

**AMENDMENT TO H.R. 2989**

**OFFERED BY MR. GUTHRIE**

Add at the end the following new sections:

1 **SEC. \_\_\_\_ . EXPANSION OF CORRIDOR WITHIN WHICH SIN-**  
2 **GLE-EMPLOYER DEFINED BENEFIT PLANS**  
3 **ARE ALLOWED TO AVERAGE ASSET VALUES.**

4 (a) AMENDMENT TO ERISA.—Paragraph (3) of sec-  
5 tion 303(g) of the Employee Retirement Income Security  
6 Act of 1974 is amended by adding at the end the following  
7 new subparagraph:

8 “(C) SPECIAL RULE FOR 2009 AND 2010.—

9 In the case of plan years beginning in 2009 or  
10 2010, subparagraph (B)(iii) shall be applied—

11 “(i) by substituting ‘80 percent’ for  
12 ‘90 percent’, and

13 “(ii) by substituting ‘120 percent’ for  
14 ‘110 percent’.”.

15 (b) EFFECTIVE DATE.—The amendment made by  
16 this section shall apply to plan years beginning after De-  
17 cember 31, 2008.

1 **SEC. \_\_\_\_\_. EXTENDED PERIOD FOR SINGLE-EMPLOYER**  
2 **DEFINED BENEFIT PLANS TO AMORTIZE THE**  
3 **SHORTFALL AMORTIZATION BASE FOR 2009**  
4 **AND 2010.**

5 (a) AMENDMENTS TO ERISA.—

6 (1) IN GENERAL.—Paragraph (2) of section  
7 303(c) of the Employee Retirement Income Security  
8 Act of 1974 is amended by adding at the end the  
9 following new subparagraph:

10 “(D) SPECIAL RULE FOR 2009 AND 2010.—

11 In the case of the shortfall amortization base of  
12 the plan for any plan year beginning in 2009 or  
13 2010 (hereafter in this subparagraph referred  
14 to as the ‘base year’)—

15 “(i) DETERMINATION OF INSTALL-  
16 MENTS.—The shortfall amortization in-  
17 stallments are—

18 “(I) in the case of the last 7 plan  
19 years in the 9-plan-year period begin-  
20 ning with the base year, the amounts  
21 necessary to amortize the shortfall  
22 amortization base of the plan for the  
23 base year in level annual installments  
24 over such last 7 plan years, and

25 “(II) in the case of the first 2  
26 plan years in such 9-plan-year period,

1 interest on such shortfall amortization  
2 base (determined as provided in sub-  
3 paragraph (C)).

4 “(ii) SHORTFALL INSTALLMENT.—  
5 The shortfall amortization installment for  
6 any plan year in the 9-plan-year period  
7 under clause (i) with respect to such short-  
8 fall amortization base is the annual install-  
9 ment determined under clause (i) for that  
10 year for that base.”.

11 (2) CONFORMING AMENDMENT.—Paragraph (1)  
12 of section 303(c) of such Act is amended by striking  
13 “the shortfall amortization bases for such plan year  
14 and each of the 6 preceding plan years” and insert-  
15 ing “any shortfall amortization base which has not  
16 been fully amortized under this subsection”.

17 (b) EFFECTIVE DATE.—The amendments made by  
18 this section shall apply to plan years beginning after De-  
19 cember 31, 2008.

