

119TH CONGRESS  
1ST SESSION

# H. R. 1895

To increase the benefits guaranteed in connection with certain pension plans,  
and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

MARCH 6, 2025

Mrs. SPARTZ (for herself, Mr. TURNER of Ohio, Mr. RULLI, Mr. AUSTIN SCOTT of Georgia, Mr. LANGWORTHY, Mr. THANEDAR, Ms. TLAIB, Ms. TENNEY, Mr. STUTZMAN, Mr. LAMALFA, Mr. WILSON of South Carolina, Mr. HAMADEH of Arizona, Ms. KAPTUR, and Mr. CARSON) introduced the following bill; which was referred to the Committee on Education and Workforce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

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## A BILL

To increase the benefits guaranteed in connection with  
certain pension plans, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Delphi Retirees Pen-  
5 sion Restoration Act”.

1 **SEC. 2. GUARANTEED BENEFIT CALCULATION FOR CER-**  
2 **TAIN PLANS.**

3 (a) IN GENERAL.—

4 (1) INCREASE TO FULL VESTED PLAN BEN-  
5 EFIT.—

6 (A) IN GENERAL.—For purposes of deter-  
7 mining what benefits are guaranteed under sec-  
8 tion 4022 of the Employee Retirement Income  
9 Security Act of 1974 (in this section referred to  
10 as “ERISA”) with respect to an eligible partici-  
11 pant or beneficiary under a covered plan speci-  
12 fied in paragraph (4) in connection with the  
13 termination of such plan, the amount of month-  
14 ly benefits shall be equal to the full vested plan  
15 benefit with respect to the participant.

16 (B) NO EFFECT ON PREVIOUS DETER-  
17 MINATIONS.—Nothing in this Act shall be con-  
18 strued to change the allocation of assets and re-  
19 coveries under sections 4044(a) and 4022(c) of  
20 ERISA as previously determined by the Pension  
21 Benefit Guaranty Corporation (in the section  
22 referred to as the “corporation”) for the cov-  
23 ered plans specified in paragraph (4), and the  
24 corporation’s applicable rules, practices, and  
25 policies on benefits payable in terminated sin-  
26 gle-employer plans shall, except as otherwise

1 provided in this section, continue to apply with  
2 respect to such covered plans.

3 (2) RECALCULATION OF CERTAIN BENEFITS.—

4 (A) IN GENERAL.—In any case in which  
5 the amount of monthly benefits with respect to  
6 an eligible participant or beneficiary described  
7 in paragraph (1) was calculated prior to the  
8 date of enactment of this Act, the corporation  
9 shall recalculate such amount pursuant to para-  
10 graph (1), and shall adjust any subsequent pay-  
11 ments of such monthly benefits accordingly, as  
12 soon as practicable after such date.

13 (B) LUMP-SUM PAYMENTS OF PAST-DUE  
14 BENEFITS.—Not later than 180 days after the  
15 date of enactment of this Act, the corporation,  
16 in consultation with the Secretary of the Treas-  
17 ury and the Secretary of Labor, shall make a  
18 lump-sum payment to each eligible participant  
19 or beneficiary whose guaranteed benefits are re-  
20 calculated under subparagraph (A) in an  
21 amount equal to—

22 (i) in the case of an eligible partici-  
23 pant, the excess of—

24 (I) the total of the full vested  
25 plan benefits of the participant for all

1 months for which such guaranteed  
2 benefits were paid prior to such recal-  
3 culation, over

4 (II) the sum of any applicable  
5 payments made to the eligible partici-  
6 pant; and

7 (ii) in the case of an eligible bene-  
8 ficiary, the sum of—

9 (I) the amount that would be de-  
10 termined under clause (i) with respect  
11 to the participant of which the eligible  
12 beneficiary is a beneficiary if such  
13 participant were still in pay status;  
14 plus

15 (II) the excess of—

16 (aa) the total of the full  
17 vested plan benefits of the eligi-  
18 ble beneficiary for all months for  
19 which such guaranteed benefits  
20 were paid prior to such recalcula-  
21 tion, over

22 (bb) the sum of any applica-  
23 ble payments made to the eligible  
24 beneficiary.

1           Notwithstanding the previous sentence, the cor-  
2           poration shall increase each lump-sum payment  
3           made under this subparagraph to account for  
4           foregone interest in an amount determined by  
5           the corporation designed to reflect a 6 percent  
6           annual interest rate on each past-due amount  
7           attributable to the underpayment of guaranteed  
8           benefits for each month prior to such recalcula-  
9           tion.

10           (C) ELIGIBLE PARTICIPANTS AND BENE-  
11           FICIARIES.—

12           (i) IN GENERAL.—For purposes of  
13           this section, an eligible participant or bene-  
14           ficiary is a participant or beneficiary  
15           who—

16           (I) as of the date of the enact-  
17           ment of this Act, is in pay status  
18           under a covered plan or is eligible for  
19           future payments under such plan;

20           (II) has received or will receive  
21           applicable payments in connection  
22           with such plan (within the meaning of  
23           clause (ii)) that does not exceed the  
24           full vested plan benefits of such par-  
25           ticipant or beneficiary; and

1 (III) is not covered by the 1999  
2 agreements between General Motors  
3 and various unions providing a top-up  
4 benefit to certain hourly employees  
5 who were transferred from the Gen-  
6 eral Motors Hourly-Rate Employees  
7 Pension Plan to the Delphi Hourly-  
8 Rate Employees Pension Plan.

9 (ii) APPLICABLE PAYMENTS.—For  
10 purposes of this paragraph, applicable pay-  
11 ments to a participant or beneficiary in  
12 connection with a plan consist of the fol-  
13 lowing:

14 (I) Payments under the plan  
15 equal to the normal benefit guarantee  
16 of the participant or beneficiary.

17 (II) Payments to the participant  
18 or beneficiary made pursuant to sec-  
19 tion 4022(c) or otherwise received  
20 from the corporation in connection  
21 with the termination of the plan.

22 (3) DEFINITIONS.—For purposes of this sub-  
23 section—

24 (A) FULL VESTED PLAN BENEFIT.—The  
25 term “full vested plan benefit” means the

1 amount of monthly benefits that would be guar-  
2 anteed under section 4022 of ERISA as of the  
3 date of plan termination with respect to an eli-  
4 gible participant or beneficiary if such section  
5 were applied without regard to the phase-in  
6 limit in subsection (b)(1) of such Act and the  
7 maximum guaranteed benefit limitation in sub-  
8 section (b)(3) of such Act (including the ac-  
9 crued-at-normal limitation).

10 (B) NORMAL BENEFIT GUARANTEE.—The  
11 term “normal benefit guarantee” means the  
12 amount of monthly benefits guaranteed under  
13 such section with respect to an eligible partici-  
14 pant or beneficiary without regard to this Act.

15 (4) COVERED PLANS.—The covered plans speci-  
16 fied in this paragraph are the following:

17 (A) The Delphi Hourly-Rate Employees  
18 Pension Plan.

19 (B) The Delphi Retirement Program for  
20 Salaried Employees.

21 (C) The PHI Non-Bargaining Retirement  
22 Plan.

23 (D) The ASEC Manufacturing Retirement  
24 Program.

25 (E) The PHI Bargaining Retirement Plan.

1 (F) The Delphi Mechatronic Systems Re-  
2 tirement Program.

3 (5) TREATMENT OF PBGC DETERMINATIONS.—

4 Any determination made by the corporation under  
5 this section concerning a recalculation of benefits or  
6 lump-sum payment of past-due benefits shall be sub-  
7 ject to administrative review by the corporation. Any  
8 new determination made by the corporation under  
9 this section shall be governed by the same adminis-  
10 trative review process as any other benefit deter-  
11 mination by the corporation.

12 (b) FUNDING FOR PAYMENT OF INCREASED BENE-  
13 FITS.—The costs of any payment for the portion of  
14 monthly benefits guaranteed to a participant or bene-  
15 ficiary pursuant to subsection (a) and necessary adminis-  
16 trative and operating expenses of the corporation relating  
17 to such payment shall be paid using amounts derived from  
18 the unobligated balance of the fund established under sec-  
19 tion 4005 of ERISA with respect to basic benefits guaran-  
20 teed under section 4022 of ERISA.

21 (c) REGULATIONS.—The corporation, in consultation  
22 with the Secretary of the Treasury and the Secretary of  
23 Labor, may issue such regulations as necessary to carry  
24 out this section.

25 (d) TAX TREATMENT OF LUMP-SUM PAYMENTS.—

1           (1) IN GENERAL.—Unless the taxpayer elects  
2           (at such time and in such manner as the Secretary  
3           may provide) to have this paragraph not apply with  
4           respect to any lump-sum payment under subsection  
5           (a)(2)(B), the amount of such payment shall be in-  
6           cluded in the taxpayer’s gross income ratably over  
7           the 3-taxable-year period beginning with the taxable  
8           year in which such payment is received.

9           (2) SPECIAL RULES RELATED TO DEATH.—

10           (A) IN GENERAL.—If the taxpayer dies be-  
11           fore the end of the 3-taxable-year period de-  
12           scribed in paragraph (1), any amount to which  
13           paragraph (1) applies which has not been in-  
14           cluded in gross income for a taxable year end-  
15           ing before the taxable year in which such death  
16           occurs shall be included in gross income for  
17           such taxable year.

18           (B) SPECIAL ELECTION FOR SURVIVING  
19           SPOUSES OF ELIGIBLE PARTICIPANTS.—If—

20           (i) a taxpayer with respect to whom  
21           paragraph (1) applies dies,

22           (ii) such taxpayer is an eligible partic-  
23           ipant,

24           (iii) the surviving spouse of such eligi-  
25           ble participant is entitled to a survivor

1 benefit from the corporation with respect  
2 to such eligible participant, and

3 (iv) such surviving spouse elects (at  
4 such time and in such manner as the Sec-  
5 retary may provide) the application of this  
6 subparagraph,

7 subparagraph (A) shall not apply and any  
8 amount which would have (but for such tax-  
9 payer's death) been included in the gross in-  
10 come of such taxpayer under paragraph (1) for  
11 any taxable year beginning after the date of  
12 such death shall be included in the gross in-  
13 come of such surviving spouse for the taxable  
14 year of such surviving spouse ending with or  
15 within such taxable year of the taxpayer.

16 (e) AMENDMENT TO SECTION 4005 OF ERISA.—  
17 Section 4005(b)(2)(A) of the Employee Retirement In-  
18 come Security Act of 1974 (29 U.S.C. 1305(b)(2)(A)) is  
19 amended by inserting after “4022” the following: “(in-  
20 cluding any portion of monthly benefits guaranteed pursu-  
21 ant to section 2(a) of the Delphi Retirees Pension Restora-  
22 tion Act)”.

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