

Amendment to Rules Committee Print 119-3 Offered

by Ms. Tlaib of Michigan

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the “End Child Poverty Act”.

SEC. 2. UNIVERSAL CHILD ASSISTANCE PROGRAM.

(a) DEFINITIONS.—In this section:

(1) COMMISSIONER.—The term “Commissioner” means the Commissioner of Social Security.

(2) DEPUTY COMMISSIONER.—The term “Deputy Commissioner” means the Deputy Commissioner of the Office of Universal Child Assistance.

(3) QUALIFYING CHILD.—The term “qualifying child” means, with respect to a month, an individual who—

(A) resides in the United States;

(B) is—

(i) a citizen or national of the United States; or

(ii) a qualified alien (as defined in section 431 of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 ([8 U.S.C. 1641](#))); and

(C) is less than 19 years old on the last day of such month.

(b) ESTABLISHMENT OF OFFICE OF UNIVERSAL CHILD ASSISTANCE.—

(1) IN GENERAL.—There is established within the Social Security Administration an office to be known as the Office of Universal Child Assistance. The Office shall be headed by a Deputy Commissioner who shall be appointed by the Commissioner of Social Security.

(2) RESPONSIBILITIES OF DEPUTY COMMISSIONER.—The Commissioner, acting through the Deputy Commissioner, shall be responsible for—

(A) hiring personnel and making employment decisions with regard to such personnel;

(B) issuing such regulations as may be necessary to carry out the purposes of this section;

(C) entering into cooperative agreements with other agencies and departments to ensure the efficiency of the administration of the program;

(D) determining eligibility for child assistance payments under subsection (c);

(E) making timely child assistance payments to qualified children in accordance with this section;

(F) establishing and maintaining a system of records relating to the administration of this section;

(G) preventing fraud and abuse relating to child assistance payments;

(H) providing information on request regarding eligibility requirements, the application process, payment amounts, and limitations on payments; and

(I) tailoring culturally and linguistically competent education and outreach toward increasing utilization rates of payments under this section.

(3) AVAILABILITY OF DATA.—The Commissioner shall make available to the Deputy Commissioner such data as the Commissioner determines necessary to enable the Deputy Commissioner to effectively carry out the responsibilities described in paragraph (2).

(c) CHILD ASSISTANCE PAYMENTS.—

(1) IN GENERAL.—For every month beginning after the date of enactment of this Act, the Commissioner shall pay to each qualified child who has in effect an application approved under subsection (d) a child assistance payment in an amount equal to the child assistance amount for the month (as determined under paragraph (2)).

(2) CHILD ASSISTANCE AMOUNT.—For purposes of paragraph (1), the child assistance amount for a month shall be an amount equal to $\frac{1}{12}$ of the excess of—

(A) the annual poverty guideline for the calendar year preceding the calendar year in which such month occurs (as updated annually in the Federal Register by the Department of Health and Human Services under the authority of section 673(2) of the Omnibus Budget Reconciliation Act of 1981) as applicable to a two-person household, over

(B) the annual poverty guideline for such preceding calendar year applicable to a single individual.

(3) REPRESENTATIVE PAYEES.—Section 205(j) of the Social Security Act ([42 U.S.C. 405\(j\)](#)) shall apply to the payment of child assistance payments under this section in the same manner as such section 205(j) applies to the payment of benefits under title II of such Act.

(4) PENALTIES.—Section 208 of the Social Security Act ([42 U.S.C. 408](#)) shall apply with respect to child assistance payments under this section in the same manner as such section 208 applies with respect to monthly insurance benefits under title II of such Act.

(d) APPLICATION.—

(1) IN GENERAL.—No child assistance payment shall be made to an individual unless the Commissioner has approved an application for such payment in accordance with the requirements of this paragraph.

(2) APPLICATION REQUIREMENTS.—An individual applying for a child assistance payment as (or on behalf of) a qualifying child under this section shall provide the Commissioner with an application in such form and manner as the Commissioner shall require, and such application shall include—

(A) the name, date of birth, and social security number or taxpayer identification number of the qualifying child; and

(B) such other information as the Commissioner deems necessary.

(3) SIMULTANEOUS APPLICATION.—The Commissioner shall treat an application for a social security account number for a qualifying child as an application for a child assistance payment under this section, unless the applicant affirmatively indicates on such application an intent to opt out of such child assistance payments.

(4) DEEMED APPLICATIONS.—In the case of any qualifying child identified to the Commissioner under the data sharing procedures described in [section 6103\(l\)\(23\)](#) of the Internal Revenue Code of 1986 (as amended by subsection (e)) who has not otherwise submitted an application for child assistance payments under this section, the Commissioner shall treat such qualifying child as having so applied, unless the applicant affirmatively indicates to the Commissioner, under such procedures as the Commissioner may establish, an intent to opt out of such child assistance payments.

(5) TERM OF APPLICATION.—The Commissioner may provide that an approval of an individual's application for a child assistance payment under this subsection shall expire after a specified number of months, after which the individual shall not be eligible for a child assistance payment until a new application is approved under this subsection.

(e) IRS DATA SHARING WITH COMMISSIONER OF SOCIAL SECURITY.—[Section 6103\(l\)](#) of the Internal Revenue Code of 1986 is amended by adding at the end the following new paragraph:

“(23) DISCLOSURE OF RETURN INFORMATION TO SOCIAL SECURITY ADMINISTRATION FOR PURPOSES OF CHILD ASSISTANCE PAYMENTS.—The Secretary shall, upon written request from the Commissioner of Social Security, disclose to the Commissioner any available taxpayer identity information from the individual master files of the Internal Revenue Service that the Commissioner deems relevant to identifying children of

taxpayers or children who are taxpayers who qualify for a child assistance payment under section 2(c) of the End Child Poverty Act, including information relating to—

“(A) citizenship status of a child,

“(B) age of a child, and

“(C) country of residence of a child.”.

(f) INCOME DISREGARD.—A child assistance payment made under this section shall not be taken into account as income and shall not be taken into account as resources for purposes of determining the eligibility of such individual or any other individual for benefits or assistance, or the amount or extent of benefits or assistance, under any Federal program or under any State or local program financed in whole or in part with Federal funds.

(g) APPROPRIATION.—There are appropriated to the Commissioner for fiscal year 2023 and each subsequent fiscal year such sums as are necessary to carry out this section.

SEC. 3. REPEAL OF CHILD TAX CREDIT AND EARNED INCOME TAX CREDIT.

(a) CHILD TAX CREDIT.—[Section 24](#) of the Internal Revenue Code of 1986 is hereby repealed.

(b) EARNED INCOME TAX CREDIT.—Section 32 of such Code is hereby repealed.

(c) CONFORMING AMENDMENTS.—

(1) The table of sections for subpart A of part IV of subchapter A of chapter 1 of subtitle A of such Code is amended by striking the item relating to section 24.

(2) The table of sections for subpart C of such part is amended by striking the item relating to section 32.

(3) [Section 45R\(f\)\(3\)\(B\)](#) of the Internal Revenue Code of 1986 is amended by inserting “(as in effect on the day before the date of enactment of the Universal Child Assistance Act of 2018)” after “section 24(d)(2)(C)”.

(4) Section 25A(g)(2)(B) of such Code is amended by striking “, 32”.

(5) Section 86(f) of such Code is amended by striking paragraph (2).

(6) Section 129(e)(2) of such Code is amended to read as follows:

“(2) EARNED INCOME.—

“(A) The term ‘earned income’—

“(i) means—

“(I) wages, salaries, tips, and other employee compensation, but only if such amounts are includible in gross income for the taxable year, plus

“(II) the amount of the taxpayer's net earnings from self-employment for the taxable year (within the meaning of section 1402(a)), but such net earnings shall be determined with regard to the deduction allowed to the taxpayer by section 164(f), and

“(ii) does not include any amounts paid or incurred by an employer for dependent care assistance to an employee.

“(B) For purposes of subparagraph (A)—

“(i) the earned income of an individual shall be computed without regard to any community property laws,

“(ii) no amount received as a pension or annuity shall be taken into account,

“(iii) no amount to which section 871(a) applies (relating to income of nonresident alien individuals not connected with United States business) shall be taken into account,

“(iv) no amount received for services provided by an individual while the individual is an inmate at a penal institution shall be taken into account,

“(v) no amount described in subparagraph (A) received for service performed in work activities as defined in paragraph (4) or (7) of section 407(d) of the Social Security Act to which the taxpayer is assigned under any State program under part A of title IV of such Act shall be taken into account, but only to the extent such amount is subsidized under such State program, and

“(vi) a taxpayer may elect to treat amounts excluded from gross income by reason of section 112 as earned income.”.

(7) Section 135(d)(1)(B) of such Code is amended by striking “32, ”.

(8) Section 152(f)(6)(B) of such Code is amended—

(A) in clause (iii), by striking “, and” and inserting a period,

(B) by striking clauses (ii) and (iv), and

(C) by redesignating clause (iii) as clause (ii).

(9) Section 501 of such Code is amended—

(A) in subsection (c)(26), by striking “(as defined in section 24(c))” and inserting “(as defined in subsection (g))”, and

(B) by amending subsection (g) to read as follows:

“(g) DEFINITIONS.—

“(1) AGRICULTURAL.—For purposes of subsection (c)(5), the term ‘agricultural’ includes the art or science of cultivating land, harvesting crops or aquatic resources, or raising livestock.

“(2) QUALIFYING CHILD.—

“(A) IN GENERAL.—For purposes of subsection (c)(26), the term ‘qualifying child’ means a qualifying child of the taxpayer (as defined in section 152(c)) who has not attained age 17.

“(B) EXCEPTION FOR CERTAIN NONCITIZENS.—The term ‘qualifying child’ shall not include any individual who would not be a dependent if subparagraph (A) of section 152(b)(3) were applied without regard to all that follows ‘resident of the United States’.”.

(10) Section 995(f)(2)(C) of such Code is amended by striking “32, ”.

(11) Section 3402(f)(1) of such Code is amended by striking subparagraph (C) and by redesignating subparagraphs (D) through (F) as subparagraphs (C) through (E), respectively.

(12) Section 4293 of such Code is amended by striking “chapter 32 (other than the taxes imposed by sections 4064 and 4121)”.

(13) Section 6211(b)(4)(A) of such Code is amended by striking “24(d),” and “32,”.

(14) Section 6213(g)(2) of such Code is amended—

(A) in subparagraph (L), by striking “, 24, 32,”,

(B) by striking subparagraphs (F), (G), (I), (K), (M), and (P) and by redesignating subparagraphs (H), (J), (L), (N), (O), and (Q) as subparagraphs (F), (G), (H), (I), (J), and (K), respectively, and

(C) by adding “and” at the end of subparagraph (J).

(15) Section 6402 of such code is amended by striking subsection (m) and by redesignating subsection (n) as subsection (m).

(16) Section 6695(g)(2) of such Code is amended by striking “24,” and “ or 32,”.

(17) Section 1613(a) of the Social Security Act ([42 U.S.C. 1382b\(a\)](#)) is amended by striking paragraph (11).

(d) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2022.

SEC. 4. REFUNDABLE TAX CREDIT FOR ADULT DEPENDENTS.

(a) IN GENERAL.—Subpart C of part IV of subchapter A of [chapter 1](#) of the Internal Revenue Code of 1986 is amended by inserting before section 33 the following new section:

“SEC. 32A. ADULT DEPENDENT CREDIT.

“(a) ALLOWANCE OF CREDIT.—In the case of an eligible individual, there shall be allowed as a credit against the tax imposed by this subtitle for the taxable year an amount equal to \$600 for each qualifying dependent of the taxpayer.

“(b) ELIGIBLE INDIVIDUAL.—The term ‘eligible individual’ means any individual if—

“(1) such individual is not a dependent for whom a deduction is allowable under section 151 to another taxpayer for any taxable year beginning in the same calendar year as such taxable year, and

“(2) such individual is not a nonresident alien during such taxable year.

“(c) QUALIFYING DEPENDENT.—The term ‘qualifying dependent’ means a dependent (as defined in section 152) who is over the age of 18.

“(d) IDENTIFICATION NUMBER REQUIREMENT.—A qualifying dependent shall not be taken into account under subsection (a) unless the taxpayer includes the name, age, and TIN of the qualifying child on the return of tax for the taxable year.

“(e) INFLATION ADJUSTMENT.—

“(1) IN GENERAL.—In the case of any taxable year beginning after 2023, the dollar amount in subsection (a) shall be increased by an amount equal to—

“(A) such dollar amount, multiplied by

“(B) the cost-of-living adjustment determined under section 1(f)(3) for the calendar year in which the taxable year begins, determined by substituting ‘calendar year 2022’ for ‘calendar year 2016’ in subparagraph (A)(ii) thereof.

“(2) ROUNDING.—If any amount as adjusted under paragraph (1) is not a multiple of \$0.01, such amount shall be rounded to the next lowest multiple of \$0.01.”.

(b) CONFORMING AMENDMENT.—The table of sections for subpart C of part IV of subchapter A of [chapter 1](#) of the Internal Revenue Code of 1986 is amended by inserting after the item relating to section 32 the following new item:

“Sec. 32A. Adult dependent credit.”

(c) EFFECTIVE DATE.—The amendment made by this section shall apply to taxable years beginning after December 31, 2022.

SEC. 5. REFUNDABLE TAX CREDIT FOR ADULTS AND FAMILIES.

(a) IN GENERAL.—Subpart C of part IV of subchapter A of [chapter 1](#) of the Internal Revenue Code of 1986, as amended by section 4, is amended by inserting after section 32A the following new section:

“SEC. 32B. CREDIT FOR ADULTS AND FAMILIES.

“(a) ALLOWANCE OF CREDIT.—In the case of an eligible individual, there shall be allowed as a credit against the tax imposed by this subtitle for the taxable year \$600 (\$1200 in the case of a joint return).

“(b) LIMITATION BASED ON ADJUSTED GROSS INCOME.—The amount of the credit allowed by subsection (a) shall be reduced by 5 percent of so much of the taxpayer’s adjusted gross income as exceeds—

“(1) \$40,000 in the case of a joint return, and

“(2) \$20,000 in any other case.

“(c) ELIGIBLE INDIVIDUAL.—The term ‘eligible individual’ means any individual if—

“(1) such individual (or, if the individual is married, either the individual or the individual's spouse) has attained age 19 but not attained age 65 before the close of the taxable year,

“(2) such individual is not a dependent for whom a deduction is allowable under section 151 to another taxpayer for any taxable year beginning in the same calendar year as such taxable year, and

“(3) such individual is not a nonresident alien during such taxable year.

“(d) IDENTIFICATION NUMBER REQUIREMENT.—No credit shall be allowed under this section to an eligible individual who does not include on the return of tax for the taxable year—

“(1) such individual’s taxpayer identification number, and

“(2) if the individual is married (within the meaning of section 7703), the taxpayer identification number of such individual's spouse.

“(e) INFLATION ADJUSTMENT.—

“(1) IN GENERAL.—In the case of any taxable year beginning after 2023, the dollar amounts in subsections (a) and (b) shall be increased by an amount equal to—

“(A) such dollar amount, multiplied by

“(B) the cost-of-living adjustment determined under section 1(f)(3) for the calendar year in which the taxable year begins, determined by substituting ‘calendar year 2022’ for ‘calendar year 2016’ in subparagraph (A)(ii) thereof.

“(2) ROUNDING.—If any amount as adjusted under paragraph (1) is not a multiple of \$0.01, such amount shall be rounded to the next lowest multiple of \$0.01.”.

(b) CONFORMING AMENDMENT.—The table of sections for subpart C of part IV of subchapter A of [chapter 1](#) of the Internal Revenue Code of 1986, as amended by section 4, is amended by inserting after the item relating to section 32A the following new item:

“Sec. 32B. Credit for adults and families.”.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2024.