this year? No, no, Senator. We had at least five personnel that had exhausted, so now we anticipate 65. Oh, okay, good. So you have sufficient funding?
- 2:48:54 Yes. And how are they paid on a quarterly basis, a monthly basis, how is the process done? The process is \$100 that's disbursed monthly and it's disbursed through our ERP system with the Department of Finance. Our processing team has secured purchase order to encumber the funds for each eligible participant on the pension fund for the entire year. However, as the month proceeds, we process \$100 within the quarter that we receive it from Office of Management and Budget. Two minutes. Are the monies owed to individuals? I'm getting calls in regards to individuals who are owed it. Correct. So we have identified that there were individuals that may have not processed through the screening, as the screening is done from our internal Virgin Islands National Guard G1 personnel office, if the individual has not processed through the G1 office, then we won't be able to receive the request to be able to process the disbursement.
- 2:50:10 So we have identified that, and there are some individuals that are appearing also, And we do have funding to rectify that, whereas all those that were identified that did not receive any funding should definitely receive funding before the September 30th, 2021 budget ends. Okay. Thank you for that. You know, before I wrap up, General, in underponderance of evidence, more likely than not, to me, how how I believe in the military, our standards are too heavy for us not to be able to pay those hurricane time. It means somebody has to lose a job, everything's not done, it's appropriate for the soldiers to the mental world. No one else can. You have to bite that bullet for that particular service to the table. Thank

you for that. Thank you for the time, Mr. Chair.

- 2:51:24 And thank you, Senator. I wholeheartedly agree with that assessment as well. Okay, you're already doing your justification for the supplemental budget. Yes, Mr. Chair. But I know as a veteran in the armed forces, accountability is ours, a key word, and the armed forces is known for accountability. And this supplemental budget is a lack of accountability. So how much are we eating? 75, 25%, 40%? Senator, I think my, Mr. Chair, I think my biggest concern is you will have soldiers at the lowest levels paying the price for the lack of leadership and accountability of the leaders above them. And so if it's 100% of what's owed to them for supporting, I think we need to be prepared to pay that because they provided the service.
- 2:52:23 The accountability figure was actually their leaders' lack of leadership that were over them. Thank you very much Mr. Chair, good afternoon colleagues and a special afternoon to Major General Knox Limbacher and your team, congratulations to you Major General Limbacher on your promotion by the governor, and I'd like to thank you and the men and women of the Virgin Islands National Guard for the services that you render to this territory and to our nation. But I have one, what I would consider a hard-button issue, and I know this is not something that you covered.
- 2:53:14 There was a very disturbing report of sexual harassment and maybe even sexual assault occurring in the Virgin Islands National Guard, not under your watch. There were stories that new recruits were forced to provide sexual favors to senior guardsmen in return for admission, assignment, et cetera. And we know that this speaks to a climate of potentially predatory behavior at the Guard. I think you will agree that no female recruit or aspirant, no human being, should be subjected to such treatment. It's illegal. It's immoral. It's unacceptable.
- 2:53:56 Under your watch, what has been done to clean up this issue at the Virgin Islands National Guard? Thank you for that question, Senator. So very clearly, just to give you a little context, I was sent by the pinning on a special assignment to help clean up that issue as a senior Army advisor to the Lieutenant General Deborah Howell. So as I came in with the assessment, we did an investigation, and we looked for those who we can have substantiating information that we can actually put people in handcuffs to date. We have not gotten any of that substantiated income. However, as a new tag, when I was at the Shrag, I was very clear to indicate that we will not tolerate any sexual harassment, any sexual assault. It was a crime, and we will prosecute to the full sentence the law within the local law because that's where it's at we have hired sexual assault on response coordinators and we have a complete new team and revamped our system we've just had another inspection from the national guard bureau we have a new hire we just brought on and we continue very swiftly to act but once someone has a sexual harassment um claim which actually goes through the EO process in the guard compared to different active duty that goes through sexual assault we process that extremely quickly we have that person go to the victim advocates they have the ability to actually make their statements if it's a sexual assault they can be they can keep it out of the chain and get the services there and we work with DiviSAC and a few other the organizations to make sure that we have sorry nurses available to do that inspection should there be one but to date we have still not had any validated sexual assault within the guard even since that statement to actually prosecute. We will not tolerate it we will not accept it. We will come out and we will prosecute you to the fullest of the law and all the leaders
- 2:56:00 under me now know this. I have senior O6 Fulbright colonels, sergeant majors at the female levels the two sitting next to me here operating in an environment and so you realize the Virgin of the National Guard has leaders at every level that any young lady or an older lady who gets sexual assault and harassed feels they can go confide in and they know I would take swift action. I'm glad to hear that. I am disappointed that no potentially those perpetrators are still potentially there in the Guard because you're saying that no one was actually identified or prosecuted for these allegations, right?
- 2:56:43 That's not what I said, Senator. So what I'm trying to highlight is we didn't find the evidence. So many of the complaints when an officer complex investigation comes into a state, they go through every complaint that may have been done. So it could have been 10 years ago or 10 days ago when they show up. But the person had to have a victim and a perpetrator. so you can't arrest someone who you don't know who he or she is and the victim has to be able to feel free to come forward and victims often may come forward two days after event or 20 years after event so unfortunately we're hamstringing from a local law because it's the local Virgin Islands Police Department that will investigate an assault that's just a crime not the Virgin Islands Guard Okay, thank you for your response Just shifting gears a little bit, the day after Hurricane Orma devastated St. Thomas, we saw some naval helicopters here that were used to transport patients from Roy Lester Schneider Hospital, which was devastated, to Longley Hospital on St. Croix, which at the time was still functioning.
- 2:57:53 Now, you know, because that facility was not damaged. the Navy was not in the area at the time with the Virgin Islands National Guard have had the capacity to perform a similar operation one minute dissipate additional context the Virgin Islands National Guard in the state of a cat 5 hurricanes two at the same time is undermanned and the support to do that tasks however our plan is we do have what's called emergency management compact agreements that we have at states as

well as the Department of Defense which I just came from last month of making sure we have the right DOD assets that come in right after landfall some of them come before landfall to ensure that we have that support we have no aviation assets within that territory Puerto Rico has very limited and cannot assist much that is identified need and is actually identified a reason to source by the Department of Defense should have needed it again.

2:58:56 Thank you for that. My final question, I really want to applaud you, General Knox Limbacher, on the school repair efforts that the Virgin Islands National Guard undertook to assist the Department of Education. I'm aware of that. We know that the Guard has many such construction and maintenance skilled individuals while our territorial government really is lacking in those areas is there a possibility of making this an ongoing maintenance initiative even if the government is required to compensate the guard for its time or does you know your mandate prohibit you from executing such an arrangement time you'll proceed thank you mr. chair so we have in individual ranges training projects where we can put the guard off of particular projects the concern for any state and territory is that your National Guard becomes a low-cost maintenance organization that puts your local construction companies out of business so from a federal standpoint there is very clear projects and procedures to say here's a need here's where someone else can't meet it or because of the high cost or lack of skilled labor which we have in the Virgin Islands I could use the guard to leverage but there are opportunities we continue to explore them and and things that become an emergent requirement that IE we had the one there at the at the elderly home here in St. Croix where a storm was pending we had to go provide coverage for that roof we can do something like that a planned sustained requirement will have to be approved through the Department of Defense to articulate why the local vendors cannot do that. The skilled labor is not available, but we have some of the most skilled craftsmen within the territory in my National Guard.

3:00:58 Absolutely, you do, and we need your assistance without question. Thank you very much, Mr. Chair, for your generosity with your time. Thank you very much, General, for your comments. Thank you so much. So the actual work of government schools have been limited because you don't have a choice correct correct mr. chair the we would love to completely do a lot of work within the education system but it's a process and it's a lengthy slow process so this is an emergent requirement we can come and provide assistance when there's emergent but if it's planned sustainment that has to be approved at the more senior levels in Thank you, Mr. Chair, and good afternoon to the general and your team.

3:01:50 Very quickly, you spoke about the post exchange at the Gran Boca building and the fact that it's no longer there due to obvious reasons, but you noted that it's transferred back. Is it currently at the Department of Property and Procurement? That's the last indication we're given. And that's in St. Thomas? Yes, yes, Senator. And is it working? Would you know? No, my understanding was they were doing a cleanup first and then they were gonna reallocate it to some other agency. So that's not something that you are? Correct. And is there one on St. Croix? No, Senator.

3:02:27 So are we advocating for one to be in the St. Croix district? Was that a PX? Yes, a PX, yes. We've already, in 2018, we had readdressed APHES across the territory, St. Thomas and St. Croix. And the answer that was given that it wasn't profitable, it was mismanagement, and they would provide a troop store, which provides very little support to our soldiers and airmen. Okay, thank you for your response. Um, are you on target to expend your \$1.9 million that was appropriated in FY 2021?

3:03:06 Yes, I am. You are? Okay, good. So I need to understand your increase of 1.2 million in the FY 2020 to recommendation. So your matching requirements changed. no senator okay so last fiscal year you your testimony represented that you um in order for you to receive 5.3 million dollars uh you needed a match of 1.8 yes this fiscal year you you indicated that in order to receive 4.8 which is let's say 5 million around the same amount you're asking for 3.1 so I need that's why I ask you if your matching requirements change if those percentages change because this is a this is way off from your requirement your request last fiscal year and fiscal year 2020 so please clear that up for me I need I need to understand what's the difference in that request so for fiscal year 2022 we have more projects what we had budgeted for fiscal year 2021. Although the matching still remain the same, the different projects are for pretty much the same matching categories that we now have in 2022 opposed to what we had in 2021. I think we do have an increase of at least five more projects projected for 2022 than we did in 2021. So are you saying that

3:04:50 the matching requirements for your operating expenses is different from the matching requirements for your capital projects. Your capital expenses, that's what you're saying? No, what I'm saying is that we have more, well... It have to be because the amount, the dollar amount is lower. It's lower, yeah, the dollar amount for the operating expense, well the capital is lower than the operating expenses. However, a lot of our projects that we do have are more repair and maintenance. I understand, but the allocation that you're looking to receive from the federal government in this fiscal year is \$4.9 million. Just to say \$4.9 million, right? Is that accurate? Yes.

- 3:05:42 And the allocation that you were looking to receive last fiscal year was \$5.3 million. But last is fiscal year, you asked for 1.8. This fiscal year, you're asking for 3.1. That's why I ask, you usually have a matching percentage, 20%, 90%, what is a percentage? What is the difference between the matching requirements that you are able to ask for a significantly lower matching request in 20, FY20, I don't have the other years in front I mean, but I do have FY20, FY21, and now this year your request is doubled, actually.
- 3:06:22 Okay, so, Senator, if I may, actually our projections for FY22 is over, it's approximately \$6.2 million, so there is a discrepancy in the figures. That's not your presentation. I'm sorry? That's not what the testimony. While the budget book may have said X dollars, your presentation represents 4.8. So what's presented to us is tied to, basically tied to the budget. But you are saying that your matching requirement is 7.
- 3:07:04 The combined total is 7.9. The combined with the local match and the federal is 7.9. but the the federal allocation is 4.8. One minute. Last year your your combined total FY 20 your combined total was 7.1. So Senator what I'm attempting to say is that the projection on the office of the adjutant general side of the house of the federal funding to come into the territory for FY22, we have a discrepancy. My projection is slightly higher than what they are reporting in their FY22 budget. So that's the reason why she accounted for a higher increase in terms of matching those projected funds we have. So one thing that we also need to understand, so National Guard Bureau at times would provide us with increase in funding if the territory can provide the matching funds based on projects that they may have.
- 3:08:18 If the territory cannot provide those matching funds, I have to turn off the federal funds because that's how we execute the master cooperative agreement program. Okay, that's understood. I don't have an issue with that. But you have to give us what it is that you are looking for, what is a true projected allocation from the federal government, and then you have to justify, because that's about four, two, three. That's another \$3 million that you're talking about. That could justify you asking for another \$3 million, so that's three and three, or another \$4 million and three. you can justify it that way. But your presentation that you gave us today does not allow us to accommodate your requests because we have to clearly see the path. If those that come after us, if they look at your year 20, year FY21, and what you're asking for this year, if we were to provide it, then the question would be, well, what was the difference? So we have to know because your presentation gave us, I mean, you broke down the categories, and I know my time has been called, Mr. Chair.
- 3:09:30 Time. Oh, my gosh. You broke down the categories. Where is it? You broke down the categories as to exactly how you, the allocation of the funding. In some instances, you talk about supporting facilities and maintenance, environmental program, air national guard operating and maintenance expenses, distance learning program, electronic security system, et cetera. So you have to give us what it is that's the difference between those programs and this additional funding that you're asking for in order for us to even begin to have a true conversation around this million-dollar difference. I mean, I don't know how else to put it.
- 3:10:13 Acknowledge, Senator. Mr. Chair, I think I'm exhausted my questions as it relates to this. I really would like to get a clear perspective as to what is the difference and what are those additional needs that you're referencing. It sounds to me as though you have other programs that you wish to bring online in FY 2022. You have to indicate such in order for us to accommodate this request because we have to know that the funding that we're giving is truly matching federal dollars. Thank you for the time, Mr. Chair. Thank you, Senator Gregory. What's the new number you're saying? I'm gonna come to you. You said six million, six million what?
- 3:10:57 Projection, sir. It's approximately six point two million dollars. Six point two? Yes, sir. That's what we would be accounting for in FY22 for the various programs that is supported through the Master Corporate of Agreement program. Okay. But I think the issue that we have, if you do it as a ratio of percentage and you look at 21, fiscal year 21, which we have in front of us, we have the presentation, the budget It was \$1,813,127 versus federal allocation \$5,316,512. So when you work out a percentage, that's 34%. The local was 34%. If you do, \$3,134,411 versus \$6,200,000, that's 50%. So the match is now 50.
- 3:12:06 What we're trying to ask is, is the match a percentage of what you're going to be allocated by the federal government? It became 34% last fiscal year. Why has it risen to 50% this year? Okay, Senator Valle, I'm not sure that I understand your question correctly. Okay. Let's see what I'm going to recess. Thank you. Thank you. Thank you. Thank you. Thank you. Thank you. We'll be right back.
- 3:16:21 We'll be right back. Thank you.
- 3:17:21 We'll be right back. Thank you.
- 3:18:21 Thank you. Thank you.

- 3:19:21 Thank you. We'll be right back. The Committee of Finance is back on the record. [3 such phrases repeated 17 times · standby audio before the proceeding, transcribed by the recogniser as speech]
- 3:27:30 In reference to the concerns that we had with the match, I want you to put a clearer statement on the record so that the public could know exactly the reason or the justification for the higher amount. Yes, Mr. Chair. So as we stand, depending on whatever the project is that we're projected to have, the location of that project, whether it's St. Thomas Armory or St. Croix Joint Force Headquarters, they have different types of matches. If it's a St. Thomas Armory requirement, it's a 50% federal, 50% local match for that requirement, whatever it is from building a fence to doing some type of project there, unless it's a 100% federally funded requirement.
- 3:28:17 St. Coral will be at 25%, 75% for that facility. So depending on where that project is, as Senator Gregory had requested, we will break down those particular projects to say where they're at, what they are, and what the match is that I can better articulate what the requirement is and how we have the increase. Okay, so we have asked for the National Guard to submit to us a list of those projects the amount for the project and what is the federal match. And we're also requesting that we have a discussion on reference to the 6.2 versus the 4.8. And if it's the 6.2, then it needs to reflect that because that means that the match more than likely will increase because it doesn't include \$1.4 million for the 6.2 number, but 4.8. so that 1.4 definitely has some type of match also.
- 3:29:19 So we need to be clear as to what that amount is. So break it out, and then we will be able to proceed and make sure that we provide a match so that we can have those projects take place. Senator Carla Joseph. Point of inquiry. Point of inquiry, Senator De Graff. Yes. So you were able to clear up regarding the question that I asked if we had higher matches in the territory based on what is the information you just put out because what the previous senator was speaking of that's what I was asking about. So we're able to clear that up now? Yes. Yes.
- 3:30:05 Okay. Good. Thank you. Thank you for the time. And they're going to, Senator DeGraff, they're going to provide us itemized lists of the projects along with the cost and the percentage match so that we can be able to clearly see how they came up with the cumulative figure. Senator Joseph. Okay. Good. Thank you. Thank you so much, Mr. Chairman. A pleasant good afternoon. mr master sergeant major major general max limbaka weinbacher um i want to first of all commend you and your team uh for your presentation uh specifically i want to give you high kudos for finalizing all of the renovation at the nazareth armory kudos to you especially because i sit on the committee for disaster recovery and infrastructure and we go through a long line of questioning with various agency and departments and sometimes we are concerned for lack of better word and that may be an understatement that we aren't seeing a lot of completed projects so Definitely that struck out to me that you have, in fact, completed the repairs for that facility. I may have missed it in your report, which was very detailed, but kindly indicate to us what was the total cost for the repair of that facility, if you have it with you. Yes, yes, Senator, that's a great question.
- 3:31:48 It's about \$12 million approximately for that facility repair, and in line, I would I would say we had two, Master Sergeant Tutain and Sergeant First Gaston Narcisse, that we had employed with Colonel Petty to make sure they kept on target. So I just wanted to say thank you for those two to make sure that project got finished. I'm familiar with Colonel Petty. I know she is very much that very focused person and to get things done at the tail end. Now I'm going to switch into management of federal funds.
- 3:32:21 And, of course, you have a sizable amount of money that comes in to support our National Guard from the Department of Defense. Is that department your cognizant agency? Yes. Yes, Senator. Okay. All right. Just making sure that I'm online and on target. So in doing that, you have, I know, typically there are audits that are being performed. TELL US, ARE YOU UP-TO-DATE WITH YOUR AUDITS, YOUR A-133 OR SINGLE AUDIT? SO, SENATOR JOSEPH, IF I MAY CLARIFY, YES, THERE IS THE SINGLE A-133 AUDIT, AND THAT IS DONE TYPICALLY TO THE OFFICE OF THE ADJUTANT GENERAL. THERE IS ONLY ONE PROGRAM THAT MEETS THE THRESHOLD, BUT THAT AUDIT, WHICH IS THE FACILITY program and um I think the last audit that was done was in 2019 as none was done in 2020 and I figured that was due to COVID okay so are you I'm sorry to interrupt you are you so you are expected to do uh audit for the 2020 or not because you haven't met your threshold as far as the funding. So the clarification is my office do not do that audit, that's an external audit agency that comes in and audits them and when they render the report I get a copy of the report since I'm the federal agent that provides the funds to the territory. I understand the process.
- 3:34:09 But my question is, has that been done, that external entity that comes in and do your audits? And what is the last year you've had them? 2019 is what I'm tracking. However, my office, the internal review division that is headed up by the supervisory auditor, Ms. Miller, we are required by law to conduct audit under various appendices under the master cooperative agreement program every three years okay and we are on target with those audits okay that's that's the answer i was looking for because i know typically uh when you're using uh sizable monies and you have all of these money streams are coming in so that you can assure that your fiscal controls are in place and to be accountable not only to the

local government but also to your federal funders and then there's the other level of auditing that comes from the office of the inspector general who does audits of various agencies so I just wanted to assure that you are on target with your your audits now I wanted to ask a question relative to the cost shares the cost sharing you mentioned that you have some cost shares and I was a bit curious in one of the programs, and this question is to Ms. Ward, on page 36, you mentioned the \$25,600 to pay that employee. I was wondering if there's any local cost share with that, even though it's federally funded at 100%, is there any local cost share with that specific position? Because it looks a little low and I don't know if it complies with our our laws here in the Virgin Islands as far as government is concerned for pay and income thank you

3:36:22 senator for that projection allocation for the anti-terrorism program that employee that was assigned as they're no longer in that position has retired the federal government has projected that amount of money and disbursed that amount of money to cover the employee until their retirement. However, we have requested additional funding to support the bill. Okay, and what is the additional funding that you have requested to support a new hire once this person has transitioned? And I will have a follow-up question to that because I've always asked the question regarding succession. What is the projected amount? Time okay senator Joseph we got a total of sixty three thousand dollars for that particular appendix this year and that is to cover some of the leave and stuff when someone retires from the local government the annual leave yes and and whatever the other benefits that they have to pay however the amount that we typically receive in that funding so when that employee comes on board is approximately \$85,000 for the anti-terrorism appendix. Okay and then my question would be to Master General Knox Limbacher, Leimbacher, I'm so sorry, Leimbacher, Major General, do you have in place because we're just talking about one of your employees retiring do you have in place any level of succession planning because that person is leaving I don't know if you have someone who is career shadowing that individual who works on this anti-terrorism program which is a critical which is a critical program that we have in the Virgin islands i don't know if they had yet designated what happened during the swearing in ceremony of our now uh president as a as a terrorism act act of terror but it can be seen as that that

3:38:48 insurrection so this is a critical uh program that you have do you have anyone who you uh have the person to the personnel who is retiring career shadowing him or her yes that's a great question so as you know one we're fighting and dealing with belligerents or the Department of Defense's expertise and so we do have what they call active duty operational support ADOS and we're able to leverage multiple personnel who are actually trained in that requirement they will then put that announcement out to compete and the best man or when we'll be selected to fill that job permanently good thank you so much mr. chairman my time has been called I don't have any other pressing questions and I won't further abuse my time thank you kindly thank you senator Joseph colleagues I think we have exhausted all questions I don't know if I'm seeing the shakes I I think we have exhausted questions for the Virgin Islands National Guard. We're going to, again, request that you just send in the justification for the numbers.

3:40:05 I want to thank you for your testimony and thank your staff for also providing information to this body. I'm happy that we are extending the About Faith program to the island of St. Thomas. We already have it in St. Croix, and I want to thank all the individuals who serve in the armed forces and continue to serve the Virgin Islands and the United States of America. I'll give you an opportunity to put a closing statement on the record.

3:40:34 Thank you, Mr. Chair. I'd like to thank yourself and the rest of the Senators here for the Committee of Finance for the opportunity to actually discuss our budget and provide greater detail to you in the future to make sure that we can get the funding to support a ready, relevant and responsive joint force to the territory of Virgin Islands and to our nation when time to call the war. I'd like to particularly thank the Office of Agent General Staff, the USPFO, as well as the rest of the men and women in the Army and EAR, National Guard, the Virgin Islands, for all the support they do day in and day out to support our territory. As we continue to look at the requirements for COVID-19, World Fire requirements, and as we all know, the hurricane season here will continue to be the best stewards of the government's money to provide the best force once the governor calls to support the requirements of our territory and be postured from what the president calls to support our nation. Thank you very much.

3:41:32 Once again, thank you for your testimony. Colleagues, thank you for being here today. Media, central staff, and my staff, thank you for your service every day. The Committee of Finance is here by adjourned. Thank you. ¶¶ I'll see you next time.

3:43:16 Thank you. You [2 such phrases repeated 45 times · standby audio before the proceeding, transcribed by the recogniser as speech]

People named in this transcript

SUSPECTED, and a finding aid only. Names were matched by machine against the spellings used across all 426 of our transcripts, and the title is the one used in the room. Being named here is NOT evidence that a person attended or spoke · only that the name was said. Speech recognition mishears names, so a spelling may be wrong even where no alternative is offered.

8x	Senator Dwayne DeGraff heard in this transcript as: De Graff, DeGraff, Duane DeGraff, Dwayne M. DeGraff
8x	Senator Fred Gregory the surname alone also matches: Donna A. Frett-Gregory; Donna Frett-Gregory; Donna A. Fred Gregory; Frank Gregory heard in this transcript as: Gregory
7x	Senator Franklin D. Johnson heard in this transcript as: Johnson
6x	Senator Samuel Carrion heard in this transcript as: Carrion, Samuel Carrione
5x	Senator Marvin Blyden heard in this transcript as: Blyden, Marvin A. Blyden, Marvin A. Blyton
5x	Senator Milton E. Potter heard in this transcript as: Potter
4x	Governor Albert Bryan Jr heard in this transcript as: Albert Bryant Jr, Bryan
4x	Senator Carla Joseph the surname alone also matches: Clifford Joseph; Karla J. Joseph heard in this transcript as: Joseph
3x	Senator Janelle K. Saro heard in this transcript as: Saro
3x	Senator Javan James heard in this transcript as: Javon E. James Sr, Jayvon James
2x	Senator Donna A. Frett-Gregory heard in this transcript as: Donna A. Fred Gregory, Donna Fred Gregory
2x	Senator Kurt A.
2x	Senator Kurt Avila
2x	Senator Kurt Viale heard in this transcript as: Kurt E. Viale
2x	Senator Novelle Francis heard in this transcript as: Novell Francis
2x	Lieutenant Governor Tregenza Roach heard in this transcript as: Roach
1x	Senator Donna Frett-Gregory heard in this transcript as: Donna A. Frett-Gregory

Bills and acts referred to

Matched by number against our own acts corpus. The number is what the recognition heard, so it may be wrong; where it resolved, the title is the one the Legislature gave the act.

Act 8035	Act 8035 · An Act amending title 23 Virgin Islands Code, chapter 19, subchapter I, section 1508 relating to the duties of the Adjutant General requiring the Adjutant General to administer the Youth About Face and the adult Forward March programs ---0
-----------------	--