

105TH CONGRESS  
1ST SESSION

# H. R. 48

To limit the duration of certain benefits afforded to former Presidents, and  
for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

JANUARY 7, 1997

Mr. COBLE introduced the following bill; which was referred to the Committee on the Judiciary, and in addition to the Committee on Government Reform and Oversight, 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 limit the duration of certain benefits afforded to former  
Presidents, 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. LIMITATIONS RELATING TO ELIGIBILITY OF A**  
4 **FORMER PRESIDENT FOR OFFICE SPACE AND**  
5 **A MONETARY ALLOWANCE.**

6 (a) IN GENERAL.—The Act entitled “An Act to pro-  
7 vide retirement, clerical assistants, and free mailing privi-  
8 leges to former Presidents of the United States, and for

1 other purposes”, approved August 25, 1958 (3 U.S.C. 102  
2 note) is amended—

3 (1) in subsection (a)—

4 (A) by striking “(a) Each” and inserting  
5 “(a)(1) Except as provided in paragraph (2),  
6 each”;

7 (B) by striking the second sentence; and

8 (C) adding at the end the following:

9 “(2) An allowance under this subsection shall not be  
10 payable—

11 “(A) for any period during which the former  
12 President holds an appointive or elective office or  
13 position in or under the Federal Government or the  
14 government of the District of Columbia to which is  
15 attached a rate of pay other than a nominal rate;

16 “(B) for any month if such former President  
17 has not attained retirement age (within the meaning  
18 of section 216(l)(1) of the Social Security Act (42  
19 U.S.C. 416(l)(1)) before the start of such month; or

20 “(C) in the case of a former President other-  
21 wise entitled to any other annuity or pension under  
22 any other Act of Congress (excluding a survivor ben-  
23 efit and any benefit under title XVIII of the Social  
24 Security Act), unless such former President waives

1 the right to each such other annuity or pension.”;  
2 and

3 (2) by repealing subsection (c).

4 (b) EFFECTIVE DATE.—The amendments made by  
5 subsection (a) shall take effect as of the first day of the  
6 first month beginning after the end of the 6-month period  
7 beginning on the date of the enactment of this Act.

8 **SEC. 2. PROVISIONS RELATING TO SECRET SERVICE PRO-**  
9 **TECTION FOR A FORMER PRESIDENT OR**  
10 **MEMBER OF THE IMMEDIATE FAMILY OF A**  
11 **FORMER PRESIDENT.**

12 (a) IN GENERAL.—Section 3056(a) of title 18,  
13 United States Code, is amended—

14 (1) by striking paragraph (3) and inserting the  
15 following:

16 “(3) Former Presidents, for the 1-year period  
17 immediately following the termination date of the  
18 person’s service as President.”; and

19 (2) by striking paragraph (4).

20 (b) COORDINATION WITH OTHER PROVISIONS OF  
21 LAW.—For purposes of sections 879 and 1752 of title 18,  
22 United States Code—

23 (1) a former President shall, after the end of  
24 the 1-year period referred to in section 3056(a)(3)  
25 of such title (as amended by subsection (a)(1)), be

1       deemed to be a person under Secret Service protec-  
2       tion; and

3           (2) children of a former President who are  
4       under 16 years of age, and a spouse of a former  
5       President (except a spouse who is otherwise ineli-  
6       gible for Secret Service protection by reason of  
7       remarriage), shall be deemed to be persons under  
8       Secret Service protection;

9       unless such person did not have Secret Service protection,  
10      as of the date such person was last eligible therefor, by  
11      reason of a declination of protection made by such person.

12      (c) EFFECTIVE DATE.—The amendments made by  
13      this section shall take effect on the date of the enactment  
14      of this Act, except that the enactment of this section shall  
15      not have the effect of terminating Secret Service protec-  
16      tion for any person before—

17           (1) the expiration of the 6-month period begin-  
18      ning on the date of the enactment of this Act; or

19           (2) such person has received (or been eligible to  
20      receive) Secret Service protection as a former Presi-  
21      dent, or the spouse or a child of a former President,  
22      as the case may be, for at least 12 months after the  
23      termination date of such former President's service.

1       (d) DEFINITION.—For purposes of this section, the  
2 term “Secret Service” means the United States Secret  
3 Service, the Department of the Treasury.

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