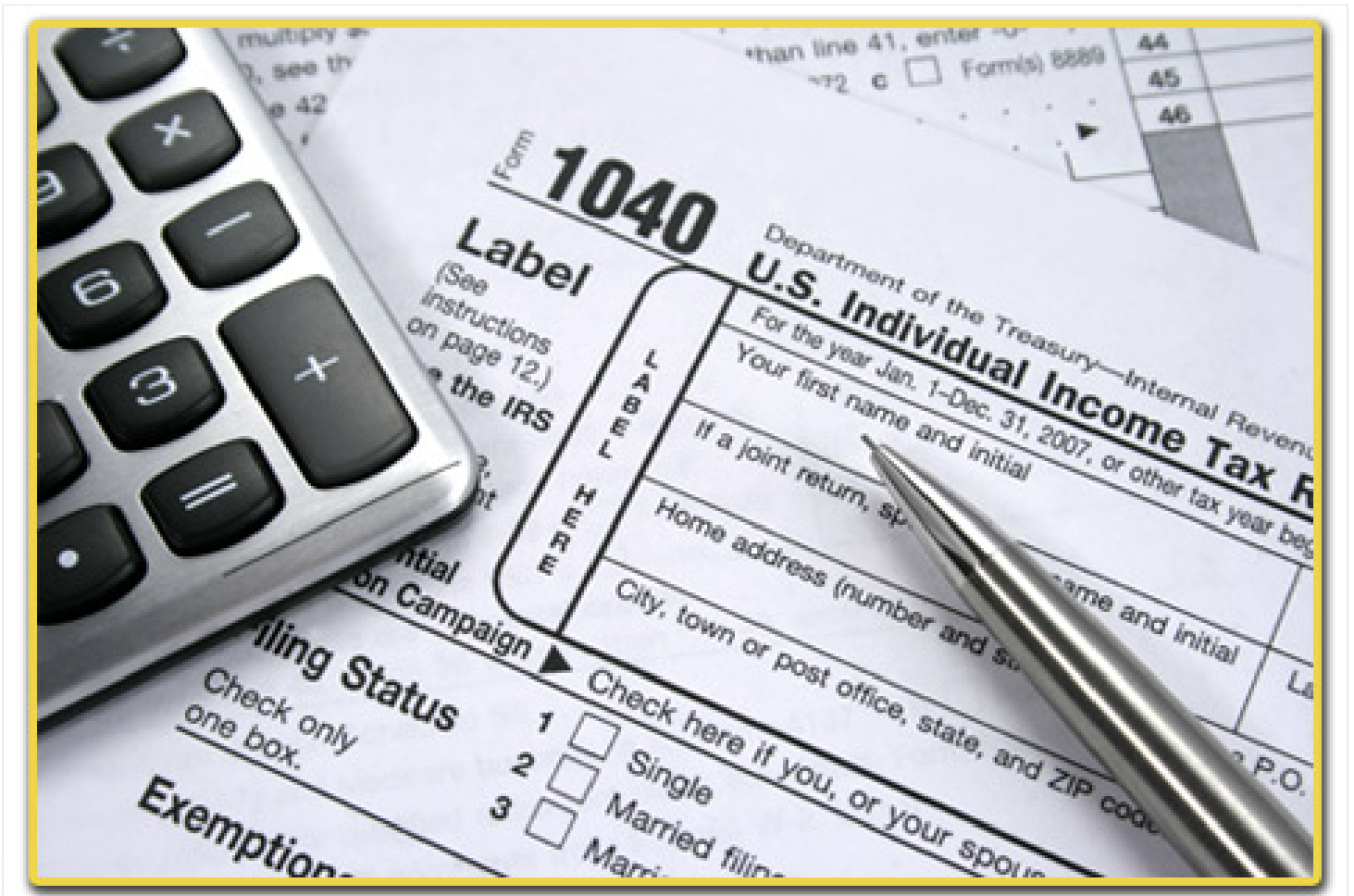


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legislation that could lead to repeal of the 16th Amendment to the U.S. Constitution -- the amendment enabling the current federal income tax.

Nov. 18, 2013



Nov. 18 — WASHINGTON — One of Oklahoma's Representatives in the U.S. Congress, Jim Bridenstine, has filed legislation that could lead to repeal of the 16th Amendment to the U.S. Constitution — the amendment enabling the current federal income tax.

“The Fourth Amendment to the U.S. Constitution guarantees 'The right of people to be secure in their persons, houses, papers, and effects, against unreasonable searches

and seizures,' ” Bridenstine said. “The 16th Amendment effectively negates the

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Washington, these alternatives will never be considered.”

Bridenstine's proposed constitutional amendment would require a two-thirds majority in the U.S. House and Senate and adoption by three-fourths of the states to negate the 16th amendment.

The 16th Amendment was adopted in 1913 after the U.S. Supreme Court ruled a proposed federal income tax violated the constitutional restrictions on direct taxes. A direct tax is one imposed by reason of ownership, such as a property tax or a tax on interest or dividends. The Constitution also bans “capitation” taxes — that is, a tax per person.

The Supreme Court decision did not specifically rule out income taxes, and in fact left a tax on wages in place, but it did render impractical an income tax on so-called unearned income — rents, interest and investments — unworkable.

The 16th Amendment, in its entirety, reads: “The Congress shall have power to lay and collect taxes on incomes, from whatever source derived, without apportionment among the several States, and without regard to any census or enumeration.”

Tariffs were the primary source of income for the federal government prior to the imposition of the modern income tax. A federal income tax had previously been imposed during the Civil War.

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