

106TH CONGRESS
2D SESSION

H. R. 3999

To clarify the process for the adoption of local constitutional self-government for the United States Virgin Islands and Guam, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MARCH 16, 2000

Mr. YOUNG of Alaska (for himself, Mrs. CHRISTENSEN, and Mr. FALEOMAVAEGA) introduced the following bill; which was referred to the Committee on Resources

A BILL

To clarify the process for the adoption of local constitutional self-government for the United States Virgin Islands and Guam, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Virgin Islands and
5 Guam Constitutional Self-Government Act of 2000”.

6 **SEC. 2. FINDINGS.**

7 Congress makes the following findings:

8 (1) Congress established a process in 1976 for
9 the United States territories of the Virgin Islands

1 and Guam to advance local self-government by the
2 adoption of constitutions through their respective in-
3 ternal political processes, pursuant to Public Law
4 94–584 (90 Stat. 2899), but did not require review
5 and approval of those constitutions by Congress.

6 (2) The Virgin Islands and Guam have not
7 adopted constitutions as authorized and therefore,
8 Congress has enacted amendments to the underlying
9 Federal laws establishing local territorial govern-
10 ment, the Revised Organic Act of the Virgin Islands,
11 approved by Congress on July 22, 1954 (68 Stat.
12 497), and the Organic Act of Guam, approved by
13 Congress on August 1, 1950 (64 Stat. 384), respec-
14 tively, in response to periodic petitions from the Vir-
15 gin Islands and Guam for various changes to the
16 three branches of government of those territories.

17 (3) Congress has been requested to amend the
18 existing Federal authorization for constitutional gov-
19 ernment (Public Law 94–584; 90 Stat. 2899), to as-
20 sure the people of the Virgin Islands and Guam that
21 adoption of a constitution would not preclude their
22 further right to self-determination.

23 (4) Review and approval by Congress of any
24 proposed constitution would ensure that the
25 constitution—

1 (A) is consistent with the sovereignty of
2 the United States in the Virgin Islands and
3 Guam, respectively, and the provisions of the
4 United States Constitution, treaties and laws
5 applicable to the Virgin Islands and Guam, re-
6 spectively;

7 (B) provides for a republican form of gov-
8 ernment, consisting of three branches (execu-
9 tive, legislative, and judicial);

10 (C) contains a bill of rights; and

11 (D) provides for the establishment of mu-
12 nicipal or county government as deemed appro-
13 priate to promote greater self-determination
14 and self-government for the demographically
15 distinct communities of the Virgin Islands and
16 Guam.

17 **SEC. 3. CLARIFYING AMENDMENTS.**

18 (a) CONGRESSIONAL APPROVAL OF CONSTITU-
19 TION.—Section 5 of Public Law 94–584 (90 Stat. 2900)
20 is amended—

21 (1) by striking “The constitution, in each case”
22 and all that follows through “unless prior to that
23 date” and inserting “After”; and

24 (2) by striking “resolution. As so approved or
25 modified” and inserting “resolution”.

1 (b) SELF-DETERMINATION NOT AFFECTED.—Public
2 Law 94–584 (90 Stat. 2899 et seq.) is amended by adding
3 at the end the following new section:

4 “SEC. 6. Establishment of local constitutional self-
5 government pursuant to this Act shall not preclude or
6 prejudice the further exercise in the future by the people
7 of Guam or the Virgin Islands of the right of self-deter-
8 mination regarding the ultimate political status of either
9 such territory.”.

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