

## Union Calendar No. 389

111<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# H. R. 5479

[Report No. 111-651]

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

JUNE 8, 2010

Mr. RAHALL (for himself and Mr. BOUCHER) introduced the following bill;  
which was referred to the Committee on Natural Resources

SEPTEMBER 29, 2010

Additional sponsors: Mr. SABLAN, Mr. CRITZ, and Mr. SPACE

SEPTEMBER 29, 2010

Committed to the Committee of the Whole House on the State of the Union  
and ordered to be printed

# **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 2010” or the “CARE Act”.

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

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

11           (1) by striking “Subject to” and inserting the  
12 following:

13                   “(A) IN GENERAL.—Subject to”; and

14           (2) by adding at the end the following new sub-  
15 paragraph:

16                   “(B) EXCESS AMOUNTS.—

17                           “(i) IN GENERAL.—Subject to para-  
18 graph (3), and after all transfers referred  
19 to in paragraph (1) and subparagraph (A)  
20 of this paragraph have been made, any  
21 amounts remaining after the application of  
22 paragraph (3)(A) (without regard to this  
23 subparagraph) shall be transferred to the  
24 trustees of the 1974 UMWA Pension Plan

1 and used solely to pay pension benefits re-  
2 quired under such plan.

3 “(ii) 1974 UMWA PENSION PLAN.—In  
4 this subparagraph the term ‘1974 UMWA  
5 Pension Plan’ means a pension plan re-  
6 ferred to in section 9701(a)(3) of the In-  
7 ternal Revenue Code of 1986 but without  
8 regard to whether participation in such  
9 plan is limited to individuals who retired in  
10 1976 and thereafter.”.



Union Calendar No. 389

11<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

**H. R. 5479**

[Report No. 111-651]

---

---

## **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.

---

---

SEPTEMBER 29, 2010

Committed to the Committee of the Whole House on the State of the Union and ordered to be printed