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## Text of S. 582: Social Security Protection Act of 2011

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

S 582 IS

112th CONGRESS

1st Session

S. 582

To establish a point of order against any efforts to reduce benefits paid to Social Security recipients, raise the retirement age, or create private retirement accounts under title II of the Social Security Act.

IN THE SENATE OF THE UNITED STATES

**March 15, 2011**

Mr. SANDERS (for himself, Mr. AKAKA, Mr. WHITEHOUSE, Mr. BROWN of Ohio, Ms. MIKULSKI, Mrs. BOXER, Ms. STABENOW, Mr. BEGICH, Mr. BLUMENTHAL, and Mr. LAUTENBERG) introduced the following bill; which was read twice and referred to the Committee on Rules and Administration

A BILL

To establish a point of order against any efforts to reduce benefits paid to Social Security recipients, raise the retirement age, or create private retirement accounts under title II of the Social Security Act.

*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 Protection Act of 2011'.

### SEC. 2. FINDINGS.

Congress makes the following findings:

- (1) Social Security is the most successful and reliable social program in our Nation's history.
- (2) For 75 years, through good times and bad, Social Security has reliably kept millions of senior citizens, individuals with disabilities, and children out of poverty.

(3) Before President Franklin Roosevelt signed the Social Security Act into law on August 14, 1935, approximately half of the senior citizens in the United States lived in poverty; less than 10 percent of seniors live in poverty today.

(4) Social Security has succeeded in protecting working Americans and their families from devastating drops in household income due to lost wages resulting from retirement, disability, or the death of a spouse or parent.

(5) More than 53,000,000 Americans receive Social Security benefits, including 36,500,000 retirees and their spouses, 9,200,000 veterans, 8,200,000 disabled individuals and their spouses, 4,500,000 surviving spouses of deceased workers, and 4,300,000 dependent children.

(6) Social Security has never contributed to the Federal budget deficit or the national debt, and benefit cuts should not be proposed as a solution to reducing the Federal budget deficit.

(7) Social Security is not in a crisis or going bankrupt, as the Social Security Trust Funds have been running surpluses for the last quarter of a century.

(8) According to the Social Security Administration, the Social Security Trust Funds currently maintain a \$2,600,000,000,000 surplus that is project to grow to \$4,200,000,000,000 by 2023.

(9) According to the Social Security Administration, even if no changes are made to the Social Security program, full benefits will be available to every recipient until 2037, with enough funding remaining after that date to pay about 78 percent of promised benefits.

(10) According to the Social Security Administration, 'money flowing into the [Social Security] trust funds is invested in U.S. Government securities . . . the investments held by the trust funds are backed by the full faith and credit of the U.S. Government. The Government has always repaid Social Security, with interest.'

(11) All workers who contribute into Social Security through the 12.4 percent payroll tax, which is divided equally between employees and employers on income up to \$106,800, deserve to have a dignified and secure retirement.

(12) Social Security provides the majority of income for two-thirds of the elderly population in the United States, with approximately one-third of elderly individuals receiving nearly all of their income from Social Security.

(13) Overall, Social Security benefits for retirees currently average a modest \$14,000 a year, with the average for women receiving benefits being less than \$12,000 per year.

(14) Nearly 1 out of every 4 adult Social Security beneficiaries has served in the United States military.

(15) Social Security is not solely a retirement program, as it also serves as a disability insurance program for American workers who become permanently disabled and unable to work.

(16) The Social Security Disability Insurance program is a critical lifeline for millions of American workers, as a 20-year-old worker faces a 30 percent chance of becoming disabled before reaching retirement age.

(17) Proposals to privatize the Social Security program would jeopardize the security of millions of Americans by subjecting them to the ups-and-downs of the volatile stock market as the source of their retirement benefits.

(18) Raising the retirement age would jeopardize the retirement future of millions of American workers, particularly those in physically demanding jobs as well as lower-income women, African-Americans, and Latinos, all of whom have a much lower life expectancy than wealthier Americans.

(19) Social Security benefits have already been cut by 13 percent, as the Normal Retirement Age was raised in 1983 from 65 years of age to 67 years of age by 2022.

(20) According to the Social Security Administration, raising the retirement age for future retirees would reduce benefits by 6 to 7 percent for each year that the Normal Retirement Age is raised.

(21) Reducing cost-of-living adjustments for current or future Social Security beneficiaries would force millions of such individuals to choose between heating their homes, putting food on the table, or paying for their prescription drugs.

(22) Social Security is a promise that this Nation cannot afford to break.

### **SEC. 3. LIMITATION ON CHANGES TO THE SOCIAL SECURITY PROGRAM FOR CURRENT AND FUTURE BENEFICIARIES.**

(a) In General- Notwithstanding any other provision of law, it shall not be in order in the Senate or the House of Representatives to consider, for purposes of the old-age, survivors, and disability insurance benefits program established under title II of the Social Security Act (42 U.S.C. 401 et seq.), any legislation that--

(1) increases the retirement age (as defined in section 216(l)(1) of the Social Security Act (42 U.S.C. 416(l)(1))) or the early retirement age (as defined in section 216(l)(2) of the Social Security Act (42 U.S.C. 416(l)(2))) for individuals receiving benefits under title II of the Social Security Act on or after the date of enactment of this Act;

(2) reduces cost-of-living increases for individuals receiving benefits under title II of the Social Security Act on or after the date of enactment of this Act, as determined under section 215 (i) of the Social Security Act (42 U.S.C. 415(i));

(3) reduces benefit payment amounts for individuals receiving benefits under title II of

the Social Security Act on or after the date of enactment of this Act; or

(4) creates private retirement accounts for any of the benefits individuals receive under title II of the Social Security Act on or after the date of enactment of this Act.

(b) Waiver or Suspension-

(1) IN THE SENATE- The provisions of this section may be waived or suspended in the Senate only by the affirmative vote of two-thirds of the Members, present and voting.

(2) IN THE HOUSE- The provisions of this section may be waived or suspended in the House of Representatives only by a rule or order proposing only to waive such provisions by an affirmative vote of two-thirds of the Members, present and voting.

(c) Point of Order Protection- In the House of Representatives, it shall not be in order to consider a rule or order that waives the application of paragraph (2) of subsection (b).

(d) Motion To Suspend- It shall not be in order for the Speaker to entertain a motion to suspend the application of this section under clause 1 of rule XV of the Rules of the House of Representatives.



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**Under 18**

**19-25**

**26-35**

**36-45**

**46-55**

**56-65**

**66-75**

**Over 75**

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