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## **National Senior Citizens Law Center**

### New House Amendment Pits Older Americans against People with Disabilities

The National Senior Citizens Law Center (NSCLC) has serious concerns about a last minute amendment to HR 5, the House Rules Package for the 114<sup>th</sup> Congress, which limits potential options to protect benefits under the Social Security Disability Insurance (DI) Program. The rule prohibits transfers of funds between the Social Security Old Age and Survivors Insurance (OASI) trust fund and the DI trust fund--something that Congress has routinely done in the past to address temporary shortfalls in either program. DI trust fund reserves are projected to be depleted in late 2016, at which point revenue coming into the system would cover only 80% of benefits. This type of shortfall has occurred 11 times in the past, in both the OASI and DI trust funds, and Congress has had the flexibility to reallocate payroll tax dollars between funds in order to protect both of them.

Under the amendment, the House could only consider legislation affecting any part of the Social Security program if the overall effect of the changes increased the solvency of the fund, thereby potentially opening the back door to benefit cuts in both the OASI and DI programs.

By framing this move as a protection for OASI beneficiaries from the claims of DI beneficiaries, House Republicans are trying to pit older adults against people with disabilities. The reality is that most individuals receiving DI benefits are older adults. The typical DI beneficiary is in his or her late 50s. Seventy percent are over age 50, and 30 percent are 60 or older.<sup>1</sup> These beneficiaries depend on Social Security for a significant portion of their income. Without benefits, fifty-five percent of families with a disabled worker would have incomes below the poverty line. And, since they continue to receive benefits as they age into their retirement years, the DI program helps to ensure that these disabled workers don't fall into poverty in their later years.

Furthermore, when DI beneficiaries reach their full retirement age, they begin receiving benefits from the OASI fund rather than the DI fund. The increase in the full retirement age to 66 has delayed that conversion. In December 2013, more than 450,000 people between ages 65 and 66 — over 5 percent of DI beneficiaries — collected DI benefits. Under the rules in place until 2003, they would have received retirement benefits

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<sup>1</sup> [http://www.ssa.gov/OACT/ProgData/benefits/da\\_age201312.html](http://www.ssa.gov/OACT/ProgData/benefits/da_age201312.html)

instead. This is just one example of how closely the retirement and disability components of Social Security are interwoven.

NSCLC joins with the disability community in opposing this unduly narrow amendment because of its potential harm to people with disabilities, including older adults with disabilities. By limiting the House's ability to consider the option of a simple transfer of funds, this amendment could lead to the consideration of sharp cuts in benefits for all.