

1 out “(determined without regard to paragraph (10)
2 thereof)”.

3 (c) *DEFINITION OF EARNED INCOME.*—Section 401
4 (c)(2) (relating to definition of earned income for certain
5 pension and profit-sharing plans) is amended by striking out
6 subparagraphs (A) and (B) and inserting in lieu thereof
7 the following:

8 “(A) *IN GENERAL.*—The term ‘earned income’
9 means the net earnings from self-employment (as de-
10 fined in section 1402(a)), but such net earnings
11 shall be determined—

12 “(i) only with respect to a trade or busi-
13 ness in which personal services of the taxpayer
14 are a material income-producing factor,

15 “(ii) without regard to paragraphs (4)
16 and (5) of section 1402(c),

17 “(iii) in the case of any individual who is
18 treated as an employee under sections 3121(d)
19 (3) (A), (C), or (D), without regard to
20 paragraph (2) of section 1402(c), and

21 “(iv) without regard to items which are
22 not included in gross income for purposes of this
23 chapter, and the deductions properly allocable
24 to or chargeable against such items.

25 For purposes of this subparagraph, section 1402, as