

By Mrs. HUTCHISON (for herself, Mr. LOTT, and Mr. CRAIG):

S. 1921. A bill to amend the Internal Revenue Code of 1986 and the Employee Retirement Income Security Act of 1974 to provide greater protection of workers' retirement plans, to prohibit certain activities by persons providing auditing services to issuers of public securities, and for other purposes; to the Committee on Finance.

By Mr. HUTCHINSON (for himself, Ms. MIKULSKI, and Mr. ENZI):

S. 1922. A bill to direct the Secretary of Health and Human Services to expand and intensify programs with respect to research and related activities concerning elder falls; to the Committee on Health, Education, Labor, and Pensions.

By Mr. LOTT (for Mr. McCAIN):

S. 1923. A bill to provide for increased corporate average fuel economy standards, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. DASCHLE:

S.J. Res. 31. A joint resolution suspending certain provisions of law pursuant to section 258(a)(2) of the Balanced Budget and Emergency Deficit Control Act of 1985; to the Committee on the Budget pursuant to Section 258(a)(3) of the Balanced Budget and Emergency Deficit Control Act of 1985, for not to exceed five days of session.

## SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. CAMPBELL (for himself, Mr. DODD, and Mr. BROWNBACK):

S. Res. 205. A resolution urging the Government of Ukraine to ensure a democratic, transparent, and fair election process leading up to the March 31, 2002, parliamentary elections; to the Committee on Foreign Relations.

## ADDITIONAL COSPONSORS

S. 91

At the request of Mrs. MURRAY, her name was added as a cosponsor of S. 91, a bill to amend the Native American Languages Act to provide for the support of Native American Language Survival Schools, and for other purposes.

S. 208

At the request of Mr. FRIST, the name of the Senator from Connecticut (Mr. DODD) was added as a cosponsor of S. 208, a bill to reduce health care costs and promote improved health care by providing supplemental grants for additional preventive health services for women.

S. 243

At the request of Mrs. MURRAY, her name was added as a cosponsor of S. 243, a bill to provide for the issuance of bonds to provide funding for the construction of schools of the Bureau of Indian Affairs of the Department of the Interior, and for other purposes.

S. 281

At the request of Mr. HAGEL, the name of the Senator from Missouri (Mrs. CARNAHAN) was added as a cosponsor of S. 281, a bill to authorize the design and construction of a temporary education center at the Vietnam Veterans Memorial.

S. 503

At the request of Mrs. MURRAY, her name was added as a cosponsor of S. 503, a bill to amend the Safe Water Act to provide grants to small public drinking water system.

S. 540

At the request of Mr. DEWINE, the names of the Senator from Kansas (Mr. BROWNBACK) and the Senator from New York (Mr. SCHUMER) were added as cosponsors of S. 540, a bill to amend the Internal Revenue Code of 1986 to allow as a deduction in determining adjusted gross income the deduction for expenses in connection with services as a member of a reserve component of the Armed Forces of the United States, to allow employers a credit against income tax with respect to employees who participate in the military reserve components, and to allow a comparable credit for participating reserve component self-employed individuals, and for other purposes.

S. 627

At the request of Mr. GRASSLEY, the name of the Senator from Massachusetts (Mr. KERRY) was added as a cosponsor of S. 627, a bill to amend the Internal Revenue Code of 1986 to allow individuals a deduction for qualified long-term care insurance premiums, use of such insurance under cafeteria plans and flexible spending arrangements, and a credit for individuals with long-term care needs.

S. 722

At the request of Mr. FRIST, the name of the Senator from Wyoming (Mr. THOMAS) was added as a cosponsor of S. 722, a bill to amend the Communications Act of 1934 to prohibit telemarketers from interfering with the caller identification service of any person to whom a telephone solicitation is made, and for other purposes.

S. 808

At the request of Mr. BAUCUS, the name of the Senator from Idaho (Mr. CRAPO) was added as a cosponsor of S. 808, a bill to amend the Internal Revenue Code of 1986 to repeal the occupational taxes relating to distilled spirits, wine, and beer.

S. 1021

At the request of Mrs. MURRAY, her name was added as a cosponsor of S. 1021, a bill to reauthorize the Tropical Forest Conservation Act of 1998 through fiscal year 2004.

S. 1140

At the request of Mr. HATCH, the name of the Senator from Colorado (Mr. ALLARD) was added as a cosponsor of S. 1140, a bill to amend chapter 1 of title 9, United States Code, to provide for greater fairness in the arbitration process relating to motor vehicle franchise contracts.

S. 1186

At the request of Mrs. MURRAY, her name was added as a cosponsor of S. 1186, a bill to provide a budgetary mechanism to ensure that funds will be available to satisfy the Federal Gov-

ernment's responsibilities with respect to negotiated settlements of disputes related to Indian water rights claims and Indian land claims.

S. 1379

At the request of Mr. KENNEDY, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of S. 1379, a bill to amend the Public Health Service Act to establish an Office of Rare Diseases at the National Institutes of Health, and for other purposes.

S. 1496

At the request of Mr. GRAHAM, the name of the Senator from Nevada (Mr. REID) was added as a cosponsor of S. 1496, a bill to clarify the accounting treatment for Federal income tax purposes of deposits and similar amounts received by a tour operator for a tour arranged by such operator.

S. 1749

At the request of Mr. KENNEDY, the name of the Senator from Missouri (Mrs. CARNAHAN) was added as a cosponsor of S. 1749, a bill to enhance the border security of the United States, and for other purposes.

S. 1753

At the request of Mrs. MURRAY, her name was added as a cosponsor of S. 1753, a bill to amend title XIX of the Social Security Act to include medical assistance furnished through an urban Indian health program operated by an urban Indian organization pursuant to a grant or contract with the Indian Health Service under title V of the Indian Health Care Improvement Act in the 100 percent Federal medical assistance percentage applicable to the Indian Health Service.

S. 1786

At the request of Mr. DURBIN, the names of the Senator from Rhode Island (Mr. REED) and the Senator from Nebraska (Mr. NELSON) were added as cosponsors of S. 1786, a bill to expand aviation capacity in the Chicago area.

S. 1867

At the request of Mr. LIEBERMAN, the name of the Senator from Georgia (Mr. CLELAND) was added as a cosponsor of S. 1867, a bill to establish the National Commission on Terrorist Attacks Upon the United States, and for other purposes.

S. 1899

At the request of Mr. BROWNBACK, the names of the Senator from Mississippi (Mr. LOTT) and the Senator from Idaho (Mr. CRAIG) were added as cosponsors of S. 1899, a bill to amend title 18, United States Code, to prohibit human cloning.

S. RES. 68

At the request of Mrs. MURRAY, her name was added as a cosponsor of S. Res. 68, a resolution designating September 6, 2001 as "National Crazy Horse Day."

AMENDMENT NO. 2533

At the request of Mr. CRAPO, the names of the Senator from Utah (Mr. HATCH) and the Senator from Utah (Mr.

BENNETT) were added as cosponsors of amendment No. 2533.

AMENDMENT NO. 2821

At the request of Mr. DURBIN, the names of the Senator from Michigan (Mr. LEVIN), the Senator from New Jersey (Mr. CORZINE), the Senator from Maine (Ms. COLLINS), and the Senator from Iowa (Mr. HARKIN) were added as cosponsors of amendment No. 2821.

At the request of Mr. SPECTER, his name was added as a cosponsor of amendment No. 2821 supra.

#### STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. KERRY (for himself and Mr. BOND):

S. 1914. A bill to amend title 49, United States Code, to provide a mandatory fuel surcharge for transportation provided by certain motor carriers, and for other purposes; to the Committee on Commerce, Science, and Transportation.

Mr. KERRY. Mr. President, today I am pleased to introduce the Motor Carrier Fuel Cost Equity Act, which is much-needed legislation. My bill is designed to improve the ability of independent truck drivers to recoup losses from high fuel costs by requiring that motor carriers charge a fuel surcharge when the price of diesel fuel rises above \$1.15 and pass-through this surcharge to the payer of the fuel costs. My bill will level the playing field for small operators, which comprise nearly 80 percent of the motor carrier industry, without any cost or regulatory requirement for the Federal Government.

There are approximately 350,000 independent truck drivers, known as owner-operators, who haul freight either on a per-load contractual basis or by leasing their truck and driving services to a motor carrier, freight forwarder or other shipping broker. Owner-operators essentially are independent contractors. Sometimes they provide their services directly to a shipper, but more often owner-operators contract out their services to a motor carrier company which negotiates its own contract with a shipper and then pays the owner-operator to provide the transport service.

Fuel surcharges are a long-established method of permitting motor carriers, airlines and even taxis to recover high fuel costs. But because of intense competition in the industry, owner-operators have little ability to negotiate terms of transport with a motor carrier, and in virtually no circumstance are they able to pass along the increased costs of fuel to the shipper. The inability of independent truck drivers to pass along the higher fuel costs of the last two years has resulted in the bankruptcy of 7,000 trucking companies, nearly all small businesses, and the repossession of nearly 200,000 trucks.

I'd like to make clear a couple of additional points about the legislation: First, the bill would not affect less-

than-truckload carriers, such as package delivery services. Many of these services are already imposing surcharges and they don't face the same unique situation that confronts the independent trucker. Second, my bill allows the parties to set their own surcharge formulas, but the surcharge must be sufficient to fully compensate the person who pays for the fuel. That's only fair, but it allows the motor carriers and truckers the greatest degree of flexibility in negotiating the terms of transport.

While national diesel fuel costs have recently fallen below the \$1.15 threshold, we know well that fuel costs can increase suddenly. America's independent truckers, which form the backbone of truck transportation in this country, deserve the ability to protect themselves during these periods of high diesel fuel prices.

I am proud to be joined by Senator BOND in introducing this bill today. I am also pleased that Congressman RAHALL has introduced similar legislation on the House side. He has worked hard on this bill for several years now, and I look forward to working closely with him as we move forward on this legislation.

By Mrs. LINCOLN:

S. 1915. A bill to amend the Internal Revenue Code of 1986 to treat natural gas distribution lines as 10-year property for depreciation purposes; to the Committee on Finance.

Mrs. LINCOLN. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows.

S. 1915

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. NATURAL GAS DISTRIBUTION LINES TREATED AS 10-YEAR PROPERTY.

(a) IN GENERAL.—Subparagraph (D) of section 168(e)(3) of the Internal Revenue Code of 1986 (relating to classification of certain property) is amended by striking “and” at the end of clause (i), by striking the period at the end of clause (ii) and by inserting “, and”, and by adding at the end the following new clause:

“(iii) any natural gas distribution line.”.

(b) ALTERNATIVE SYSTEM.—The table contained in section 168(g)(3)(B) of the Internal Revenue Code of 1986 is amended by inserting after the item relating to subparagraph (D)(ii) the following:

“(D)(iii) ..... 20”.

(c) ALTERNATIVE MINIMUM TAX EXCEPTION.—Subparagraph (B) of section 56(a)(1) of the Internal Revenue Code of 1986 is amended by inserting before the period the following: “or in clause (iii) of section 168(e)(3)(D)”.

(d) EFFECTIVE DATE.—The amendments made by this section shall apply to property placed in service after the date of the enactment of this Act.

By Mr. JEFFORDS (for himself, Mr. SMITH of New Hampshire, Mr. REID, Mr. INHOFE, Mr. BAUCUS, Mr. WARNER, Mr. GRAHAM, Mr. BOND, Mr. VOINOVICH, Mr.

LIEBERMAN, Mr. CRAPO, Mrs. BOXER, Mr. CHAFEE, Mr. SPECTER, Mr. WYDEN, Mr. CARPER, Mr. CAMPBELL, Mrs. CLINTON, and Mr. CORZINE):

S. 1917. A bill to provide for highway infrastructure investment at the guaranteed funding level contained in the Transportation Equity Act for the 21st Century; to the Committee on Environment and Public Works.

Mr. JEFFORDS. Mr. President, I ask unanimous consent that the Highway Funding Restoration Act as cosponsored by Senators SMITH of New Hampshire, REID, INHOFE, BAUCUS, WARNER, BOXER, CAMPBELL, CARPER, CRAPO, CLINTON, SPECTER, LIEBERMAN, VOINOVICH, GRAHAM of Florida, WYDEN, CORZINE, BOND, and CHAFEE, be printed in the RECORD. The bill provides for highway infrastructure investment at the guaranteed funding level contained in the Transportation Equity Act for the 21st Century.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 1917

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the “Highway Funding Restoration Act”.

#### SEC. 2. FEDERAL-AID HIGHWAY PROGRAM OBLIGATION CEILING.

Section 1102 of the Transportation Equity Act for the 21st Century (23 U.S.C. 104 note; 112 Stat. 115, 113 Stat. 1753) is amended by adding at the end the following:

“(k) RESTORATION OF OBLIGATION LIMITATION FOR FISCAL YEAR 2003.—Notwithstanding any other provision of law, the obligations for Federal-aid highway and highway safety construction programs for fiscal year 2003—

“(1) shall be not less than \$27,746,000,000; and

“(2) shall be distributed in accordance with this section.”.

By Ms. COLLINS (for herself, Mr. FRIST, Mr. LIEBERMAN, Mr. DEWINE, Mr. ROBERTS, Mr. SESSIONS, Mr. CARPER, and Mr. BREAUX):

S. 1918. A bill to expand the teacher loan forgiveness programs under the guaranteed and direct student loan programs for higher qualified teachers of mathematics, science, and special education, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

Ms. COLLINS. Mr. President, I rise today with my colleagues, Senators FRIST, LIEBERMAN, DEWINE, ROBERTS, and SESSIONS to introduce the Math, Science, and Special Education Teacher Recruitment Act of 2002. I particularly want to thank the Senator from Tennessee for his tireless efforts and his leadership on this issue. The legislation we have before us today is, in large part, a product of his commitment to affordable education. I would also like to thank the Senator from Connecticut for his assistance and his dedication to solving America's teacher shortage.