

106TH CONGRESS
1ST SESSION

S. 1768

To amend the Congressional Budget Act of 1974 to protect Social Security surpluses through strengthened budgetary enforcement mechanisms.

IN THE SENATE OF THE UNITED STATES

OCTOBER 21, 1999

Mr. ABRAHAM introduced the following bill; which was read twice and referred jointly pursuant to the order of August 4, 1977, to the Committee on the Budget and Governmental Affairs, with instructions that if one Committee reports, the other Committee have thirty days to report or be discharged

A BILL

To amend the Congressional Budget Act of 1974 to protect Social Security surpluses through strengthened budgetary enforcement mechanisms.

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 title may be cited as the “Social Security Sur-
5 plus Preservation and Debt Reduction Act”.

6 **SEC. 2. FINDINGS.**

7 Congress finds that—

1 (1) The \$69,246,000,000 unified budget sur-
2 plus achieved in fiscal year 1998 was entirely due to
3 surpluses generated by the social security trust
4 funds and the cumulative unified budget surpluses
5 projected for subsequent fiscal years are primarily
6 due to surpluses generated by the social security
7 trust funds;

8 (2) Congress and the President should balance
9 the budget excluding the surpluses generated by the
10 social security trust funds;

11 (3) according to the Congressional Budget Of-
12 fice, balancing the budget excluding the surpluses
13 generated by the social security trust funds will re-
14 duce the debt held by the public by a total of
15 \$1,859,500,000,000 by the end of fiscal year 2009;

16 (4) social security surpluses should be used for
17 social security reform or to reduce the debt held by
18 the public and should not be spent on other pro-
19 grams; and

20 (5) if Social Security surpluses are not raided
21 to pay for non-Social Security spending, they will,
22 under current law, be used to reduce the debt held
23 by the public and thereby improve the future viabil-
24 ity of the Social Security system.

1 **SEC. 3. PROTECTION OF THE SOCIAL SECURITY TRUST**
2 **FUNDS.**

3 (a) PROTECTION BY CONGRESS.—

4 (1) REAFFIRMATION OF SUPPORT.—Congress
5 reaffirms its support for the provisions of section
6 13301 of the Budget Enforcement Act of 1990 that
7 provides that the receipts and disbursements of the
8 social security trust funds shall not be counted for
9 the purposes of the budget submitted by the Presi-
10 dent, the congressional budget, or the Balanced
11 Budget and Emergency Deficit Control Act of 1985.

12 (2) PROTECTION OF SOCIAL SECURITY BENE-
13 FITS.—If there are sufficient balances in the Federal
14 Old-Age and Survivors Insurance Trust Fund and
15 the Federal Disability Insurance Trust Fund, the
16 Secretary of Treasury shall give priority to the pay-
17 ment of social security benefits required to be paid
18 by law.

19 (b) POINTS OF ORDER.—Section 301 of the Congres-
20 sional Budget Act of 1974 is amended by adding at the
21 end the following:

22 “(j) SOCIAL SECURITY POINT OF ORDER.—It shall
23 not be in order in the Senate to consider a concurrent
24 resolution on the budget, an amendment thereto, or a con-
25 ference report thereon that violates section 13301 of the
26 Budget Enforcement Act of 1990.

1 “(k) SOCIAL SECURITY SURPLUS PROTECTION
2 POINT OF ORDER.—

3 “(1) IN GENERAL.—It shall not be in order in
4 the Senate to consider a concurrent resolution on
5 the budget, an amendment thereto, or a conference
6 report thereon that sets forth a deficit in any fiscal
7 year.

8 “(2) EXCEPTION.—Paragraph (k) shall not
9 apply if the deficit for a fiscal year results solely
10 from the enactment of—

11 “(A) social security reform legislation, as
12 defined in section 253A(e)(2) of the Balanced
13 Budget and Emergency Deficit Control Act of
14 1985; or

15 “(B) provisions of legislation that are des-
16 ignated as an emergency requirement pursuant
17 to section 251(b)(2)(A) or 252(e) of the Bal-
18 anced Budget and Emergency Deficit Control
19 Act of 1985.”.

20 (c) SUPERMAJORITY WAIVER AND APPEAL.—Sub-
21 sections (c)(1) and (d)(2) of section 904 of the Congres-
22 sional Budget Act of 1974 are amended by striking
23 “305(b)(2),” and inserting “301(k), 305(b)(2),”.

1 **SEC 4. PRESIDENT'S BUDGET.**

2 Section 1105(f) of title 31, United States Code, is
 3 amended by striking “in a manner consistent” and insert-
 4 ing “in compliance”.

5 **SEC. 5. SENSE OF THE SENATE ON MEDICARE RESERVE**
 6 **FUND.**

7 (a) FINDINGS.—The Senate finds that—

8 (1) the Congressional budget plan has
 9 \$505,000,000,000 over ten years in unallocated
 10 budget surpluses that could be used for long-term
 11 medicare reform, other priorities, or debt reduction;

12 (2) the Congressional budget resolution for fis-
 13 cal year 2000 already has set aside \$90,000,000,000
 14 over ten years through a reserve fund for long-term
 15 medicare reform including prescription drug cov-
 16 erage;

17 (3) the President estimates that his medicare
 18 proposal will cost \$46,000,000,000 over 10 years;
 19 and

20 (4) thus the Congressional budget resolution
 21 provides more than adequate resources for medicare
 22 reform, including prescription drugs.

23 (b) SENSE OF THE SENATE.—It is the sense of the
 24 Senate that the Congressional budget resolution for fiscal
 25 year 2000 provides a sound framework for allocating re-
 26 sources to medicare to modernize medicare benefits, im-

- 1 prove the solvency of the program, and improve coverage
- 2 of prescription drugs.

