

107TH CONGRESS
1ST SESSION

H. R. 2865

To amend the Balanced Budget and Emergency Deficit Control Act of 1985 to require a sequestration of discretionary non-defense spending for fiscal year 2002 equal to the size of any on-budget deficit for fiscal year 2001.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 6, 2001

Mr. ROGERS of Michigan (for himself, Mr. SHUSTER, Mr. TIBERI, Ms. HART, Mr. PENCE, Mr. PLATTS, Mrs. CAPITO, Mr. PUTNAM, Mr. JOHNSON of Illinois, Mr. FORBES, and Mr. GRAVES) introduced the following bill; which was referred to the Committee on the Budget

A BILL

To amend the Balanced Budget and Emergency Deficit Control Act of 1985 to require a sequestration of discretionary non-defense spending for fiscal year 2002 equal to the size of any on-budget deficit for fiscal year 2001.

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 “Social Security Protec-
5 tion Act”.

1 **SEC. 2. DEFICIT ELIMINATION.**

2 (a) IN GENERAL.—Part C of the Balanced Budget
3 and Emergency Deficit Control Act of 1985 is amended
4 by inserting after section 251 the following new section:

5 **“SEC. 251A. SEQUESTRATION TO ELIMINATE ANY FISCAL**6 **YEAR 2001 DEFICIT.**

7 “(a) SEQUESTRATION.—Within 5 calendar days after
8 issuance of the joint statement by the Secretary of the
9 Treasury and OMB on the final fiscal year 2001 receipts
10 and outlays set forth in the applicable Department of the
11 Treasury’s Monthly Treasury Statement of Receipts and
12 Outlays of the United States Government and if there is
13 an actual deficit for such fiscal year, then there shall be
14 a sequestration of discretionary non-defense spending for
15 fiscal year 2002.

16 “(b) ELIMINATING A DEFICIT.—(1) To reduce spend-
17 ing for fiscal year 2002 by an amount equal to the actual
18 deficit for fiscal year 2001, the required outlay reductions
19 shall be obtained from non-exempt, discretionary non-de-
20 fense accounts (discretionary accounts not designated as
21 function 050 in the President’s fiscal year 2002 budget
22 submission).

23 “(2) Each non-exempt, discretionary non-defense ac-
24 count shall be reduced by a dollar amount calculated by
25 multiplying the level of sequesterable budgetary resources

1 in that account at that time by the uniform percentage
2 necessary to carry out paragraph (1).”.

3 (b) CONFORMING AMENDMENT.—After the item re-
4 lating to section 251 in the table of contents set forth in
5 section 250(a) of the Balanced Budget and Emergency
6 Deficit Control Act of 1985, insert the following new item:

“Sec. 251A. Sequestration to eliminate any fiscal year 2001 deficit.”.

7 **SEC. 3. REPORTS.**

8 (a) REPORTING REQUIREMENT.—Section 254(f) of
9 the Balanced Budget and Emergency Deficit Control Act
10 of 1985 is amended by adding at the end the following
11 new paragraph:

12 “(6) SEQUESTRATION REPORT RESPECTING
13 ELIMINATION OF FISCAL YEAR 2001 DEFICIT.—Within
14 4 calendar days after issuance of the joint state-
15 ment by the Secretary of the Treasury and OMB on
16 the final fiscal year 2001 receipts and outlays set
17 forth in the applicable Department of the Treasury’s
18 Monthly Treasury Statement of Receipts and Out-
19 lays of the United States Government, OMB shall
20 issue a final sequestration report setting forth the
21 following:

22 “(A) The receipts and outlays set forth in
23 such report for fiscal year 2001 for the Govern-
24 ment and the level of the actual deficit or sur-
25 plus for that fiscal year.

1 “(B) The sequestration percentage nec-
2 essary under section 251A to achieve the re-
3 quired reduction in fiscal year 2002 discre-
4 tionary non-defense accounts.”.

5 (b) PRESIDENTIAL ORDER.—The first sentence of
6 section 254(f)(5) of the Balanced Budget and Emergency
7 Deficit Control Act of 1985 is amended by inserting “(or
8 on the date specified in section 251A(a) in the case of
9 a sequestration required by that section)” before the first
10 comma.

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