



1 (1) IN GENERAL.—Chapter 5 of title 28, United  
2 States Code, is amended by inserting after section  
3 126 the following new section:

4 **“§ 126A. Virgin Islands**

5 “The Virgin Islands constitutes one judicial district  
6 comprising two divisions.

7 “(1) The Saint Croix Division comprises the Is-  
8 land of Saint Croix and adjacent islands and cays.

9 “Court for the Saint Croix Division shall be  
10 held at Christiansted.

11 “(2) The Saint Thomas and Saint John Divi-  
12 sion comprises the Islands of Saint Thomas and  
13 Saint John and adjacent islands and cays.

14 “Court for the Saint Thomas and Saint John  
15 Division shall be held at Charlotte-Amalie.”.

16 (2) CONFORMING AMENDMENT.—The table of  
17 contents for chapter 5 of title 28, United States  
18 Code, is amended by inserting after the item relating  
19 to section 126 the following:

“126A. Virgin Islands.”.

20 (3) NUMBER OF JUDGES.—The table contained  
21 in section 133(a) of title 28, United States Code, is  
22 amended by inserting after the item relating to  
23 Vermont the following:

“Virgin Islands ..... 2”.

1 (b) REVISED ORGANIC ACT OF THE VIRGIN IS-  
2 LANDS.—

3 (1) REPEALS.—Sections 25, 26, and 27 of the  
4 Revised Organic Act of the Virgin Islands (48  
5 U.S.C. 1615, 1616, and 1617) are repealed.

6 (2) BILL OF RIGHTS.—Section 3 of the Revised  
7 Organic Act of the Virgin Islands (48 U.S.C. 1561)  
8 is amended in the 23d undesignated paragraph—

9 (A) by inserting “article III;” after “sec-  
10 tion 9, clauses 2 and 3;” and

11 (B) by striking “: *Provided, however*” and  
12 all that follows through the end of the para-  
13 graph and inserting the following: “; except  
14 that all offenses under the laws of the Virgin  
15 Islands which are prosecuted in the courts es-  
16 tablished by local law shall continue to be pros-  
17 ecuted by information, except those that are re-  
18 quired by local law to be prosecuted by indict-  
19 ment by grand jury.”.

20 (3) JURISDICTION OF LOCAL COURTS.—Section  
21 21 of the Revised Organic Act of the Virgin Islands  
22 (48 U.S.C. 1611) is amended to read as follows:

1 **“SEC. 21. JURISDICTION OF COURTS OF THE VIRGIN IS-**  
2 **LANDS.**

3 “(a) JURISDICTION OF THE COURTS OF THE VIRGIN  
4 ISLANDS.—The judicial power of the Virgin Islands shall  
5 be vested in such appellate court and lower local courts  
6 as may have been or may hereafter be established by local  
7 law. The courts of the Virgin Islands established by local  
8 law shall have jurisdiction over all causes of action in the  
9 Virgin Islands over which any court established by the  
10 Constitution and laws of the United States does not have  
11 exclusive jurisdiction.

12 “(b) PRACTICE AND PROCEDURE.—The rules gov-  
13 erning the practice and procedure of the courts established  
14 by local law and those prescribing the qualifications and  
15 duties of the judges and officers thereof, oaths and bonds,  
16 and the times and places of holding court shall be gov-  
17 erned by local law or the rules promulgated by those  
18 courts.”.

19 (4) JURISDICTION OVER CRIMINAL MATTERS  
20 AND INCOME TAX.—Section 22 of the Revised Or-  
21 ganic Act of the Virgin Islands (48 U.S.C. 1612) is  
22 amended to read as follows:

23 **“SEC. 22. JURISDICTION OVER INCOME TAX.**

24 “The United States District Court for the District  
25 of the Virgin Islands shall have exclusive jurisdiction over  
26 all criminal and civil proceedings in the Virgin Islands

1 with respect to the income tax laws applicable to the Vir-  
2 gin Islands, regardless of the degree of the offense or of  
3 the amount involved, except the ancillary laws relating to  
4 the income tax enacted by the legislature of the Virgin  
5 Islands. Any act or failure to act with respect to the in-  
6 come tax laws applicable to the Virgin Islands which would  
7 constitute a criminal offense described in chapter 75 of  
8 the Internal Revenue Code of 1986 shall constitute an of-  
9 fense against the government of the Virgin Islands and  
10 may be prosecuted in the name of the government of the  
11 Virgin Islands by appropriate officers thereof in the  
12 United States District Court for the District of the Virgin  
13 Islands without the request or consent of the United  
14 States attorney for the Virgin Islands.”.

15 (5) RELATIONS BETWEEN UNITED STATES  
16 COURTS AND LOCAL COURTS.—Section 23 of the Re-  
17 vised Organic Act of the Virgin Islands (48 U.S.C.  
18 1613) is amended to read as follows:

19 **“SEC. 23. RELATIONS BETWEEN COURTS OF THE UNITED**  
20 **STATES AND LOCAL COURTS.**

21 “(a) IN GENERAL.—The relations between the courts  
22 established by the Constitution or laws of the United  
23 States (including the United States District Court for the  
24 District of the Virgin Islands) and the courts established  
25 by local law with respect to appeals, certiorari, removal

1 of causes, the issuance of writs of habeas corpus, and  
2 other matters or proceedings shall be governed by the laws  
3 of the United States pertaining to the relations between  
4 the courts of the United States, including the Supreme  
5 Court of the United States, and the courts of the several  
6 States in such matters and proceedings, except that for  
7 the first 15 years following the establishment of the appel-  
8 late court authorized by section 21(a) of this Act, the  
9 United States Court of Appeals for the Third Circuit shall  
10 have jurisdiction to review by writ of certiorari all final  
11 decisions of the highest court of the Virgin Islands from  
12 which a decision could be had.

13       “(b) REPORTS TO CONGRESS.—The Judicial Council  
14 of the Third Circuit shall submit reports to the Committee  
15 on Energy and Natural Resources of the Senate and the  
16 Committee on Resources of the House of Representatives  
17 at intervals of 5 years following the establishment of the  
18 appellate court authorized by section 21(a) of this Act as  
19 to whether that court has developed sufficient institutional  
20 traditions to justify direct review by the Supreme Court  
21 of the United States from all final decisions of the highest  
22 court of the Virgin Islands.

23       “(c) RULES.—The United States Court of Appeals  
24 for the Third Circuit shall have jurisdiction to promulgate

1 rules necessary to carry out the provisions of this sec-  
2 tion.”.

3 (6) APPELLATE JURISDICTION OF DISTRICT  
4 COURT.—Section 23A of the Revised Organic Act of  
5 the Virgin Islands (48 U.S.C. 1613a) is amended by  
6 striking “District Court of the Virgin Islands” each  
7 place it appears and inserting “United States Dis-  
8 trict Court for the District of the Virgin Islands”.

9 (7) ASSIGNMENT OF ADDITIONAL JUDGES TO  
10 THE COURT.—Section 24 of the Revised Organic Act  
11 of the Virgin Islands (48 U.S.C. 1614) is amended  
12 to read as follows:

13 **“SEC. 24. ASSIGNMENT OF ADDITIONAL JUDGES TO THE**  
14 **COURT.**

15 “Whenever it appears to be necessary for the proper  
16 dispatch of the business of the United States District  
17 Court for the District of the Virgin Islands—

18 “(1) the chief judge of the Third Judicial Cir-  
19 cuit of the United States may assign—

20 “(A) a judge of a court of record of the  
21 Virgin Islands established by local law,

22 “(B) a circuit or district judge of the  
23 Third Judicial Circuit, or

24 “(C) a recalled senior judge of the District  
25 Court of the Virgin Islands, or

1           “(2) the Chief Justice of the United States may  
2           assign any other United States circuit or district  
3           judge, with the consent of that judge and the chief  
4           judge of the circuit from which the judge is as-  
5           signed,  
6           to serve temporarily as a judge of the United States Dis-  
7           trict Court for the District of the Virgin Islands. After  
8           the establishment of the appellate court authorized by sec-  
9           tion 21(a) of this Act, no judge described in paragraph  
10          (1)(A) may be assigned to the district court under this  
11          section.”.

12          (c) PLEADINGS AND PROCEEDINGS IN ENGLISH.—  
13          All pleadings and proceedings in the United States Dis-  
14          trict Court for the District of the Virgin Islands shall be  
15          conducted in the English language.

16          (d) SAVINGS PROVISIONS.—

17                 (1) PENDING CASES.—With respect to any com-  
18                 plaint or proceeding pending in the District Court of  
19                 the Virgin Islands on the day before the effective  
20                 date of this Act, such complaint or proceeding may,  
21                 on and after that effective date, be pursued to final  
22                 determination in the United States District Court  
23                 for the District of the Virgin Islands, the United  
24                 States Court of Appeals for the Third Circuit, the



1 United States Court of Appeals for the Federal Cir-  
2 cuit, and the United States Supreme Court.

3 (2) TENURE OF INCUMBENT JUDGES.—A judge  
4 of the District Court of the Virgin Islands in office  
5 on the day before the effective date of this section  
6 shall continue in office on and after that effective  
7 date until the expiration of the term for which the  
8 judge was appointed, or until the judge dies, resigns,  
9 or is removed from office, whichever occurs first.  
10 When a vacancy occurs on the court on or after the  
11 effective date of this section, the President, in ac-  
12 cordance with section 133(a) of title 28, United  
13 States Code, shall appoint, by and with the advice  
14 and consent of the Senate, a district judge for the  
15 District of the Virgin Islands.

16 (3) EXISTING OFFICERS OF THE COURT.—Any  
17 individual who, on the day before the effective date  
18 of this Act, is serving as the United States Attorney  
19 for the Virgin Islands, or the United States marshal  
20 for the Virgin Islands, may continue in such office  
21 on and after that effective date until a successor is  
22 appointed pursuant to the provisions of title 28,  
23 United States Code.

1 **SEC. 3. TECHNICAL AND CONFORMING AMENDMENTS.**

2 (a) JUDICIAL COMPARISONS.—Section 333 of title  
3 28, United States Code, is amended—

4 (1) by striking “, the District Court of the Vir-  
5 gin Islands,”; and

6 (2) by striking “to the conferences of their re-  
7 spective circuits” and inserting “to the conference of  
8 the ninth circuit”.

9 (b) RETIREMENT AND SURVIVORS’ ANNUITIES.—

10 (1) RETIREMENT.—Section 373 of title 28,  
11 United States Code, is amended in subsections (a)  
12 and (e) by striking “, the District Court of the  
13 Northern Mariana Islands, or the District Court of  
14 the Virgin Islands” and inserting “or the District  
15 Court of the Northern Mariana Islands”.

16 (2) SURVIVORS’ ANNUITIES.—Section 376(a) of  
17 title 28, United States Code, is amended in para-  
18 graphs (1)(B) and (2)(B) by inserting “(as in effect  
19 before the effective date of the Judicial District of  
20 the Virgin Islands Act of 2009)” after “the District  
21 Court of the Virgin Islands”.

22 (3) RETIREMENT RIGHTS AND BENEFITS.—The  
23 amendments made by this section shall not affect  
24 the rights under sections 373 and 376 of title 28,  
25 United States Code, of any judge of the District  
26 Court of the Virgin Islands who retires before the ef-

1       fective date of this section or who continues in office  
2       on or after that date under subsection (c)(2) of this  
3       section. Service as a judge of the District Court of  
4       the Virgin Islands appointed under section 24 of the  
5       Revised Organic Act of the Virgin Islands (48  
6       U.S.C. 1614) shall be included in calculating service  
7       under sections 371 and 372 of title 28, United  
8       States Code, and shall not be counted for purposes  
9       of section 373 of that title, if the judge is re-  
10      appointed, after the effective date of this section,  
11      under section 133(a) of title 28, United States Code,  
12      as district judge for the District of the Virgin Is-  
13      lands.

14      (c) INVESTIGATIONS BY ATTORNEY GENERAL.—Sec-  
15      tion 526(a)(2) of title 28, United States Code, is amended  
16      by striking “and of the district court of the Virgin Is-  
17      lands”.

18      (d) COURTS DEFINED.—Section 610 of title 28,  
19      United States Code, is amended by striking “the United  
20      States District Court for the District of the Canal Zone,”  
21      and by striking “the District Court of the Virgin Is-  
22      lands,”.

23      (e) MAGISTRATE JUDGES.—Section 631(a) of title  
24      28, United States Code, is amended—

1 (1) in the first sentence, by striking “Virgin Is-  
2 lands, Guam, and” and inserting “Guam and”; and

3 (2) in the second sentence, by striking “Virgin  
4 Islands, Guam, or” and inserting “Guam or”.

5 (f) COURT REPORTERS.—Section 753(a) of title 28,  
6 United States Code, is amended in the first paragraph by  
7 striking “, the United States District Court for the Dis-  
8 trict of the Canal Zone” and all that follows through “Vir-  
9 gin Islands” and inserting “and the District Court of  
10 Guam”.

11 (g) COURTS OF APPEALS.—

12 (1) FINAL DECISIONS OF DISTRICT COURTS.—  
13 Section 1291 of title 28, United States Code, is  
14 amended by striking “, the United States District  
15 Court for the District of the Canal Zone,” and all  
16 that follows through “Virgin Islands” and inserting  
17 “and the District Court of Guam”.

18 (2) INTERLOCUTORY DECISIONS.—Section 1292  
19 of title 28, United States Code, is amended—

20 (A) in subsection (a)(1), by striking “, the  
21 United States District Court for the District of  
22 the Canal Zone” and all that follows through  
23 “Virgin Islands,” and inserting “and the Dis-  
24 trict Court of Guam,”; and

1 (B) in subsection (d)(4)(A), by striking  
2 “the District Court of the Virgin Islands,”.

3 (3) CIRCUITS IN WHICH DECISIONS REVIEW-  
4 ABLE.—Section 1294 of title 28, United States  
5 Code, is amended—

6 (A) in paragraph (1), by striking “United  
7 States to” and inserting “United States, to”;

8 (B) by striking paragraphs (2) and (3);  
9 and

10 (C) by redesignating paragraph (4) as  
11 paragraph (2).

12 (h) COURT OF APPEALS FOR THE FEDERAL CIR-  
13 CUIT.—Section 1295(a) of title 28, United States Code,  
14 is amended in paragraphs (1) and (2) by striking “the  
15 United States District Court for the District of the Canal  
16 Zone” and all that follows through “Virgin Islands,” and  
17 inserting “the District Court of Guam,”.

18 (i) FEDERAL TORT CLAIMS.—Section 1346(b)(1) of  
19 title 28, United States Code, is amended by striking “,  
20 together with” and all that follows through “Virgin Is-  
21 lands,”.

22 (j) REPRESENTATION OF CERTAIN DEFENDANTS.—  
23 Section 3006A(j) of title 18, United States Code, is  
24 amended by striking “the District Court of the Virgin Is-  
25 lands,”.

1 (k) VENUE.—Sections 1404(d) and 1406(c) of title  
 2 28, United States Code, are each amended by striking “,  
 3 the District Court for the Northern Mariana Islands, and  
 4 the District Court of the Virgin Islands,” and inserting  
 5 “and the District Court for the Northern Mariana Is-  
 6 lands,”.

7 (l) BANKRUPTCY JUDGES.—The table contained in  
 8 section 152(a)(2) of title 28, United States Code, is  
 9 amended by inserting after the item relating to Vermont  
 10 the following new item:

“Virgin Islands ..... 2”.

11 (m) OTHER TITLE 18 AMENDMENTS.—(1) Section  
 12 23 of title 18, United States Code, is amended—

13 (A) by striking “Guam, the” and inserting  
 14 “Guam and”; and

15 (B) by striking “, and the District Court of the  
 16 Virgin Islands”.

17 (2) Section 6001(4) of title 18, United States Code,  
 18 is amended by striking “the District Court of the Virgin  
 19 Islands,”.

20 **SEC. 4. ADDITIONAL REFERENCES.**

21 Any reference in any provision of law to the District  
 22 Court of the Virgin Islands shall, on and after the effective  
 23 date of this Act, be deemed to be a reference to the United  
 24 States District Court for the District of the Virgin Is-  
 25 lands.

1 **SEC. 5. EFFECTIVE DATE.**

2       This Act and the amendments made by this Act shall  
3 take effect at the end of the 90-day period beginning on  
4 the date of the enactment of this Act.

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