

**§ 1405y. Repealed. Pub. L. 89-554, § 8(a), Sept. 6, 1966, 80 Stat. 649, 650, 654, 657**

Section, acts June 22, 1936, ch. 699, §26, 49 Stat. 1813; Aug. 5, 1939, ch. 430, 53 Stat. 1203; June 25, 1948, ch. 646, §28, 62 Stat. 991; Feb. 10, 1954, ch. 6, §3(a), 68 Stat. 12, related to appointment of a judge of district court, a special judge, district attorney, and court officers.

**§§ 1405z to 1406e. Repealed. Pub. L. 97-357, title III, § 307, Oct. 19, 1982, 96 Stat. 1709**

Section 1405z, act June 22, 1936, ch. 699, §27, 49 Stat. 1813, related to two divisions of District Court of Virgin Islands, terms of court, rules of practice, and process.

Section 1406, act June 22, 1936, ch. 699, §28, 49 Stat. 1814, related to jurisdiction of district court generally.

Section 1406a, act June 22, 1936, ch. 699, §29, 49 Stat. 1814, related to jurisdiction of district court over crimes committed on the high seas.

Section 1406b, act June 22, 1936, ch. 699, §30, 49 Stat. 1814, related to appeals from District Court of Virgin Islands.

Section 1406c, act June 22, 1936, ch. 699, §31, 49 Stat. 1814, related to jury trials in criminal cases.

Section 1406d, act June 22, 1936, ch. 699, §32, 49 Stat. 1814, related to jurisdiction of inferior courts.

Section 1406e, act June 22, 1936, ch. 699, §33, 49 Stat. 1815, related to appeals from inferior courts to district court.

**§ 1406f. Judicial process; title of criminal prosecutions**

All judicial process shall run in the name of "United States of America, scilicet, the President of the United States", and all penal or criminal prosecutions in the local courts shall be conducted in the name of and by authority of "the People of the Virgin Islands of the United States."

(June 22, 1936, ch. 699, §37, 49 Stat. 1817.)

**§ 1406g. Repealed. Pub. L. 97-357, title III, § 307, Oct. 19, 1982, 96 Stat. 1709**

Section, act June 22, 1936, ch. 699, §34, 49 Stat. 1815, related to bill of rights of Virgin Islands.

**§ 1406h. Taxes, duties and fees as funds for benefit of municipalities; appropriations**

All taxes, duties, fees, and public revenues collected in the municipality of Saint Croix shall be covered into the treasury of the Virgin Islands and held in account for said municipality and all taxes, duties, fees, and public revenues collected in the municipality of Saint Thomas and Saint John shall be covered into said treasury of the Virgin Islands and held in account for said municipality: *Provided*, That the proceeds of customs duties, less the cost of collection, and the proceeds of the United States income tax, and the proceeds of any taxes levied by the Congress on the inhabitants of the Virgin Islands, and all quarantine, passport, immigration, and naturalization fees collected in the Virgin Islands shall be covered into the treasury of the Virgin Islands and held in account for the respective municipalities, and shall be expended for the benefit and government of said municipalities in accordance with the annual municipal budgets. The Municipal Council of Saint Croix may make appropriations for the purposes of said municipality from, and to be paid out of, the funds credited to its account in the treasury

of the Virgin Islands; and the Municipal Council of Saint Thomas and Saint John may make appropriations for the purposes of said municipality from, and to be paid out of, the funds credited to its account in said treasury.

(June 22, 1936, ch. 699, §35, 49 Stat. 1816.)

**§ 1406i. Taxes and fees; power to assess and collect; ports of entry; export duties**

Taxes and assessments on property and incomes, internal-revenue taxes, license fees, and service fees may be imposed and collected, and royalties for franchises, privileges, and concessions granted may be collected for the purposes of the Government of the Virgin Islands as may be provided and defined by the municipal councils herein established: *Provided*, That all money hereafter derived from any tax levied or assessed for a special purpose shall be treated as a special fund in the treasury of the Virgin Islands and paid out for such purpose only, except when otherwise authorized by the legislative authority having jurisdiction after the purpose for which such fund was created has been accomplished. Until Congress shall otherwise provide, all laws concerning import duties and customs in the municipality of Saint Thomas and Saint John now in effect shall be in force and effect in and for the Virgin Islands: *Provided*, That the Secretary of the Treasury shall designate the several ports and sub-ports of entry in the Virgin Islands of the United States and shall make such rules and regulations and appoint such officers and employees as he may deem necessary for the administration of the customs laws in the Virgin Islands of the United States; and he shall fix the compensation of all such officers and employees and provide for the payment of such compensations and other expenses of the collection of duties, fees, and taxes imposed under the customs laws from the receipts thereof. The export duties in effect on June 22, 1936 may be from time to time reduced, repealed, or restored by ordinance of the municipal council having jurisdiction: *Provided further*, That no new export duties shall be levied in the Virgin Islands except by the Congress.

(June 22, 1936, ch. 699, §36, 49 Stat. 1816.)

**§ 1406j. Repealed. Pub. L. 89-554, § 8(a), Sept. 6, 1966, 80 Stat. 649**

Section, act June 22, 1936, ch. 699, §38, 49 Stat. 1817, provided for citizenship of officials and for oath of office.

**§ 1406k. Repealed. Pub. L. 97-357, title III, § 307, Oct. 19, 1982, 96 Stat. 1709**

Section, act June 22, 1936, ch. 699, §39, 49 Stat. 1817, related to jurisdiction of Secretary of the Interior and Attorney General.

**§ 1406l. Effective date**

This subchapter shall take effect June 22, 1936, but until its provisions shall severally become operative as herein provided, the corresponding legislative, executive, and judicial functions of the existing government shall continue to be exercised as now provided by law or ordinance, and the present incumbents of all offices under the

Government of the Virgin Islands shall continue in office until their successors are appointed and have qualified unless sooner removed by competent authority.

(June 22, 1936, ch. 699, § 40, 49 Stat. 1817.)

#### § 1406m. Short title

This subchapter may be cited as the Organic Act of the Virgin Islands of the United States.

(June 22, 1936, ch. 699, § 41, 49 Stat. 1817.)

### SUBCHAPTER III—VIRGIN ISLANDS CORPORATION

#### §§ 1407 to 1407i. Repealed. Pub. L. 97-357, title III, § 308(e), Oct. 19, 1982, 96 Stat. 1710

Section 1407, act June 30, 1949, ch. 285, § 1, 63 Stat. 350, related to creation of Virgin Islands Corporation under direction of the President of the United States or his representative for promotion of economic development of Virgin Islands.

Section 1407a, act June 30, 1949, ch. 285, § 2, 63 Stat. 351, related to principal offices of Corporation for venue purposes and establishment of branch offices.

Section 1407b, act June 30, 1949, ch. 285, § 3, 63 Stat. 351, set forth authorized activities of Corporation.

Section 1407c, acts June 30, 1949, ch. 285, § 4, 63 Stat. 352; Sept. 2, 1958, Pub. L. 85-913, §§ 1-3, 72 Stat. 1759; June 6, 1972, Pub. L. 92-310, title II, § 234, 86 Stat. 214, related to general powers of Corporation.

Section 1407d, act June 30, 1949, ch. 285, § 5, 63 Stat. 353, related to utilization of other Federal agencies and instrumentalities.

Section 1407e, acts June 30, 1949, ch. 285, § 6, 63 Stat. 353; Sept. 2, 1958, Pub. L. 85-913, § 4, 72 Stat. 1760; Oct. 4, 1961, Pub. L. 87-382, 75 Stat. 812, related to appropriation of money and establishment of a revolving fund.

Section 1407f, act June 30, 1949, ch. 285, § 7, 63 Stat. 353; 1970 Reorg. Plan No. 2, § 102, eff. July 1, 1970, 35 F.R. 7959, 84 Stat. 2085, related to use of funds and limitations thereon, interest payments to Treasury on advances, and contributions to retirement and disability funds.

Section 1407g, acts June 30, 1949, ch. 285, § 8, 63 Stat. 354; Sept. 2, 1958, Pub. L. 85-913, § 5, 72 Stat. 1760, related to authorization of appropriations necessary to cover losses sustained in revenue-producing activities, expenses incurred in non-revenue-producing activities, and an appraisal of necessary working capital.

Section 1407h, acts June 30, 1949, ch. 285, § 9, 63 Stat. 354; Sept. 2, 1958, Pub. L. 85-913, § 6, 72 Stat. 1760, related to Board of Directors of Corporation.

Section 1407i, act June 30, 1949, ch. 285, § 10, 63 Stat. 355; 1970 Reorg. Plan No. 2, § 102, eff. July 1, 1970, 35 F.R. 7959, 84 Stat. 2085, related to transfer of functions, assets, and property of Virgin Islands Company to Corporation.

#### EFFECTIVE DATE

Act June 30, 1949, ch. 285, § 14, 63 Stat. 356, which provided that act June 30, 1949, ch. 285 [see Short Title note below] become effective June 30, 1949, was repealed by Pub. L. 97-357, title III, § 308(e), Oct. 19, 1982, 96 Stat. 1710.

#### SHORT TITLE

Act June 30, 1949, ch. 285, § 15, 63 Stat. 356, provided that act June 30, 1949, enacting sections 1407 to 1407i of this title and amending section 1401d of this title and section 846 of former Title 31, Money and Finance, could be cited as the "Virgin Islands Corporation Act", prior to repeal by Pub. L. 97-357, title III, § 308(e), Oct. 19, 1982, 96 Stat. 1710.

#### SAVINGS PROVISION

Pub. L. 97-357, title III, § 308(e), Oct. 19, 1982, 96 Stat. 1710, provided in part: "That nothing in this subsection

[repealing sections 1407 to 1407i of this title] shall affect the pension rights of former employees of the Virgin Islands Corporation."

#### TRANSFER OF FACILITIES; INVESTMENT INCREASE; SUPPLY OF ELECTRIC POWER

Pub. L. 85-913, § 7, Sept. 2, 1958, 72 Stat. 1760, authorized the Secretary of the Navy to transfer and convey to the Virgin Islands Corporation, without reimbursement, the power-generating facilities located at the Marine Corps air facility and naval submarine base, Saint Thomas, Virgin Islands, together with all the land, buildings, structures, facilities, distribution lines, fuel tanks, and equipment appurtenant thereto and necessary for the operation thereof, with such transfer to be accomplished not later than June 30, 1969.

#### DISSOLUTION OF VIRGIN ISLANDS COMPANY

Act June 30, 1949, ch. 285, § 11, 63 Stat. 355, authorized the Secretary of the Interior, the Under Secretary of the Interior, and the Governor of the Virgin Islands, as the stockholders of the Virgin Islands Company, a corporation created by ordinance of the Colonial Council for Saint Thomas and Saint John, Virgin Islands of the United States, to take such steps as may be appropriate to dissolve the Virgin Islands Company, prior to repeal by Pub. L. 97-357, title III, § 308(e), Oct. 19, 1982, 96 Stat. 1710.

### SUBCHAPTER IV—PUBLIC HOUSING

#### § 1408. Legislative authority to create authorities; appointment of members; powers of authorities

The government of the Virgin Islands, through its legislative assembly, may grant to a public corporate authority existing or to be created through said assembly, exclusive authority to undertake slum clearance, urban redevelopment, urban renewal, and low-rent housing activities within the municipalities of the Virgin Islands. The legislative assembly may provide for the appointment and terms of office of the members of such authority and for the powers of such authority, including authority to accept whatever benefits the Federal Government may make available under the Housing Act of 1949 (Public Law 171, Eighty-First Congress), as amended [42 U.S.C. 1441 et seq.], or any other law, for projects contemplated by this Act, as amended, and to do all things, to exercise any and all powers, and to assume and fulfill any and all obligations, duties, responsibilities, and requirements, including but not limited to those relating to planning or zoning, necessary or desirable for receiving such Federal assistance, except that such authority shall not be given any power of taxation, nor any power to pledge the faith and credit of the people of the Virgin Islands for any loan whatever.

(July 18, 1950, ch. 466, title III, § 301, 64 Stat. 346; Aug. 11, 1955, ch. 783, title I, § 107(5), (7), (9), 69 Stat. 638.)

#### REFERENCES IN TEXT

The Housing Act of 1949 (Public Law 171, Eighty-First Congress), as amended, referred to in text, is act July 15, 1949, ch. 338, 63 Stat. 413, as amended, which is classified principally to chapter 8A (§ 1441 et seq.) of Title 42, The Public Health and Welfare. For complete classification of this Act to the Code, see Short Title note set out under section 1441 of Title 42 and Tables.

This Act, referred to in text, means act July 18, 1950, ch. 466, 64 Stat. 344, as amended, known as the Terri-