



Legislative Bulletin.....July 20, 2006

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Democrat Motion to Instruct Conferees on the Pension Protection Act of 2005 (H.R. 2830)

Democrat Motion to Instruct Conferees on the Pension Protection Act of 2005 (H.R. 2830) (Miller, D-CA)

Order of Business: On December 15, 2005, the House passed its version of H.R. 2830, the Pension Protection Act of 2005 (see “Additional Background” section below) by a vote of 294-132 (<http://clerk.house.gov/evs/2005/roll635.xml>). On March 3, 2006, the Senate amended and passed its version of the bill by unanimous consent. Conferees were appointed on March 8, 2006. The pending item today is a Democrat motion to instruct the conferees on H.R. 2830.

Note: A motion to instruct is NEVER binding. That is, the conferees are never required to actually follow a motion’s instructions, regardless of the vote on the motion.

Summary of Motion to Instruct: The Miller motion would instruct House conferees to:

- agree to the provisions contained in subsections (a) through (d) of Section 601 of the Senate-passed bill (relating to prospective application of age discrimination, conversion, and present value assumption rules with respect to cash balance and other hybrid defined benefit plans);
- disagree with the provisions contained in Title VII of the House-passed bill as passed the House (relating to benefit accrual standards); and
- agree to the provisions contained in Section 413 of the Senate-passed bill (relating to computation of guaranteed benefits of airline pilots required to separate from service prior to attaining age 65), but only with respect to plan terminations occurring on or after September 11, 2001.

Additional Background: Three other Miller motions, although completely different than the one being offered today, have passed recently. One passed 265-158 on March 8, 2006: <http://clerk.house.gov/evs/2006/roll022.xml>; another passed 248-178 on April 6, 2006: <http://clerk.house.gov/evs/2006/roll093.xml>, and another passed 299-125 on May 3, 2006: <http://clerk.house.gov/evs/2006/roll122.xml>.

To read the RSC Legislative Bulletin on the House's version of this pension reform bill, visit these two webpages:

1. http://www.house.gov/pence/rsc/doc/LB_121505_pension.pdf; and
2. http://www.house.gov/pence/rsc/doc/LB_121505_pensionamdt.doc.

Committee Action: A motion to instruct does not get referred to a committee.

Cost to Taxpayers: The motion itself, because it is non-binding, would not yield any costs or savings to taxpayers.

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