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## Text of H.R. 1630: Social Security and Medicare Protection Act

Apr 15, 2011 - Introduced in House. This is the original text of the bill as it was written by its sponsor and submitted to the House for consideration. This is the latest version of the bill currently available on GovTrack.

HR 1630 IH

112th CONGRESS

1st Session

H. R. 1630

To establish a procedure to safeguard the surpluses of the Social Security and Medicare hospital insurance trust funds.

IN THE HOUSE OF REPRESENTATIVES

**April 15, 2011**

Mr. MURPHY of Pennsylvania (for himself, Mr. KISSELL, Mr. MCKINLEY, Mr. GERLACH, and Mr. HECK) introduced the following bill; which was referred to the Committee on Rules, and in addition to the Committee on the Budget, 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 establish a procedure to safeguard the surpluses of the Social Security and Medicare hospital insurance trust funds.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

### **SECTION 1. SHORT TITLE.**

This Act may be cited as the 'Social Security and Medicare Protection Act'.

### **SEC. 2. FINDINGS AND PURPOSE.**

(a) Findings- The Congress finds that--

(1) fiscal pressures will mount as an aging population increases the Government's obligations to provide retirement income and health services;

(2) Social Security and Medicare surpluses should be reserved for strengthening and preserving the Social Security trust funds; and

(3) preserving Social Security and Medicare surpluses would restore confidence in the long-term financial integrity of Social Security and Medicare.

(b) Purpose- It is the purpose of this Act to prevent the Social Security and Medicare hospital insurance trust funds from being used for any purpose other than providing retirement and health security.

### **SEC. 3. PROTECTION OF SOCIAL SECURITY AND MEDICARE SURPLUSES.**

(a) Protection of Social Security and Medicare Surpluses- Title III of the Congressional Budget Act of 1974 is amended by adding at the end the following new section:

#### **'PROTECTION FOR SOCIAL SECURITY AND HOSPITAL INSURANCE SURPLUSES**

'Sec. 316. (a) Protection for Social Security and Hospital Insurance Surpluses-

'(1) CONCURRENT RESOLUTIONS ON THE BUDGET- It shall not be in order in the House of Representatives or the Senate to consider any concurrent resolution on the budget, or an amendment thereto or conference report thereon, that would set forth a surplus for any fiscal year that is less than the combined surpluses of the Federal Hospital Insurance Trust Fund, the Federal Old-Age and Survivors Insurance Trust Fund, and the Federal Disability Insurance Trust Fund for that fiscal year.

'(2) SPENDING AND TAX LEGISLATION- It shall not be in order in the House of Representatives or the Senate to consider any bill, joint resolution, amendment, motion, or conference report if--

'(A) the enactment of that bill or resolution, as reported;

'(B) the adoption and enactment of that amendment; or

'(C) the enactment of that bill or resolution in the form recommended in that conference report,

would cause the surplus for any fiscal year covered by the most recently agreed to concurrent resolution on the budget to be less than the combined surpluses of the Federal Hospital Insurance Trust Fund, the Federal Old-Age and Survivors Insurance Trust Fund, and the Federal Disability Insurance Trust Fund for that fiscal year.

'(b) Enforcement-

'(1) BUDGETARY LEVELS WITH RESPECT TO CONCURRENT RESOLUTIONS ON THE BUDGET- For purposes of enforcing any point of order under subsection (a)(1), the surplus for any fiscal year shall be--

'(A) the levels set forth in the later of the concurrent resolution on the budget, as reported, or in the conference

report on the concurrent resolution on the budget; and

'(B) adjusted to the maximum extent allowable under all procedures that allow budgetary aggregates to be adjusted for legislation that would cause a decrease in the surplus for any fiscal year covered by the concurrent resolution on the budget (other than procedures described in paragraph (2) (B)).

'(2) CURRENT LEVELS WITH RESPECT TO SPENDING AND TAX LEGISLATION- For purposes of enforcing subsection (a)(2), the current levels of the surplus for any fiscal year shall be--

'(A) calculated using the following assumptions--

'(i) direct spending and revenue levels at the baseline levels underlying the most recently agreed to concurrent resolution on the budget; and

'(ii) for the budget year, discretionary spending levels at current law levels and, for outyears, discretionary spending levels at the baseline levels underlying the most recently agreed to concurrent resolution on the budget; and

'(B) adjusted for changes in the surplus levels set forth in the most recently agreed to concurrent resolution on the budget pursuant to procedures in such resolution that authorize adjustments in budgetary aggregates for updated economic and technical assumptions in the mid-session report of the Director of the Congressional Budget Office.

Such revisions shall be included in the first current level report on the congressional budget submitted for publication in the Congressional Record after the release of such mid-session report.

'(3) DISCLOSURE OF HI AND SOCIAL SECURITY SURPLUSES- For purposes of enforcing any point of order under subsection (a), the combined surpluses of the Federal Hospital Insurance Trust Fund, the Federal Old-Age and Survivors Insurance Trust Fund, and the Federal Disability Insurance Trust Fund for a fiscal year shall be the levels set forth in the later of the report accompanying the concurrent resolution on the budget (or, in the absence of such a report, placed in the Congressional Record prior to the consideration of such resolution) or in the joint explanatory statement of managers accompanying such resolution.

'(c) Additional Content of Reports Accompanying Budget Resolutions and of Joint Explanatory Statements- The report accompanying any concurrent resolution on the budget and the joint explanatory statement accompanying the conference report on each such resolution

shall include the levels of the surplus in the budget for each fiscal year set forth in such resolution and of the surplus or deficit in the Federal Hospital Insurance Trust Fund, the Federal Old-Age and Survivors Insurance Trust Fund, and the Federal Disability Insurance Trust Fund, calculated using the assumptions set forth in subsection (b)(2).

'(d) Waiver and Appeal- Subsection (a) may be waived or suspended in the Senate only by an affirmative vote of three-fifths of the Members, duly chosen and sworn. An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required in the Senate to sustain an appeal of the ruling of the Chair on a point of order raised under this section.'

(b) Conforming Amendment- The item relating to section 316 in the table of contents set forth in section 1(b) of the Congressional Budget and Impoundment Control Act of 1974 is amended to read as follows:

'Sec. 316. Protection for Social Security and hospital insurance surpluses.'

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