69th Congress 1st Session } HOUSE OF REPRESENTATIVES { Report No. 654

TO PROVIDE A PERMANENT GOVERNMENT FOR THE VIRGIN ISLANDS OF THE UNITED STATES, AND FOR OTHER PURPOSES

March 25, 1926.—Committed to the Committee of the Whole House on the state of the Union and ordered to be printed

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Mr. Kiess, from the Committee on Insular Affairs, submitted the following

REPORT

[To accompany H. R. 10276]

The Committee on Insular Affairs, to which was referred the bill (H. R. 10276) to provide a permanent government for the Virgin Islands of the United States and for other purposes, having had the same under consideration, report it back favorably with amendments, and, as amended, recommend that the bill do pass.

The committee held extensive hearings on this and similar bills, Messrs. H. B. Berg and D. Hamilton Jackson, members of St. Croix Colonial Council, and Mr. J. D. Hestres, member of the Colonial Council of St. Thomas and St. John, testified before the committee. Gen. Frank McIntyre, Chief Bureau of Insular Affairs; Rear Admiral S. W. Kittelle, former Governor of the Virgin Islands; Dr. Rufus S. Tucker, special investigator for the Treasury Department; Commander Raymond Stone, of the Judge Advocate General's Office of the United States Navy; A. A. Berle, jr., Esq., of New York City, were among some who appeared before your committee and gave it the benefit of their views in regard to the provisions of the bill. Those views are to be found in the printed hearings.

The Virgin Islands were purchased in 1917 from Denmark for $25,000,000. Congress at that time continued the old Danish laws in force, and these laws give the Virgin Islands very little control of their local affairs.

It has been the American policy that shortly after the passage of the act for temporary government of our possessions Congress has passed an act providing for the permanent government along substantially the lines of this bill. It was done in the case of Hawaii, Porto Rico, and the Philippines, but in the case of the Virgin Islands it has not been done. Owing to the limited resources of the Virgin Islands, your committee has endeavored in this bill to provide as economical a form of government as possible and at the same time grant the people of the Virgin Islands full rights of citizenship and local autonomy.

The bill as reported by the committee is drafted in accord with the policy which we found it expedient to follow when we acquired the island of Porto Rico. The bill of rights is practically word for word the same as the bill of rights contained in the organic law of Porto Rico. It is the traditionally well-settled bill of rights which has been passed upon by the courts. It is well understood by our own colonial administrators and by the people who will have to interpret the laws.

Section 5 follows the Porto Rico law by providing that all property which may have been acquired in the Virgin Islands by the United States shall pass over to the government now to be established for the Virgin Islands of the United States. It provides, however, that the United States reserves the right within one year after this bill becomes effective to designate and retain such portions of the islands as may be necessary for its own national interests.

Section 7 provides that the judicial process shall run in the name of the United States. This is also true of Porto Rico and places it in line with our jurisdiction in Porto Rico and the Philippines.

Section 8 places the jurisdiction of the Virgin Islands under the Bureau of Insular Affairs of the War Department. The Bureau of Insular Affairs is equipped to do this work, as it now has charge of Porto Rico and the Philippines. It is really our American colonial office for overseas possessions.

Section 9 defines the office of governor and is in substance the same as contained in the Porto Rico act.

Section 10 establishes what the committee believes to be the simplest executive machinery possible.

Sections 11, 12, 13, 14, and 15 prescribe the duties of the executive officers.

Section 16 provides for the appointment of an auditor by the President of the United States. The auditor is also designated as executive secretary. The provisions of this section are similar to those of the Porto Rico act.

Beginning with section 19, provision is made for the legislative department. It provides for the separation of the islands into two municipalities, which is the organization that now exists. In local affairs each council retains its own jurisdiction. There are, however, certain joint activities which the islands should agree on together, and to cover those joint activities a meeting of the councils in joint session is provided. They must meet at least once each year.

Section 32 provides the machinery for starting the government off. The first election is to be held with the same franchise and qualifications which are now in force.

Section 33 provides for the levying of duties on articles imported. This is the same provision now in force and gives them the right to impose their own tariff duties with the proviso that all articles of a similar sort coming into the Virgin Islands of the United States from any foreign country shall be subject to a tax or customs duty not less than the tax hereby imposed upon articles coming from the United States.

Section 34 fixes the salaries of the governor and auditor and gives the council the right to fix the other salaries.

Section 35 continues the laws and ordinances now in force until they are amended, altered, or repealed by the councils.

Section 36 specifically excludes from the Virgin Islands the operation of the coastwise shipping act. As a matter of fact, that act has been by proclamation from time to time set apart from the islands. It is provided also that the revenue act of 1925 shall not apply to the Virgin Islands of the United States.

Sections 37, 38, 39, and 40 provide for citizenship. It is conceded that they should be granted citizenship.

Sections 41 and 42 deal with the judiciary, and the committee believes the provisions as arranged are extremely wise. The police courts are continued, but appeals will be made to the United States District Court of Porto Rico. At the present time appeals are made to the United States Circuit Court of Appeals at Philadelphia.

The act shall take effect 30 days after its approval by the President.

H R—69-1—vol 2——56