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“WELFARING” THE CHILD TAX CREDIT: HOW RACIAL AND
GENDER STEREOTYPES HAVE BLOCKED EXPANSIONS TO THE
CTC AND UNDERMINED ITS ABILITY TO REDUCE POVERTY

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*Kathryn Menefee & Amy Matsui**

I. INTRODUCTION

From the earliest days of this nation, our economy has relied on the underpaid and undervalued labor of women of color. Black women have historically had some of the highest rates of labor force participation.¹ Black women, Latinas, women of color, and immigrant women are overrepresented among workers who do the essential but poorly compensated work that we all rely on—like retail, restaurant, grocery store, and other service sector jobs.² Women, and women of color in particular, also make up a disproportionate share of public sector jobs.³ Additionally, domestic and care work—whether health care, child care, or care for the elderly or disabled—

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¹ Nina Banks, *Black Women’s Labor Market History Reveals Deep-Seated Race and Gender Discrimination*, ECON POL’Y INST.: WORKING ECON. BLOG (Feb. 19, 2019), <https://www.epi.org/blog/black-womens-labor-market-history-reveals-deep-seated-race-and-gender-discrimination/>; Janet L. Yellen, *The History of Women’s Work and Wages and How It Has Created Success for Us All*, BROOKINGS INST. (May 2020), <https://www.brookings.edu/articles/the-history-of-womens-work-and-wages-and-how-it-has-created-success-for-us-all/>.

² JASMINE TUCKER & JULIE VOGTMAN, NAT’L WOMEN’S L. CTR., *HARD WORK IS NOT ENOUGH: WOMEN IN LOW-PAID JOBS* 7 (2023), <https://nwlc.org/resource/when-hard-work-is-not-enough-women-in-low-paid-jobs/>.

³ DAVID COOPER ET AL., ECON. POL’Y INST., *THE PUBLIC-SECTOR JOBS CRISIS: WOMEN AND AFRICAN AMERICANS HIT HARDEST BY JOB LOSSES IN STATE AND LOCAL GOVERNMENTS* (2012), <https://www.epi.org/publication/bp339-public-sector-jobs-crisis/>.

is overwhelmingly performed by women of color and immigrant women.⁴ Despite the value of this work to families, communities, and our economy more broadly, these jobs and the Black and brown women who perform them have consistently been undervalued and underpaid.⁵

This comes at a high price for women and families of color. Due to employment discrimination, historical inequalities, consistent underinvestment in women and communities of color, and a range of other systemic factors, Black women and Latinas face especially high rates of poverty.⁶ In 2022, 16.6% of Black women, 16.8% of Latinas, and 32.0% of families headed by a single woman—disproportionately women of color⁷—were living in poverty.⁸ In comparison, 9.5% of white women and 7.3% of white men lived in poverty in 2022.⁹

Policymakers have consistently used racist and sexist narratives about women of color to portray them—especially single Black women raising children—as undeserving of government support.¹⁰ These narratives falsely portray poverty as a cultural and behavioral choice made by families in

⁴ STEPHAN MCCALL & KEZIA SCALES, PHI, DIRECT CARE WORKER DISPARITIES: KEY TRENDS AND CHALLENGES 2 (2022), <https://www.phinational.org/resource/direct-care-worker-disparities-key-trends-and-challenges/>; YOONJEON KIM ET AL., CTR. FOR STUDY CHILD CARE EMP., THE MULTILAYERED EFFECTS OF RACISM ON EARLY EDUCATORS IN CALIFORNIA: AN EXAMINATION OF DISPARITIES IN WAGES, LEADERSHIP ROLES, AND EDUCATION 1 (2024), <https://csce.berkeley.edu/publications/report/effects-of-racism-on-california-early-educators/>.

⁵ TUCKER & VOGTMAN, *supra* note 2, at 4.

⁶ AMY K. MATSUI ET AL., NAT'L WOMEN'S L. CTR., ADVANCING GENDER AND RACIAL EQUITY BY TAXING WEALTH 13 (2022), <https://nwlc.org/wp-content/uploads/2022/04/NWLC-4.-Advancing-Gender-And-Racial-Equity-By-Taxing-Wealth.pdf>.

⁷ GRETCHEN LIVINGSTON, PEW RSCH. CTR., THE CHANGING PROFILE OF UNMARRIED PARENTS: A GROWING SHARE ARE LIVING WITH A PARTNER (2018), <https://www.pewresearch.org/social-trends/2018/04/25/the-changing-profile-of-unmarried-parents/>.

⁸ SHENWEI SUN, NAT'L WOMEN'S L. CTR., NATIONAL SNAPSHOT: POVERTY AMONG WOMEN & FAMILIES IN 2022, at 3 (2023), <https://nwlc.org/wp-content/uploads/2023/02/National-Snapshot-Poverty-Among-Women-Families-in-2022-1.pdf>.

⁹ *Id.* Additionally, 5.4% of married parent families lived in poverty. EMILY A. SHRIDER & JOHN CREAMER, U.S. CENSUS BUREAU, POVERTY IN THE UNITED STATES: 2022, at 4 (2023), <https://www.census.gov/content/dam/Census/library/publications/2023/demo/p60-280.pdf>.

¹⁰ IFE FLOYD ET AL., CTR. ON BUDGET & POL'Y PRIORITIES, TANF POLICIES REFLECT RACIST LEGACY OF CASH ASSISTANCE 5 (2021), <https://www.cbpp.org/research/income-security/tanf-policies-reflect-racist-legacy-of-cash-assistance>.

poverty, rather than a policy choice made by those in power. From the early twentieth century these narratives have been used to restrict and narrow anti-poverty programs, preventing the families most in need from benefiting.¹¹

This Essay will explore how these sexist and racist narratives were employed in recent years to defeat attempts to permanently expand the Child Tax Credit (CTC). The American Rescue Plan Act of 2021 (ARPA) temporarily expanded the CTC in 2021.¹² This led to a tremendous decrease in poverty, lifting 1.5 million women out of poverty and cutting child poverty nearly in half.¹³ However, policymakers allowed the CTC expansion to expire at the end of 2021, dramatically increasing poverty and hardship for women and families. Attempts to restore this extraordinarily successful anti-poverty policy—or enact a more modest expansion—have failed. This Essay argues that this failure can be at least partially attributed to the ways in which policymakers compared the expanded CTC to the pre-1996 welfare system and painted the beneficiaries of the expanded CTC as unwilling to work and undeserving. This Essay concludes that recognizing and refusing to be distracted by these racist and sexist narratives will be key to successfully enacting a permanently expanded CTC.

II. THE 2021 CHILD TAX CREDIT EXPANSION, WHICH WAS FULLY AVAILABLE TO FAMILIES WITH LOW OR NO EARNINGS, SLASHED POVERTY RATES

The CTC is a tax benefit that helps families with the cost of raising children. Under current law, the CTC is worth a maximum of \$2,000 per child, for eligible children under the age of seventeen, but many families with low incomes are not eligible for the full credit.¹⁴ Families must have over \$2,500 in earned income, defined as “taxable income and wages you get from

¹¹ *Id.*; Premilla Nadasen, *From Widow to “Welfare Queen”: Welfare and the Politics of Race*, 1 BLACK WOMEN, GENDER & FAMILIES 52 (2007).

¹² American Rescue Plan Act of 2021, Pub. L. No. 117-2, § 9611, 135 Stat. 4., 144.

¹³ Kalee Burns et al., *Expansions to the Child Tax Credit Contributed to 46% Decline in Child Poverty Since 2020*, U.S. CENSUS BUREAU (Sept. 13, 2022), <https://www.census.gov/library/stories/2022/09/record-drop-in-child-poverty.html>.

¹⁴ I.R.C. § 24.

working for someone else, yourself or from a business or farm you own,”¹⁵ annually to qualify for the refundable portion of the credit. Above that threshold, their refundable credit amount phases in at a rate of fifteen cents for every dollar of earned income. The credit is also only refundable up to \$1,700 for Tax Year 2025; above that amount, it can only be applied against taxes owed. This means that families with low incomes, who have little to no tax liability, are not able to receive the full credit amount. These restrictions especially impact families of color and women-headed households, who are more likely to have lower incomes that prevent them from qualifying for the full credit.¹⁶ Nineteen million children do not benefit from the full credit, because their families do not earn enough income to qualify. Almost half of these children are Black or Latinx.¹⁷ Seventy percent of children in families headed by single female parents do not receive the full credit under current law.¹⁸ The CTC in its current form lifts millions of families out of poverty every year,¹⁹ but these restrictions blunt the full potential of its anti-poverty impact.

The ARPA expansion of the CTC removed the earned income requirement and the limit on the amount that can be received as a refund.²⁰ Making the credit fully refundable had a tremendous impact on poverty. It meant that families could receive the full amount of the credit as a refund even if they did not owe income tax or had no earned income. The ARPA also increased the size of the credit and allowed families to receive half their

¹⁵ INTERNAL REVENUE SERV., *Earned Income and Earned Income Tax Credit (EITC) Tables* (Aug. 26, 2024), <https://www.irs.gov/credits-deductions/individuals/earned-income-tax-credit/earned-income-and-earned-income-tax-credit-eitc-tables> (illustrating for example that unemployment insurance benefits are not considered “earned income,” but nontaxable combat pay is).

¹⁶ Elaine Maag et al., *How Refundable Tax Credits Can Advance Gender and Racial Equity*, 76 NAT’L TAX J. 743, 745 (Sept. 2023).

¹⁷ KRIS COX ET AL., CTR. ON BUDGET & POL’Y PRIORITIES, ABOUT 16 MILLION CHILDREN IN LOW-INCOME FAMILIES WOULD GAIN IN FIRST YEAR OF BIPARTISAN CHILD TAX CREDIT EXPANSION 1–2 (2024), <https://www.cbpp.org/sites/default/files/1-16-24tax.pdf>.

¹⁸ Sophie Collyer et al., *Left Behind: The One-Third of Children in Families Who Earn Too Little to Get the Full Child Tax Credit*, 3 COLUM., CTR. ON POVERTY & SOC. POL’Y 1, 1-3 (2019).

¹⁹ SHRIDER & CREAMER, *supra* note 9, at 53–54, tbl.B-8 (illustrating that in 2022, the refundable portion of the CTC only lifted 2.4 million people, including 1.4 million children, out of poverty).

²⁰ Section 9611, 135 Stat. at 144.

credit in monthly payments between July and December 2021.²¹ These changes—especially full refundability²²—drastically reduced poverty rates, especially for women of color and families headed by women. In 2021, the expanded CTC lifted 1.5 million women out of poverty under the Supplemental Poverty Measure, including 575,000 Latinas and 351,000 Black women.²³ A significant way it did so was by boosting the incomes of single mothers: before the expansion, single mothers as a group received 11% of their income from the CTC, compared to 20% during the expansion.²⁴ Finally, the expanded CTC lifted 2.9 million children out of poverty, accounting for 90% of the overall 46% reduction in child poverty in 2021.²⁵ In a typical year, the Urban Institute estimates that the expanded CTC alone would reduce child poverty by 40%, and poverty rates for Black children would be cut in half.²⁶

Poverty severely harms child development.²⁷ Increasing families' incomes, especially during a child's earliest years, has beneficial short- and

²¹ INTERNAL REVENUE SERV., *SOI Tax Stats—Advance Child Tax Credit Payments in 2021* (Aug. 19, 2024), <https://www.irs.gov/statistics/soi-tax-stats-advance-child-tax-credit-payments-in-2021> (explaining that almost 38 million families—the vast majority of CTC-eligible families—received the first half of their CTC credit amounts as monthly payments).

²² CHUCK MARR ET AL., CTR. ON BUDGET & POL'Y PRIORITIES, *BUILD BACK BETTER'S CHILD TAX CREDIT CHANGES WOULD PROTECT MILLIONS FROM POVERTY 2* (2021), <https://www.cbpp.org/research/federal-tax/build-back-better-child-tax-credit-changes-would-protect-millions-from> (illustrating that full refundability drove 87% of the expanded CTC's anti-poverty impact, and without it, almost half of Black and Latinx children—many of them in women-headed households—did not receive the full credit).

²³ COURTNEY ANDERSON ET AL., NAT'L WOMEN'S L. CTR., *BY THE NUMBERS: DATA ON KEY PROGRAMS FOR THE WELL-BEING OF WOMEN, LGBTQIA+ PEOPLE, AND THEIR FAMILIES 5* (Apr. 2024), https://nwlc.org/wp-content/uploads/2023/05/2024_NWLC_ByTheNumbers_Brief.pdf.

²⁴ *Compare* ELAINE MAGG ET AL., URB. INST., *HOW WELL CAN LIMITED DATA PREDICT ANNUAL TAX CREDITS: THE IMPORTANCE OF EARNED INCOME TAX CREDIT, CHILD TAX CREDIT, AND AN OPTION FOR ADVANCING CREDITS 11* (Oct. 2022), with Elaine Magg et al., *How Refundable Tax Credits Can Advance Gender and Racial Equity*, 76 NAT'L TAX J. 743, 744 (2023).

²⁵ Megan A. Curran, *Research Roundup of the Expanded Child Tax Credit: One Year on*, 6 POVERTY & SOC. POL'Y REP., no. 9, 2022, at 1, 6.

²⁶ GREGORY ACS & KEVEN WERNER, URB. INST., *HOW A PERMANENT EXPANSION OF THE CHILD TAX CREDIT COULD AFFECT POVERTY 1* (2021), https://www.urban.org/sites/default/files/publication/104626/how-a-permanent-expansion-of-the-child-tax-credit-could-affect-poverty_1.pdf.

²⁷ *See generally* Nicole L. Hair et al., *Association of Child Poverty, Brain Development, and Academic Achievement* (Dec. 22, 2015) (unpublished manuscript), <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC4687959/>.

long-term impacts on their health, well-being, and development. For example, numerous studies have found that increasing families' incomes when children are young boosts high school graduation rates, college enrollment, wages, and tax payments.²⁸ One study found that even a one-time average benefit of \$1,300 for low-income families with infants raised the earnings of those children in young adulthood.²⁹ Studies have shown that permanent CTC expansion, including full refundability and monthly payments, would have immense benefits for children and families.³⁰ As Senator Michael Bennet, a champion of the expanded CTC put it, “[m]y goal is to end childhood poverty in this country. I think that that should be a goal for the richest country in the world. We now know how to do it”³¹

The expanded CTC also helped families meet their most pressing needs particularly when families opted to receive monthly payments. Analysis of the Census Household Pulse Survey during the months when advance CTC payments were issued found that food insufficiency dropped by almost 20% among families with children.³² Black women and Latinas were especially likely to use the advance payments to help pay for necessities like food, rent, and child care (compared to white men and white women).³³ The payments also helped parents care for their children, including by helping them afford

²⁸ David W. Brown et al., *Long-Term Impacts of Childhood Medicaid Expansions on Outcomes in Adulthood*, 87 REV. ECON. STUD. 792, 800 (2020); Martha J. Bailey et al., *Is the Social Safety Net a Long-Term Investment? Large-Scale Evidence from the Food Stamps Program* 6 (Nat'l Bureau of Econ. Rsch., Working Paper, No. 26942, 2020), https://www.nber.org/system/files/working_papers/w26942/w26942.pdf.

²⁹ Andrew Barr et al., *Investing in Infants: The Lasting Effects of Cash Transfers to New Families*, 137 Q.J. ECON. 2539 (2022).

³⁰ Irwin Garfinkel et al., *The Benefits and Costs of a U.S. Child Allowance* (Nat'l Bureau of Econ. Rsch., Working Paper, No. 29854, 2022), <https://www.nber.org/papers/w29854>.

³¹ Press Release, Sen. Michael Bennet, *Following Skyrocketing Child Poverty Data, Bennet Urges Congress to Restore a Lifeline for American Families* (Sept. 18, 2023), <https://www.bennet.senate.gov/public/index.cfm/2023/9/following-skyrocketing-child-poverty-data-bennet-urges-congress-to-restore-a-lifeline-for-american-families>.

³² Zachary Parolin et al., *The Differential Effects of Monthly and Lump-Sum Child Tax Credit Payments on Food and Housing Hardship*, 113 AM. ECON. ASS'N PAPERS & PROC. 406, 409 (2023).

³³ See BROOKE LEPAGE & SARAH JAVAID, NAT'L WOMEN'S L. CTR., *BLACK, NON-HISPANIC WOMEN AND LATINAS USE ADVANCE CHILD TAX CREDIT TO COVER NECESSITIES AND PAY DOWN DEBT IN THE LAST MONTH OF PAYMENTS* 3 (2022), <https://nwlc.org/wp-content/uploads/2022/01/PulseWeek40FS-1.pdf>.

child care and other goods and services associated with engaging in paid work outside the home. In a national survey, over one-quarter of families who received the payments reported that the payments helped them work more, and Black respondents were twice as likely as white respondents to do so.³⁴ Parents interviewed for the survey specified that the advance payments helped them pay for transportation and cover the child care they needed to work additional hours.³⁵ After the CTC payments started, substantially fewer parents reported they were unemployed because they had to care for children.³⁶ Additionally, a 2023 report by the Treasury Department found that support provided by the expanded CTC contributed to the increase in women's participation in the workforce in 2021.³⁷ In another survey, respondents reported that the CTC payments "allow[ed] some parents in Michigan to stay in their jobs, go back to work, or pursue work that they felt fulfilled by, rather than being forced to accept and stay in the first job offered to them out of sheer necessity."³⁸

The success of the 2021 expansion in reducing poverty, helping families afford the basics, and supporting caregivers demonstrates the importance of providing the full amount of CTC benefits to all eligible families, particularly by ending the requirement of income from work and the cap on the amount of the refund.

³⁴ See ASHLEY BURNSIDE, THE EXPANDED CHILD TAX CREDIT IS HELPING FAMILIES, BUT NATIONAL SURVEY SHOWS CONTINUED OUTREACH REMAINS ESSENTIAL 16 (2022), https://www.clasp.org/wp-content/uploads/2022/04/2022_National-CTC-Survey-Round-2_Full-Report.pdf.

³⁵ *Id.*

³⁶ See STEPHAN ROLL ET AL., EXPANDED CHILD TAX CREDIT PAYMENTS HAVE NOT REDUCED EMPLOYMENT 1 (2021), <https://humanityforward.com/wp-content/uploads/2022/01/CTC-and-Employment-012620221.pdf>; ASHLEY BURNSIDE, KEY FINDINGS FROM NATIONAL CHILD TAX CREDIT SURVEY: CTC MONTHLY PAYMENTS ARE HELPING IMPROVE FAMILY WELL-BEING (2021), <https://www.clasp.org/publications/report/brief/key-findings-national-child-tax-credit-survey-ctc-monthly-payments-are/>.

³⁷ U.S. DEP'T TREASURY, EQUITABLE RECOVERY IN THE UNITED STATES 15 (2023).

³⁸ ELLIE KAVERMAN ET AL., CTR. FOR STUDY SOC. POL'Y, A "GODSEND": HOW TEMPORARY INVESTMENTS IN THE CHILD TAX CREDIT AND CHILD CARE IMPACTED MICHIGAN FAMILIES 1 (2023).

III. UNSUPPORTED CLAIMS ABOUT EMPLOYMENT AND INAPPROPRIATE ANALOGIES TO WELFARE WERE THROWN AT THE EXPANDED CTC BY OPPONENTS

Despite its success in slashing poverty rates, the ARPA CTC expansion was not extended before its expiration at the end of 2021.³⁹ Attempts to restore the ARPA expansion in subsequent years have failed to date. One argument that was deployed against efforts to extend or restore the ARPA CTC—and would show up again in debates around a more modest CTC expansion in 2024—was that a fully refundable CTC would disincentivize employment,⁴⁰ a flawed argument that drew on racist and sexist assumptions.

In October 2021—while the CTC payments were ongoing—a working paper published by the University of Chicago claimed that because the CTC expansion lacked an earned income requirement and a cap on the amount that could be received as a refund, the ARPA expansion would reduce parents' incentive to work. The study claimed that a permanently expanded CTC would cause an estimated 1.5 million workers (2.6% of all working parents) to leave the labor force altogether.⁴¹ It claimed that this drop in employment would mean that a permanently expanded CTC would only reduce child poverty by 22% (compared to 39% without the claimed reduction in employment).⁴²

The paper's extremely high estimate of the number of parents leaving the labor force was an outlier in academic literature. The initial study was published before the impacts of the ARPA CTC expansion were fully documented, and did not reflect the full outcome of the 2021 expansion. Numerous studies of the 2021 CTC expansion, published after its expiration, found that the expanded CTC had virtually no impact on employment in

³⁹ Dylan Matthews, *Who Killed the Expanded Child Tax Credit?*, VOX (Apr. 18, 2022 8:30 AM), <https://www.vox.com/future-perfect/2022/4/18/23026908/child-tax-credit-joe-manchin-policy-feedback-partisan>.

⁴⁰ Kevin Corinth et al., *The Anti-Poverty, Targeting, and Labor Supply Effects of the Proposed Child Tax Credit Expansion* (Univ. of Chi. Becker Friedman Inst. for Econ., Working Paper, No. 2021-115, 2021), <https://bfi.uchicago.edu/working-paper/2021-115/>.

⁴¹ *Id.*

⁴² *Id.*

2021.⁴³ In addition, studies that estimated the impact of a permanently expanded CTC consistently projected a much smaller impact on employment than the University of Chicago study.⁴⁴

In part, the mistake in this study was due to the authors' flawed and ideologically driven assumption about how parents would respond to the additional income provided by the expanded CTC. Some parents might choose to reduce their hours of paid work in response to a boost in income, and this choice could allow them to spend more time with their children, reduce caregiving costs, or allow them to stop working extra hours or shifts. But the University of Chicago study assumed that in a two-parent household, either both parents, or neither, would respond to the expanded CTC by leaving the workforce altogether.⁴⁵ The study's conclusions thus rely on the premise that both parents would forgo their entire salary, because they would still be able to receive a tax credit worth a maximum of \$2,000 per child.⁴⁶ To put it mildly, this does not reflect the lived experiences of families who benefited from the expanded CTC.⁴⁷ As one mother described in a hearing before the Senate Finance Committee in June 2023, the monthly payments

⁴³ See Natasha Pilkauskas et al., *The Effects of Income on the Economic Wellbeing of Families with Low Incomes: Evidence from the 2021 Expanded Child Tax Credit* (Nat'l Bureau of Econ. Rsch., Working Paper, No. 30533, 2022); Elizabeth Ananat et al., *Effects of the Expanded Child Tax Credit on Employment Outcomes: Evidence from Real-World Data from April to December 2021* (Nat'l Bureau of Econ. Rsch., Working paper, No. 29823, 2022); Leah Hamilton et al., *The Impacts of the 2021 Expanded Child Tax Credit on Family Employment, Nutrition, and Financial Well-Being: Finding from the Social Policy Institute's Child Tax Credit Panel (Wave 2)* (Glob. Econ. & Dev. Brookings, Working Paper, No. 173, 2022); MICHAEL KARPMAN ET AL., CHILD TAX CREDIT RECIPIENTS EXPERIENCED A LARGER DECLINE IN FOOD INSECURITY AND A SIMILAR CHANGE IN EMPLOYMENT AS NONRECIPIENTS BETWEEN 2020 AND 2021 (2022); Brandon Enriquez et al., *The Short-Term Labor Supply Response to the Expanded Child Tax Credit*, 113 AM. ECON. ASS'N PAPERS & PROC. 401 (2023); see also Curran, *supra* note 25 (finding that the CTC found "no discernible negative effects on parental employment").

⁴⁴ Jacob Goldin et al., *Estimating the Net Fiscal Cost of a Child Tax Credit Expansion* 19 (Nat'l Bureau of Econ. Rsch., Working Paper, No. 29342, 2022); Jacob Bastian, *How Would a Permanent 2021 Child Tax Credit Expansion Affect Poverty and Employment*, 77 NAT'L TAX J. 263, 289 (2024); Alex Brill et al., *Estimating the Labor Supply Response to a Permanent Child Tax Credit Expansion*, AM. ENTER. INST. (2021), <https://grantseiter.com/CTC-Labor-Response/intro.html>.

⁴⁵ Bastian, *supra* note 44.

⁴⁶ This construction is even more egregious in the context of the debate around the employment impact of the lookback provision in the 2024 bipartisan tax bill. See discussion *infra* p. 8.

⁴⁷ See LePAGE, *supra* note 33; ROLL ET AL., *supra* note 36; BURNSIDE, *supra* note 36; Kaverman et al., *supra* note 38.

allowed “breathing room” to make the decisions that are right for her family but were never enough to replace parental income from work.⁴⁸

The University of Chicago working paper couched its claims about the expanded CTC’s impact on employment within a larger argument: that an expanded CTC would effectively reinstate the pre-1996 welfare system, Aid to Families with Dependent Children (AFDC).⁴⁹ The paper argued that implementing a fully refundable CTC would undo the purported benefits of post-1996 welfare reform.⁵⁰ One of the authors of the study, Bruce Meyer, testified before the Senate Finance Committee that a permanently expanded CTC “would largely reverse the bipartisan welfare reforms of the 1990s that encouraged work, reduced poverty, and encouraged responsible parenting.”⁵¹ Policymakers who opposed expanding the CTC picked up this line of argument, with Senator Minority Leader Mitch McConnell declaring that permanently expanding the CTC would “shatter a decades-old consensus” that the post-1996 welfare system moved families from welfare to employment.⁵²

However, claims that the 1996 welfare reform reduced unemployment and so reduced poverty are highly disputed. While employment increased slightly among families headed by single women with low incomes after 1996, most attribute increases in employment among such mothers to the contemporaneous Earned Income Tax Credit (EITC) expansions and a strong labor market.⁵³ Further, those increases pre-dated welfare reform, and waned

⁴⁸ *Anti-Poverty and Family Support Provisions in the Tax Code: Hearing Before the S. Comm. on Fin.*, 118th Cong. (2023) (statement of Melissa Lester).

⁴⁹ Corinth et al., *supra* note 40, at 27 (“If bringing back unconditional cash aid and eliminating substantial work incentives can be thought of as reversing welfare reform, it might undo the effects of welfare reform on poverty.”).

⁵⁰ *Id.*

⁵¹ *Anti-Poverty and Family Support Provisions in the Tax Code: Hearing Before the S. Comm. on Fin.*, 118th Cong. (2023) (statement of Bruce D. Myers, McCormick Foundation Professor, University of Chicago Harris School of Public Policy).

⁵² Eli Hager, *Welfare is No Substitute for a Child Tax Credit*, PROPUBLICA (Feb. 14, 2022, 5:00 AM), <https://www.propublica.org/article/welfare-is-no-substitute-for-a-child-tax-credit>.

⁵³ Diane Whitmore Schanzenbach & Michael R. Strain, *Employment Effects of the Earned Income Tax Credit: Taking the Long View* 7 (Nat’l Bureau of Econ. Rsch., Working Paper, No. 28041, 2020); see CONG. RSCH. SERV., R45112, WELFARE REFORM: WORK STATUS OF SINGLE MOTHERS, IN BRIEF 5, 7 (2018); Robert F. Schoeni & Rebecca M. Blank, *What Has Welfare Accomplished?: Impacts on Welfare*

within four years.⁵⁴ Moreover, a 2022 Congressional Budget Office report found that the strict work requirements imposed by the program that replaced AFDC, the Temporary Assistance for Needy Families (TANF),⁵⁵ did not increase the average family income. In fact, TANF’s draconian requirements likely played a role in increasing the numbers of families in deep poverty.⁵⁶ In addition, the comparison between an expanded CTC and AFDC fails because the CTC is structured much differently than AFDC. AFDC was a tightly means-tested program, with benefits that phased out quickly as families’ incomes rose above the lowest levels, which opponents to the program argued acted as a work disincentive.⁵⁷ In contrast, under proposals for a permanently expanded CTC with full refundability, benefits would not phase out as parents earned more income, at least until their incomes reached the threshold of \$200,000 (for single filers) and \$400,000 (for joint filers), and so the expanded CTC would not disincentivize work in the same way AFDC purportedly did.

Despite widespread pushback to the Chicago study and public discussion of the reasons that made comparison between the expanded CTC and the pre-1996 welfare system inapposite, the argument that full refundability of the CTC would disincentivize work persisted both during the ARPA CTC expansion and after its expiration. Moreover, the argument recurred in a new form when a new, more limited proposal to expand the

Participation, Employment, Income, Poverty, and Family Structure 4 (Nat’l Bureau of Econ. Rsch., Working Paper No. 7627, 2000); Elizabeth Lower-Basch & Mark H. Greenberg, *Single Mothers in Era of Welfare Reform*, in *THE GLOVES-OFF ECONOMY: WORKPLACE STANDARDS AT THE BOTTOM OF AMERICA’S LABOR MARKET* 163, 179 (A. Bernhardt et al. eds., 2009).

⁵⁴ CONG. RSCH. SERV., *supra* note 53.

⁵⁵ Congress enacted TANF in 1996. Personal Responsibility and Work Opportunity Reconciliation Act of 1996, Pub. L. No. 104-193, 110 Stat. 105.

⁵⁶ CONG. BUDGET OFF., *WORK REQUIREMENTS AND WORK SUPPORTS FOR RECIPIENTS OF MEANS-TESTED BENEFITS* (2022), <https://www.cbo.gov/publication/58199>; MARIANNE BITLER & HILARY HOYNES, *THE HAMILTON PROJECT, STRENGTHENING TEMPORARY ASSISTANCE FOR NEEDY FAMILIES* 10–11 (2016) (“[i]n 1995, on the eve of welfare reform, AFDC removed 2.4 million children from deep poverty. Post-welfare reform, in 2010, TANF removed 600,000 children from deep poverty—a 75 percent reduction in the children the program lifts out of deep poverty.”).

⁵⁷ Dylan Matthews, “*If the Goal Was to Get Rid of Poverty, We Failed*”: *The Legacy of the 1996 Welfare Reform*, VOX (June 20, 2016, 9:10 AM), <https://www.vox.com/2016/6/20/11789988/clintons-welfare-reform>.

CTC was introduced in 2024. The Tax Relief for American Families and Workers Act was a bipartisan tax package, introduced in January 2024, that included a modest CTC expansion.⁵⁸ Although the expansion did not make the credit fully refundable, it would have made the credit available to more families with low incomes and would have lifted half a million children out of poverty by 2025.⁵⁹ The bill passed the U.S. House of Representatives but was blocked in the U.S. Senate.

During the debate over the bipartisan tax bill, one of the authors of the University of Chicago working paper published another working paper that claimed that a minor provision in the proposed CTC expansion—a “lookback” provision⁶⁰ that would allow families to choose whether to use their prior years’ income or current year’s income to calculate the CTC in 2024 and 2025—would cause families to drop out of the workforce every other year.⁶¹ This once again spawned assertions that the modest CTC expansion was “a welfare bill masquerading as a tax bill.”⁶² However, as with the previous working paper, this study relied on unrealistic assumptions about how parents and caregivers would respond to relatively small boosts in income. Likewise, this analysis was an outlier in the literature, which overwhelmingly found that the lookback provision would have a negligible effect on employment.⁶³ In fact, the Joint Committee on Taxation found that

⁵⁸ H.R. 7024, 118th Cong. (2024); COX ET AL., *supra* note 17.

⁵⁹ COX ET AL., *supra* note 17.

⁶⁰ *Id.* at 2 (“The Child Tax Credit’s design drive[s] gains [such as] . . . allowing families to use their earnings from either the current tax year or the year before when calculating the Child Tax Credit to help protect them from a drop in their credit if their earnings declined—because they lost a job, faced health or caregiving needs, or welcomed a new child.”); SHARON PARROT ET AL., CTR. ON BUDGET & POL’Y PRIORITIES, MODEST “LOOKBACK” PROVISION IN BIPARTISAN CHILD TAX CREDIT EXPANSION HELPS WORKING FAMILIES WHO TEMPORARILY FACE TOUGH FINANCIAL TIMES 1 (2024), <https://www.cbpp.org/sites/default/files/2-22-24tax.pdf>.

⁶¹ Kevin Corinth et al., *The Work Incentive and Employment Effects of Eliminating the Child Tax Credit’s Annual Income Requirement* (Am. Enter. Inst., Working Paper, 2024), <https://www.aei.org/wp-content/uploads/2024/01/The-Work-Incentive-and-Employment-Effects-of-Eliminating-the-Child-Tax-Credits-Annual-Income-Requirement-2.pdf?x85095>.

⁶² Ramesh Ponnuru, *Some Republicans Go Back to Fighting the ‘Talkers,’* WASH. POST (Jan. 31, 2024), <https://www.washingtonpost.com/opinions/2024/01/31/child-tax-credit-republican-conservative-arguments/>.

⁶³ PARROT ET AL., *supra* note 60; Alex Durante et al., *Details and Analysis of the Tax Relief for American Families and Workers Act of 2024*, TAX FOUND. (Jan. 19, 2024), <https://taxfoundation.org/blog/bipartisan-tax-deal-2024-tax-relief-american-families-workers-act/> (“Most workers would not cycle in

“[t]he proposed expansion of the child tax credit on net increases labor supply.”⁶⁴ Indeed, the authors of the second University of Chicago working paper eventually backtracked from their original claim that thousands of parents would leave the workforce: “Overall, H.R. 7024 would have counteracting effects on work incentives Whether the net effect of all provisions on employment participation is positive or negative is unclear.”⁶⁵ Notwithstanding, these specious claims about the impact on employment and welfare analogies likely contributed to the failure of the bipartisan tax bill.⁶⁶

This Essay argues that claims that the expanded CTC disincentivizes work feed into longstanding, false beliefs that women of color must engage in paid work to demonstrate that they deserve public benefits. Accordingly, the use of these arguments in the expanded CTC debates are best understood as an effort to undermine support for such expansions by deploying racist and sexist narratives around the nature of poverty and which families deserve support.

and out of the workforce from year to year to game a small tax credit.”); Kyle Pomerleau, *Wyden-Smith’s Child Tax Credit Expansion and Work Incentives*, AM. ENTER. INST. (Jan. 19, 2024), <https://www.aei.org/economics/wyden-smiths-child-tax-credit-expansion-and-work-incentives/> (“The proposal should not have a significant impact on the labor supply of parents.”).

⁶⁴ JOINT COMM. ON TAX’N, H.R. REP. NO. 7024, at 5 (2024).

⁶⁵ KEVIN CORINTH & SCOTT WINSHIP, AM. ENTER. INST., AN EARLY LOOK AT THE CHILD TAX CREDIT CHANGES IN THE TAX RELIEF FOR AMERICAN FAMILIES AND WORKERS ACT OF 2024, at 6 (2024), <https://www.aei.org/wp-content/uploads/2024/03/An-Early-Look-at-the-Child-Tax-Credit-Changes-in-H.R.-7024.pdf?x85095>.

⁶⁶ There were political considerations (including that Republican Senators assumed they would be in the majority in 2025 and thus less inclined to negotiate) at play, and some Republican lawmakers attempted to stir up opposition by raising concerns related to immigration. However, the “lookback” provision—and its purported employment impact—was cited by many Republican Senators as their main policy qualm with the CTC expansion. See *Finding the Good in the Bipartisan Tax Deal*, WALL ST. J. (Jan. 17, 2024, 6:43 PM), https://www.wsj.com/articles/tax-deal-congress-republicans-rubio-ff100a7b?st=wg6t1edgkqbyjt&reflink=article_copyURL_share. See also @elwasson, X (Jan. 23, 2024, 1:59 PM), <https://x.com/elwasson/status/1749869410674987382>; Burgess Everett, *Senate GOP Takes Hard Line on Tax Deal*, POLITICO (Feb. 1, 2024, 1:18 PM), <https://subscriber.politicopro.com/article/2024/02/senate-gop-tax-deal-hard-line-00139086?source=email>.

IV. RACIST AND SEXIST NARRATIVES ABOUT WORK AND DESERVINGNESS PERMEATED WELFARE REFORM AND HAVE HELPED LIMIT ANTI-POVERTY POLICIES

Pre-1996, AFDC (previously called Aid to Dependent Children (ADC)) provided federal funding to states to provide cash assistance to children whose parents could not financially support them. In 1996, “welfare reform” was enacted under the Clinton Administration. AFDC was replaced by TANF, a federal block grant program, which added harsh work requirements, eliminated families’ entitlement to cash assistance, and limited the amount of time that families could receive benefits under the program.⁶⁷

The concept of deservingness—that some families are deserving of support, while others are not—was built into the fabric of the original welfare system. AFDC, as originally designed in 1935, was intended to enable single women to stay in the home in their role as mothers, rather than require them to work outside the home to support themselves and their children.⁶⁸ However, this level of support was only intended for beneficiaries who were seen as conforming to a “white middle class idea of proper motherhood”⁶⁹—which largely meant white women whose husbands had died or deserted them. In contrast, Black women were disproportionately likely to be heads of their households and to work outside the home, and in fact, were expected to work, especially in Southern states with economies that relied on Black women’s labor.⁷⁰ Policymakers and officials consistently treated Black women as less worthy of government assistance.⁷¹ Despite extremely high

⁶⁷ FLOYD ET AL., *supra* note 10, at 5.

⁶⁸ Andrea Freeman, *You Better Work: Unconstitutional Work Requirements and Food Oppression*, 53 U.C. DAVIS L. REV. 1531, 1538 (2020) (“The pensions were ‘designed to release from the wage-earning role the person whose natural function is to give her children the physical and affectionate guardianship necessary not alone to keep them from falling into social misfortune, but more affirmatively to rear them into citizens capable of contributing to society.’”) (citing COMMITTEE ON ECONOMIC SECURITY, REPORT TO THE PRESIDENT 36 (1935)). However, in actuality, most mothers worked or supplemented their welfare payments with monthly allowance. Nadasen, *supra* note 11, at 55 (“[a]lthough the idea that single women should be supported in their work as mothers prevailed in the political discourse, in practice, most mothers worked or supplemented their monthly allowance. . .”).

⁶⁹ Nadasen, *supra* note 11, at 55.

⁷⁰ *Id.* at 56; *see also* Matthews, *supra* note 57.

⁷¹ Nadasen, *supra* note 11, at 56; Scot Nakagawa, *When Welfare Was White: What the Fight over the Safety Net Is Really All About*, RACE FILES (Oct. 8, 2012), <https://www.racefiles.com/2012/10/08/>

levels of poverty, Black mothers initially received minimal benefits from AFDC,⁷² first due to discrimination by state and local administrators, and later due to the passage of official regulations designed to deny eligibility to Black mothers.⁷³ This reflected a culture that valued Black women as laborers, rather than mothers.

Then, in the 1950s and 1960s, due to a conflation of factors including poverty, migration, and the civil rights and burgeoning welfare rights movement, the share of Black women receiving AFDC benefits increased.⁷⁴ Even though white women were still the majority of beneficiaries, politicians and the press fixated on the perception that Black women were now the primary beneficiaries of welfare programs. Unlike white widows, who were seen as victims of circumstance, Black single mothers were perceived to be poor as a result of behavioral choices and cultural pathologies. This view was both typified and spread by a 1965 Department of Labor report by then-Assistant Secretary of Labor (and later Senator) Daniel Moynihan entitled, “The Negro Family: A Case for National Action,” commonly known as the “Moynihan report.”⁷⁵ The Moynihan report blamed Black urban poverty on the rising number of female-headed households, claiming that “so long as this situation persists, the cycle of poverty and disadvantage will continue to repeat itself.”⁷⁶ This so-called “situation”—the predominance of Black single mothers among Black families—was seen as a rejection of the nuclear

when-welfare-was-white-what-the-fight-over-the-safe-net-is-really-about/ (“Whites didn’t consider the value of Black women to their own families, but instead focused on their value to the white-owned businesses and white households that employed them. Black women were expected to work, and in highly exploitative jobs that few whites would ever take. And welfare was designed to avoid interfering with their availability as workers.”).

⁷² For example, Black women made up only 14 to 17% of the ADC caseload between 1937 and 1940. FLOYD ET AL., *supra* note 10, at 11–12.

⁷³ These regulations included denying mothers eligibility because of the “illegitimacy” of their children or the presence of a man in the house. Some states also forbade assistance during cotton-picking season, to ensure that Black mothers would continue to work. Nadasen, *supra* note 11, at 55; *see also* FLOYD ET AL., *supra* note 10, at 13–14.

⁷⁴ Nadasen, *supra* note 11, at 56–57.

⁷⁵ *See generally* DANIEL MOYNIHAN, U.S. DEP’T LABOR, THE NEGRO FAMILY: THE CASE FOR NATIONAL ACTION (1965), https://stacks.stanford.edu/file/druid:bd098th5420/moynihan_negro_family_1965.pdf.

⁷⁶ *Id.*

family⁷⁷ and was referred to as a “culture of poverty.”⁷⁸ This characterization conveniently ignored the government’s role in undermining Black nuclear families, from chattel slavery to over-policing and over-incarcerating Black men to the “law and order” response to the civil rights movement.⁷⁹

This cultural narrative achieved its most lasting form in the archetype of the “welfare queen.” First introduced in a Ronald Reagan campaign speech in the 1980s, the welfare queen was commonly understood to be a young unmarried Black woman who has many “illegitimate” children, refuses to work to support her family, feels she is entitled to support from the government, and lives a high-flying lifestyle on her government benefits.⁸⁰ This construct furthered stereotypes about Black women as hypersexual, lazy, duplicitous, and entitled, and, like the Moynihan report, encouraged the belief that poverty was caused by moral failings rather than systemic factors.⁸¹ It continued to reinforce the stigma attached to the AFDC⁸² and supported the Reagan Administration’s efforts to make severe cuts to the AFDC.

These efforts, and the deeply invasive and punitive policies to which Black women receiving AFDC were subjected,⁸³ based on these stereotypes, spurred some to organize around welfare rights. Leaders like Johnnie Tillmon fought for poor Black women’s dignity, reproductive rights, and “liberation” as they fought to have the means to raise their children as middle-

⁷⁷ Camille Gear Rich, *Reclaiming the Welfare Queen: Feminist and Critical Race Theory Alternatives to Existing Anti-Poverty Discourse*, 25 UNIV. S. CAL. INTERDISC. L.J. 257, 260 (2016).

⁷⁸ *Id.* at 262.

⁷⁹ Ruth Delaney et al., *American History, Race, and Prison*, VERA, <https://www.vera.org/reimagining-prison-web-report/american-history-race-and-prison> (last visited Oct. 11, 2024).

⁸⁰ Nadasen, *supra* note 11, at 52–53.

⁸¹ FLOYD ET AL., *supra* note 10, at 13–14.

⁸² Dorothy A. Brown, *Race and Class Matters in Tax Policy*, 107 COLUM. L. REV. 790, 795 (2007) (“Governmental assistance is not treated as welfare when the recipients are considered to be blameless for their problems.”).

⁸³ Gene Demby, *The Mothers Who Fought to Radically Reimagine Welfare*, NPR (June 9, 2019), <https://www.npr.org/sections/codeswitch/2019/06/09/730684320/the-mothers-who-fought-to-radically-reimagine-welfare>; Johnnie Tillmon, *Welfare is a Women’s Issue*, MS. MAG. (Mar. 25, 2021), <https://msmagazine.com/2021/03/25/welfare-is-a-womens-issue-ms-magazine-spring-1972/>.

class mothers and white mothers did.⁸⁴ The welfare rights movement advocated for a “guaranteed income” sufficient to provide a decent standard of living.⁸⁵ This advocacy, however, especially during the economic downturn of the 1980s, “triggered a new wave of backlash against welfare recipients and intensified racialized criticisms of the ‘undeserving’ poor.”⁸⁶ As historian Premilla Nadasen summarized: “Welfare reform was in part a reaction to black women claiming this entitlement [AFDC] that was previously denied them.”⁸⁷

The 1996 welfare reform under the Clinton Administration did more than end entitlement to AFDC. The official title and legislative history of the welfare reform bill (the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (PWORA))⁸⁸ made it clear that its authors wanted to define the kind of parent—implicitly gendered and raced—who did not deserve to benefit from TANF, the new welfare program. Its objectives included: “end the dependence of needy parents on government benefits by promoting job preparation, work, and marriage”; “prevent and reduce the incidence of out-of-wedlock pregnancies”; and “encourage the formation and maintenance of two-parent families.”⁸⁹

The welfare queen archetype, however, did not die with the AFDC. Research has found that in the years since 1996, the public perception of welfare has not changed significantly, with Black families still associated strongly with welfare and poverty—despite the fact that white families

⁸⁴ Demby, *supra* note 83; Tillmon, *supra* note 83; Jacqui Germain, *The National Welfare Rights Organization Wanted Economic Justice for Black Americans*, TEEN VOGUE (Dec. 24, 2021), <https://www.teenvogue.com/story/national-welfare-rights-organization-black-women>.

⁸⁵ Germain, *supra* note 84.

⁸⁶ Rachel Black & Aleta Sprague, *The Rise and Reign of the Welfare Queen*, NEW AM. (Sept. 22, 2016), <https://www.newamerica.org/weekly/rise-and-reign-welfare-queen/>.

⁸⁷ Nadasen, *supra* note 11, at 63.

⁸⁸ 110 Stat. 105.

⁸⁹ 104 CONG. REC. H9405 (July 31, 1996) (statement of Sen. Dave Camp) (“Our current welfare system punishes families and children by rewarding irresponsibility, illegitimacy, and destroying self-esteem. For too long the Federal Government has defended the current system and turned away as millions of families and children became trapped in a cycle of despair, dependence, and disappointment.”); 104 CONG. REC. S9385 (Aug. 1, 1996) (statement of Sen. Rick Santorum) (“We have said to mothers, you do not have to work; we will provide—some distant bureaucrat will send a check to provide for you.”).

remain the majority of recipients for many anti-poverty programs, including Medicaid and the Supplemental Nutrition Assistance Program (SNAP, formerly known as “food stamps”).⁹⁰ As Professor Dorothy Roberts has stated,⁹¹ “welfare” as a term has become decidedly “raced”: “[r]acial politics has so dominated welfare reform efforts that it is commonplace to observe that ‘welfare’ has become a code word for race.”⁹² This coding can extend to other marginalized groups, especially immigrant families.⁹³ And coded words like “welfare” and “handouts” have been used in attempts to restrict and undermine TANF and other benefit programs over the years, including SNAP.⁹⁴

The racist and sexist narratives around welfare and welfare recipients have contributed to the restriction and narrowing of benefit programs in the United States, often through the implementation of work and income requirements. As Professor Andrea Freeman wrote, “[t]hrough dog whistles alluding to centuries-old stereotypes, politicians persuaded a receptive

⁹⁰ Bas W. Van Doorn, *Pre- and Post-Welfare Reform Media Portrayals of Poverty in the United States: The Continuing Importance of Race and Ethnicity*, 43 POL. & POL’Y 142, 146 (2015).

⁹¹ Dorothy Brown, *The Tax Treatment of Children: Separate but Unequal*, 54 EMORY L.J. 757, 760 (2005).

⁹² *Id.* (citing Dorothy E. Roberts, *Welfare and the Problem of Black Citizenship*, 105 YALE L.J. 1563, 1563 (1996)); see also Rose Ernst, *Localizing the Welfare Queen Ten Years Later: Race, Gender, Place, and Welfare Rights*, 11 J. GENDER, RACE & JUST. 181 (2008).

⁹³ Tiffany Taylor & Katrina Bloch, *Welfare Queens and Anchor Babies: A Comparative Study of Stigmatized Mothers in the United States*, in MOTHERING IN THE AGE OF NEOLIBERALISM 199, 210 (Melinda Vandebeld Giles ed., 2014) (noting that like Black mothers, immigrant mothers are often demonized and charged with having babies in order to reap government benefits); see also ELISA MINOFF ET AL., CTR. FOR STUDY SOC. POL’Y, THE LASTING LEGACY OF EXCLUSION: HOW THE LAW THAT BROUGHT US TEMPORARY ASSISTANCE FOR NEEDY FAMILIES EXCLUDED IMMIGRANT FAMILIES & INSTITUTIONALIZED RACISM IN OUR SOCIAL SUPPORT SYSTEM (2021), <https://cssp.org/wp-content/uploads/2021/08/Lasting-Legacy-of-Exclusion-FINAL-ACCESSIBLE.pdf>.

⁹⁴ P.R. Lockhart, *Republicans Say Race Isn’t a Factor in the Food Stamp Debate. Research Says Otherwise*, VOX (June 13, 2018, 4:50 PM), <https://www.vox.com/policy-and-politics/2018/6/13/17460362/race-food-stamps-snap-farm-bill-2018-republicans-welfare>; see also Jared Bernstein, *After All These Years, ‘Welfare Reform’ Is the Same Racist Dog Whistle It Always Was*, WASH. POST (Jan. 8, 2018), <https://www.washingtonpost.com/news/posteverything/wp/2018/01/08/after-all-these-years-welfare-reform-is-the-same-racist-dog-whistle-it-always-was/>; Michele E. Gilman, *The Return of the Welfare Queen*, 22 AM. U.J. GENDER SOC. POL’Y & L. 247, 250 (2014) (“At campaign rallies, Governor Romney promised supporters that if elected he would ‘put work back in welfare,’ and ‘end the culture of dependency and restore a culture of good, hard work.’”).

audience that participants should have to earn their benefits.”⁹⁵ Indeed, the idea that poor families should have to work in order to receive assistance to meet basic needs is premised on the racist belief that Black and brown people have to prove they deserve such assistance by engaging in paid work, and, relatedly, would not work without being forced to do so.⁹⁶ These beliefs are contradicted by the fact that Black women have, historically and consistently, the highest rates of workforce participation⁹⁷ and ignores the role of systemic discrimination in fostering high rates of poverty in households headed by women of color and in communities of color.⁹⁸ It also undervalues Black women’s work of caring for their own families. And it disregards the role of the government and private sector in permitting employers to pay wages and provide benefits and working conditions that do not allow parents, much less single parents, to provide for themselves and their families with dignity.

Champions of work requirements argue that these restrictions benefit families with low incomes by incentivizing them to “work their way” out of poverty.⁹⁹ However, research consistently shows that these restrictions do not meaningfully increase employment or earnings—especially in the context of a job market where racial and gender discrimination is baked in. Instead, they make it difficult for eligible families to access needed benefits and, ultimately, increase poverty. The employment impact of TANF is instructive.¹⁰⁰ TANF imposes a range of restrictions on families in order to

⁹⁵ Freeman, *supra* note 68, at 1533.

⁹⁶ ELISA MINOFF, CTR. FOR STUDY SOC. POL’Y, THE RACIST ROOTS OF WORK REQUIREMENTS 12 (2020), <https://cssp.org/resource/racist-roots-of-work-requirements/>; JHUMPA BHATTACHARYA ET AL., WORK REQUIREMENTS ARE TRASH 11 (2024), <https://www.mavencollaborative.org/wp-content/uploads/2024/02/Maven-x-CLASP-Work-Requirements-Are-Trash-2024.pdf>.

⁹⁷ Mathilde Roux, *5 Facts About Black Women in the Labor Force*, U.S. DEP’T LAB. (Aug. 3, 2021), <https://blog.dol.gov/2021/08/03/5-facts-about-black-women-in-the-labor-force>.

⁹⁸ Paula A. Braveman et al., *Systemic and Structural Racism: Definitions, Examples, Health Damages, and Approaches to Dismantling*, 41 HEALTH AFFS 171 (2022); Danyelle Solomon et al., *Systemic Inequality: Displacement, Exclusion, and Segregation*, CTR. FOR AM. PROGRESS (Aug. 7, 2019), <https://www.americanprogress.org/article/systemic-inequality-displacement-exclusion-segregation/>.

⁹⁹ Freeman, *supra* note 68, at 1535.

¹⁰⁰ *See generally* LADONNA PAVETTI, CTR. ON BUDGET & POL’Y PRIORITIES, WORK REQUIREMENTS DON’T CUT POVERTY, EVIDENCE SHOWS (2016), <https://www.cbpp.org/sites/default/files/atoms/files/6-6-16pov3.pdf>.

receive benefits, including working a required number of hours per week.¹⁰¹ However, these requirements have not led to an increase in families finding stable employment that helps keep them out of poverty. Instead, they force many mothers with low incomes into the low-wage workforce. Poorly paid jobs in sectors like retail, food service, and care do not offer benefits or wages sufficient to allow workers meet basic needs or afford care for their own families; indeed, the family of a full-time worker being paid the minimum wage can still fall below the poverty line.¹⁰² In fact, some research suggests that, by making people with low incomes take the first available job, TANF work requirements may actually compromise their ability to find long-term, stable employment that could keep them out of poverty.¹⁰³ This is reflected in the fact that, after welfare reform, families did not experience any material increase in their incomes: their increase in total earnings is about offset by the reduction in benefits.¹⁰⁴

Instead of increased employment, the real legacy of work and income requirements—and the racist and sexist narratives that helped implement them—is increased poverty and hardship among the very families who need the most support. A 2022 Congressional Budget Office (CBO) report on work requirements found that “by removing families from TANF before they found work—and by deterring families from entering the program—work requirements have probably played a role in increasing the number of families in deep poverty.”¹⁰⁵ The program’s restrictions also caused a steep decline in the number of families accessing benefits, with participation in the program dropping 85% between 1993 and 2019.¹⁰⁶ Black families are most

¹⁰¹ GENE FALK, CONG. RSCH. SERV., IN12150, TEMPORARY ASSISTANCE FOR NEEDY FAMILIES (TANF) & WORK REQUIREMENTS 1 (2023) (“The law says that a state must have 50% of all families and 90% of two-parent families receiving assistance engaged in either work or activities. In turn, it is the states that determine the work participation requirements that apply to individual recipients.”).

¹⁰² JASMINE TUCKER & JULIE VOGTMAN, NAT’L WOMEN’S L. CTR., WHEN HARD WORK IS NOT ENOUGH 4 (2023), <https://nwlc.org/resource/when-hard-work-is-not-enough-women-in-low-paid-jobs/>.

¹⁰³ Rich, *supra* note 77, at 259.

¹⁰⁴ CONG. BUDGET OFF., *supra* note 56, at 15.

¹⁰⁵ *Id.* at 2.

¹⁰⁶ *Id.* at 10.

likely to live in states with the lowest and least accessible benefits.¹⁰⁷ Similarly, research shows that work requirements in SNAP and Medicaid have reduced benefits more than they increased employment.¹⁰⁸ For example, when a work-reporting requirement for Medicaid was temporarily allowed under waiver in Arkansas, thousands of people lost their health coverage.¹⁰⁹ Moreover, work requirements impose complex administrative procedures on both families and states.¹¹⁰

Racist and sexist narratives, such as the welfare queen archetype, have been incredibly successful in limiting access to public benefits programs. And so, although assistance through the Internal Revenue Code (Code) is generally perceived more favorably than other public benefits, policymakers deliberately use these same narratives to undermine attempts to expand tax assistance for families with low incomes—including the 2021 CTC expansion.

V. THE IMPACT OF “WELFARING” THE EXPANDED CTC: INCREASED POVERTY

Research shows that there is greater public support for assistance delivered through the Code compared to that which is delivered through public benefits programs or direct government assistance.¹¹¹ In fact, research suggests this increased support is connected to the implicit belief that recipients of tax-based assistance are more deserving than those who receive

¹⁰⁷ ADITI SHRIVASTAVA & GINA AZITO THOMPSON, TANF CASH ASSISTANCE SHOULD REACH MILLIONS MORE FAMILIES TO LESSEN HARDSHIP 9 (2022), <https://www.cbpp.org/sites/default/files/atoms/files/6-16-15tanf.pdf>.

¹⁰⁸ CONG. BUDGET OFF., *supra* note 56, at 1.

¹⁰⁹ LAURA HARKER, PAIN BUT NO GAIN: ARKANSAS’ FAILED MEDICAID WORK-REPORTING REQUIREMENTS SHOULD NOT BE A MODEL 2 (2023), <https://www.cbpp.org/sites/default/files/8-8-23health.pdf>.

¹¹⁰ Elaine Waxman & Heather Hahn, *Work Requirements Sound Good, but the Evidence Just Doesn’t Support Them*, URB. INST. (Oct. 26, 2021), <https://www.urban.org/urban-wire/work-requirements-sound-good-evidence-just-doesnt-support-them>.

¹¹¹ *See generally* CHRISTOPHER ELLIS & CHRISTOPHER FARICY, THE OTHER SIDE OF THE COIN: PUBLIC OPINION TOWARD SOCIAL TAX EXPENDITURES (2021).

benefits through public programs.¹¹² Further, it appears that the public ascribes fewer negative racial connotations to recipients of tax benefits than those who receive public benefits.¹¹³ Indeed, scholars Christopher Ellis and Christopher Faricy specifically argued that the fact that the ARPA delivered benefits to families through the expanded CTC and an expanded EITC¹¹⁴ rather than as welfare benefits, was the reason Republicans “couldn’t kill Biden’s relief bill.”¹¹⁵

Rebranding these tax credits as “welfare,” however, has been a key strategy that has undermined the efforts to extend or reinstate those expanded credits. Professor Dorothy Brown has written about how the EITC, which, like the CTC, requires claimants to have “earned income” from work, received the “welfare taint” starting in the mid-1990s, as politicians began increasingly associating the beneficiaries of the credit with welfare recipients.¹¹⁶ Drawing on cultural associations around fraudulent welfare recipients, policymakers framed the high error rate for taxpayers trying to claim the credit as the result of fraud, rather than taxpayers simply struggling with credit’s complexity. This framing was used to justify the incredibly high audit rate on EITC claimants,¹¹⁷ which continues to limit the number of families who benefit from the credit.¹¹⁸ Notably, this framing

¹¹² *Id.* See Jennifer Sykes et al., *Dignity and Dreams: What the Earned Income Tax Credit (EITC) Means to Low-Income Families*, 80 AM. SOCIO. REV. 243 (2015).

¹¹³ ELLIS & FARICY, *supra* note 111.

¹¹⁴ The EITC expansion benefited workers who do not have children at home, and who previously were only eligible for a very small credit.

¹¹⁵ Christopher Faricy & Christopher Ellis, *Why Republicans Couldn’t Kill Biden’s Relief Bill*, HILL (Mar. 13, 2021), <https://thehill.com/blogs/congress-blog/politics/543082-why-republicans-couldnt-kill-bidens-relief-bill/>.

¹¹⁶ Brown, *supra* note 82, at 790 (explaining that the Government Accounting Office reported studying the high “error rates” associated with the EITC, presuming that these rates were the result of fraud and not the credit’s complexity).

¹¹⁷ *Id.* at 800; Hadi Elzayn et al., *Measuring and Mitigating Racial Disparities in Tax Audits 1* (Stan. Inst. for Econ. Pol’y Rsch., Working Paper, 2023), <https://siepr.stanford.edu/publications/working-paper/measuring-and-mitigating-racial-disparities-tax-audits> (stating that the over-auditing of EITC recipients disproportionately harms Black taxpayers, who are three to five times more likely to be audited).

¹¹⁸ Families who receive these audits are often discouraged from trying to claim the credit in future years, even if they qualify. John Guyton et al., *The Effects of EITC Correspondence Audits on Low-Income Earners 4* (Nat’l Bureau of Econ. Rsch., Working paper, No. 24465, 2018), <https://www.documentcloud.org/documents/6023996-Effects-of-EITC-Correspondence-Audits-on-Low.html>

overemphasizes the import of erroneous claims of the EITC, especially in comparison to the billions of dollars in tax revenue that are lost as a result of high-income tax filers' failure to comply with tax laws.¹¹⁹

The original design of the CTC as a nonrefundable credit reflects its authors' efforts to distinguish the credit from "welfare benefits."¹²⁰ In 2001, the Economic Growth and Tax Relief Reconciliation Act of 2001 made the credit partially refundable for families, but only for those with earned income over \$10,000.¹²¹ The CTC's earned income threshold was lowered twice more,¹²² which increased the anti-poverty impact of the CTC. In fact, without refundable credits like the EITC and CTC, many families with low incomes would be "taxed into poverty," meaning their tax liability puts their incomes below the poverty line.¹²³ The ARPA CTC expansion in 2021 built upon these prior changes by eliminating the cap on refundability and the requirement of earnings from work to receive a refund, which led to the tremendous reduction in poverty and especially in child poverty described above. The shift toward a more refundable credit with a higher anti-poverty impact has largely been supported by the public; according to a national poll

(finding that for every \$1 audited, roughly \$0.63 to \$0.73 of tax refunds go unclaimed in the following years).

¹¹⁹ Natasha Sarin, *The Case for a Robust Attack on the Tax Gap*, U.S. DEP'T TREASURY (Sept. 7, 2021), <https://home.treasury.gov/news/featured-stories/the-case-for-a-robust-attack-on-the-tax-gap>.

¹²⁰ Joshua T. McCabe & Elizabeth Popp Berman, *American Exceptionalism Revisited: Tax Relief, Poverty Reduction, and the Politics of Child Tax Credits*, 3 SOCIO. SCI. 540, 555–56 (2016) (stating that although some Democratic Members of Congress advocated for the CTC to be refundable, the Clinton administration eventually dropped refundability because it had been "effectively stigmatized as welfare"); MARGOT L. CRANDALL-HOLLICK, CONG. RSCH. SERV., R41873, *THE CHILD TAX CREDIT: CURRENT LAW AND LEGISLATIVE HISTORY 1* (2013) ("Initially the child tax credit was a nonrefundable credit for most families.").

¹²¹ Pub. L. No. 107-16, § 201, 115 stat. 38 (allowing a taxpayer to receive a refundable CTC of "15 percent . . . of so much of the taxpayer's earned income which is taken into account in computing taxable income for the taxable year as exceeds \$10,000.").

¹²² Jason Furman, *Poverty and the Tax Code*, 32 DEMOCRACY J. 8, 13 (2018) (discussing how the American Recovery and Reinvestment Act of 2009 temporarily lowered the earned income requirement to \$3,000); ELAINE MAAG & ELENA RAMIREZ, URB. INST., *REFORMING THE CHILD TAX CREDIT; AN UPDATE 5* (2016) (illustrating that in 2017, the Tax Cuts and Jobs Act (TCJA) further reduced the earned income requirement to \$2,500, but it introduced other restrictions for families with low incomes).

¹²³ Furman, *supra* note 122, at 16; *THE EARNED INCOME TAX CREDIT*, CTR. ON BUDGET & POL'Y PRIORITIES 3 (Apr. 28, 2023), <https://www.cbpp.org/research/policy-basics-the-earned-income-tax-credit>.

in January 2024, nearly two-thirds of voters supported a fully refundable CTC.¹²⁴

Policymakers hostile to the expanded CTC resorted to the “welfare” playbook. Policymakers who argued that the CTC would reduce single mothers’ employment and restore the pre-1996 welfare system were purposefully evoking “welfare queen” stereotypes to justify their opposition and undermine public support for the expansion. Conservative voices have scrambled to surface more arguments that echo those tropes. In 2022, the Heritage Foundation published a report suggesting that expanding the CTC to families with very low incomes would cause “a free-fall collapse of the two-parent family.”¹²⁵ The Republican leadership of the House Ways and Means Committee reposted a similar Heritage Foundation report on its website, summarizing its conclusion that the permanently expanded CTC would be a “handout” that would “undermine marriage.”¹²⁶ During the June 2023 Senate Finance Committee Hearing on taxes and poverty, Republican Senator Ron Johnson suggested, in the middle of a discussion about the expanded CTC, that measures to combat poverty had led to an increase in out-of-wedlock childbirths.¹²⁷

Many of the policymakers who opposed the ARPA expansions touted their support for the changes to the CTC enacted as part of the 2017 Tax Cuts

¹²⁴ Abby Springs, *Voters Support an Expanded Child Tax Credit, Oppose Corporate Tax Decreases*, DATA FOR PROGRESS (Jan. 24, 2024), <https://www.dataforprogress.org/blog/2024/1/24/voters-support-an-expanded-child-tax-credit-oppose-corporate-tax-decreases>. Additionally, NWLC found that 76% of 2024 election voters believed that it was important for the federal government to expand the CTC to provide larger tax refunds to help low- and middle-income families make ends meet and to significantly reduce child poverty. NAT’L WOMEN’S L. CENTER, ELECTION NIGHT SURVEY SUMMARY (Nov. 2024), <https://nwlc.org/resource/election-night-survey-summary/>.

¹²⁵ Jamie Bryan Hall & Robert Rector, *Biden’s “Checks for Children” Scam: Designed to Overturn Welfare Reform*, HERITAGE FOUND. (Feb. 18, 2022), <https://www.heritage.org/welfare/commentary/bidens-checks-children-scam-designed-overturn-welfare-reform>. Nat’l Women’s Law Ctr., Election Night Survey Summary.

¹²⁶ Jamie Hall, *Child Poverty Has Been Cut in Half Since 1996 Welfare Reform*, HERITAGE FOUND. (Mar. 14, 2022), <https://www.heritage.org/welfare/report/child-poverty-has-been-cut-half-1996-welfare-reform>.

¹²⁷ *Anti-Poverty and Family Support Provisions in the Tax Code*, U.S. S. COMM. ON FIN., at 1:34:50 (June 14, 2023), <https://www.finance.senate.gov/hearings/anti-poverty-and-family-support-provisions-in-the-tax-code> (statement by Sen. Johnson).

and Jobs Act (TCJA), however.¹²⁸ The TCJA made families with incomes up to \$400,000 eligible to claim the credit, reduced but did not eliminate the earned income requirement, instituted a cap on refundability, and precluded children in some immigrant families from receiving the credit.¹²⁹ By voicing support for policy changes that largely benefited higher-income families while expressing opposition to an expansion for families with very low incomes, these policymakers made clear which families they considered deserving of assistance from the CTC.

The expiration of the 2021 CTC expansion and the ongoing failure to implement a permanently expanded CTC, to which these sexist and racist narratives contributed, has increased poverty and hardship among families with children. The expiration of the expanded CTC helped drive the largest ever recorded increase in Supplemental Poverty Measure (SPM) poverty in more than fifty years of tracking. The SPM poverty rate increased from 7.8% to 12.4% for the overall population, and from 11.9% to 26.7% for families with children headed by single women.¹³⁰ The expiration has also made it more difficult for families to meet basic needs. Sixty percent of parents who had received the monthly CTC payments in 2021 reported that it has been more difficult for their family to meet expenses, with two-thirds of those parents reported that it has been more difficult to pay for groceries.¹³¹ There was a 25% increase in food insufficiency in households with children after

¹²⁸ *Id.* at 1:40:03 (statement by Sen. Thune: “The Tax Cuts and Jobs Act that Republicans enacted in 2017 nearly doubled the standard deduction and reduced tax rates for individuals in every tax bracket. This has not only helped American families keep more of their hard-earned dollars, but also helped businesses grow and raise wages.”). Tim Shaw, *Harris, GOP Taxwriters Exchange Blows on Child Tax Credit Policy*, THOMSON REUTERS (Aug. 21, 2024), <https://tax.thomsonreuters.com/news/harris-gop-taxwriters-exchange-blows-on-child-tax-credit-policy/> (describing Chair of the Ways and Means Committee Jason Smith’s support of the CTC expansion included in the TCJA).

¹²⁹ *How Did the TCJA Change Taxes of Families and Children?*, TAX POL’Y CTR., <https://www.taxpolicycenter.org/briefing-book/how-did-tcja-change-taxes-families-children> (last visited Oct. 2, 2024).

¹³⁰ SHENGWEI SUN, NAT’L WOMEN’S L. CTR., NATIONAL SNAPSHOT: POVERTY AMONG WOMEN & FAMILIES IN 2022, at 1 (2023), <https://nwlc.org/wp-content/uploads/2023/02/National-Snapshot-Poverty-Among-Women-Families-in-2022-1.pdf>.

¹³¹ Ashley Burnside, *CTC Work Requirements Would Reduce Access for Many*, CTR. FOR L. & SOC. POL’Y (Sept. 17, 2021), <https://www.clasp.org/blog/ctc-work-requirements-would-reduce-access-many/>.

the ARPA expansion expired.¹³² These hardships have fallen most heavily on Black and Latinx families, the families most likely to be impacted by negative stereotyping around government assistance.¹³³

This is the outcome wrought by policymakers and ideologues who evoked stereotypes about women of color to portray them as unworthy of support and fearmonger about the societal impact of expanding the CTC.¹³⁴ The deployment of these stereotypes represents a cynical attempt to deflect and diminish an overwhelming body of quantitative and qualitative evidence that the expanded CTC reduced poverty and increased well-being for women-headed households, families of color, white families, families in rural areas, and all of us.¹³⁵ Moreover, research shows that in 95% of families who would benefit from making the CTC fully refundable, the parent or other caretaker is working, between jobs, ill or disabled, elderly, or has a child under age two.¹³⁶ Many of the adults in these families could not realistically increase their participation in the workforce or access better-paying jobs, and yet they are prevented from accessing assistance.¹³⁷ And in a broader sense,

¹³² ALLISON BOVELL-AMMON ET AL., JAMA NETWORK OPEN, ASSOCIATION OF THE EXPIRATION OF CHILD TAX CREDIT ADVANCE PAYMENTS WITH FOOD INSUFFICIENCY IN U.S. HOUSEHOLDS 10 (2022), <https://jamanetwork.com/journals/jamanetworkopen/fullarticle/2797549>.

¹³³ *Id.* at 5.

¹³⁴ Andrew Clyde (@Rep_Clyde), X (Jan. 31, 2024, 9:07 AM), https://x.com/Rep_Clyde/status/1752695140924158082 (stating that the 2024 bipartisan expansion targeting immigrant families would “reward and incentivize illegal immigration”); *see generally* Taylor & Bloch, *supra* note 93 (offering background information discussing how this claim persisted despite the fact that the expansion did not make the CTC more accessible to immigrant families. This rhetoric draws upon stereotypes about immigrant mothers, who like the archetypal welfare queen, are often charged with having babies in order to reap government benefits—in this case, by producing “anchor babies” to stay in the country.); MINOFF, *supra* note 96.

¹³⁵ Garfinkel et al., *supra* note 30.

¹³⁶ ARLOC SHERMAN ET AL., CTR. ON BUDGET & POL’Y PRIORITIES, EARNINGS REQUIREMENT WOULD UNDERMINE CHILD TAX CREDIT’S POVERTY-REDUCING IMPACT WHILE DOING VIRTUALLY NOTHING TO BOOST PARENTS’ EMPLOYMENT 1 (2021), <https://www.cbpp.org/research/federal-tax/earnings-requirement-would-undermine-child-tax-credits-poverty-reducing-impact>.

¹³⁷ MINOFF ET AL., *supra* note 93, at 4–5 (discussing the requirement that children claimed for the CTC have a Social Security Number, first imposed in 2017 under the TCJA, which excludes about 1 million children in immigrant families); *see* CTR. ON BUDGET & POL’Y PRIORITIES, 2017 TAX LAW’S CHILD CREDIT: A TOKEN OR LESS-THAN-FULL INCREASE FOR 26 MILLION KIDS IN WORKING FAMILIES (2018), <https://www.cbpp.org/research/2017-tax-laws-child-credit-a-token-or-less-than-full-increase-for-26-million-kids-in>.

the “work requirements” of the CTC devalue the real and important work of caring for children, especially for Black and brown women and families with very low incomes. As in policy debates over AFDC, TANF, and other benefits programs, the invocation of these stereotypes about women of color is intended to frame poverty as the fault of the families experiencing it, in order to absolve policymakers from the responsibility of changing it. This is especially egregious in light of the billions of dollars in tax benefits that have been directed towards wealthy and predominantly white families.¹³⁸

For nearly a decade, advocates, think tanks, and policy researchers had urged policymakers to enact the expansions to the CTC that were included in the ARPA. Significant efforts were made to ensure that as many families as possible were able to claim the expanded credit, and to contemporaneously document the impact of the CTC expansions. Efforts to support the enactment of permanent expansions were concerted and widespread in the advocacy community, and intentionally included the voices of impacted families. Policymakers, advocates, and the public alike have expressed deep frustration that some lawmakers have, to date, prevented a policy with unprecedented power to reduce poverty, with deep and wide public support, and proven effectiveness, from being permanently enacted.

At the end of 2025, many provisions in the 2017 Tax Cuts and Jobs Act, including the changes it made to the CTC, will expire.¹³⁹ President-elect Trump and Republican leadership in Congress have indicated that they intend to move tax legislation within the first one hundred days of the second Trump administration, expediting it through the legislative vehicle of budget reconciliation.¹⁴⁰ Recent reporting raises cause for concern that Republican plans for tax legislation in 2025 would exacerbate poverty and hardship by

¹³⁸ See generally DOROTHY BROWN, *THE WHITENESS OF WEALTH* (2022); MEG WIEHE ET AL., INST. ON TAX’N & ECON. POL’Y, *RACE, WEALTH AND TAXES: HOW THE TAX CUTS AND JOBS ACT SUPERCHARGES THE RACIAL WEALTH DIVIDE* (2018), <https://itep.org/race-wealth-and-taxes-how-the-tax-cuts-and-jobs-act-supercharges-the-racial-wealth-divide/>; MATSUI ET AL., *supra* note 6.

¹³⁹ CHUCK MARR ET AL., CTR. ON BUDGET & POL’Y PRIORITIES, *THE 2017 TRUMP TAX LAW WAS SKEWED TO THE RICH, EXPENSIVE, AND FAILED TO DELIVER ON ITS PROMISES* 3 (2024), <https://www.cbpp.org/sites/default/files/3-5-24tax.pdf>.

¹⁴⁰ Jacob Bogage, *For Trump and Republicans in Congress, ‘everything is in play’ on tax cuts*, WASH. POST (Nov. 7, 2024), <https://www.washingtonpost.com/business/2024/11/07/trump-taxes-republican-congress/>.

implementing cuts to SNAP and Medicaid,¹⁴¹ rather than supporting families by expanding the refundability of the CTC. Given the demonstrated effectiveness of the expanded CTC in 2021 and the continued, strong public support for the expanded CTC, advocates are deeply committed to pushing for a more robust expanded CTC in 2025 and beyond.

However, in order to permanently expand the CTC for families who need it most in the future, it will be important for policymakers and advocates to reckon with racist and sexist narratives that have been used throughout the history of the CTC, and especially over the past three years, by those who oppose expanding the credit. Recent narrative projects based on extensive research have suggested that the toxic impact of racial and gender stereotypes in policy debates can be neutralized, by acknowledging the “playbook,” articulating that the narratives are being deployed to divide people and forestall broadly beneficial policy changes, and urging Americans to reject these cynical efforts and support the policies that benefit all of us.¹⁴² Recent polling around care investments suggests that unifying messages that emphasize how investments in care benefit all of our families are particularly effective.¹⁴³ Additional research could be conducted to explore whether such messages are effective when applied to the expanded CTC¹⁴⁴—and could build on the stories of parents and families that have been an important component of the advocacy thus far.

¹⁴¹ Jacob Bogage, Jeff Stein & Dan Diamond, *Trump allies eye overhauling Medicaid, food stamps in tax legislation*, WASH. POST (Nov. 18, 2024), <https://www.washingtonpost.com/business/2024/11/18/gop-targets-medicaid-food-stamps/>.

¹⁴² See generally DEMOS, RACE-CLASS: OUR PROGRESSIVE NARRATIVE (2018), <https://www.demos.org/campaign/race-class-narrative-project>.

¹⁴³ LAKE RSCH. PARTNERS, SURVEY FINDINGS ON TAXES AND CAREGIVING 1–3 (2024), <https://nwlc.org/wp-content/uploads/2024/04/memo.care-and-taxes.MomsRising.2024.04.10.pdf>.

¹⁴⁴ See, e.g., *Messaging the Child Tax Credit*, ECON. SEC. PROJECT ACTION (Feb. 1, 2024), <https://economicsecurity.us/resource/messaging-the-child-tax-credit/>; see *Messaging Memo: Centering Children at the Heart of the Child Tax Credit Debate*, CAMPAIGN FOR CHILD. (Apr. 8, 2024), <https://campaignforchildren.org/resource/messaging-memo-centering-children-at-the-heart-of-the-child-tax-credit-debate/> (discussing how some advocacy organizations have urged messaging that seeks to defuse racist and sexist narratives around deservingness by focusing on the expanded CTC’s impact on children); see also *Child Tax Credit Polling Summary*, ECON. SEC. PROJECT ACTION (June 13, 2021), <https://economicsecurityproject.org/resource/child-tax-credit-polling-summary/> (describing the credit as supporting parents is more popular than describing it as supporting children). The additional research suggested above would tackle these stereotypes more directly and could offer an alternative, but not inconsistent, framing.

VI. CONCLUSION

The success of the ARPA’s expanded CTC demonstrated both the feasibility and tremendous anti-poverty impact of providing a fully refundable CTC to families with low incomes. The 2021 CTC expansion drastically reduced poverty and hardship, and helped many families afford the basics and ride out a global recession. This expansion was especially vital to single mothers and mothers of color, who disproportionately experience poverty. But the expanded CTC also gave millions of families across the nation a little “breathing room.” The payments gave families a financial cushion to catch up on bills, put money aside for emergencies, or allow their children to participate in extracurricular activities. Many families felt less stress, and that the government cared about them. However, policymakers used old narratives and stereotypes about women of color—including the welfare queen archetype—to undermine attempts to extend or restore this successful expansion.

While the deployment of “welfare queen” stereotypes undermined efforts to extend or reinstate the ARPA expansions, or to enact more modest temporary improvements, to date, advocates will continue to vigorously pursue opportunities to expand the CTC in ways that benefit families who are currently excluded. Research and history suggest that one path forward is to acknowledge the racist and sexist narratives that are being used to defeat the expanded CTC, urge policymakers and the public to resist these narratives, and instead advance narratives that uplift the dignity and deservingness of women and women of color—and, indeed, of all families.