

types of public works which shall include, but not be limited to, streets, bridges, wharves, and harbor facilities, sewers and sewage-disposal plants, municipal buildings, schools, libraries, gymnasias and athletic fields, fire houses, electric distribution systems or other work pertaining to electric systems, and other public utilities, including those owned or operated by the Saint Thomas Power Authority, or to clear slums, accomplish urban redevelopment or provide low-rent housing, negotiable general obligation bonds and other obligations may be issued by the government of the Virgin Islands or any municipality thereof: *Provided*, That no public indebtedness of any municipality thereof shall be incurred in excess of 10 per centum of the aggregate assessed valuation of the taxable real property in such municipality and that no public indebtedness of the government of the Virgin Islands shall be incurred in excess of 10 per centum of the aggregate assessed valuation of the taxable real property in the islands. Bonds issued pursuant to sections 1403 to 1403b of this title shall bear such date or dates, may be in such denominations, may mature in such amounts and at such time or times, not exceeding thirty years from the date thereof, may be payable at such place or places, may be sold at either public or private sale, may be redeemable (either with or without premium) or nonredeemable, may carry such registration privileges as to either principal and interest, or principal only, and may be executed by such officers and in such manner, as shall be prescribed by the government of the Virgin Islands or of the municipality issuing the bonds. In case any of the officers whose signatures appear on the bonds or coupons shall cease to be such officers before delivery of such bonds, such signature, whether manual or facsimile, shall, nevertheless, be valid and sufficient for all purposes, the same as if such officers had remained in office until such delivery. The bonds so issued shall bear interest at a rate not to exceed 4 per centum per annum, payable semiannually. All such bonds shall be sold for not less than the principal amount thereof plus accrued interest. All bonds issued by the government of the Virgin Islands or any municipality thereof, including specifically interest thereon, shall be exempt from taxation by the Government of the United States, or by the government of the Virgin Islands or any political subdivision thereof, or by any State, Territory, or possession or by any political subdivision of any State, Territory, or possession, or by the District of Columbia: *Provided further*, That the government of the Virgin Islands and any municipality thereof shall be obliged to levy and collect sufficient taxes for servicing any of the outstanding bonds, even if such taxation is required at a rate in excess of or in addition to the tax or tax rate of 1.25 per centum of the assessed value which is provided for in section 1401b¹ of this title.

(Oct. 27, 1949, ch. 769, § 1, 63 Stat. 940.)

REFERENCES IN TEXT

Section 1401b of this title, referred to in text, was repealed by Pub. L. 110-40, § 1(a), June 29, 2007, 121 Stat. 232.

¹ See References in Text note below.

§ 1403a. Expenditure of bond proceeds for public improvements

The proceeds of the bond issues or other obligations herein authorized shall be expended only for the public improvements set forth in section 1403 of this title, or for the reduction of the debt created by such bond issue or obligation, unless otherwise authorized by the Congress.

(Oct. 27, 1949, ch. 769, § 2, 63 Stat. 941.)

§ 1403b. Bond liability of United States

Bonds or other obligations issued pursuant to sections 1403 to 1403b of this title shall not be a debt of the United States, nor shall the United States be liable thereon.

(Oct. 27, 1949, ch. 769, § 3, 63 Stat. 941.)

SUBCHAPTER II—CIVIL GOVERNMENT

§ 1405. Geographical application of subchapter; land and waters included in term “Virgin Islands”

The provisions of this subchapter, and the name “the Virgin Islands” as used in this subchapter, shall apply to and include the territorial domain, lands and waters acquired by the United States through cession of the Danish West Indian Islands by the convention between the United States of America and His Majesty the King of Denmark entered into August 4, 1916, and ratified by the Senate on September 7, 1916 (39 Stat. L. 1706).

(June 22, 1936, ch. 699, § 1, 49 Stat. 1807.)

§§ 1405a, 1405b. Repealed. Pub. L. 97-357, title III, § 307, Oct. 19, 1982, 96 Stat. 1709

Section 1405a, act June 22, 1936, ch. 699, § 2, 49 Stat. 1807, related to division of Virgin Islands into municipality of Saint Croix and municipality of Saint Thomas and Saint John.

Section 1405b, act June 22, 1936, ch. 699, § 3, 49 Stat. 1807, related to constituting into bodies politic and juridic of inhabitants of municipalities of Saint Croix and of Saint Thomas and Saint John.

§ 1405c. Transfer of property to government

(a) Property not reserved

All property which may have been acquired by the United States from Denmark in the Virgin Islands under the convention entered into August 4, 1916, not reserved by the United States for public purposes prior to June 22, 1937, is placed under the control of the Government of the Virgin Islands.

(b) Applicability of United States law

Except as otherwise expressly provided, all laws of the United States for the protection and improvement of the navigable waters of the United States shall apply to the Virgin Islands.

(c) Applicability of tonnage duties

No Federal laws levying tonnage duties, light money, or entrance and clearance fees shall apply to the Virgin Islands.

(d) Presidential determination of applicable laws

The legislature of the Virgin Islands shall have power to enact navigation, boat inspection,

and safety laws of local application; but the President shall have power to make applicable to the Virgin Islands such of the navigation, vessel inspection, and coastwise laws of the United States as he may find and declare to be necessary in the public interest, and, to the extent that the laws so made applicable conflict with any laws of local application enacted by the legislature, such laws enacted by the legislature shall have no force and effect.

(e) Existing powers of United States officers unaffected

Nothing in this subchapter shall be construed to affect or impair in any manner the terms and conditions of any authorizations, permits, or other powers heretofore lawfully granted or exercised in or in respect of the Virgin Islands by any authorized officer or agent of the United States.

(June 22, 1936, ch. 699, § 4, 49 Stat. 1808; Aug. 7, 1939, ch. 515, 53 Stat. 1242; Oct. 31, 1951, ch. 654, § 1(127), 65 Stat. 706; Pub. L. 97-357, title III, § 306, Oct. 19, 1982, 96 Stat. 1709.)

AMENDMENTS

1982—Subsec. (d). Pub. L. 97-357 substituted “legislature” for “Legislative Assembly” wherever appearing.

1951—Subsec. (f). Act Oct. 31, 1951, repealed subsec. (f) which authorized the Secretary of the Interior to lease or sell any property under his administrative supervision in the Virgin Islands not needed for public purposes.

1939—Act Aug. 7, 1939, designated existing provisions as subsecs. (a), (b), (e), and (f) and added subsecs. (c) and (d).

CONSTRUCTION OF VIRGIN ISLANDS PROJECTS BY SECRETARY OF THE ARMY

Pub. L. 101-640, title IV, § 406, Nov. 28, 1990, 104 Stat. 4647, provided that:

“(a) GENERAL RULE.—Upon request of the Governor of the Virgin Islands with respect to a construction project in the Virgin Islands for which Federal financial assistance is available under any law of the United States, the Federal official administering such assistance may make such assistance available to the Secretary instead of the Virgin Islands. The Secretary shall use such assistance to carry out such project in accordance with the provisions of such law.

“(b) LIMITATION ON STATUTORY CONSTRUCTION.—Nothing in this section shall be construed as relieving the Virgin Islands from complying with any requirements for non-Federal cooperation with respect to a construction project carried out with Federal financial assistance provided to the Secretary pursuant to this section; except that the Secretary shall be responsible for complying with administrative and fiscal requirements associated with utilization of such assistance.

“(c) TERMINATION DATE.—Subsection (a) shall not be effective after the last day of the 3-year period beginning on the date of the enactment of this Act [Nov. 28, 1990]; except that the Secretary shall complete construction of any project commenced under subsection (a) before such day.”

EX. ORD. NO. 9170. CERTAIN NAVIGATION LAWS MADE APPLICABLE TO VIRGIN ISLANDS

Ex. Ord. No. 9170, eff. May 21, 1942, 7 F.R. 384, provided in part:

It is ordered that all of the navigation and vessel inspection laws of the United States be, and they are hereby, made applicable to the Virgin Islands of the United States, with the following exceptions:

- (1) The coastwise laws of the United States.
- (2) The act of Congress approved June 7, 1897 (30 Stat. 96), as amended by the acts of February 19, 1900 (31

Stat. 30), May 25, 1914 (38 Stat. 381), March 1, 1933 (47 Stat. 1417), Aug. 21, 1935 (49 Stat. 668, 669), May 20, 1936 (49 Stat. 1367), and April 22, 1940 (54 Stat. 150).

(3) So much of the vessel inspection laws of the United States as requires the inspection as a passenger vessel of any cargo vessel, foreign or domestic, when carrying more than twelve passengers or persons in addition to the crew.

(4) Federal laws levying tonnage duties, light money, or entrance and clearance fees.

§§ 1405d to 1405g. Repealed. Pub. L. 97-357, title III, § 307, Oct. 19, 1982, 96 Stat. 1709

Section 1405d, act June 22, 1936, ch. 699, § 5, 49 Stat. 1808, related to composition, election, and legislative powers of Municipal Council of Saint Croix.

Section 1405e, act June 22, 1936, ch. 699, § 6, 49 Stat. 1808, related to composition, election, and legislative powers of Municipal Council of Saint Thomas and Saint John.

Section 1405f, act June 22, 1936, ch. 699, § 7, 49 Stat. 1808, related to composition, meetings, and powers of two municipal councils to be known as the Legislative Assembly of the Virgin Islands.

Section 1405g, act June 22, 1936, ch. 699, § 8, 49 Stat. 1809, related to time of holding elections.

§§ 1405h, 1405i. Repealed. Pub. L. 89-554, § 8(a), Sept. 6, 1966, 80 Stat. 649

Section 1405h, act June 22, 1936, ch. 699, § 9, 49 Stat. 1809, related to eligibility for membership in municipal councils.

Section 1405i, act June 22, 1936, ch. 699, § 10, 49 Stat. 1809, related to compensation and travel expenses of municipal council members.

§§ 1405j to 1405p. Repealed. Pub. L. 97-357, title III, § 307, Oct. 19, 1982, 96 Stat. 1709

Section 1405j, act June 22, 1936, ch. 699, § 11, 49 Stat. 1809, related to powers of municipal councils, exemption of members from liability for debate in council, and privilege from arrest.

Section 1405k, act June 22, 1936, ch. 699, § 12, 49 Stat. 1809, related to appointment by each municipal council of members to serve on Municipal Committee and powers of Municipal Committee.

Section 1405l, act June 22, 1936, ch. 699, § 13, 49 Stat. 1810, related to time and place of meetings of each municipal council.

Section 1405m, act June 22, 1936, ch. 699, § 14, 49 Stat. 1810, related to introduction of bills in municipal councils by Governor, submission to councils of a budget of estimated receipts and expenditures, and submission of reports.

Section 1405n, act June 22, 1936, ch. 699, § 15, 49 Stat. 1810, related to quorum of councils, vote on adoption of bills, and a journal of proceedings.

Section 1405o, act June 22, 1936, ch. 699, § 16, 49 Stat. 1810, related to acts of councils and assembly, approval or veto thereof by Governor, submission of repassed vetoed bills to the President, annulment of acts by Congress, and authorization of appropriations.

Section 1405p, act June 22, 1936, ch. 699, § 17, 49 Stat. 1811, related to vesting of voting franchise in residents of the Virgin Islands who are citizens of the United States and prescription by legislative assembly of additional qualifications.

§ 1405q. Laws continued in force until modified; patent, trade mark, and copyright laws extended to Virgin Islands; jurisdiction of district court

The laws of the United States applicable to the Virgin Islands on June 22, 1936, and all local laws and ordinances in force on such date in the Virgin Islands, not inconsistent with this sub-