

118TH CONGRESS
2D SESSION

H. R. 8044

To amend title II of the Social Security Act to require the Commissioner of Social Security to use the Consumer Price Index for Elderly Consumers for purposes of determining cost-of-living adjustments under titles II, VIII, and XVI of the Social Security Act, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

APRIL 17, 2024

Mr. GALLEGO introduced the following bill; which was referred to the Committee on Ways and Means, and in addition to the Committee on Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To amend title II of the Social Security Act to require the Commissioner of Social Security to use the Consumer Price Index for Elderly Consumers for purposes of determining cost-of-living adjustments under titles II, VIII, and XVI of the Social Security Act, and for other purposes.

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 “Boosting Benefits and
5 COLAs for Seniors Act”.

1 **SEC. 2. MORE ACCURATE COST-OF-LIVING ADJUSTMENT.**

2 (a) IN GENERAL.—

3 (1) IN GENERAL.—Section 215(i)(1)(D) of the
4 Social Security Act (42 U.S.C. 415(i)(1)(D)) is
5 amended by striking “Consumer Price Index” and
6 all that follows through “such index” and inserting
7 “Consumer Price Index for Urban Wage Earners
8 and Clerical Workers (CPI–W, as published by the
9 Bureau of Labor Statistics of the Department of
10 Labor) or Consumer Price Index for Elderly Con-
11 sumers (CPI–E, as published by such Bureau)
12 (whichever such index results in the higher percent-
13 age under this subparagraph) exceeds the same such
14 index”.

15 (2) CONFORMING AMENDMENT.—Section
16 215(i)(1)(G) of the Social Security Act (42 U.S.C.
17 415(i)(1)(G)) is amended by inserting “applicable
18 for purposes of subparagraph (D)” after “Consumer
19 Price Index”.

20 (b) APPLICATION TO PRE-1979 LAW.—

21 (1) IN GENERAL.—Section 215(i) of the Social
22 Security Act as in effect in December 1978, and as
23 applied in certain cases under the provisions of such
24 Act as in effect after December 1978, is amended—

25 (A) in paragraph (1)(B), by striking “Con-
26 sumer Price Index” and all that follows through

1 “such Index” and inserting “Consumer Price
2 Index for Urban Wage Earners and Clerical
3 Workers (CPI–W, as published by the Bureau
4 of Labor Statistics of the Department of
5 Labor) or Consumer Price Index for Elderly
6 Consumers (CPI–E, as published by such Bu-
7 reau of such Department) (whichever such
8 index results in the higher per centum under
9 this subparagraph) exceeds, by not less than 3
10 per centum, the same such Index”; and

11 (B) in paragraph (2)—

12 (i) in subparagraph (A)(ii), by strik-
13 ing “Consumer Price Index for such cost-
14 of-living computation quarter” and insert-
15 ing “Consumer Price Index applicable for
16 such year under paragraph (1)(B)”; and

17 (ii) in subparagraph (C)(i), by strik-
18 ing “Consumer Price Index as published
19 for any month exceeds by 2.5 percent or
20 more the level of such index” and inserting
21 “Consumer Price Index for Urban Wage
22 Earners and Clerical Workers or Consumer
23 Price Index for Elderly Consumers as pub-
24 lished for any month exceeds by 2.5 per-
25 cent or more the level of such index”.

1 (2) CONFORMING CHANGES.—Section 215(i)(4)
2 of the Social Security Act (42 U.S.C. 415(i)(4)) is
3 amended—

4 (A) by striking “and by section 9001” and
5 inserting “, section 9001”; and

6 (B) by inserting “and section 2 of the
7 Boosting Benefits and COLAs for Seniors Act,”
8 after “1986,”.

9 (c) NO EFFECT ON ADJUSTMENTS UNDER OTHER
10 LAWS.—Section 215(i) of the Social Security Act (42
11 U.S.C. 415(i)) is amended by adding at the end the fol-
12 lowing:

13 “(6) With respect to any provision of law (other than
14 in this title, title VIII, or title XVI) which provides for
15 an adjustment of an amount under such provision of law
16 in the same percentage as a cost-of-living adjustment ap-
17 plied to benefit amounts under this title, such provision
18 of law shall be applied and administered as if the percent-
19 age of such cost-of-living adjustment applied to benefit
20 amounts under this title were determined without regard
21 to the amendments made by subsections (a) and (b) of
22 section 2 of the Boosting Benefits and COLAs for Seniors
23 Act.”.

24 (d) PUBLICATION OF CONSUMER PRICE INDEX FOR
25 ELDERLY CONSUMERS.—The Bureau of Labor Statistics

1 of the Department of Labor shall prepare and publish an
2 index for each calendar month to be known as the “Con-
3 sumer Price Index for Elderly Consumers” that indicates
4 changes over time in expenditures for consumption which
5 are typical for individuals in the United States who have
6 attained age 62.

7 (e) TRANSITION RULE.—Prior to the publication of
8 the Consumer Price Index for Elderly Consumers (CPI–
9 E) pursuant to subsection (d), the reference to such index
10 made in each of the amendments made by subsections (a)
11 and (b) shall be deemed to be a reference to the research
12 price index prepared by the Bureau of Labor Statistics
13 of the Department of Labor known as the Consumer Price
14 Index for Americans 62 years of age and older (R–CPI–
15 E).

16 (f) EFFECTIVE DATE.—The amendments made by
17 this section shall apply to determinations made with re-
18 spect to cost-of-living computation quarters (as defined in
19 section 215(i)(1)(B) of the Social Security Act (42 U.S.C.
20 415(i)(1)(B))) ending on or after September 30, 2024.

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