

114TH CONGRESS  
2D SESSION

# H. R. 5342

To amend title II of the Social Security Act to provide a midyear cost-of-living increase to account for the lack of an automatic increase for 2016, to apply the Consumer Price Index for the Elderly (CPI-E) to future Social Security COLAs, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

MAY 26, 2016

Mr. NOLAN 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

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## A BILL

To amend title II of the Social Security Act to provide a midyear cost-of-living increase to account for the lack of an automatic increase for 2016, to apply the Consumer Price Index for the Elderly (CPI-E) to future Social Security COLAs, 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 “Fair COLA for Seniors  
5       Act of 2016”.

1 **SEC. 2. ONE-TIME COST-OF-LIVING (COLA) INCREASE FOR**  
2 **CALENDAR YEAR 2016.**

3 (a) 3.9% COLA PROVIDED TO MATCH RECENT  
4 GROWTH IN CEO PAY.—Effective with the month of June  
5 2016, the Commissioner of Social Security shall increase  
6 each of the amounts described in subclauses (I) through  
7 (III) of section 215(i)(2)(A)(ii) of the Social Security Act  
8 by 3.9 percent.

9 (b) NO EFFECT ON ANNUAL COST-OF-LIVING IN-  
10 CREASES.—For purposes of applying subparagraphs (A)  
11 and (B) of section 215(i)(1) of the Social Security Act  
12 in calendar years 2016 and 2017, the increase under sub-  
13 section (a) shall not be considered a general benefit in-  
14 crease under title II of the Social Security Act.

15 **SEC. 3. CONSUMER PRICE INDEX FOR ELDERLY CON-**  
16 **SUMERS.**

17 (a) IN GENERAL.—Section 215(i)(1) of the Social Se-  
18 curity Act (42 U.S.C. 415(i)(1)) is amended by adding  
19 at the end the following new subparagraph:

20 “(H) the term ‘Consumer Price Index’ means  
21 the Consumer Price Index for Elderly Consumers  
22 (CPI–E, as published by the Bureau of Labor Sta-  
23 tistics of the Department of Labor).”.

24 (b) APPLICATION TO PRE-1979 LAW.—

25 (1) IN GENERAL.—Section 215(i)(1) of the So-  
26 cial Security Act as in effect in December 1978, and

1 as applied in certain cases under the provisions of  
2 such Act as in effect after December 1978, is  
3 amended by adding at the end the following new  
4 subparagraph:

5 “(D) the term ‘Consumer Price Index’ means  
6 the Consumer Price Index for Elderly Consumers  
7 (CPI–E, as published by the Bureau of Labor Sta-  
8 tistics of the Department of Labor).”.

9 (2) CONFORMING AMENDMENT.—Section  
10 215(i)(4) of the Social Security Act (42 U.S.C.  
11 415(i)(4)), as amended by section 2(a)(3) of this  
12 Act, is further amended by striking “section 2” and  
13 inserting “sections 2 and 3”.

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

18 “(6) Any provision of law (other than in this title,  
19 title VIII, or title XVI) which provides for adjustment of  
20 an amount based on a change in benefit amounts resulting  
21 from a determination made under this subsection shall be  
22 applied and administered without regard to the amend-  
23 ments made by section 3 of the Fair COLA for Seniors  
24 Act of 2016.”.

1 (d) PUBLICATION OF CONSUMER PRICE INDEX FOR  
2 ELDERLY CONSUMERS.—The Bureau of Labor Statistics  
3 of the Department of Labor shall prepare and publish the  
4 index authorized by section 191 of the Older Americans  
5 Amendments Act of 1987 (29 U.S.C. 2 note) for each cal-  
6 endar month, beginning with July of the calendar year fol-  
7 lowing the calendar year in which this Act is enacted, and  
8 such index shall be known as the “Consumer Price Index  
9 for Elderly Consumers”.

10 (e) EFFECTIVE DATE.—The amendments made by  
11 this section shall apply with respect to determinations  
12 made under section 215(i)(2)(A)(i) of the Social Security  
13 Act with respect to base quarters occurring in 2016 or  
14 later.

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