Legislation Details (With Text)

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Title: Resolution in support of the "Religious Freedom Peace Tax Fund Act," H.R. 2037, to affirm the rights of taxpayers who are conscientiously opposed to participation in war by providing that the income, estate or gift tax payments of such taxpayers be used for nonmilitary purposes.

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Res. No. 367

Resolution in support of the "Religious Freedom Peace Tax Fund Act," H.R. 2037, to affirm the rights of taxpayers who are conscientiously opposed to participation in war by providing that the income, estate or gift tax payments of such taxpayers be used for nonmilitary purposes.

By Council Members Perkins, Martinez, Barron, Lopez, Foster, Reed, Brewer, Jackson, Monserrate and James

Whereas, Freedom of conscience is at the very core of the founding of our nation; and legislation originally passed in 1940 protects the rights of those who cannot in conscience bear arms by establishing alternative service for drafted conscientious objectors; and

Whereas, Increasingly, the ability of our government to wage war relies less on conscripted soldiers and more on "drafted dollars" to pay for advanced technology; and

Whereas, These advanced weapons perpetrate violence not only by means of their incredible destructive powers, but also through the devastation they cause in our communities by draining essential financial

resources needed to address basic human needs; and

Whereas, According to the Friends Committee on National Legislation and the War Resisters League, analysis of the *Budget of the United States Government, Fiscal Year 2004* shows that in the current fiscal year, 41.9% through 47% of the total budgeted Federal funds outlay will be spent on current and past military expenses (the range depends on the proportion of the Federal debt deemed military in origin); and, according to the Center for Defense Information, the annual military budget of the United States is greater than the combined budgets of the next twenty largest military budgets in the world; and

Whereas, According to the National Priorities Project, in addition to funding budgeted military expenses through our federal taxes, by the end of 2004, New York City taxpayers can expect to have paid over $5.5 billion as their share of unbudgeted, supplemental appropriations for current war expenditures, while suffering the effects of a severe fiscal crisis; and

Whereas, With almost half of every tax dollar directed to past and present war-making and weapons procurement, those taxpayers who have deep ethical, moral and/or religious objections to participation in war see themselves as being “drafted” into military service through their tax dollars, finding that the coerced support of military violence through taxation violates their conscience by compelling them to become collaborators in the development and proliferation of weapons and practices designed to cause death and destruction; and

Whereas, It is nearly impossible to avoid paying the coercive military tax (short of living below the taxable income level) without risking fines and imprisonment; and

Whereas, The Religious Freedom Peace Tax Fund Act, H.R. 2037, which was originally introduced in 1972, and was reintroduced in 2003, would address these widespread concerns about funding military violence while also affirming the conscientious objector’s freedom of religion and conscience, by amending the Internal Revenue Code to create a separate tax fund (the “Religious Freedom Peace Tax Fund”) earmarked for nonmilitary spending only; under the Act, this separate fund would be allocated annually to any appropriation

not for current military purposes; and

Whereas, Conscientious objection to participation in military service based on religious, moral and ethical beliefs is recognized under Federal law, with provisions made for alternative service; and

Whereas, This is a right derived from the First Amendment to the United States Constitution, in which the framers, recognizing free exercise of religion as an inalienable right, secured its protection from government interference, protection which Congress reaffirmed in the Religious Freedom Restoration Act of 1993; and

Whereas, The right to freedom of conscience is secured in Article 18 of the United Nations Charter of Human Rights, and the application of Article 18 to conscientious objection to participation in war is affirmed by the United Nations Human Rights Committee in its General Comment 22 and by the UN Commission on Human Rights in its resolution 1998/77; and

Whereas, Under the Religious Freedom Peace Tax Fund Act, a "designated conscientious objector" is a taxpayer who is opposed to participation in war in any form based upon the taxpayer's deeply held moral, ethical or religious beliefs or training, and who has certified these beliefs in writing to the Secretary of the Treasury; and

Whereas, Taxpayers who are conscientious objectors recognize and affirm their civic and legal responsibilities to pay their full share of Federal taxes, and seek to do so without violation of their fundamental moral, ethical or religious beliefs; and

Whereas, While the Religious Freedom Peace Tax Fund Act would not directly affect spending priorities, the level of participation in the Peace Tax Fund would be published in the Congressional Record annually, providing a visible barometer for judging the nation's conscience in regard to participation in war; and

Whereas, Respecting the religious freedom of conscientious objectors will strengthen the tax system and will preserve the diversity of convictions that protect our democracy; and

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Whereas, The Religious Freedom Peace Tax Fund Act recognizes and affirms the right of American taxpayers to pay 100% of their taxes without violating their deeply-held convictions of conscience against participation in war; and

Whereas, The National Campaign for a Peace Tax Fund reports a significant increase in support for the concept of a Peace Tax Fund in recent years, with over 75 diverse national and regional organizations formally endorsing the legislation, including historic peace churches such as the Mennonites and Quakers; mainline Protestant denominations, such as the Presbyterian Church (US) and Evangelicals for Social Action; other religious groups such as the General Assembly, Orthodox Catholic Church (Romano-Byzantine Synod); Jewish Peace Fellowship; Buddhist Peace Fellowship; Christian Legal Society; and a number of other Catholic, Jewish and Unitarian organizations; Veterans for Peace; the National Green party; the American Arab Anti-Discrimination Committee; and many other civil rights and civil liberties organizations; and

Whereas, The Act has bi-partisan support and 37 co-sponsors, among them Rep. Charles B. Rangel (D), Rep. Major R. Owens (D), Rep. Jose E. Serrano (D), and Rep. Edolphus Towns (D) of New York; Rep. Jerry Moran (KS, R); Rep. James Leach (IA, R); Rep. Ron Paul (TX, R); Rep. John Conyers, Jr. (MI, D); Rep. Barney Frank (MA, D); Rep. Jesse L. Jackson, Jr. (IL, D); Rep. Barbara Lee (CA, D); Rep. Eleanor Holmes Norton (DC, D); Rep. Bobby L. Rush (IL, D); now, therefore, be it

Resolved, That the Council of the City of New York calls upon the Congress and the President of the United States to enact into law the “Religious Freedom Peace Tax Fund Act,” H.R. 2037, to affirm the religious freedom of taxpayers who are conscientiously opposed to participation in war and to provide that the income, estate or gift tax payments of such taxpayers be used for nonmilitary purposes; and be it further

Resolved, That the Council of the City of New York calls upon our United States Representatives and Senators to monitor and report on military expenditures funded by the taxes of residents of New York City; and be it further

Resolved, That the Council of the City of New York calls upon our United States Representatives and

Senators to take a lead in Congressional action to issue an accurate yearly report of Federal tax dollars used for military spending, for instance, by publishing a non-unified budget as was the practice until the late 1960's (this would exclude Trust Funds such as the Social Security Trust Fund, the revenues for which are raised through taxes other than income, estate or gift taxes).

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