

sis on plan continuation, and contain program costs within reasonable limits.

(c) Policy

It is hereby declared to be the policy of this Act—

- (1) to foster and facilitate interstate commerce,
- (2) to alleviate certain problems which tend to discourage the maintenance and growth of multiemployer pension plans,
- (3) to provide reasonable protection for the interests of participants and beneficiaries of financially distressed multiemployer pension plans, and
- (4) to provide a financially self-sufficient program for the guarantee of employee benefits under multiemployer plans.

(Pub. L. 96-364, §3, Sept. 26, 1980, 94 Stat. 1209.)

Editorial Notes

REFERENCES IN TEXT

This Act, referred to in subsec. (c), is Pub. L. 96-364, Sept. 26, 1980, 94 Stat. 1208, known as the Multiemployer Pension Plan Amendments Act of 1980. For complete classification of this Act to the Code, see Short Title of 1980 Amendment note set out under section 1001 of this title and Tables.

CODIFICATION

Section was enacted as part of the Multiemployer Pension Plan Amendments Act of 1980, and not as part of the Employee Retirement Income Security Act of 1974 which comprises this chapter.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE

Section effective Sept. 26, 1980, see section 1461(e)(1) of this title.

STUDY AND REPORT RESPECTING COLLECTIVE BARGAINING FOR CONTRIBUTIONS TO, AND BENEFITS FROM, MULTIEMPLOYER PLANS

Pub. L. 96-364, title IV, §412(b), Sept. 26, 1980, 94 Stat. 1309, directed Secretary of Labor to study feasibility of requiring collective bargaining on both issues of contributions to, and benefits from, multiemployer plans, and submit a report on the study to Congress within 3 years of Sept. 26, 1980.

§ 1001b. Findings and declaration of policy

(a) Findings

The Congress finds that—

- (1) single-employer defined benefit pension plans have a substantial impact on interstate commerce and are affected with a national interest;
- (2) the continued well-being and retirement income security of millions of workers, retirees, and their dependents are directly affected by such plans;
- (3) the existence of a sound termination insurance system is fundamental to the retirement income security of participants and beneficiaries of such plans; and
- (4) the current termination insurance system in some instances encourages employers to terminate pension plans, evade their obligations to pay benefits, and shift unfunded pension liabilities onto the termination insurance system and the other premium-payers.

(b) Additional findings

The Congress further finds that modification of the current termination insurance system and an increase in the insurance premium for single-employer defined benefit pension plans—

- (1) is desirable to increase the likelihood that full benefits will be paid to participants and beneficiaries of such plans;
- (2) is desirable to provide for the transfer of liabilities to the termination insurance system only in cases of severe hardship;
- (3) is necessary to maintain the premium costs of such system at a reasonable level; and
- (4) is necessary to finance properly current funding deficiencies and future obligations of the single-employer pension plan termination insurance system.

(c) Declaration of policy

It is hereby declared to be the policy of this title—

- (1) to foster and facilitate interstate commerce;
- (2) to encourage the maintenance and growth of single-employer defined benefit pension plans;
- (3) to increase the likelihood that participants and beneficiaries under single-employer defined benefit pension plans will receive their full benefits;
- (4) to provide for the transfer of unfunded pension liabilities onto the single-employer pension plan termination insurance system only in cases of severe hardship;
- (5) to maintain the premium costs of such system at a reasonable level; and
- (6) to assure the prudent financing of current funding deficiencies and future obligations of the single-employer pension plan termination insurance system by increasing termination insurance premiums.

(Pub. L. 99-272, title XI, §11002, Apr. 7, 1986, 100 Stat. 237.)

Editorial Notes

REFERENCES IN TEXT

This title, referred to in subsec. (c), is title XI of Pub. L. 99-272, Apr. 7, 1986, 100 Stat. 237, known as the Single-Employer Pension Plan Amendments Act of 1986. For complete classification of this Act to the Code, see Short Title of 1986 Amendment note set out under section 1001 of this title and Tables.

CODIFICATION

Section was enacted as part of the Single-Employer Pension Plan Amendments Act of 1986, and not as part of the Employee Retirement Income Security Act of 1974 which comprises this chapter.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE

Section effective Jan. 1, 1986, with certain exceptions, see section 11019 of Pub. L. 99-272, set out as an Effective Date of 1986 Amendment note under section 1341 of this title.

§ 1002. Definitions

For purposes of this subchapter:

- (1) The terms “employee welfare benefit plan” and “welfare plan” mean any plan, fund, or pro-