

**Testimony before New York City Council Committee on State and Federal Legislation
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Statement to the New York City Council in Support of Resolution 367

My name is Rosa Packard. I am a nongovernmental representative at the United Nations for Conscience and Peace Tax International, which has consultative status there.. Conscience and Peace Tax International's base is in Brussels and its board members come from countries where citizens are working to obtain legal recognition of the human right of conscientious objection to military taxes. I am also a board member of the National Campaign for a Peace Tax Fund and the Peace Tax Foundation. These organizations, which work for the passage of the Religious Freedom Peace Tax Fund Bill by the United States Congress are active in Conscience and Peace Tax International's work.

Tax witness has been important to me for twenty-five years. I place my taxes in escrow for the US government until it respects conscientious objection and provides a way for my taxes to go for nonmilitary purposes. Local Quakers manage the escrow account that I use holding the taxes in trust for the government. When I fill out and mail my tax form to the IRS, I include a letter explaining my position. Each year the government destroys my letter and ignores the escrow account by seizing the money from my personal checking account. My bank knows what I do and why I do it and is sympathetic towards me when they respond to the government's levy for the amount of my taxes as current law requires them to do.

Several years ago I sued the government, hoping that under the provisions of the Religious Freedom Restoration Act my conscientious objection to military taxation would be respected. New York Yearly Meeting wrote an eloquent amicus brief for my appeal to the 2nd Circuit and to the Supreme Court. The brief gives the three hundred and fifty year long history of Quakers involved in tax witness and it is posted on the Conscience and Peace Tax International web page (www.cpti.ws).

Two other Quakers from two other Quaker Yearly Meetings had related cases at the same time. Not only did the US judges dismiss these three Quaker cases, they ignored the issues raised by them.

Conscientious objectors to military taxes and conscientious objectors to military service, hold a religious position that killing is not a choice for them. James Madison and other founding fathers responsible for the Bill of Rights of the US Constitution intended this position to be protected by the freedom of religion first amendment. Current US courts do not uphold conscientious objection as a constitutional right. Therefore legislation is required. US Courts do uphold legislation passed by the US Congress that permits conscientious objection to military service. That legislation allows honorable discharge for military service members who become conscientious objectors after they have joined the military. It allows alternative service if there is a draft. Conscientious objection for citizens who cannot pay for killing would be respected when the Religious Freedom Peace Tax Fund Bill is passed and I am grateful that Resolution 369 supporting its passage is being considered by the New York City Council.