

Eugene A. Petersen, DVM
P.O. Box 801 #41 King Street
Frederiksted, St.Croix
Virgin Islands 00841
340-690-0617 / doc1.Petersen@gmail.com

**Testimony to the U.S. House of Representative
Committee on Natural Resources
Subcommittee on Insular Affairs, Oceans and Wildlife**

Proposed 5TH. Virgin Islands Constitution

Ladies and Gentlemen of the Committee on Natural Resources, subcommittee on Insular Affairs, Oceans and Wildlife. I thank you for this opportunity to testify on my own behalf as a citizen of the Virgin Islands of the United States. While I am a member/delegate of the Fifth Virgin Islands Constitution Convention, I am not here today as representing that body. I felt it necessary to testify as one of the five delegates who voted in opposition to the adoption of the Proposed Virgin Island Constitution in it's present form that is before you today.

I was born on St. Croix, United States Virgin Island, one of the islands that comprised the former Danish West Indies. My ancestral ties to the island of St. Croix can be traced back to the period of the emancipation of the slaves in 1848, and possibly beyond that. I have resided on St. Croix my entire life except for a period of time where I attended Tuskegee University in Alabama and worked for a brief period of one year in the great state of Massachusetts after earning my Doctorate degree in Veterinary Medicine. Upon returning to the Virgin Islands I practiced as a mixed practice veterinarian for over 25 years. I was elected as a delegate to the Fifth Virgin Islands Constitutional Convention in 2008, which is in recess at this time awaiting the return of the document from the United States Congress.

It is with great pleasure and humility that I accept this opportunity to testify before this great body today. There are numerous individuals that are probably better suited to be here testifying on this matter concerning the magnificent territory of the Virgin Islands of the United States. But faith and convictions has brought me here today. Faith that the diverse population of the Virgin Islands can live together as one, and the conviction that the people of my homeland desire to do the "right and just thing" concerning home rule and self-determination of the entire population of these Virgin Islands of which I am so proud.

I want to make it abundantly clear that I strongly support the adoption of a constitution created by the citizens of the territory, for the people of the territory. It pains me to be here today asking the United States Congress to modify or make changes to a document created by elected officials representing the people of the Virgin Islands. However, it is my opinion that there are portions of this proposed constitution that, if adopted, will do irreparable harm to the social and economic fabric of the territory. Many others today can testify more accurately on the historical and constitutional relevance of the document of which I am fully conscious. However, it is the

social and economic impact that are problematic and raises concerns for many of the citizens with whom I confer.

As I mentioned before, the Virgin Islands are a diverse community which is comprised of many citizens from various parts of the world. Many of the current population migrated to the territory over a long period of time establishing roots and contributing to the development of the territory. Many were born in the territory of parents or grandparents who migrated here, and many are first generation citizens who lived and worked in the territory for many years creating a solid social and economic base. These citizens consider themselves true Virgin Islanders and know no other existence besides the life that currently exist. We embrace each other and the vast majority live in harmony.

If the many of provisions proposed in this document are adopted I believe that it will rip this delicate social and economic fabric apart and create disharmony in our community unlike anything that we have seen before.

In addition, I believe that with these provisions included, the document will find it almost impossible to be ratified by the citizens of the territory. This possibility is most disturbing to me as I am convinced that this is an important step toward self-determination. It is important to note that this is our fifth attempt at ratifying a document and as time elapses it will become increasingly difficult to reach consensus as the population rapidly changes.

It is with great trepidation that I request the Congress of the United States to make the necessary changes to the proposed constitution so that some of the constitutional concerns may be alleviated, avoid social and economic distress, and allow the document to be more acceptable to the vast majority of citizens to insure ratification upon it's return to the people of the Virgins Islands. Some say that if congress as much as change one word in the proposed document that it no longer is "a document of the people". I beg to differ as upon ratification it will become the people's document to change and modify as prescribed within.

Therefore, without any further due I request that the Congress of the United States make that following changes to the Proposed Fifth Virgin Islands Constitution as follows:

1. Delete -Article II, Principles of Government. Section 5- Supreme Law of the Virgin Islands. "This Constitution shall be the supreme law of the Virgin Islands".

The removal of this clause will eliminate any ambiguity that may arises concerning the sovereignty of the United States Constitution over the Virgin Islands of the United States.

2. Delete - Article VI, Executive Branch. Section 3, subsection (d). "be an Ancestral Virgin Islander or Native Virgin Islander".

The removal of this clause will not only alleviate constitutional concerns, but avoid social distress on the part of citizens who will not qualify as a Native Ancestral Virgin Islanders”

3. Delete- Article XI, Taxation, Finance and Commerce. Section 5, subsection (g).
“No Real Property tax shall be assessed on the primary residence or undeveloped land of an Ancestral Native Virgin Islander“.

This provision will destroy the property tax base of the territory and have grave negative economic impact.

4. Delete- Article XVII, Political Status Advisory Commission. section 1, subsection (b)
“who are Ancestral Native and/or Native Virgin Islander”

This section makes special provisions for Native and Ancestral Natives which will prevent tax paying citizens from participating in the election process and prevent them from being appointed to this commission.

5. Delete- Article XVII, Political Status Advisory Commission. section 2, subsection (b).
“The special election on status shall be reserved for vote by Ancestral Native and Native Virgin Islanders only, whether residing within or outside the territory.”

This provision allows Native and Native Ancestral Virgin Islander regardless of there current relationship to the community to vote on the status issue while preventing tax paying citizens from voting.

6. Delete- Article XVIII, Constitutional Amendments , section 7 - Ratification of Amendments.
“Ancestral and Native Virgin Islanders, including those who reside outside of the Virgin Islands or in the military, shall have the opportunity to vote on Constitutional amendments”.

This clause will render voting rights to Native and Ancestral Native Virgin Islander who have no recent ties to the territory, and who are not domiciled in the territory.

Once again I would like to thank you for allowing me to testify today and I hope that my testimony is useful in your consideration of the proposed Virgin Islands Constitution.