

AMENDMENT TO H.R. 935
OFFERED BY MR. CURTIS OF UTAH

Page 3, after line 17, insert the following:

1 “(D) CRITICAL STATUS TO BE MAIN-
2 TAINED.—Until such time as the 1974 UMWA
3 Pension Plan ceases to be eligible for the trans-
4 fers described in subparagraph (A)—

5 “(i) the Plan shall be treated as if it
6 were in critical status for purposes of sec-
7 tions 412(b)(3), 432(e)(3), and
8 4971(g)(1)(A) of the Internal Revenue
9 Code of 1986 and sections 302(b)(3) and
10 305(e)(3) of the Employee Retirement In-
11 come Security Act;

12 “(ii) the Plan shall maintain and com-
13 ply with its rehabilitation plan under sec-
14 tion 432(e) of such Code and section
15 305(e) of such Act, including any updates
16 thereto; and

17 “(iii) the provisions of subsections (c)
18 and (d) of section 432 of such Code and
19 subsections (c) and (d) of section 305 of
20 such Act shall not apply.

1 “(E) REQUIREMENT TO MAINTAIN CON-
2 TRIBUTION RATE.—No transfer under subpara-
3 graph (A) shall be made for a fiscal year unless
4 the persons that are obligated to contribute to
5 the 1974 UMWA Pension Plan as of the date
6 of the transfer are obligated to make such con-
7 tributions at rates that are no less than those
8 in effect on the date which is 30 days before
9 the date of enactment of the Miners Pension
10 Protection Act.”.

Page 3, line 18, strike “(D)” and insert “(F)”.

Page 9, line 10, strike “(E)” and insert “(G)”.

