

AMENDMENT TO RULES COMMITTEE PRINT

115-70

OFFERED BY MR. JODY B. HICE OF GEORGIA

Page 564, after line 11, insert the following:

1 **SEC. 11 ____ . PRESIDENTIAL ALLOWANCE MODERNIZATION.**

2 (a) FORMER PRESIDENTS.—The first section of the
3 Act entitled “An Act to provide retirement, clerical assist-
4 ants, and free mailing privileges to former Presidents of
5 the United States, and for other purposes”, approved Au-
6 gust 25, 1958 (commonly known as the “Former Presi-
7 dents Act of 1958”) (3 U.S.C. 102 note), is amended—

8 (1) by redesignating subsections (f) and (g) as
9 subsections (h) and (i), respectively;

10 (2) by striking the matter preceding subsection
11 (e) and inserting the following:

12 “(a) ANNUITIES AND ALLOWANCES.—

13 “(1) ANNUITY.—Each former President shall
14 be entitled to receive from the United States an an-
15 nuity, subject to subsections (b) and (c)—

16 “(A) at the rate of \$200,000 per year; and

17 “(B) which shall commence on the day
18 after the date on which an individual becomes
19 a former President.

1 “(2) ALLOWANCE.—The General Services Ad-
2 ministration is authorized to provide each former
3 President a monetary allowance, subject to appro-
4 priations and subsections (b), (c), and (d), at the
5 rate of—

6 “(A) \$500,000 per year for 5 years begin-
7 ning on the day after the last day of the period
8 described in the first sentence of section 5 of
9 the Presidential Transition Act of 1963 (3
10 U.S.C. 102 note);

11 “(B) \$350,000 per year for the 5 years fol-
12 lowing the 5-year period under subparagraph
13 (A); and

14 “(C) \$250,000 per year thereafter.

15 “(b) DURATION; FREQUENCY.—

16 “(1) IN GENERAL.—The annuity and monetary
17 allowance under subsection (a) shall—

18 “(A) terminate on the date that is 30 days
19 after the date on which the former President
20 dies; and

21 “(B) be payable by the Secretary of the
22 Treasury on a monthly basis.

23 “(2) APPOINTIVE OR ELECTIVE POSITIONS.—
24 The annuity and monetary allowance under sub-
25 section (a) shall not be payable for any period dur-

1 ing which a former President holds an appointive or
2 elective position in or under the Federal Government
3 to which is attached a rate of pay other than a
4 nominal rate.

5 “(c) COST-OF-LIVING INCREASES.—Effective Decem-
6 ber 1 of each year, each annuity and monetary allowance
7 under subsection (a) that commenced before that date
8 shall be increased by the same percentage by which benefit
9 amounts under title II of the Social Security Act (42
10 U.S.C. 401 et seq.) are increased, effective as of that date,
11 as a result of a determination under section 215(i) of that
12 Act (42 U.S.C. 415(i)).

13 “(d) LIMITATION ON MONETARY ALLOWANCE.—

14 “(1) IN GENERAL.—Notwithstanding any other
15 provision of this section, the monetary allowance
16 payable under subsection (a)(2) to a former Presi-
17 dent for any 12-month period—

18 “(A) except as provided in subparagraph

19 (B), may not exceed the amount by which—

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

24 “(ii) the applicable reduction amount
25 for the 12-month period; and

1 “(B) shall not be less than the amount de-
2 termined under paragraph (4).

3 “(2) DEFINITION.—

4 “(A) IN GENERAL.—For purposes of para-
5 graph (1), the term ‘applicable reduction
6 amount’ means, with respect to any former
7 President and in connection with any 12-month
8 period, the amount by which—

9 “(i) the earned income (as defined in
10 section 32(c)(2) of the Internal Revenue
11 Code of 1986) of the former President for
12 the most recent taxable year for which a
13 tax return is available, exceeds (if at all)

14 “(ii) \$400,000, subject to subpara-
15 graph (C).

16 “(B) JOINT RETURNS.—In the case of a
17 joint return, subparagraph (A)(i) shall be ap-
18 plied by taking into account both the amounts
19 properly allocable to the former President and
20 the amounts properly allocable to the spouse of
21 the former President.

22 “(C) COST-OF-LIVING INCREASES.—The
23 dollar amount specified in subparagraph (A)(ii)
24 shall be adjusted at the same time that, and by
25 the same percentage by which, the monetary al-

1 allowance of the former President is increased
2 under subsection (c) (disregarding this sub-
3 section).

4 “(3) DISCLOSURE REQUIREMENT.—

5 “(A) DEFINITIONS.—In this paragraph—

6 “(i) the terms ‘return’ and ‘return in-
7 formation’ have the meanings given those
8 terms in section 6103(b) of the Internal
9 Revenue Code of 1986; and

10 “(ii) the term ‘Secretary’ means the
11 Secretary of the Treasury or the Secretary
12 of the Treasury’s delegate.

13 “(B) REQUIREMENT.—A former President
14 may not receive a monetary allowance under
15 subsection (a)(2) unless the former President
16 discloses to the Secretary, upon the request of
17 the Secretary, any return or return information
18 of the former President or spouse of the former
19 President that the Secretary determines is nec-
20 essary for purposes of calculating the applicable
21 reduction amount under paragraph (2) of this
22 subsection.

23 “(C) CONFIDENTIALITY.—Except as pro-
24 vided in section 6103 of the Internal Revenue
25 Code of 1986 and notwithstanding any other

1 provision of law, the Secretary may not, with
2 respect to a return or return information dis-
3 closed to the Secretary under subparagraph
4 (B)—

5 “(i) disclose the return or return in-
6 formation to any entity or person; or

7 “(ii) use the return or return informa-
8 tion for any purpose other than to cal-
9 culate the applicable reduction amount
10 under paragraph (2).

11 “(4) INCREASED COSTS DUE TO SECURITY
12 NEEDS.—With respect to the monetary allowance
13 that would be payable to a former President under
14 subsection (a)(2) for any 12-month period but for
15 the limitation under paragraph (1) of this sub-
16 section, the Administrator of General Services, in co-
17 ordination with the Director of the United States
18 Secret Service, shall determine the amount of the
19 monetary allowance that is needed to pay the in-
20 creased cost of doing business that is attributable to
21 the security needs of the former President.”;

22 (3) by inserting after subsection (e) the fol-
23 lowing:

24 “(f) OFFICE STAFF.—

1 “(1) IN GENERAL.—The Administrator of Gen-
2 eral Services shall, without regard to the civil service
3 and classification laws, provide for each former
4 President an office staff of not more than 13 indi-
5 viduals, at the request of the former President, on
6 a reimbursable basis.

7 “(2) COMPENSATION.—The annual rate of com-
8 pensation payable to any individual under paragraph
9 (1) shall not exceed the highest annual rate of basic
10 pay for positions at level II of the Executive Sched-
11 ule under section 5313 of title 5, United States
12 Code.

13 “(3) SELECTION; RESPONSIBILITY.—An indi-
14 vidual employed under this subsection—

15 “(A) shall be selected by the former Presi-
16 dent; and

17 “(B) shall be responsible only to the
18 former President for the performance of duties.

19 “(g) OFFICE SPACE AND RELATED FURNISHINGS
20 AND EQUIPMENT.—

21 “(1) OFFICE SPACE.—The Administrator of
22 General Services (referred to in this subsection as
23 the ‘Administrator’) shall, at the request of a former
24 President, on a reimbursable basis provide for the
25 former President suitable office space, as determined

1 by the Administrator, at a place within the United
2 States specified by the former President.

3 “(2) FURNISHINGS AND EQUIPMENT.—

4 “(A) REIMBURSABLE.—The Administrator
5 may, at the request of a former President, pro-
6 vide the former President with suitable office
7 furnishings and equipment on a reimbursable
8 basis.

9 “(B) WITHOUT REIMBURSEMENT.—

10 “(i) GRANDFATHERED FORMER
11 PRESIDENTS.—In the case of any indi-
12 vidual who is a former President on the
13 date of enactment of the Presidential Al-
14 lowance Modernization Act of 2017, the
15 former President may retain without reim-
16 bursement any furniture and equipment in
17 the possession of the former President.

18 “(ii) PRESIDENTIAL TRANSITION
19 ACT.—A former President may retain with-
20 out reimbursement any furniture or equip-
21 ment acquired under section 5 of the Pres-
22 idential Transition Act of 1963 (3 U.S.C.
23 102 note).

24 “(iii) EXCESS FURNITURE AND EQUIP-
25 MENT.—The Administrator may provide

1 excess furniture and equipment to the of-
2 fice of a former President at no cost other
3 than necessary transportation costs.”; and

4 (4) by adding at the end the following:

5 “(j) APPLICABILITY.—Subsections (f), (g) (other
6 than paragraph (2)(B)(i) of that subsection), and (i) shall
7 apply with respect to a former President on and after the
8 day after the last day of the period described in the first
9 sentence of section 5 of the Presidential Transition Act
10 of 1963 (3 U.S.C. 102 note).”.

11 (b) SURVIVING SPOUSES OF FORMER PRESI-
12 DENTS.—

13 (1) INCREASE IN AMOUNT OF MONETARY AL-
14 LOWANCE.—Subsection (e) of the first section of the
15 Former Presidents Act of 1958 is amended—

16 (A) in the first sentence, by striking
17 “\$20,000 per annum,” and inserting “\$100,000
18 per year (subject to paragraph (4)),”; and

19 (B) in the second sentence—

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

22 (ii) in paragraph (3)—

23 (I) by striking “or the govern-
24 ment of the District of Columbia”;
25 and

1 (II) by striking the period and
2 inserting “; and”; and

3 (iii) by inserting after paragraph (3)
4 the following:

5 “(4) shall, after its commencement date, be in-
6 creased at the same time that, and by the same per-
7 centage by which, annuities of former Presidents are
8 increased under subsection (c).”.

9 (2) COVERAGE OF WIDOWER OF A FORMER
10 PRESIDENT.—Subsection (e) of the first section of
11 the Former Presidents Act of 1958, as amended by
12 paragraph (1), is amended—

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

15 (B) by striking “she” and inserting “she
16 or he”.

17 (c) SUBSECTION HEADINGS.—The first section of the
18 Former Presidents Act of 1958 is amended—

19 (1) in subsection (e), by inserting after the sub-
20 section enumerator the following: “WIDOWS AND
21 WIDOWERS.—”;

22 (2) in subsection (h) (as redesignated by sub-
23 section (a)(1)), by inserting after the subsection enu-
24 merator the following: “DEFINITION.—”; and

1 (3) in subsection (i) (as redesignated by sub-
2 section (a)(1)), by inserting after the subsection enu-
3 merator the following: “AUTHORIZATION OF APPRO-
4 PRIATIONS.—”.

5 (d) CONFORMING AMENDMENTS.—

6 (1) TITLE 5.—Subpart G of part III of title 5,
7 United States Code, is amended—

8 (A) in section 8101(1)(E), by striking
9 “1(b)” and inserting “1(f)”;

10 (B) in section 8331(1)(I), by striking
11 “1(b)” and inserting “1(f)”;

12 (C) in section 8701(a)(9), by striking
13 “1(b)” and inserting “1(f)”; and

14 (D) in section 8901(1)(H) by striking
15 “1(b)” and inserting “1(f)”.

16 (2) PRESIDENTIAL TRANSITION ACT OF 1963.—

17 Section 5 of the Presidential Transition Act of 1963
18 (3 U.S.C. 102 note) is amended by striking the last
19 sentence.

20 (e) RULE OF CONSTRUCTION.—Nothing in this sec-
21 tion or an amendment made by this section shall be con-
22 strued to affect—

23 (1) any provision of law relating to the security
24 or protection of a former President or a member of
25 the family of a former President;

1 (2) funding, under the Former Presidents Act
2 of 1958 or any other law, to carry out any provision
3 of law described in paragraph (1); or

4 (3) funding for any office space lease in effect
5 on the day before the date of enactment of this Act
6 under subsection (c) of the first section of the
7 Former Presidents Act of 1958 (as in effect on the
8 day before the date of enactment of this Act) until
9 the expiration date contained in the lease, if the
10 lease was submitted to the Committee on Oversight
11 and Government Reform of the House of Represent-
12 atives on April 12, 2017.

13 (f) TRANSITION RULES.—

14 (1) FORMER PRESIDENTS.—In the case of any
15 individual who is a former President on the date of
16 enactment of this Act, the amendments made by
17 subsection (a) shall be applied as if the commence-
18 ment date referred in subsections (a)(1)(B) and
19 (a)(2)(A) of the first section of the Former Presi-
20 dents Act of 1958, as amended by subsection (a),
21 coincided with the date that is 180 days after the
22 date of enactment of this Act.

23 (2) WIDOWS.—In the case of any individual
24 who is the widow of a former President on the date
25 of enactment of this Act, the amendments made by

1 subsection (b)(1) shall be applied as if the com-
2 mencement date referred to in subsection (e)(1) of
3 the first section of the Former Presidents Act of
4 1958, as amended by subsection (b)(1), coincided
5 with the date that is 180 days after the date of en-
6 actment of this Act.

7 (g) APPLICABILITY.—For a former President receiv-
8 ing a monetary allowance under the Former Presidents
9 Act of 1958 on the day before the date of enactment of
10 this Act, the limitation under subsection (d)(1) of the first
11 section of that Act, as amended by subsection (a), shall
12 apply to the monetary allowance of the former President,
13 except to the extent that the application of the limitation
14 would prevent the former President from being able to pay
15 the cost of a lease or other contract that is in effect on
16 the day before the date of enactment of this Act and under
17 which the former President makes payments using the
18 monetary allowance, as determined by the Administrator
19 of General Services.

