

Miners Protection Act of 2016 (S. 3470)

Inclusion of Certain Retirees in UMWA Multiemployer Health Benefit and Pension Plans (sec. 2 of the bill and sec. 402 of the Surface Mining Control and Reclamation Act of 1977)

The legislation expands the group of coal miners covered by the 1993 UMWA Health Benefit Plan. As expanded, the group includes (1) retirees (and related beneficiaries) actually enrolled in the 1993 Benefit Plan as of the date of enactment of the provision, and who are eligible for benefits on the first day of the calendar year for which the subsidy transfer is made, and (2) retirees (and related beneficiaries) whose health benefits would be denied or reduced as a result of a UMWA signatory coal company bankruptcy proceeding commenced in 2012 or 2015. The legislation also directs that subsidy amounts in excess of the amounts needed to pay benefits under the UMWA Health Benefit Plan be transferred to the UMWA Pension Plan, up to the annual limit of \$490 million in the aggregate.

Transfers to the Pension Plan generally end when the Pension Plan's funded percentage (as defined under the Code's funding rules) is at least 100 percent. In addition, during any fiscal year in which the Pension Plan receives a subsidy, no plan amendment may be adopted that increases plan liabilities by reason of a benefit increase, a change in the accrual of benefits, or a change in the rate at which benefits vest under the plan unless the amendment is required as a condition for qualified retirement plan status under the Code. The legislation also applies additional reporting requirements to the Pension Plan.