

107TH CONGRESS
1ST SESSION

H. R. 2134

To amend title IV of the Employee Retirement Income Security Act of 1974 to increase the phase-in limitation applicable to the guarantee under such title of benefit improvements made prior to plan termination.

IN THE HOUSE OF REPRESENTATIVES

JUNE 12, 2001

Mr. SANDERS (for himself, Mr. KUCINICH, Mr. HINCHEY, Mr. DEFazio, Ms. MCKINNEY, Ms. BROWN of Florida, Ms. LEE, Mr. DAVIS of Illinois, Ms. KAPTUR, Mr. MCGOVERN, Ms. NORTON, Mr. HILLIARD, Mr. COSTELLO, Ms. CARSON of Indiana, Mr. GOODE, Mr. STUPAK, Mr. BROWN of Ohio, and Ms. HART) introduced the following bill; which was referred to the Committee on Education and the Workforce

A BILL

To amend title IV of the Employee Retirement Income Security Act of 1974 to increase the phase-in limitation applicable to the guarantee under such title of benefit improvements made prior to plan termination.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. INCREASE IN PHASE-IN LIMITATION APPLICA-**
2 **BLE TO THE GUARANTEE UNDER TITLE IV OF**
3 **ERISA OF BENEFIT IMPROVEMENTS MADE**
4 **PRIOR TO PLAN TERMINATION.**

5 Section 4022(b)(7)(B) of the Employee Retirement
6 Income Security Act of 1974 (29 U.S.C. 1322(b)(7)(B))
7 is amended to read as follows:

8 “(B) \$118.56 per month, multiplied by a frac-
9 tion, the numerator of which is the contribution and
10 benefit base (determined under section 230 of the
11 Social Security Act) in effect at the time the plan
12 terminates and the denominator of which is such
13 contribution and benefit base in effect in the cal-
14 endar year 1997.”.

15 **SEC. 2. EFFECTIVE DATE AND TRANSITIONAL RULES.**

16 (a) **EFFECTIVE DATE.**—The amendment made by
17 this Act shall apply with respect to plan terminations oc-
18 ccurring on or after January 1, 1997.

19 (b) **APPLICATIONS FOR UNDERPAYMENTS.**—In the
20 case of any payment to an individual by the Pension Ben-
21 efit Guaranty Corporation prior to the date of the enact-
22 ment of this Act which is less than the correct amount
23 by reason of the amendment made section 1, the Corpora-
24 tion shall pay the remainder of such amount owed to such
25 individual upon receipt of a written application filed by
26 such individual with the Corporation in such form and

1 manner as shall be prescribed by the Corporation. Such
2 payments of amounts owed shall include interest computed
3 at the rate imposed under section 6601(a) of the Internal
4 Revenue Code of 1986 (relating to interest on under-
5 payment, nonpayment, or extensions of time for payment
6 of tax).

7 (c) NO REDUCTION.—Nothing in this Act or the
8 amendment made thereby shall cause a reduction in the
9 level of guaranteed benefits payable to any individual
10 under title IV of the Employee Retirement Income Secu-
11 rity Act of 1974.

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