

(A) Funding target

The term “funding target” has the meaning provided under section 1083(d)(1) of this title.

(B) Funding target attainment percentage

The term “funding target attainment percentage” has the meaning provided under section 1083(d)(2) of this title.

(C) At-risk status

The term “at-risk status” has the meaning provided in section 1083(i)(4) of this title.

(3) Pension stabilization disregarded

For purposes of this section, the segment rates used in determining the funding target and funding target attainment percentage shall be determined by not taking into account any adjustment under section 1083(h)(2)(C)(iv)¹ of this title.

(e) Notice to Congress

The corporation shall, on an annual basis, submit to the Committee on Health, Education, Labor, and Pensions and the Committee on Finance of the Senate and the Committee on Education and the Workforce and the Committee on Ways and Means of the House of Representatives, a summary report in the aggregate of the information submitted to the corporation under this section.

(Pub. L. 93-406, title IV, § 4010, as added Pub. L. 103-465, title VII, § 772(a), Dec. 8, 1994, 108 Stat. 5044; amended Pub. L. 109-280, title I, § 108(b)(3), formerly § 107(b)(3), title V, § 505(a), (b), Aug. 17, 2006, 120 Stat. 819, 946, renumbered Pub. L. 111-192, title II, § 202(a), June 25, 2010, 124 Stat. 1297; Pub. L. 110-458, title I, § 105(d), Dec. 23, 2008, 122 Stat. 5105; Pub. L. 112-141, div. D, title II, § 40211(b)(3)(D), July 6, 2012, 126 Stat. 849; Pub. L. 113-97, title I, § 102(b)(8), Apr. 7, 2014, 128 Stat. 1117.)

REFERENCES IN TEXT

Section 1083(h)(2)(C)(iv) of this title, referred to in subsec. (d)(3), was in the original “section 302(h)(2)(C)(iv)” (sic) and was translated as if it had read “section 303(h)(2)(C)(iv)” to reflect the probable intent of Congress.

AMENDMENTS

2014—Subsec. (b)(2). Pub. L. 113-97 substituted “section 1083(k)(1)(A) and (B) or 1085a(g)(1)(A) and (B) of this title or section 430(k)(1)(A) and (B) or 433(g)(1)(A) and (B) of title 26” for “section 1083(k)(1)(A) and (B) of this title or section 430(k)(1)(A) and (B) of title 26”.

2012—Subsec. (d)(3). Pub. L. 112-141 added par. (3).

2008—Subsec. (d)(2)(B). Pub. L. 110-458 substituted “section 1083(d)(2)” for “section 1082(d)(2)”.

2006—Subsec. (b)(1). Pub. L. 109-280, § 505(a), added par. (1) and struck out former par. (1) which read as follows: “the aggregate unfunded vested benefits at the end of the preceding plan year (as determined under section 1306(a)(3)(E)(iii) of this title) of plans maintained by the contributing sponsor and the members of its controlled group exceed \$50,000,000 (disregarding plans with no unfunded vested benefits);”.

Subsec. (b)(2). Pub. L. 109-280, § 108(b)(3), formerly § 107(b)(3), as renumbered by Pub. L. 111-192, substituted “1083(k)(1)(A) and (B)” for “1082(f)(1)(A) and (B)” and “430(k)(1)(A) and (B)” for “412(n)(1)(A) and (B)”.

¹ See References in Text note below.

Subsecs. (d), (e). Pub. L. 109-280, § 505(b), added subsecs. (d) and (e).

CHANGE OF NAME

Committee on Education and the Workforce of House of Representatives changed to Committee on Education and Labor of House of Representatives by House Resolution No. 6, One Hundred Sixteenth Congress, Jan. 9, 2019.

EFFECTIVE DATE OF 2014 AMENDMENT

Amendment by Pub. L. 113-97 applicable to years beginning after Dec. 31, 2013, see section 3 of Pub. L. 113-97, set out as a note under section 401 of Title 26, Internal Revenue Code.

EFFECTIVE DATE OF 2012 AMENDMENT

Amendment by Pub. L. 112-141 applicable with respect to plan years beginning after Dec. 31, 2011, except as otherwise provided, see section 40211(c) of Pub. L. 112-141, set out as a note under section 404 of Title 26, Internal Revenue Code.

EFFECTIVE DATE OF 2008 AMENDMENT

Amendment by Pub. L. 110-458 effective as if included in the provisions of Pub. L. 109-280 to which the amendment relates, except as otherwise provided, see section 112 of Pub. L. 110-458, set out as a note under section 72 of Title 26, Internal Revenue Code.

EFFECTIVE DATE OF 2006 AMENDMENT

Amendment by section 108(b)(3) of Pub. L. 109-280 applicable to plan years beginning after 2007, see section 108(e) of Pub. L. 109-280, set out as a note under section 1021 of this title.

Pub. L. 109-280, title V, § 505(c), Aug. 17, 2006, 120 Stat. 946, provided that: “The amendments made by this section [amending this section] shall apply with respect to years beginning after 2007.”

EFFECTIVE DATE

Pub. L. 103-465, title VII, § 772(c), Dec. 8, 1994, 108 Stat. 5044, provided that: “The amendments made by this section [enacting this section] shall be effective on the date of enactment of this Act [Dec. 8, 1994].”

APPLICABILITY OF AMENDMENTS BY SUBTITLES A AND B OF TITLE I OF PUB. L. 109-280

For special rules on applicability of amendments by subtitles A (§§ 101-108) and B (§§ 111-116) of title I of Pub. L. 109-280 to certain eligible cooperative plans, PBGC settlement plans, and eligible government contractor plans, see sections 104, 105, and 106 of Pub. L. 109-280, set out as notes under section 401 of Title 26, Internal Revenue Code.

§ 1311. Repealed. Pub. L. 109-280, title V, § 501(b)(1), Aug. 17, 2006, 120 Stat. 939

Section, Pub. L. 93-406, title IV, § 4011, as added Pub. L. 103-465, title VII, § 775(a), Dec. 8, 1994, 108 Stat. 5046, related to notice to participants of plan’s funding status and limitations on corporation’s guaranty.

EFFECTIVE DATE OF REPEAL

Repeal applicable to plan years beginning after Dec. 31, 2006, see section 501(d)(1) of Pub. L. 109-280, set out as an Effective Date of 2006 Amendment note under section 1021 of this title.

SUBTITLE B—COVERAGE

§ 1321. Coverage**(a) Plans covered**

Except as provided in subsection (b), this subchapter applies to any plan (including a successor plan) which, for a plan year—