

## PERSONAL EXPLANATION

**HON. MIKE PENCE**

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

*Friday, June 9, 2006*

Mr. PENCE. Mr. Speaker, I was detained the evening of June 6, 2006 and wish to clarify any confusion as to how I intended to vote, most notably on rollcall 225, the motion to table the appeal of the ruling of the Chair. Had I been present, I would have voted in the following manner: Rollcall 223, King Amendment to H.R. 5441—"aye"; rollcall 224, Kingston Amendment to H.R. 5441—"aye"; rollcall 225, motion to table the appeal of the ruling of the chair—"aye"; rollcall 226, on passage of H.R. 5441—"aye."

COMMUNICATIONS OPPORTUNITY,  
PROMOTION, AND ENHANCEMENT  
ACT OF 2006

SPEECH OF

**HON. RICK BOUCHER**

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 8, 2006*

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 5252) to promote the deployment of broadband networks and services:

Mr. BOUCHER. Mr. Chairman, I rise in support of the bill and I urge its approval by the House. In my view, it will bring urgently needed competition to cable television and benefit consumers nationwide with more varied program offerings and the better pricing that competition inevitably brings.

The bill also opens the door for local governments to offer commercial telecommunications services, filling the gap where broadband is either not available or is available but is priced beyond the reach of residential subscribers and the small business community. Section 401 of the measure prohibits states from barring local governments from providing telecommunications, information or cable services. This provision applies to all current and future state measures that may have this effect. Section 401 also prohibits local governments from discriminating in favor of municipal providers over commercial providers of such services. This prohibition does not apply to local governments to the extent that they are providing services to themselves or to other government entities. Finally, nothing in this section exempts a public provider from any law or regulation that applies to private sector providers of a telecommunications service, information service or cable service.

The manager's amendment contains provisions I recommended that will assure fair treatment for electric utilities and telephone companies in pole attachment pricing, and I want to thank the gentleman from Texas (Mr. BARTON), who chairs the full committee, for his assistance with that provision. And the bill will assure that consumers who desire to purchase a freestanding broadband service can do so without having to buy telephone or cable service from the broadband provider. That provision was added in an amendment I offered during the markup of the bill in subcommittee.

I also urge support for the net neutrality amendment that the gentleman from Massachusetts Mr. MARKEY will be offering. I am pleased to be a co-sponsor of that amendment. It is essential to preserve the Internet as a platform for innovation. Broadband providers plan to create a two-lane Internet, a fast lane for their own content and for others who can pay for fast-lane access, and a slow lane for everyone else. That plan fundamentally changes the character of the Internet and would eliminate the openness and the accessibility that have enabled the Internet to be a platform for innovation unequaled in American history.

I will have more to say about that when the Markey amendment is offered, but I want to take the opportunity during these remarks to say that the net neutrality amendment is fundamental, and I strongly urge its adoption when it is offered.

INTRODUCTION OF "NO SPECIAL  
TAX SUBSIDIES FOR GAS GUZZLERS ACT"**HON. EDWARD J. MARKEY**

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

*Friday, June 9, 2006*

Mr. MARKEY. Mr. Speaker, today I am joined by Reps. ANNA ESHOO, RAUL GRIJALVA, BARBARA LEE, PETE STARK, JIM OBERSTAR, BERNIE SANDERS, SAM FARR, LOIS CAPPS, JIM MCGOVERN, BETTY MCCOLLUM, BILL DELAHUNT, JAY INSLEE, JOHN OLVER and JIM MORAN in introducing a bill entitled, "No Special Tax Subsidies for Gas Guzzlers Act." With our budget deficit running at near record levels the federal tax incentives, it seems odd that we would find it fiscally responsible to provide incentives to purchase automobiles which are especially inefficient. In fact, this runs directly contrary to other public policy initiatives, such as the fuel economy standards and the gas guzzler tax, which were adopted to try to keep the fleet of cars on the road from using more gasoline than is necessary. Now that we have troops in the Middle East, these odd, counter-productive incentives can also be viewed as directly undermining our need to break the national addiction to imported oil.

This legislation corrects two incentives which are out-of-step with the times—the SUV Tax Loophole and the Gas Guzzler Tax loophole.

Some estimate suggest that if we reform either of these perverse incentives so that SUVs receive the same tax treatment as they would if they were classified as passenger vehicles, the savings would be at least \$1 billion over 10 years.

The federal tax code affects the purchase of heavy-duty SUVs through preferential tax treatment of depreciation for motor vehicles and passenger cars. Recently, the Congressional Research Service reviewed this situation and concluded that for a hypothetical purchase made in 2005, a businessman would realize a much higher after tax return on investment by purchasing an SUV instead of a similarly priced passenger car—\$3,000 higher in the example given. "In this treatment lies the most important tax subsidy for the purchase of these SUVs for business use." ("Tax Preferences for Sport Utility Vehicles," Guen-

ther, Gary, Congressional Research Service, (RL32173), April 4, 2006, p. 5.) The report notes that "there is no question that current depreciation rules favor the purchase of heavy-duty SUVs over lighter SUVs or passenger cars of comparable value. Supporting evidence can be found in the greater tax benefit to business taxpayers from buying an SUV exempt from the depreciation caps on luxury passenger cars than from buying a vehicle subject to those caps. This added benefit stems from the accelerated depreciation for heavy-duty SUVs available under IRC section 179." *Ibid*, p. 11.

The Report goes on to note that when Congress moved in 2004 to reduce the expensing allowance for SUVs from \$100,000 to \$25,000, it may have thought it was significantly reducing the tax tilt to SUVs, but in fact "it did little to curtail the tax preference for buying these vehicles under current depreciation rules." *Ibid*, p. 13.

The legislation we are introducing today will eliminate the tax tilt so that a businessman is not led to buy the heavier vehicle by virtue of a perverse tax incentive. There may be other reasons to buy the larger vehicle, but a tax preference should not be one of them.

Cars which consume excessive quantities of gas are subject to a 'gas guzzler' tax which is intended to encourage automakers to produce and develop more fuel efficient vehicles. This tax has been highly effective. During the model year (MY) 2003, fewer than 100,000 (or 1.3%) of cars purchased were gas guzzlers. However, the tax is only subject to passenger vehicles, which means that SUV's escape the gas guzzler tax entirely!

This bill would incorporate SUV's into the gas guzzler tax schedule that applies to other passenger vehicles.

The gas guzzler tax originated with the Energy Tax Act of 1978 (P.L. 95-618), and the IRS issued the first regulations to implement it in 1980. It applies to domestic sales of automobiles by manufacturers and importers, who are required to pay the tax. IRC section 4064(b) defines an automobile as any "four-wheeled vehicle propelled by fuel which is manufactured primarily for use on public streets, roads, and highways." Until the passage of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU, P.L. 109-59) in August 2005, the definition of automobiles also stipulated that such vehicles have an unloaded gross vehicle weight of 6,000 pounds or less; the act repealed this weight limitation, subjecting all vehicles meeting the remaining criteria for an automobile to the tax, irrespective of their weight. Certain vehicles are exempt from the tax: namely, emergency vehicles such as ambulances and police cars, cars with a gas mileage rating of 22.5 miles per gallon (mpg) and over, and all "light trucks" including SUVs of all weights. Whether a gas guzzler tax is owed—and if so, the amount of the tax—depends on an automobile's combined city and highway fuel economy rating, which is defined as the average number of miles traveled by an automobile per gallon of gasoline as determined by the Environmental Protection Agency. The current tax ranges from \$1,000 for cars with a fuel economy rating of at least 21.5 miles per gallon but less than 22.5 miles per gallon to \$7,700 for cars with a rating of less than 12.5 miles per gallon. These amounts have been in effect since the

enactment of the Omnibus Budget Reconciliation Act of 1990 (P.L. 101-508). In FY2004, the tax raised \$141 million in revenue, up from \$71 million in FY2000.

Again, the Congressional Research Service analyzed the SUV exemption from the gas guzzler tax, noting that by exempting SUVs, demand for heavy-duty SUVs is likely to be greater than it would be if they were subject to the tax and buyers were forced to bear its burden. Since most heavy-duty SUVs get relatively low gas mileage, retail prices could be as much as \$4,500 to \$7,700 higher for many models if current law were changed to subject them to the tax and importers, manufacturers, and dealers were to pass the full amount of the tax on to buyers.

In applying the gas guzzler tax to SUVs, the legislation makes certain exceptions for vehicles clearly intended for carrying heavy loads, pick up trucks with open beds, and so forth.

For years we have stood idly by while watching our energy dependence soar as consumers responded to these perverse loopholes and upside-down tax incentives. The health of our environment and the safety of those purchasing small vehicles is affected adversely by giving preferences to inefficient SUVs. While we complain that China is now affecting demand for world oil, we continue to tolerate a tax code which artificially skews in favor of the purchase of the least efficient vehicles.

We no longer have the luxury of ignoring this ridiculous situation. Please join us in supporting efforts to reform this self-inflicted source of wasted gasoline and oil.

#### BYRNE-JAG FUNDING

### HON. DENNIS A. CARDOZA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Friday, June 9, 2006*

Mr. CARDOZA. Mr. Speaker, I rise today in strong support of Byrne-JAG funding for state and local anti-drug task forces. This program is critical to supporting the dedicated police officers combating the meth epidemic sweeping our nation.

Methamphetamine is an extremely dangerous drug. In San Joaquin County, California, part of my congressional district, meth has been the most deadly drug for four years running. Even worse, the impact of meth spreads far beyond just the self-destructive behavior of the meth addict. In the Central Valley, meth has resulted in higher crime rates, child abuse and neglect, and toxic waste released into the environment.

The Byrne-JAG program should be an important part of any effective strategy to stop the devastating impact that methamphetamine use is having on our communities. Byrne funding supports anti-drug task forces that bring together federal, state, and local law enforcement and that have proven very effective in disrupting meth production and trafficking. In 2004 alone, Byrne-funded task forces seized 5,646 meth labs.

The Administration's meth strategy released last week sets a goal of reducing the number of domestic meth labs by 25% by 2008. Now is not the time to eliminate a program that provides our local and state law enforcement with the resources to achieve this goal.

I urge my colleagues in the Appropriations Committee to fully fund the Byrne-JAG program.

IN HONOR OF WILLIAM E.  
REICHMUTH

### HON. SAM FARR

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Friday, June 9, 2006*

Mr. FARR. Mr. Speaker, I rise today to honor a true public servant and transportation visionary. William E. Reichmuth is retiring from his three year tenure as the executive director of the Transportation Agency of Monterey County, known locally as TAMC. This position tops a thirty-eight year career of public service that began with the United States Navy's Civil Engineer Corps where he reached the rank of Captain and received the Navy Commendation Medal. Bill later held public works and engineering posts with both the U.S. Army and the City of Monterey. Throughout this career, Bill has been both a model to his profession and a leader in his community.

Bill has overseen numerous key public works projects and innovations. As the City of Monterey's public works director, Bill oversaw the redevelopment of the City's two commercial wharfs that are at the heart of its fishing and tourism industries. He also helped craft Monterey's contract to manage the Defense Language Institute's base operations, saving the Army millions of dollars and thereby helping to ward off efforts to close or relocate the Institute in the latest base closure round.

On the transportation front, Bill has been on innovation's cutting edge. He has shepherded the design of the Monterey County portions of a coastal trail project that will one day link Monterey and Santa Cruz in a continuous bike and pedestrian path. Though neither of us could be mistaken for Lance Armstrong, I share every bit of Bill's contagious enthusiasm for the bike trail's recreational and economic development potential. Bill also played a key role in facilitating TAMC's purchase of the Monterey Branch Line from Southern Pacific Railroad. This will give our region new transportation options. And while Bill has set the pace on alternative transportation, he has paid great attention to road and highway needs that are crucial to a rural community such as Monterey County. Under his leadership, TAMC has advanced projects to ease the highway congestion that affects the region's agricultural produce, many visitors, and residents alike. He has made a special focus of safety; for example, improving the entrance into Monterey's Ryan Ranch office park.

Bill has been an active member of his professional community, serving in a variety of leadership posts with the American Public Works Association and the California Society of Professional Engineers. He also serves as a lector at the Carmel Mission Basilica. Finally, no description of Bill's life and work is complete without reference to his other transportation passions, namely an addiction to cars. Bill loves sports cars; especially new sports cars. I am told that something as little as a needed oil change is enough to prompt Bill to trade up to the latest model of Porsche. Bill is an amateur racer and has served as the president of the Sports Car Racing Association of the Monterey Peninsula.

Mr. Speaker, I know that I speak for my colleagues when I applaud Bill Reichmuth's career of public service and wish him a happy and speedy retirement.

A TRIBUTE TO RABBI BRAD  
BLOOM

### HON. DORIS O. MATSUI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Friday, June 9, 2006*

Ms. MATSUI. Mr. Speaker, it gives me great pleasure to honor Rabbi Brad Bloom, the Senior Rabbi at B'nai Israel since 1995, who is leaving this week for a new pulpit after a distinguished professional career here in Sacramento. As his friends, family and coworkers all gather to celebrate his farewell, I ask all my colleagues to join in honoring his community leadership and many remarkable accomplishments.

After Rabbi Bloom completed his BA in History from the University of Wisconsin and his Master's in Social Work from the University of Maryland, he realized his calling in life: the rabbinate. He began his career by serving as the Associate Rabbi at Congregation Beth Am in Los Altos Hills.

Following his service with the Congregation, Rabbi Bloom was Associate Rabbi at the Sinai Temple of Champaign-Urbana in Illinois. In 1995 he became the Senior Rabbi at Congregation B'nai Israel, where he has served with distinction for the past 11 years.

Rabbi Bloom has been a strong leader for B'nai Israel. He guided a devastated congregation and the greater Sacramento community through one of its darkest hours in June of 1999, when arsonists attacked three of Sacramento's synagogues, including his own.

Rabbi Bloom's calm, unifying voice emerged from the dense fog of hate and fear in the weeks and months following the attacks. He revived the community's spirits and helped bring forward a united front against hate. In order to build a dialogue, he helped create the Children of Abraham group, which brings together clergy and congregants of Muslim, Jewish and Christian faiths. And under his leadership, the synagogue opened its door to gay and lesbian Jews to perform commitment ceremonies inside the sanctuary.

Through it all Rabbi Bloom has been dedicated to cultivating a strong and thriving Jewish community. With his gifts as a teacher, he has shown a commitment to life-long learning and instilling that value in others. He has led adult education groups, including Talmud classes, Kabbalah courses and a women's book group. These unique programs have helped educate and unite the Jewish community.

Since 1995, Rabbi Bloom has been a strong voice for B'nai Israel, and helped foster compassion and understanding throughout our community. On behalf of the people of Sacramento and the Fifth Congressional District of California, I ask all my colleagues to join me in thanking Rabbi Brad Bloom for his public service as we wish him success in his future endeavors.