
PART D
BUDGETARY TREATMENT
OF SOCIAL SECURITY
TRUST FUNDS¹⁷⁴¹

§ 261 SEC. 261. TREATMENT OF TRUST FUNDS.

§ 261(a) (a) FISCAL YEARS 1986 THROUGH 1992. —

§ 261(a)(1) (1) IN GENERAL. — Section 710 of the Social Security Act (as added by paragraph (1) of subsection (a) of section 346 of the Social Security Amendments of 1983) is amended —

§ 261(a)(1)(A) (A) by striking out all beginning with “the” the first place it appears down through “Disability Insurance Trust Fund, the” and inserting in lieu thereof “the”;

§ 261(a)(1)(B) (B) by striking out the comma after “Hospital Insurance Trust Fund”;

§ 261(a)(1)(C) (C) by striking out “sections 1401, 3101, and 3111” and inserting in lieu thereof “sections 1401(b), 3101(b), and 3111(b)”;

§ 261(a)(1)(D) (D) by redesignating all after the section designation as subsection (b);

§ 261(a)(1)(E) (E) by inserting immediately after the section

¹⁷⁴¹ Section 13301 of the Budget Enforcement Act (*see infra* pp. 745-746) substantially changed the law on this subject.

designation the following:

"(a) The receipts and disbursements of the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund, and the taxes imposed under sections 1401(a), 3101(a), and 3111(a) of the Internal Revenue Code of 1954, shall not be included in the totals of the budget of the United States Government as submitted by the President or of the congressional budget and shall be exempt from any general budget limitation imposed by statute on expenditures and net lending (budget outlays¹⁷⁴²) of the United States Government."; and

§ 261(a)(1)(F)

(F) by adding at the end thereof the following new subsection:

"(c) No provision of law enacted after the date of the enactment of the Balanced Budget and Emergency Deficit Control Act of 1985 (other than a provision of an appropriation Act¹⁷⁴³ that appropriates funds authorized under the Social Security Act as in effect on the date of the enactment of the Balanced Budget and Emergency Deficit Control Act of 1985) may provide for payments

¹⁷⁴² Section 250(c)(1) (*see supra* p. 440) defines "outlays" at least in part by reference to the definition of section 3(1) of the Congressional Budget Act. *See supra* p. 11.

¹⁷⁴³ Section 3(5) of the Congressional Budget Act defines "appropriation Act" by reference to 1 U.S.C. § 105. *See supra* p. 16. For the text of 1 U.S.C. § 105 (1988), *see supra* note 36.

from the general fund of the Treasury to the Federal Old-Age and Survivors Insurance Trust Fund or the Federal Disability Insurance Trust Fund, or for payments from either such Trust Fund to the general fund of the Treasury.”.

§ 261(a)(2)

(2) APPLICATION. — The amendments made by paragraph (1) shall apply with respect to fiscal years beginning after September 30, 1985, and ending before October 1, 1992.

§ 261(b)

(b) FISCAL YEAR 1993 AND THEREAFTER. — Section 710(a) of the Social Security Act (42 U.S.C. 911 note), as amended by section 346(b) of the Social Security Amendments of 1983 (to be effective with respect to fiscal years beginning after September 30, 1992) is amended —

§ 261(b)(1)

(1) by inserting “(1)” after the subsection designation; and

§ 261(b)(2)

(2) by adding at the end thereof the following new paragraph:

“(2) No provision of law enacted after the date of the enactment of the Balanced Budget and Emergency Deficit Control Act of 1985¹⁷⁴⁴ (other than a provision of an appropriation Act¹⁷⁴⁵ that appropriates funds authorized under the Social Security Act as in effect on the date of the enactment of the Balanced Budget and Emergency Deficit Con-

¹⁷⁴⁴ That is, Gramm-Rudman-Hollings, enacted December 12, 1985.

¹⁷⁴⁵ Section 3(5) of the Congressional Budget Act defines “appropriation Act” by reference to 1 U.S.C. § 105. See *supra* p. 16. For the text of 1 U.S.C. § 105 (1988), see *supra* note 36.

trol Act of 1985) may provide for payments from the general fund of the Treasury to any Trust Fund specified in paragraph (1) or for payments from any such Trust Fund to the general fund of the Treasury."