

**LIST OF ALL STATUTORY MODIFICATIONS TO THE DRAFT SINCE THE  
MAY 20TH DISCUSSION DRAFT**

**Long title to the bill (sec. 1 of the bill)**

Drops the amendment to the long title of the bill.

**Special rule for sales or dispositions to implement FERC or State electric restructuring policy for qualified electric utilities (sec. 208 of the bill)**

Clarifies the modification on who is a "market participant" for purposes of section 451(i).

**Above-the-line deduction for qualified tuition and related expenses**

Modifies the provision so the deduction is unavailable to a taxpayer for whom a credit for higher education under section 25A (the Hope and Lifetime Learning Credits) would have provided a greater net reduction in tax liability, without regard to any disallowance or reduction in value of the credit as a result of the alternative minimum tax.

**Extended period for single-employer defined benefit pension plans to amortize certain shortfall amortization bases (sec. 301 of the bill)**

Clarifies the exception from the matching rule for shareholder payments for redemptions of securities that are not listed on an established securities market.

**Application of extended amortization period to plans subject to prior law funding rules (sec. 302 of the bill)**

Provides that the geographic diversity requirement for special transition rules for pension plans sponsored by certain charities is satisfied if employees are located in at least 20 states.

**Fee disclosure to plan sponsors and participants in defined contribution plans (secs. 322 and 323 of the bill)**

Provides that disclosure of transaction costs for an investment option may alternatively reference a plan's allocable share of such costs, that disclosure of investment returns is based on the calendar year to date, and that plan service providers and administrators are treated as complying with the fee disclosure requirements based on a reasonable, good faith interpretation of the provisions until 12 months after final regulations are issued.

**Taxation of boot received in reorganizations (sec. 422 of the bill)**

Clarifies that the Secretary of the Treasury may add to the types of reorganizations in which the earnings and profits of each party to the reorganization are taken into account in determining dividend treatment.

### **Modifications with respect to the Oil Spill Liability Trust Fund**

Increases the Oil Spill Liability Trust Fund financing rate to 34 cents per barrel (rather than 32 cents).

### **UI Extension (sec. 501 of the bill)**

The extension of unemployment compensation benefits under the bill is shortened by one month. Also clarifies that conditions on the receipt of EUC benefits include conditions related to the availability for work, active search for work and refusal to accept work.

### **TANF Emergency Fund (sec. 503 of the bill)**

Changes the word “household” to “family” to clarify eligibility for subsidized employment positions under the TANF Emergency Fund.

### **Extension of premium assistance for COBRA benefits (sec. 511 of the bill)**

The extension of subsidized COBRA benefits under the bill is shortened by one month.

### **Extension of ARRA Increase in FMAP (sec. 516 of the bill)**

Clarifies that the policy relating to treatment of voluntary contributions set forth in the Patient Protection and Affordable Care Act applies to increases in the federal medical assistance percentage (FMAP) under the American Recovery and Reinvestment Act of 2009.

### **Medicare Sustainable Growth Rate Reform (sec. 523 of the bill)**

Replaces section 523 of the bill with an increase in payment rates of 2.2 percent for the rest of 2010 and 1 percent in 2011. Instead of rates returning to present law after 2013, rates would return to present law after 2011.

### **Clarification of 3-day payment window (sec. 525 of the bill)**

Deletes the provision pertaining to the Medicare Improvement Fund.

### **Emergency Agriculture Disaster Assistance (sec. 604)**

The language would allow State departments of agriculture to use the grant funds to contract with the Farm Service Agency to administer the funds or to use a percentage of the funds to administer the funds from their offices.

### **Pigford Settlement (sec. 608 of the bill)**

Clarifies the definition of the term "settlement agreement" to make clear that any modifications of the agreement by the parties, with the approval of the court, are part of the term settlement agreement.



**Extension and flexibility for certain allocated surface transportation programs (sec. 614 of the bill)**

The provision adds a savings clause to section 614 regarding revisions to the highway funding distribution under Pub. L. No. 111-147, the Hiring Incentives to Restore Employment Act (the "HIRE Act"). The savings clause provides that, with regard to funding based on the Projects of National and Regional Significance program and the National Corridor Infrastructure Improvement program, each State shall receive the greater of the amount that the State received under the HIRE Act or the amount that the State is authorized to receive under this bill. The provision authorizes such sums as may be necessary from the Highway Trust Fund to carry out the provision.

**Other**

Makes other minor technical drafting changes to the bill.