

Union Calendar No. 157

114TH CONGRESS
1ST SESSION

H. R. 1777

[Report No. 114–209]

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.

IN THE HOUSE OF REPRESENTATIVES

APRIL 14, 2015

Mr. CHAFFETZ (for himself and Mr. CUMMINGS) introduced the following bill; which was referred to the Committee on Oversight and Government Reform

JULY 16, 2015

Additional sponsor: Mr. GROTHMAN

JULY 16, 2015

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

[Strike out all after the enacting clause and insert the part printed in *italie*]

[For text of introduced bill, see copy of bill as introduced on April 14, 2015]

A BILL

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,*

3 **SECTION 1. SHORT TITLE.**

4 *This Act may be cited as the “Presidential Allowance*
5 *Modernization Act”.*

6 **SEC. 2. AMENDMENTS.**

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

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

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

19 *“(2) a monetary allowance at the rate of*
20 *\$200,000 per year, subject to subsections (c) and (d).*

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

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

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

3 “(C) be payable by the Secretary of the Treasury
4 on a monthly basis.

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

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

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

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

1 “(B) *the applicable reduction amount for such*
2 *12-month period.*

3 “(2)(A) *For purposes of paragraph (1), the ‘applicable*
4 *reduction amount’ is, with respect to any former President*
5 *and in connection with any 12-month period, the amount*
6 *by which—*

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

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

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

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

1 (b) *RELATING TO THE SURVIVING SPOUSE OF A*
2 *FORMER PRESIDENT.*—

3 (1) *INCREASE IN AMOUNT OF MONETARY ALLOW-*
4 *ANCE.*—*Subsection (e) of the section amended by sub-*
5 *section (a) is amended—*

6 (A) *in the first sentence, by striking*
7 *“\$20,000 per annum,” and inserting “\$100,000*
8 *per year (subject to paragraph (4)),”; and*

9 (B) *in the second sentence—*

10 (i) *in paragraph (2), by striking*
11 *“and” at the end;*

12 (ii) *in paragraph (3)—*

13 (I) *by striking “or the government*
14 *of the District of Columbia”; and*

15 (II) *by striking the period and in-*
16 *serting “; and”; and*

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

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

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

4 (A) *by striking “widow” each place it ap-*
 5 *pears and inserting “widow or widower”; and*

6 (B) *by striking “she” and inserting “she or*
 7 *he”.*

8 **SEC. 3. RULE OF CONSTRUCTION.**

9 *Nothing in this Act shall be considered to affect—*

10 (1) *any provision of law relating to the security*
 11 *or protection of a former President or a member of*
 12 *the family of a former President; or*

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

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

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

19 (b) *TRANSITION RULES.—*

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

1 *amended by this Act coincided with such date of en-*
2 *actment.*

3 (2) *WIDOWS.—In the case of any individual who*
4 *is the widow of a former President on the date of en-*
5 *actment of this Act, the amendments made by section*
6 *2(b)(1) shall be applied as if the commencement date*
7 *referred to in subsection (e)(1) of the section amended*
8 *by this Act coincided with such date of enactment.*

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