

**AMENDMENT TO H.R. 4350**  
**OFFERED BY MR. HICE OF GEORGIA**

At the end of title XI, add the following:

1 **Subtitle B—Presidential Allowance**  
2 **Modernization**

3 **SEC. 1121. SHORT TITLE.**

4 This subtitle may be cited as the “Presidential Allow-  
5 ance Modernization Act of 2021”.

6 **SEC. 1122. AMENDMENTS.**

7 (a) **IN GENERAL.**—The Act entitled “An Act to pro-  
8 vide retirement, clerical assistants, and free mailing privi-  
9 leges to former Presidents of the United States, and for  
10 other purposes”, approved August 25, 1958 (commonly  
11 known as the “Former Presidents Act of 1958”) (3 U.S.C.  
12 102 note), is amended—

13 (1) by striking “That (a) each” and inserting  
14 the following:

15 **“SEC. 1. FORMER PRESIDENTS LEAVING OFFICE BEFORE**  
16 **PRESIDENTIAL ALLOWANCE MODERNIZA-**  
17 **TION ACT OF 2021.**

18 “(a) Each”;

19 (2) by redesignating subsection (g) as section 3  
20 and adjusting the margin accordingly; and

1           (3) by inserting after section 1, as so des-  
2           ignated, the following:

3   **“SEC. 2. FORMER PRESIDENTS LEAVING OFFICE AFTER**  
4                   **PRESIDENTIAL ALLOWANCE MODERNIZA-**  
5                   **TION ACT OF 2021.**

6           “(a) ANNUITIES AND ALLOWANCES.—

7                   “(1) ANNUITY.—Each modern former President  
8           shall be entitled for the remainder of his or her life  
9           to receive from the United States an annuity at the  
10          rate of \$200,000 per year, subject to the availability  
11          of appropriations and subsections (b)(2) and (c).

12                   “(2) ALLOWANCE.—The Administrator of Gen-  
13          eral Services is authorized to provide each modern  
14          former President a monetary allowance at the rate  
15          of \$200,000 per year, subject to the availability of  
16          appropriations and subsections (b)(2), (c), and (d).

17           “(b) DURATION; FREQUENCY.—

18                   “(1) IN GENERAL.—The annuity and allowance  
19          under subsection (a) shall each—

20                           “(A) commence on the day after the date  
21                           on which an individual becomes a modern  
22                           former President;

23                           “(B) terminate on the date on which the  
24                           modern former President dies; and

25                           “(C) be payable on a monthly basis.

1           “(2) APPOINTIVE OR ELECTIVE POSITIONS.—

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

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

16          “(d) LIMITATION ON MONETARY ALLOWANCE.—

17                 “(1) IN GENERAL.—Notwithstanding any other  
18                 provision of this section, the monetary allowance  
19                 payable under subsection (a)(2) to a modern former  
20                 President for any 12-month period—

21                         “(A) except as provided in subparagraph

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

23                                 “(i) the monetary allowance that (but  
24                                 for this subsection) would otherwise be so

1 payable for such 12-month period, exceeds  
2 (if at all)

3 “(ii) the applicable reduction amount  
4 for such 12-month period; and

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

7 “(2) DEFINITION.—

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

13 “(i) the sum of—

14 “(I) the adjusted gross income  
15 (as defined in section 62 of the Inter-  
16 nal Revenue Code of 1986) of the  
17 modern former President for the most  
18 recent taxable year for which a tax re-  
19 turn is available; and

20 “(II) any interest excluded from  
21 the gross income of the modern  
22 former President under section 103 of  
23 such Code for such taxable year, ex-  
24 ceeds (if at all)

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

3                   “(B) JOINT RETURNS.—In the case of a  
4                   joint return, subclauses (I) and (II) of subpara-  
5                   graph (A)(i) shall be applied by taking into ac-  
6                   count both the amounts properly allocable to  
7                   the modern former President and the amounts  
8                   properly allocable to the spouse of the modern  
9                   former President.

10                  “(C) COST-OF-LIVING INCREASES.—The  
11                  dollar amount specified in subparagraph (A)(ii)  
12                  shall be adjusted at the same time that, and by  
13                  the same percentage by which, the monetary al-  
14                  lowance of the modern former President is in-  
15                  creased under subsection (c) (disregarding this  
16                  subsection).

17                  “(3) DISCLOSURE REQUIREMENT.—

18                  “(A) DEFINITIONS.—In this paragraph—  
19                  “(i) the terms ‘return’ and ‘return in-  
20                  formation’ have the meanings given those  
21                  terms in section 6103(b) of the Internal  
22                  Revenue Code of 1986; and

23                  “(ii) the term ‘Secretary’ means the  
24                  Secretary of the Treasury or the Secretary  
25                  of the Treasury’s delegate.

1           “(B) REQUIREMENT.—A modern former  
2           President may not receive a monetary allowance  
3           under subsection (a)(2) unless the modern  
4           former President discloses to the Secretary,  
5           upon the request of the Secretary, any return  
6           or return information of the modern former  
7           President or spouse of the modern former  
8           President that the Secretary determines is nec-  
9           essary for purposes of calculating the applicable  
10          reduction amount under paragraph (2) of this  
11          subsection.

12          “(C) CONFIDENTIALITY.—Except as pro-  
13          vided in section 6103 of the Internal Revenue  
14          Code of 1986 and notwithstanding any other  
15          provision of law, the Secretary may not, with  
16          respect to a return or return information dis-  
17          closed to the Secretary under subparagraph  
18          (B)—

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

21                  “(ii) use the return or return informa-  
22                  tion for any purpose other than to cal-  
23                  culate the applicable reduction amount  
24                  under paragraph (2).

1           “(4) INCREASED COSTS DUE TO SECURITY  
2           NEEDS.—With respect to the monetary allowance  
3           that would be payable to a modern former President  
4           under subsection (a)(2) for any 12-month period but  
5           for the limitation under paragraph (1)(A) of this  
6           subsection, the Administrator of General Services, in  
7           coordination with the Director of the United States  
8           Secret Service, shall determine the amount of the al-  
9           lowance that is needed to pay the increased cost of  
10          doing business that is attributable to the security  
11          needs of the modern former President.

12          “(e) WIDOWS AND WIDOWERS.—The widow or wid-  
13          ower of each modern former President shall be entitled  
14          to receive from the United States a monetary allowance  
15          at a rate of \$100,000 per year (subject to the availability  
16          of appropriations and paragraph (4)), if such widow or  
17          widower shall waive the right to each other annuity or pen-  
18          sion to which she or he is entitled under any other Act  
19          of Congress. The monetary allowance of such widow or  
20          widower—

21                 “(1) commences on the day after the modern  
22                 former President dies;

23                 “(2) terminates on the last day of the month  
24                 before such widow or widower dies;

1           “(3) is not payable for any period during which  
2           such widow or widower holds an appointive or elec-  
3           tive office or position in or under the Federal Gov-  
4           ernment to which is attached a rate of pay other  
5           than a nominal rate; and

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

10          “(f) DEFINITION.—In this section, the term ‘modern  
11 former President’ means a person—

12           “(1) who shall have held the office of President  
13           of the United States of America;

14           “(2) whose service in such office shall have ter-  
15           minated—

16           “(A) other than by removal pursuant to  
17           section 4 of article II of the Constitution of the  
18           United States of America; and

19           “(B) after the date of enactment of the  
20           Presidential Allowance Modernization Act of  
21           2021; and

22           “(3) who does not then currently hold such of-  
23           fice.”.

24          (b) TECHNICAL AND CONFORMING AMENDMENTS.—  
25 The Former Presidents Act of 1958 is amended—



1 (1) in section 1(f)(2), as designated by this sec-  
2 tion—

3 (A) by striking “terminated other than”  
4 and inserting the following: “terminated—  
5 “(A) other than”; and

6 (B) by adding at the end the following:

7 “(B) on or before the date of enactment of  
8 the Presidential Allowance Modernization Act of  
9 2021; and”; and

10 (2) in section 3, as redesignated by this sec-  
11 tion—

12 (A) by inserting after the section enu-  
13 merator the following: “**AUTHORIZATION OF**  
14 **APPROPRIATIONS.**”; and

15 (B) by inserting “or modern former Presi-  
16 dent” after “former President” each place that  
17 term appears.

18 **SEC. 1123. RULE OF CONSTRUCTION.**

19 Nothing in this subtitle or an amendment made by  
20 this subtitle shall be construed to affect—

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

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).

4 **SEC. 1124. APPLICABILITY.**

5           Section 2 of the Former Presidents Act of 1958, as  
6           added by section 1122(a)(3) of this subtitle, shall not  
7           apply to—

8           (1) any individual who is a former President on  
9           the date of enactment of this Act; or

10          (2) the widow or widower of an individual de-  
11          scribed in paragraph (1).

