

114TH CONGRESS
2D SESSION

H. R. 1777

IN THE SENATE OF THE UNITED STATES

JANUARY 12, 2016

Received; read twice and referred to the Committee on Homeland Security and
Governmental Affairs

AN ACT

To amend the Act of August 25, 1958, commonly known as the “Former Presidents Act of 1958”, with respect to the monetary allowance payable to a former President, 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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Presidential Allowance
3 Modernization Act”.

4 **SEC. 2. AMENDMENTS.**

5 (a) RELATING TO A FORMER PRESIDENT.—The first
6 section of the Act entitled “An Act to provide retirement,
7 clerical assistants, and free mailing privileges to former
8 Presidents of the United States, and for other purposes”,
9 approved August 25, 1958 (3 U.S.C. 102 note), is amend-
10 ed by striking the matter before subsection (e) and insert-
11 ing the following:

12 “(a) Each former President shall be entitled for the
13 remainder of his or her life to receive from the United
14 States—

15 “(1) an annuity at the rate of \$200,000 per
16 year, subject to subsection (c); and

17 “(2) a monetary allowance at the rate of
18 \$200,000 per year, subject to subsections (c) and
19 (d).

20 “(b)(1) The annuity and allowance under subsection
21 (a) shall each—

22 “(A) commence on the day after the individual
23 becomes a former President;

24 “(B) terminate on the last day of the month be-
25 fore the former President dies; and

1 “(C) be payable by the Secretary of the Treas-
2 ury on a monthly basis.

3 “(2) The annuity and allowance under subsection (a)
4 shall not be payable for any period during which the
5 former President holds an appointive or elective position
6 in or under the Federal Government to which is attached
7 a rate of pay other than a nominal rate.

8 “(c) Effective December 1 of each year, each annuity
9 and allowance under subsection (a) having a commence-
10 ment date that precedes such December 1 shall be in-
11 creased by the same percentage as the percentage by
12 which benefit amounts under title II of the Social Security
13 Act (42 U.S.C. 401 and following) are increased, effective
14 as of such December 1, as a result of a determination
15 under section 215(i) of such Act (42 U.S.C. 415(i)).

16 “(d)(1) Notwithstanding any other provision of this
17 section, the monetary allowance payable under subsection
18 (a)(2) to a former President for any 12-month period may
19 not exceed the amount by which—

20 “(A) the monetary allowance which (but for this
21 subsection) would otherwise be so payable for such
22 12-month period, exceeds (if at all)

23 “(B) the applicable reduction amount for such
24 12-month period.

1 “(2)(A) For purposes of paragraph (1), the ‘applica-
2 ble reduction amount’ is, with respect to any former Presi-
3 dent and in connection with any 12-month period, the
4 amount by which—

5 “(i) the sum of (I) the adjusted gross income
6 (as defined by section 62 of the Internal Revenue
7 Code of 1986) of the former President for the last
8 taxable year ending before the start of such 12-
9 month period, plus (II) any interest excluded from
10 the gross income of the former President under sec-
11 tion 103 of such Code for such taxable year, exceeds
12 (if at all)

13 “(ii) \$400,000, subject to subparagraph (C).

14 “(B) In the case of a joint return, subclauses (I) and
15 (II) of subparagraph (A)(i) shall be applied by taking into
16 account both the amounts properly allocable to the former
17 President and the amounts properly allocable to the
18 spouse of the former President.

19 “(C) The dollar amount specified in subparagraph
20 (A)(ii) shall be adjusted at the same time that, and by
21 the same percentage as the percentage by which, the mon-
22 etary allowance of the former President is increased under
23 subsection (c) (disregarding this subsection).”.

24 (b) RELATING TO THE SURVIVING SPOUSE OF A
25 FORMER PRESIDENT.—

1 (1) INCREASE IN AMOUNT OF MONETARY AL-
2 LOWANCE.—Subsection (e) of the section amended
3 by subsection (a) is amended—

4 (A) in the first sentence, by striking
5 “\$20,000 per annum,” and inserting “\$100,000
6 per year (subject to paragraph (4)),”; and

7 (B) in the second sentence—

8 (i) in paragraph (2), by striking
9 “and” at the end;

10 (ii) in paragraph (3)—

11 (I) by striking “or the govern-
12 ment of the District of Columbia”;
13 and

14 (II) by striking the period and
15 inserting “; and”; and

16 (iii) by adding after paragraph (3) the
17 following:

18 “(4) shall, after its commencement date, be in-
19 creased at the same time that, and by the same per-
20 centage as the percentage by which, annuities of
21 former Presidents are increased under subsection
22 (c).”.

23 (2) COVERAGE OF WIDOWER OF A FORMER
24 PRESIDENT.—Such subsection (e), as amended by
25 paragraph (1), is further amended—

1 (A) by striking “widow” each place it ap-
2 pears and inserting “widow or widower”; and

3 (B) by striking “she” and inserting “she
4 or he”.

5 **SEC. 3. RULE OF CONSTRUCTION.**

6 Nothing in this Act shall be considered to affect—

7 (1) any provision of law relating to the security
8 or protection of a former President or a member of
9 the family of a former President; or

10 (2) funding, under the law amended by this sec-
11 tion or under any other law, to carry out any provi-
12 sion of law described in paragraph (1).

13 **SEC. 4. EFFECTIVE DATE; TRANSITION RULES.**

14 (a) **EFFECTIVE DATE.**—This Act shall take effect on
15 the date of enactment of this Act.

16 (b) **TRANSITION RULES.**—

17 (1) **FORMER PRESIDENTS.**—In the case of any
18 individual who is a former President on the date of
19 enactment of this Act, the amendment made by sec-
20 tion 2(a) shall be applied as if the commencement
21 date referred in subsection (b)(1)(A) of the section
22 amended by this Act coincided with such date of en-
23 actment.

24 (2) **WIDOWS.**—In the case of any individual
25 who is the widow of a former President on the date

1 of enactment of this Act, the amendments made by
2 section 2(b)(1) shall be applied as if the commence-
3 ment date referred to in subsection (e)(1) of the sec-
4 tion amended by this Act coincided with such date
5 of enactment.

Passed the House of Representatives January 11,
2016.

Attest:

KAREN L. HAAS,

Clerk.