
¹⁸⁵¹(...continued)

on the legislation that includes the Budget Enforcement Act similarly makes clear the intent of section 13301:

The conference agreement incorporates the Senate position on the budgetary treatment of the Social Security trust funds, reaffirming their off-budget status and removing *all their transactions* from the deficit estimates and calculations made in the sequestration process.

H.R. CONF. REP. No. 101-964, 101st Cong., 2d Sess. 1161 (1990)[, *reprinted in* 1990 U.S.C.A.N. 2017, 2865-66] (emphasis added).

I understand that it may be argued that statement of managers language specifically includes references to the Social Security trust funds as two account items in a 39-page listing of accounts incorporated by reference in the definition of the term "category" for purposes of the Gramm-Rudman-Hollings law. It would strain credulity to argue that this reference overcomes the plain language of section 13301(a). Although I concede that some conflict between these two provisions may exist, that conflict must be resolved in favor of implementing the intent of Congress as evident in section 13301(a).

The legislative intent to remove Social Security completely from all budgets is clear. The language of section 13301 indicates that it must apply "[n]otwithstanding any other provision of law." The Senate debated the removal of Social Security at length. The Senate voted 98-2 in favor of the amendment — sponsored by Senators Hollings, Heinz, and Moynihan, among others — that specifically took Social Security out of the Gramm-Rudman-Hollings process. (*See* 136 CONG. REC. 15,777-81 (Oct. 18, 1990).) Congressional examination of the 39-page listing in the statement of managers is nowhere evident in the debates.

I urge you to follow section 13301(a) of the Budget Enforcement Act and remove the Federal Old-Age and Survivors Insurance and the Federal Disability Insurance Trust Funds from the budget in their entirety. I recommend that the President use his authority under section 251(b)(1)(A) of the Gramm-Rudman-Hollings law to recognize any adjustments to the discretionary spending limits that such a position would require as a change in a concept or definition. I believe that this is the approach needed to ensure that all of Social Security is taken off budget.

Letter from Sen. Jim Sasser to Richard G. Darman (Jan. 4, 1991).

The acting general counsel of the Office of Management and Budget replied to Chairman Sasser as follows:

You expressed the view that the administrative costs of the social security pro-
(continued...)