

108TH CONGRESS  
2D SESSION

# H. J. RES. 85

Proposing an amendment to the Constitution of the United States relating to the maintenance of a system of social insurance that provides Social Security for its citizens.

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## IN THE HOUSE OF REPRESENTATIVES

JANUARY 20, 2004

Mr. MICHAUD introduced the following joint resolution; which was referred to the Committee on the Judiciary

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# JOINT RESOLUTION

Proposing an amendment to the Constitution of the United States relating to the maintenance of a system of social insurance that provides Social Security for its citizens.

1       *Resolved by the Senate and House of Representatives*  
2 *of the United States of America in Congress assembled*  
3 *(two-thirds of each House concurring therein),* That the fol-  
4 lowing article is proposed as an amendment to the Con-  
5 stitution of the United States, which shall be valid to all  
6 intents and purposes as part of the Constitution when  
7 ratified by the legislatures of three-fourths of the several  
8 States within seven years after the date of its submission  
9 for ratification:

1 “ARTICLE —

2 “MAINTENANCE OF SOCIAL SECURITY

3 “SECTION 1. The Congress shall pass no law which  
4 alters the fundamental structure of the Federal Old-Age,  
5 Survivors, and Disability Insurance Program (hereinafter  
6 in this article referred to as ‘Social Security’) as a social  
7 insurance program which provides guaranteed benefits  
8 that cannot be outlived to retirees and guaranteed benefits  
9 to disabled workers, the families of retirees and disabled  
10 workers, and the survivors of deceased retirees and work-  
11 ers. Such benefits must be fully protected against infla-  
12 tion; they must incorporate a progressive benefit structure  
13 under which the benefit amount is based on the level of  
14 earnings a worker had during his or her working years;  
15 and they must be financed in a way that pools risks and  
16 rewards broadly across society and between generations.

17 “PROTECTION OF SOCIAL SECURITY TRUST FUNDS

18 “SECTION 2. The Congress shall pass no law which  
19 diverts revenues from the Social Security Trust Funds,  
20 including contributions under the Federal Insurance Con-  
21 tributions Act and the Self-Employment Contributions  
22 Act, or uses such revenues for any purpose other than pay-  
23 ing Social Security benefits and financing the administra-  
24 tive costs associated with paying such benefits.

1       “PROTECTION OF BENEFITS AND PROHIBITION ON  
2                                   PRIVATIZATION OF SOCIAL SECURITY

3       “SECTION 3. The Congress shall pass no law which  
4 fully or partially privatizes Social Security, including the  
5 establishment of individual investment accounts which re-  
6 place some or all of Social Security benefits, which directly  
7 or indirectly cause reductions in such benefits, or which  
8 are used to finance such benefits.”.

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