

1 “(e) ELECTION FOR PRE-1967 YEARS.—

2 “(1) ELECTION.—If an individual meets the re-
 3 quirements of subsection (a)(1) (A) and (C) for any
 4 taxable year beginning before January 1, 1967, and if
 5 such individual and the spouse referred to in subsection
 6 (a)(1)(C) elect under this subsection, then paragraph
 7 (2) of this subsection shall apply to their community in-
 8 come under foreign community property laws for all
 9 open taxable years beginning before January 1, 1967
 10 (whether under this chapter, the corresponding provi-
 11 sions of the Internal Revenue Code of 1939, or the cor-
 12 responding provisions of prior revenue laws), for which
 13 the requirements of subsection (a)(1) (A) and (C)
 14 are met.

15 “(2) EFFECT OF ELECTION.—For any taxable
 16 year to which an election made under this subsection
 17 applies, the community income under foreign community
 18 property laws of the husband and wife making the
 19 election shall be treated as provided by subsection (b),
 20 except that the other community income described in
 21 paragraph (4) of subsection (b) shall be treated as the
 22 income of the spouse who, for such taxable year, had
 23 gross income under paragraphs (1), (2), and (3) of