

**AMENDMENT**  
**OFFERED BY MR. BOEHNER OF OHIO**

Page 115, strike line 5 and all that follows through line 14 on page 116 and insert the following:

1                   “(C) SPECIAL RULES FOR CERTAIN SERI-  
2                   OUSLY UNDERFUNDED PLANS.—

3                   “(i) In the case of a plan in which the  
4                   funded percentage of a plan for the plan  
5                   year is 70 percent or less, subparagraph  
6                   (A)(i)(II) shall be applied by substituting  
7                   ‘ $\frac{4}{5}$ ’ for ‘ $\frac{2}{3}$ ’ and subparagraph (B) shall be  
8                   applied by substituting ‘the 15-year period’  
9                   for ‘the 10-year period’.

10                   “(ii) In the case of a plan in which  
11                   the funded percentage of a plan for the  
12                   plan year is more than 70 percent but less  
13                   than 80 percent, and—

14                   “(I) the plan actuary certifies  
15                   within 30 days after certification  
16                   under subsection (a)(1) that the plan  
17                   is not able to attain the increase de-  
18                   scribed in subparagraph (A)(i) over

1 the period described in subparagraph  
2 (B), and

3 “(II) the plan year is prior to the  
4 day described in subparagraph (B)(ii),  
5 subparagraph (A)(i)(II) shall be applied by  
6 substituting ‘ $\frac{4}{5}$ ’ for ‘ $\frac{2}{3}$ ’ and subparagraph  
7 (B) shall be applied by substituting ‘the  
8 15-year period’ for ‘the 10-year period’.

9 “(iii) For any plan year following the  
10 year described in clause (ii)(II), subpara-  
11 graph (A)(i)(II) and subparagraph (B)  
12 shall apply, except that for each plan year  
13 ending after such date for which the plan  
14 actuary certifies (at the time of the annual  
15 certification under subsection (a)(1) for  
16 such plan year) that the plan is not able  
17 to attain the increase described in subpara-  
18 graph (A)(i) over the period described in  
19 subparagraph (B), subparagraph (B) shall  
20 be applied by substituting ‘the 15-year pe-  
21 riod’ for ‘the 10-year period’.”.

Page 131, after line 13, insert the following new  
subparagraph:

22 “(E) LIMITATION ON REDUCTION IN  
23 RATES OF FUTURE ACCRUALS.—Any schedule

1 proposed under this paragraph shall not reduce  
2 the rate of future accruals below the lower of—

3 “(i) a monthly benefit equal to 1 per-  
4 cent of the contributions required to be  
5 made with respect to a participant or the  
6 equivalent standard accrual rate for a par-  
7 ticipant or group of participants under the  
8 collective bargaining agreements in effect  
9 as of the first day of the plan year in  
10 which the plan enters critical status, or

11 “(ii) if lower, the accrual rate under  
12 the plan on such date.

13 The equivalent standard accrual rate shall be  
14 determined by the trustees based on the stand-  
15 ard or average contribution base units that they  
16 determine to be representative for active partici-  
17 pants and such other factors as they determine  
18 to be relevant.”.