



United States Department of the Interior

CBC File

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OFFICE OF THE SECRETARY
WASHINGTON, D.C. 20240

JAN 8 1954

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Dear Mr. Burton:

The enclosures, which are self-explanatory, are in response to your request for recommendations for "stripping the Organic Acts of Guam and the Virgin Islands of cumbersome and superfluous Federal oversight provisions unrelated to the protection of the basic interests of the United States."

In addition to the superfluous provisions in the Organic Acts themselves, there are extensive provisions of a general nature which are applicable in the Territories and are contained in Sessions 1451 - 1469, inclusive of Title 48 of the United States Code (1970 Ed.). Some of these might be construed by a court as being applicable in the Virgin Islands and Guam. See, e.g., Smith v. Government of the Virgin Islands, 375 F. 2d 724 (1967). Yet most of these fall within the category defined by you. Accordingly, we have also included recommendations with regard to these sections.

Although there undoubtedly are other provisions which could be stripped from the Organic Acts of Guam and the Virgin Islands, we believe that most, if not all, of these deletions or amendments should result from the wishes of the peoples of the respective territories freely expressed in constitutional conventions and referenda. Thereafter, whether the basic interests of the United States would be protected by such changes would be a matter for congressional decision.

This letter has not been cleared with the Office of Management and Budget. Accordingly, the foregoing recommendations are subject to the Organic Acts of Guam and the Virgin Islands, and to the fact of a general statute applicable in the Territories and possible amendments thereto. We trust that they will be useful.

Sincerely yours,

John

Stanley M. Lampson
Director of Territorial Affairs

Honorable Phillip Burton
Chairman, Territories and
Insular Affairs
U.S. House of Representatives
Washington, D.C. 20543

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cc: Sec. Files, Mr. Chapman, Sol., Mr. Sanders, OIA

POSSIBLE AMENDMENTS TO THE
REVISED ORGANIC ACT OF THE VIRGIN ISLANDS

1. a. In Section 4 subsection (a), strike all after the word "legislature" and insert a period in lieu thereof.

b. Insert in Section 3 between the first and second paragraphs the following paragraph:

"No property, language, or income qualifications shall ever be imposed upon or required of any voter, nor shall any discrimination in qualification be made or based upon difference in race, color, sex, or religious belief."

2. In Section 6 subsection (a), strike the colon and all thereafter and insert a period in lieu thereof.

3. In Section 8, strike all of subsections (d) and (e).

4. Strike all of Section 10, and reinsert the following language:

"General elections shall be held on the first Tuesday after the first Monday in November, beginning with the year 1956, and every two years thereafter."

5. In Section 11, strike the following language, "The first election for Governor and Lieutenant Governor shall be held on November 3, 1970. Thereafter, beginning," and insert in lieu thereof the word "Beginning."

6. In Section 34, strike all after the word "approval" and insert a period in lieu thereof.

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POSSIBLE AMENDMENTS TO THE
ORGANIC ACT OF GUAM

- 1. In Section 6 strike the following: "The first election for Governor and Lieutenant Governor shall be held on November 3, 1970. Thereafter, beginning" and insert the word "Beginning."
- 2. In Section 20, strike subsection (c).
- 3. In Section 28, strike subsection (a) and renumber subsequent subsections. Strike the word "other" in the new subsection (a). Strike the words "by subsection (a) hereof" and change "subsection (b)" to "subsection (a)" in new subsection (b).
- 4. In Section 34, strike all after the first sentence.

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POSSIBLE AMENDMENTS TO
THE TERRITORIAL PROVISIONS OF A
GENERAL NATURE - 48 U.S.C. (1970 Ed.) 1451 - 1489

TITLE 48 U.S.C. (1970 Ed.):

SECTION:

SECTION:

1453 - Repeal

1472 - Repeal

1453a - "

1473 - "

1454 - "

1474 - "

1455 - "

1475 - "

1457 - "

1477 - "

1458 - "

1479 - "

1459 - "

1480 - "

1460 - "

1480a - "

1460a - "

1487 - "

1461 - "

1488 - "

1462 - "

1463 - "

1463a - "

1465 - "

1466 - "

1467 - "

1469 - "

1471 - Repeal all after colon
except last two paragraphs.

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