

VIRGIN ISLANDS SIXTH CONSTITUTIONAL CONVENTION

St. Croix, St. John and St. Thomas, Virgin Islands of the United States

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TESTIMONY

V. I. Sixth Constitutional Convention Status Update

October 29, 2025

Usie R. Richards, President

A Pleasant Good Afternoon, Senate President Potter, members of the 36th Legislature, Staff, and the listening public. My name is Usie Richards, and I appear before you today in my capacity as President of the Virgin Islands Sixth Constitutional Convention.

In August of 2025 the Delegates of the Convention had respectfully requested the consideration of this body to amend the existing laws governing the mandated timelines for the development of the Sixth Constitutional Draft document and the submittal of the document to the required statutory authorities.

In accordance with the mandates of Act No. 8681, as amended by Act Nos. 8734, 8788, 8814, and 8979, the Delegates of the Convention initiated the assessment process by establishing three (3) Working Groups, namely, Finance and Public Services, Government Structure, and Human Rights, to review and report back to the body on the Articles of the Fifth Constitutional Draft. This task commenced in February of 2025 and resulted in the establishment of the following Standing Committees:

1. Executive Committee,
2. Culture and Heritage,
3. Education and Public Information,
4. Finance and Public Services,
5. Government Structure, and
6. Human Rights.

As per the mandates of the existing laws, the Standing Committees began the task of **utilizing, revising, modifying, substituting, or deleting parts** of both the Revised Organic Act of 1954 and the 5th Constitutional Convention draft document in March of 2025. These tasks are being executed in a manner to ensure that the U.S. Department of Justice Memorandum dated February 23, 2010, and Public Law 94-584 section 2(b)(1) are fully understood and considered.

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During the continued execution of the above-referenced Laws, the Delegates of the Virgin Islands Sixth Constitutional Convention determined that it was necessary to respectfully request amendments to the existing timelines regarding the completion and submission of the draft document to the Governor of the Virgin Islands, and the date for the people of the Virgin Islands to vote on the proposed draft. Specifically, the Delegates request the Legislature's consideration to amend the timelines established in Act No. 8734, section 4., that amended the initial Act No. 8681. The Virgin Islands Sixth Constitutional Convention proposals regarding timelines, as enacted by the sections of the above-referenced Act, are as follows:

1. In Section 6., the Convention requested a change to the submission date of the Constitution Draft to the Governor of the Virgin Islands from October 31, 2025, to February 28, 2027.
2. In Section 7, subsection (b), we requested a change from May 1, 2026, date of launching the timely notice of the referendum to April of 2027, and establish July 3, 2027, as the date for the referendum.
3. In Section 7, subsection (c), we requested a change to the effective date of the Constitution from March 31, 2027, to January 31, 2028.
4. In Section 7, subsection (d)(3), we requested a change to the date of enactment and the effective date of the Constitution of the Virgin Islands from March 31, 2027, to January 31, 2028.

These proposed changes are intended to ensure an appropriate and thorough engagement of the public prior to submitting a draft Constitution to the Governor of the Virgin Islands, while ensuring the Delegates of the Convention can both digest and act upon recommendations or concerns shared by the community during the public engagement process. More importantly, the Delegates of the Convention are of the opinion that a separate and stand-alone referendum, one that's not mingled with a General Election, provides the opportunity for focusing solely on the draft Constitution, while providing a true yardstick that measures the public's interest in a constitution.

To date, the Convention has held both in person and virtual meetings on all three islands at conference facilities at the Office of the Lieutenant Governor, the

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University of the Virgin Islands, the Government Employees Retirement System, the Virgin Islands Port Authority, and the Legislature of the Virgin Islands. A process that resulted in 81 drafting Committee meetings with an average length of 3.5 hours per meeting, logging over 3,220 drafting hours from individual Delegates. The Standing Committees of Culture and Heritage; Government Structure; and Human Rights have completed the proposed Articles under the jurisdiction of their respective Committee for legal review and feedback, while the Standing Committee on Finance and Public Services is nearly completed with their review of articles of jurisdiction. The Standing Committee on Education and Public Information has completed and submitted a Branding and Public Education Plan that was reviewed and approved by the Executive Committee and will begin their public engagement in quarter four of this year.

The Convention acknowledges and appreciates the Legislature's support in covering the initial logistical expenses pending our receipt of the initial \$100,000 allotment in April of 2025. It is important to note that the Fiscal Year 2025 appropriation of \$50,000 for the Public Education and Information Campaign was not allotted to the Convention and thereby may require additional appropriation. This assumption is made given the lack of language in the FY '25 appropriation that states **“funds shall remain available until expended”**. In the absence of this appropriation, the Convention needs additional funding to adequately implement the adopted Branding and Public Education Plan.

We acknowledge that these proposed changes do come with a cost and submitted our proposed budget for Fiscal Year 2026. So far, for FY25, the Convention has been able to run a remarkable lean operation, spending very low amounts of our funding for line items like food and travel by prioritizing virtual meetings. We have also managed almost all administrative tasks internally, pro bono, with efforts from our own Delegates. This strategy is simply not sustainable for FY26. With the additional funding request, we will bring on much needed legal counsel to begin our Constitutional draft review process, an Executive Director to manage internal and external Convention coordination, and professional services to build the historic archive and make Convention assets accessible to the people of the Virgin Islands.

Based on last week's conversations with members of this body, we did share what a twenty (20) percent reduction in our request would entail. This reduction would severely hamper the planned implementation of engaging the public

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regarding the proposed draft document and hampers the Delegates' opportunity to properly digest and consider the viability of all suggestions, concerns, and ideas.

The work of the Convention cannot happen in a vacuum. It will take the cooperation of the Legislative and Executive branches to realize a process and product worthy of the people's support. As we continue this vital work on behalf of our people, we look forward to the continued support from our first branch of government who, in collaboration, is continuing to help us build a strong foundation by which this Sixth Constitutional Convention draft can stand before the US Congress, and more importantly, before the people of the Virgin Islands. We thank you for your time, partnership, commitment, and consideration of our request today.