

112TH CONGRESS
1ST SESSION

H. R. 1365

To amend the Surface Mining Control and Reclamation Act of 1977 to provide for use of excess funds available under that Act to provide for certain benefits, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

APRIL 5, 2011

Mr. RAHALL introduced the following bill; which was referred to the
Committee on Natural Resources

A BILL

To amend the Surface Mining Control and Reclamation Act of 1977 to provide for use of excess funds available under that Act to provide for certain benefits, and for other purposes.

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

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Coal Accountability
5 and Retired Employee Act of 2011” or the “CARE Act”.

1 **SEC. 2. AMENDMENT OF SURFACE MINING CONTROL AND**
2 **RECLAMATION ACT OF 1977.**

3 Section 402(i)(2) of the Surface Mining Control and
4 Reclamation Act of 1977 (30 U.S.C. 1232(i)(2)) is
5 amended—

6 (1) by striking “Subject to” and inserting the
7 following:

8 “(A) IN GENERAL.—Subject to”; and

9 (2) by adding at the end the following new sub-
10 paragraph:

11 “(B) EXCESS AMOUNTS.—

12 “(i) IN GENERAL.—Subject to para-
13 graph (3), and after all transfers referred
14 to in paragraph (1) and subparagraph (A)
15 of this paragraph have been made, any
16 amounts remaining after the application of
17 paragraph (3)(A) (without regard to this
18 subparagraph) shall be transferred to the
19 trustees of the 1974 UMWA Pension Plan
20 and used solely to pay pension benefits re-
21 quired under such plan.

22 “(ii) 1974 UMWA PENSION PLAN.—In
23 this subparagraph the term ‘1974 UMWA
24 Pension Plan’ means a pension plan re-
25 ferred to in section 9701(a)(3) of the In-
26 ternal Revenue Code of 1986 but without

1 regard to whether participation in such
2 plan is limited to individuals who retired in
3 1976 and thereafter.”.

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