

**AMENDMENT IN THE NATURE OF A SUBSTITUTE
TO H.R. 384
OFFERED BY MR. GOHMERT OF TEXAS**

Strike all after the enacting clause and insert the following:

1 SECTION 1. SUSPENSION OF EMPLOYMENT TAXES.

2 (a) TAX ON EMPLOYEES.—Section 3101 of the Inter-
3 nal Revenue Code of 1986 (relating to rate of tax) is
4 amended by adding at the end the following new sub-
5 section:

6 “(d) SUSPENSION.—In the case of wages received for
7 service performed during the 2-month period beginning
8 with the first full month after the date of the enactment
9 of this subsection, the percentage under subsections (a)
10 and (b) shall be zero percent.”.

11 (b) TAX ON EMPLOYERS.—Section 3111 of such
12 Code (relating to rate of tax) is amended by adding at
13 the end the following new subsection:

14 “(d) SUSPENSION.—In the case of wages paid for
15 service performed during the 2-month period beginning
16 with the first full month after the date of the enactment
17 of this subsection, the percentage under subsections (a)
18 and (b) shall be zero percent.”.

1 (c) TAX ON SELF-EMPLOYMENT INCOME.—Section
2 1401 of such Code (relating to rate of tax) is amended
3 by adding at the end the following new subsection:

4 “(d) SUSPENSION.—In the case of self-employment
5 income for service performed during the 2-month period
6 beginning with the first full month after the date of the
7 enactment of this subsection, the percentage under sub-
8 sections (a) and (b) shall be zero percent.”.

9 (d) EFFECTIVE DATES.—

10 (1) The amendments made by subsections (a)
11 and (b) shall apply to remuneration paid or received
12 after the date of the enactment of this Act.

13 (2) The amendment made by subsection (c)
14 shall apply to taxable years beginning after Decem-
15 ber 31, 2008.

16 **SEC. 2. SUSPENSION OF INCOME TAXES.**

17 (a) IN GENERAL.—Part III of subchapter B of chap-
18 ter 1 of the Internal Revenue Code of 1986 (relating to
19 items specifically excluded from gross income) is amended
20 by inserting after section 139B the following new section:

21 **“SEC. 139C. WAGE AND SELF-EMPLOYMENT INCOME.**

22 “In the case of an individual, gross income shall not
23 include—

24 “(1) any remuneration for service performed
25 during the 2-month period beginning with the first

1 full month after the date of the enactment of this
2 section, by an employee for his employer, including
3 the cash value of all remuneration (including bene-
4 fits) paid in any medium other than cash wages (as
5 defined in section 3121), and

6 “(2) any self-employment income (as defined in
7 section 1402) derived by such individual during such
8 period.”.

9 (b) CLERICAL AMENDMENT.—The table of sections
10 for such part is amended by inserting after the item relat-
11 ing to section 139B the following new item:

“Sec. 139C. Wage and self-employment income.”.

12 (c) EFFECTIVE DATE.—The amendments made by
13 this section shall apply to taxable years ending after De-
14 cember 31, 2008.

15 **SEC. 3. FUNDING OF SOCIAL SECURITY TRUST FUNDS WITH**
16 **REPEALED TARP FUNDS.**

17 (a) REPEAL OF FINAL \$350 BILLION PURCHASE AU-
18 THORITY UNDER TROUBLED ASSETS RELIEF PRO-
19 GRAM.—Section 115 of the Emergency Economic Sta-
20 bilization Act of 2008 (12 U.S.C. 5225) is amended—

21 (1) in subsection (a), by striking paragraph (3);
22 and

23 (2) by striking subsections (c), (d), (e), and (f).

24 (b) TRANSFER TO SOCIAL SECURITY TRUST
25 FUNDS.—

1 (1) ESTIMATE OF SECRETARY.—The Secretary
2 of the Treasury (in consultation with the Secretary
3 of Health and Human Services and the Commis-
4 sioner of Social Security, as appropriate) shall esti-
5 mate the impact that the enactment of this Act has
6 on the income and balances of the Federal Old-Age
7 and Survivors Insurance Trust Fund, the Federal
8 Disability Insurance Trust Fund, and the Federal
9 Hospital Insurance Trust Fund.

10 (2) TRANSFER OF FUNDS.—If, under sub-
11 section (a), the Secretary of the Treasury estimates
12 that the enactment of this Act has a negative impact
13 on the income and balances of any of such funds,
14 the Secretary shall transfer from the general reve-
15 nues of the Federal Government such sums as may
16 be necessary so as to ensure that the income and
17 balances of such funds are not reduced as a result
18 of the enactment of this Act.

19 **SEC. 4. IMMEDIATE TERMINATION OF TARP PURCHASE AU-**
20 **THORITY.**

21 (a) IN GENERAL.—The authorities provided under
22 section 101(a) of the Emergency Economic Stabilization
23 Act of 2008 (12 U.S.C. 5211), excluding section 101(a)(3)
24 of such Act, shall terminate immediately upon the enact-
25 ment of this Act.

1 (b) RULE OF CONSTRUCTION.—The termination
2 under subsection (a) shall apply to any authority of the
3 Secretary of the Treasury under the Emergency Economic
4 Stabilization Act of 2008 to purchase preferred or other
5 stock or equity in any financial institution.

6 (c) CONFORMING AMENDMENT.—The Emergency
7 Economic Stabilization Act of 2008 is amended by strik-
8 ing section 120 (12 U.S.C. 5230).

