

**TESTIMONY OF NELLON L. BOWRY  
DIRECTOR, OFFICE OF MANAGEMENT AND BUDGET  
BEFORE THE COMMITTEE ON  
GOVERNMENT SERVICES, CONSUMER AND VETERANS AFFAIRS  
31ST LEGISLATURE OF TH U.S. VIRGIN ISLANDS  
(SENATOR JUSTIN HARRIGAN SR., CHAIRMAN)  
ON BILL NO. 31-0387  
OCTOBER 5, 2016**

Good morning Chairman Justin Harrigan, other members of the Committee on Government Services, Consumer and Veterans Affairs, other present members of the 31<sup>st</sup> Legislature of the U.S. Virgin Islands; and all others listening and viewing. My name is Nellon L. Bowry, Director of the Office of Management and Budget. I appear before this Committee, pursuant to your invitation, to provide testimony on Bill No. 31-0387; to amend Title 3, Chapter 33, Section 882 by adding a new section 882a.

This Bill will allow government departments, agencies, bureaus and instrumentalities to offer expedited service to the public and to charge an additional fee, equal to one-third (33.3%) of the regular fee, for such expedited service. Expedited service is defined as service provided within six working days of a request. Expedited service may be requested by regular mail, telephone or electronic medium or in person. Payment must be made in advance by cash, postal money order of certified cashier checks. Notice of the expedited service option should be displayed at the entrance to the main offices where the service is offered, and also be posted on the official website of the entities. The Bill provides that the failure to meet the six day expedited service period will result in reimbursement of the entire fee; not just the expedited service fee.

The intent of the bill is commendable, to the extent that it seeks to provide an opportunity for customers to receive service in shortened period of time, as their

circumstances may require – such as in emergency situations. At the same time, it provides an opportunity for the Government entity to recoup the additional cost of expediting the service. For example, the passport office under the governance of the Lt. Governor office offers expedited passport renewals for an additional fee. In that case, the passport office offers an option for passport renewal within 3 ½ weeks for a fee of \$170.00, instead of the normal renewal period of six weeks for \$110.00, which is an additional \$60.00 or 55% fee increase.

However, I am concerned that the Bill, as proposed, imposes a one-size-fits-all framework that will defeat its purpose. This is of particular concern for semi-autonomous agencies, whose fees are established by a regulatory body or by contract. Indeed, I suggest that such agencies be excluded from this Bill. I recommend that a feasible framework should have the following characteristics:

1. Each agency should be allowed to choose which service or set of services it will offer in an expedited basis.
2. Both the expedited service period and the expedited service fee should be established by the entity; based an analysis of its capabilities and capacity (human and technological), and the additional resources required to provide the service on the expedited basis. The fee should be set at a specific dollar amount.
3. The posted expedited service schedule should, at a minimum, indicate the specific service(s); both the normal and expedited service period; and both the normal and expedited service fee. This will allow the customer to determine whether the shortened service period is worth the additional fee.

4. In the event of a failure to provide the service within the specified expedited service period, the Government should not be required to reimburse the entire fee; only the additional fee paid for the expedited service.

I note that Section 1 (a) of the Bill provides that the government entity “**may offer**” the expedited services; thus indicating that it is optional.

**Mr. Chairman, this concludes my written statement on Bill No 31-0387 and I am available for questions.**