

112TH CONGRESS  
1ST SESSION

# H. R. 2708

To amend the Internal Revenue Code of 1986 to repeal the limitation on the imposition of employment taxes on wages in excess of the contribution and benefit base.

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## IN THE HOUSE OF REPRESENTATIVES

JULY 29, 2011

Mr. TONKO introduced the following bill; which was referred to the Committee on Ways and Means

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## A BILL

To amend the Internal Revenue Code of 1986 to repeal the limitation on the imposition of employment taxes on wages in excess of the contribution and benefit base.

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 “Keeping Social Secu-  
5 rity Solvent Act of 2011”.

6 **SEC. 2. REPEAL OF LIMITATION ON SOCIAL SECURITY**

7 **WAGE BASE FOR FICA AND SECA.**

8 (a) FICA.—Paragraph (1) of section 3121(a) of the  
9 Internal Revenue Code of 1986 is hereby repealed.

1 (b) SECA.—Subsection (b) of section 1402 of such  
2 Code is amended by striking “include—” and all that fol-  
3 lows through “3211.” and inserting “include the net earn-  
4 ings from self-employment, if such net earnings for the  
5 taxable year are less than \$400.”.

6 (c) CONFORMING AMENDMENTS.—

7 (1) Section 31 of such Code is amended by  
8 striking subsection (b) and redesignating subsection  
9 (c) as subsection (b).

10 (2) Section 51(h)(1)(A) of such Code is amend-  
11 ed by striking “except that the contribution and ben-  
12 efit base for each calendar year shall be deemed to  
13 be” and inserting “not to exceed”.

14 (3) Section 3121(s) of such Code is amended by  
15 striking “3102, 3111, and 3121(a)(1)” and insert-  
16 ing “3102 and 3111”.

17 (4) Section 3122 of such Code is amended by  
18 striking “The person making such return may, for  
19 convenience of administration, make payments of the  
20 tax imposed under section 3111 with respect to such  
21 service without regard to the contribution and ben-  
22 efit base limitation in section 3121(a)(1), and he  
23 shall not be required to obtain a refund of the tax  
24 paid under section 3111 on that part of the remu-

1       neration not included in wages by reason of section  
2       3121(a)(1).”.

3           (5) Subsections (a), (b), (c), and (d) of section  
4       3125 of such Code are each amended by striking the  
5       last sentence.

6           (6) Section 6413 of such Code is amended by  
7       striking subsection (e).

8           (7) Section 643(d)(1) of such Code is amended  
9       by striking “31(c)” and inserting “31(b)”.

10          (8) Subsection (c) of section 230 of the Social  
11       Security Act is amended by striking “and sections  
12       1402, 3121, 3122, 3125, 6413, and 6654 of the In-  
13       ternal Revenue Code of 1986”.

14       (d) EFFECTIVE DATE.—

15           (1) The amendments made by subsections (a),  
16       (b), and (d) shall apply with respect to remuneration  
17       paid after December 31, 2011.

18           (2) The amendments made by subsection (c)  
19       shall apply to taxable years beginning after Decem-  
20       ber 31, 2011.

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