

**AMENDMENT TO H.R. 5658, AS REPORTED
OFFERED BY MR. DEFAZIO OF OREGON**

At the end of title VIII, add the following new section:

1 SEC. 849. MOTOR CARRIER FUEL SURCHARGES.

2 (a) PASS THROUGH AND DISCLOSURE.—Chapter 157
3 of title 10, United States Code, is amended by adding at
4 the end the following new section:

5 “§ 2652. Motor carrier fuel surcharges

6 “(a) PASS THROUGH TO COST BEARER.—In all car-
7 riage contracts in which a fuel-related adjustment is pro-
8 vided for, the Secretary of Defense shall require that a
9 motor carrier, broker, or freight forwarder providing or
10 arranging truck transportation or service using fuel for
11 which it does not bear the cost pay to the person who
12 bears the cost of such fuel the amount of all charges that
13 relate to the cost of fuel that were invoiced or otherwise
14 presented to the person responsible directly to the motor
15 carrier, broker, or freight forwarder for payment for the
16 transportation or service.

17 “(b) DISCLOSURE.—The Secretary shall require in a
18 contract described in subsection (a) that a motor carrier,
19 broker, or freight forwarder providing or arranging trans-

1 portation or service using fuel not paid for by it disclose
2 any fuel-related adjustment by making the amount of the
3 adjustment publicly available, including on the Internet.

4 “(c) REGULATIONS.—The Secretary shall prescribe
5 regulations to ensure contracts described in subsection (a)
6 include measures necessary to ensure enforcement of this
7 section.”.

8 (b) CONFORMING AMENDMENT.—The table of sec-
9 tions at the beginning of such chapter is amended by add-
10 ing at the end the following: new item:

“2652. Motor carrier fuel surcharges.”.

