

112TH CONGRESS  
1ST SESSION

# S. 1876

To require the establishment of a Consumer Price Index for Elderly Consumers to compute cost-of-living increases for Social Security benefits under title II of the Social Security Act.

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## IN THE SENATE OF THE UNITED STATES

NOVEMBER 16, 2011

Mr. BROWN of Ohio (for himself, Ms. MIKULSKI, and Mr. MERKLEY) introduced the following bill; which was read twice and referred to the Committee on Finance

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## A BILL

To require the establishment of a Consumer Price Index for Elderly Consumers to compute cost-of-living increases for Social Security benefits under title II of the Social Security Act.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Consumer Price Index  
5 for Elderly Consumers Act”.

1 **SEC. 2. CONSUMER PRICE INDEX FOR ELDERLY CON-**  
2 **SUMERS.**

3 (a) IN GENERAL.—The Bureau of Labor Statistics  
4 of the Department of Labor shall prepare and publish an  
5 index for each calendar month to be known as the “Con-  
6 sumer Price Index for Elderly Consumers” that indicates  
7 changes over time in expenditures for consumption which  
8 are typical for individuals in the United States who have  
9 attained early retirement age (as defined under section  
10 216(l)(2) of the Social Security Act (42 U.S.C. 416(l)(2))  
11 for purposes of an old-age, wife’s, or husband’s insurance  
12 benefit).

13 (b) EFFECTIVE DATE.—Subsection (a) shall apply  
14 with respect to calendar months ending on or after July  
15 31 of the calendar year following the calendar year in  
16 which this Act is enacted.

17 (c) AUTHORIZATION OF APPROPRIATIONS.—There  
18 are authorized to be appropriated such sums as are nec-  
19 essary to carry out the provisions of this section.

20 **SEC. 3. COMPUTATION OF COST-OF-LIVING INCREASES FOR**  
21 **SOCIAL SECURITY BENEFITS.**

22 (a) IN GENERAL.—Section 215(i) of the Social Secu-  
23 rity Act (42 U.S.C. 415(i)) is amended—

24 (1) in paragraph (1)(G), by inserting before the  
25 period the following: “, and, solely with respect to  
26 any monthly insurance benefit payable under this

1 title to an individual who has attained early retire-  
2 ment age, effective for adjustments under this sub-  
3 section to the primary insurance amount on which  
4 such benefit is based (or to any such benefit under  
5 section 227 or 228) occurring after such individual  
6 attains such age, the applicable Consumer Price  
7 Index shall be deemed to be the Consumer Price  
8 Index for Elderly Consumers and such primary in-  
9 surance amount shall be deemed adjusted under this  
10 subsection using such Index”; and

11 (2) in paragraph (4), by striking “and by sec-  
12 tion 9001” and inserting “, by section 9001”, and  
13 by inserting after “1986,” the following: “and by  
14 section 3(a) of the Consumer Price Index for Elderly  
15 Consumers Act,”.

16 (b) CONFORMING AMENDMENTS IN APPLICABLE  
17 FORMER LAW.—Section 215(i)(1)(C) of the Social Secu-  
18 rity Act, as in effect in December 1978 and applied in  
19 certain cases under the provisions of such Act in effect  
20 after December 1978, is amended by inserting before the  
21 period the following: “, and, solely with respect to any  
22 monthly insurance benefit payable under this title to an  
23 individual who has attained early retirement age, effective  
24 for adjustments under this subsection to the primary in-  
25 surance amount on which such benefit is based (or to any

1 such benefit under section 227 or 228) occurring after  
2 such individual attains such age, the applicable Consumer  
3 Price Index shall be deemed to be the Consumer Price  
4 Index for Elderly Consumers and such primary insurance  
5 amount shall be deemed adjusted under this subsection  
6 using such Index”.

7 (c) EFFECTIVE DATE.—The amendments made by  
8 this section shall apply to determinations made by the  
9 Commissioner of Social Security under section 215(i)(2)  
10 of the Social Security Act (42 U.S.C. 415(i)(2)) with re-  
11 spect to cost-of-living computation quarters ending on or  
12 after September 30 of the second calendar year following  
13 the calendar year in which this Act is enacted.

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