

FAITH, FINANCE, AND FEDERAL POLICY: AN ANALYSIS
OF THE CHILD TAX CREDIT SUNSET PROVISION OF
THE TAX CUTS AND JOBS ACT

UPDATE

Since this Article was written in the Spring of 2025, Congress passed and President Donald J. Trump signed into law the Working Families Tax Cuts on July 4, 2025. One of the key components of this legislation included permanently increasing the Child Tax Credit (CTC) to \$2,200 per qualifying child under 17 and indexing the credit to inflation, partially accomplishing the goal this Article set out to establish.

ABSTRACT

Passed by Congress in 2017, the Tax Cuts and Jobs Act (TCJA) was designed to cut the amount paid in taxes by millions of Americans and to secure more money in their pockets to provide for the future of their families. As set currently, the Child Tax Credit is one provision of the TCJA set to sunset at the end of 2025, and if that expiration holds true, the \$2,000 Child Tax Credit set by the TCJA would revert to \$1,000. The call to raise up and support the next generation is one shared by all citizens but emphasized further to Christians through a Biblical mandate; policies like the expanded Child Tax Credit provide practical support in meeting this call. In a time where the birthrate in the U.S. has consistently been decreasing since 2007, families now more than ever can benefit from the support the Child Tax Credit provides. There are currently ongoing talks by politicians and policymakers about passing an extension of the provision set to sunset this year, which likely could result in the existence of the TCJA's Child Tax Credit for another eight years.

Expanding child tax credits is not necessarily a new or novel idea; in 2024, Utah and New York both passed either new or improved child tax credits at the state level. At the federal level, more action is needed. This Article will argue that the best solution to the sunset provision is to pass the TCJA Child Tax Credit as permanent legislation as part of a forward-looking holistic bill that prioritizes the care of the child and financial and physical support of the family. A bill of this caliber, in addition to codifying the Child Tax Credit, could also include additional funding and support for programs such as The Newborn Supply Kit Program created by the U.S. Department of Health and Human Services in partnership with Baby2Baby. Making the TCJA Child Tax Credit permanent through comprehensive legislation would not only secure financial support for families in carrying out their Biblical mandate but also foster a framework for childcare and family well-being.

TABLE OF CONTENTS

I.	INTRODUCTION	2
II.	PUBLIC POLICY & LEGAL ANALYSIS	5
	A. <i>Public Policy Considerations</i>	5
	B. <i>Legislative Framework of the TCJA</i>	9
	C. <i>Constitutional Framework</i>	20
III.	FINANCIAL ANALYSIS	23
	A. <i>The Cost of the TCJA Child Tax Credit</i>	24
	B. <i>Impact on Individual Family Finances</i>	28
IV.	BIBLICAL PERSPECTIVE	33
	A. <i>What Defines a Family</i>	33
	B. <i>Teachings Related to Family and Support for Children</i>	38
	C. <i>Principles Related to Taxation</i>	40
	D. <i>Bible's Place in Advocating for and Forming Legislation</i>	43
V.	PROPOSED SOLUTION	49
VI.	CONCLUSION	58

I. INTRODUCTION

The Tax Cuts and Jobs Act (TCJA), enacted in December 2017 during President Trump's First Administration, represented the most comprehensive overhaul of the U.S. tax code in over three decades.¹ The law, formally known as Public Law No. 115-97, made sweeping changes across a range of tax provisions, with the intent of spurring economic growth, enhancing business competitiveness, and providing tax relief to individuals and families.² One of the most impactful provisions of the TCJA to American families was the expansion of the Child Tax Credit (CTC). This provision increased the credit amount per qualifying child and made it more widely available, providing significant financial relief for families either starting a family by having their first child or expanding their family by having their fifth child.³ These changes, however, were designed to be temporary, with the expanded CTC set to sunset at the year's end of 2025, unless Congress acts to extend or make them

¹ David Floyd, *What Is the Tax Cuts and Jobs Act (TCJA)?*, INVESTOPEDIA (Jan. 31, 2025), <https://www.investopedia.com/taxes/trumps-tax-reform-plan-explained/>; William G. Gale et al., *Effects of the Tax Cuts and Jobs Act: A Preliminary Analysis*, BROOKINGS INST. (June 14, 2018), <https://www.brookings.edu/articles/effects-of-the-tax-cuts-and-jobs-act-a-preliminary-analysis/>; Adam N. Michel, *Slashing Tax Rates and Cutting Loopholes*, CATO INST. (June 17, 2024), <https://www.cato.org/policy-analysis/slashing-tax-rates-cutting-loopholes>.

² H.R. Rep. No. 115-409, at 112 (2017); see Tax Cuts & Jobs Act of 2017, Pub. L. No. 115-97, 131 Stat. 2054 (2017).

³ Tax Cuts & Jobs Act of 2017, Pub. L. No. 115-97, 131 Stat. 2054, 2073.

permanent.⁴ Thus, the issue to be explored in this Article is whether the expiration of the Child Tax Credit provision of the TCJA would impose practical and financial hardships on families in caring for their children if the provision sunsets at the year's end of 2025.

To understand the magnitude of this potential expiration, it is necessary to compare the current enhanced CTC with its previous iteration. Prior to the TCJA, the Child Tax Credit was capped at \$1,000 per qualifying child, and its availability was more limited, with fewer families eligible for the full credit.⁵ The TCJA substantially increased the credit to \$2,000 per child and made a larger portion of the credit refundable, benefiting more families, including those with lower incomes.⁶ If the expanded provisions sunset as scheduled in 2025, the Child Tax Credit would revert to its pre-TCJA form, significantly reducing the amount of relief available to American families.⁷

The purpose of this Article is to examine the implications of the potential expiration of the expanded Child Tax Credit under the TCJA through the lens of a public policy and legal analysis, a financial analysis, and a Biblical perspective. First, it will explore the policy rationale behind expanding the CTC in 2017, the direct impact on the tax code, and whether the changes fit within the established Constitutional framework. Second, it will assess the broader economic and financial implications for society, particularly as families are trying to increase savings. Third, the Article will look at the issue by applying Biblical teachings and principles surrounding our duty to pay taxes and care for our children and families, with an additional explanation of what role the church can play in supporting families. While not popular by secular standards, Biblical principles and teachings play a role in this article's solution because, as Christians, we have been given a mandate from the Lord to care for our children that is rooted in Scripture.⁸ According to Scripture, this care can be physical, as shown in 1 Timothy 5:8 and Psalm 103:13, or spiritual, as

⁴ *Id.*; Kristine A. Tidgren, *Expiring Tax Provisions Big Issue for 2025*, CTR. FOR AG. L. & TAX'N, IOWA STATE UNIV. (Jan. 11, 2025), <https://www.calt.iastate.edu/post/expiring-tax-provisions-big-issue-2025> (explaining that Republicans used budget reconciliation to pass the TCJA with 51 votes, but the Byrd Rule barred deficit-increasing provisions beyond 10 years, so the Child Tax Credit was made temporary and set to expire in 2025).

⁵ Tax Cuts & Jobs Act of 2017, Pub. L. No. 115-97, 131 Stat. 2054, 2073; Brendan McDermott, CONG. RSCH. SERV., IF12820, *Selected Issues in Tax Policy: The Child Tax Credit* (2024), <https://crsreports.congress.gov/product/pdf/IF/IF12820>.

⁶ Nancy Chausow Shafer, *Changing Tax Laws and Support: Keeping up as the Ground Shifts*, 33 J. AM. ACAD. MATRIM. L. 159, 168 (2020); Adam Frank, *Approaching the Potential Sunset of Tax Cuts and Jobs Act (TCJA) Provisions*, J.P. MORGAN (Feb. 13, 2025), <https://www.jpmorgan.com/insights/wealth-planning/taxes/tax-cuts-and-jobs-act-tcja>.

⁷ Frank, *supra* note 6.

⁸ *What the Bible Says About Caring for Children*, FREE WILL BAPTIST CHILD.'S HOME (June 19, 2018), <https://fwbhome.org/bible-says-caring-children/>.

shown in Deuteronomy 6:7 and Joel 1:3.⁹ Finally, the Article will focus on whether the non-renewal of the CTC would create burdens on families planning for the future and propose a comprehensive legislative solution that places support for American families first and foremost.

II. PUBLIC POLICY & LEGAL ANALYSIS

A. Public Policy Considerations

Public policy is a framework of laws and regulations that play a vital role in preserving the stability and well-being of society by ensuring that government actions are aligned with the protection of individual liberties and the rule of law.¹⁰ Dating back to ancient civilizations like Greece and Rome, public policy originated with rulers making decrees on behalf of society that were focused on commerce and trade; since its inception in ancient times, public policy has become an official area of study for those in government as has evolved in scope to include regulations that impact almost every aspect of society.¹¹ In his article for the Harvard Law Review, Percy Winfield defined public policy as “a principle of judicial legislation or interpretation founded on the current needs of the community.”¹² Rather than expansive government intervention, public policy should focus on creating a stable legal framework in which individuals and businesses are free to pursue their interests.¹³ Policies should be balanced with an emphasis on personal responsibility and the preservation of freedom from unnecessary government overreach.¹⁴ A limited government approach allows for individual empowerment while maintaining a strong sense of public order.¹⁵

⁹ 1 Timothy 5:8 (NIV) (stating that parents are to provide for their relatives, especially those of their household); Psalm 103:13 (NIV) (explaining that a father’s compassion towards his children should be modeled after the compassion the Lord has towards us); Deuteronomy 6:1, 6–7 (NIV) (instructing parents to teach their children the Lord’s commandments); Joel 1:3 (NIV) (teaching children to pass along the biblical principles taught by their parents).

¹⁰ Berta Esperanza Hernandez-Truyol, *The Rule of Law and Human Rights*, 16 Fla. J. Int’l L. 167, 169–70 (2004); *What is Public Policy? Definition, Scope, Features, Types & More*, O.P. JINDAL GLOB. UNIV. (Dec. 30, 2023), <https://jgu.edu.in/blog/2023/12/30/what-is-public-policy/>; Susan Helper *et al.*, *Public Policy and Operations Management*, 67 J. Operations Mgmt. 780, 780-81 (2021).

¹¹ JINDAL GLOB. UNIV., *supra* note 10.

¹² Percy H. Winfield, *Public Policy in the English Common Law*, 42 HARV. L. REV. 76, 92 (1928).

¹³ Diane Katz, *Federalism in Crisis: Urgent Action Required to Preserve Self-Government*, HERITAGE FOUND. (Nov. 30, 2021), <https://www.heritage.org/conservatism/report/federalism-crisis-urgent-action-required-preserve-self-government>; Ibrahim F.I. Shihata, *The Role of Law in Business Development*, 20 FORDHAM INT’L L.J. 1577, 1578-79 (1996), <https://ir.lawnet.fordham.edu/cgi/viewcontent.cgi?article=1800&context=ilj>.

¹⁴ Katz, *supra* note 13; Shihata, *supra* note 13.

¹⁵ Katz, *supra* note 13; Shihata, *supra* note 13.

The purpose of economic public policy is to create an environment that encourages entrepreneurship, personal initiative, and market-driven growth.¹⁶ Conservative perspectives emphasize the importance of free markets as the most effective means of promoting economic stability and prosperity.¹⁷ Rather than relying on heavy government regulation and intervention, public policy should aim to reduce barriers to business and innovation, encouraging job creation and investment.¹⁸ Furthermore, policies should be designed to encourage personal responsibility and work while providing a necessary safety net during times of hardship.¹⁹ Tax policies that incentivize savings and investment, alongside deregulation efforts, are crucial for allowing individuals and businesses to thrive.²⁰

Public policy also must prioritize the preservation of traditional values, particularly the family structure, as a foundational pillar of a stable society.²¹ The family has long been the cornerstone of society, and policies should reflect this by supporting the institution of marriage and promoting policies that strengthen family life.²² Rather than undermining traditional family roles, public policy should encourage a societal environment where marriage and family are supported and respected as key to raising responsible future generations.²³ In contrast, when the support of a traditional family structure is lacking, it has been shown to

¹⁶ Thomas Philippon, *The Case for Free Markets*, 37 OXFORD REV. ECON. POL'Y 707, 708 (2021); Marjorie E. Kornhauser, *The Consistency of Conservative Tax Policy*, 108 NW. U. L. REV. 825, 826 (2014); Hon. Samuel L. Bufford, *International Rule of Law and the Market Economy - An Outline*, 12 SW. J.L. & TRADE AM. 303, 303, 305 (2006); but see *Price and Sovereignty*, 135 HARV. L. REV. 755, 770–72 (2021) (arguing that economic public interest prioritizes price controls and government regulation, as demonstrated in *Block v. Hirsh*, 256 U.S. 135 (1921), and *West Coast Hotel Co. v. Parrish*, 300 U.S. 379 (1937), fails to recognize other aspects of the economy, including entrepreneurship, personal initiative, and market-driven growth).

¹⁷ Bufford, *supra* note 16, at 305; Samuel Gregg, *The Good That Markets Do*, HERITAGE FOUND. (Feb. 21, 2024), <https://www.heritage.org/conservatism/report/the-good-markets-do>.

¹⁸ David S. Lucas & Christopher J. Boudreaux, *The Interdependence of Hierarchical Institutions: Federal Regulation, Job Creation, and the Moderating Effect of State Economic Freedom*, CORNELL UNIV. (2019), <https://arxiv.org/pdf/1903.02924> (last visited Nov. 11, 2025).

¹⁹ Bufford, *supra* note 16, at 307.

²⁰ Bufford, *supra* note 16, at 308; Jialu L. Streeter, *How Do Tax Policies Affect Individuals and Businesses?*, STAN. UNIV.: INST. FOR ECON. POL'Y RSCH. (Oct. 2022), <https://siepr.stanford.edu/publications/policy-brief/how-do-tax-policies-affect-individuals-and-businesses>; *Economic Policy*, RONALD REAGAN PRESIDENTIAL FOUND. AND INST., <https://www.reaganfoundation.org/ronald-reagan/the-presidency/economic-policy> (last visited Apr. 12, 2025).

²¹ Robert John Araujo, *Natural Law and the Rights of the Family*, 1 INT'L J. JURIS. FAM. 197, 199–200 (2010); Marc Mannes, *Family Preservation: A Professional Reform Movement*, 20 J. SOC. & SOC. WELFARE 5, 8 (1993); Robert Destro, *The Family and Public Policy*, in *THE FAMILY TODAY AND TOMORROW: THE CHURCH ADDRESSES HER FUTURE* 113, 121–22 (The Pope John Center, 1985).

²² Araujo, *supra* note 21, at 199.

²³ *Id.* at 200.

be detrimental to a child's academic, emotional, and economic stability.²⁴ In a study published in 2023, results of an assessment comparing education scores of kids growing up in a two-parent home to kids in a single-parent home showed consistently higher scores for the child growing up in the traditional structure.²⁵ Emotionally, it is likely that by growing up in a non-traditional home, a child would not have the same opportunity to connect with their mother or father, or see the emotions modeled of a husband and wife important for future connection with a spouse.²⁶ Additionally, with not all single parents receiving child support, the financial stress on raising a child is heightened, often resulting in less spent on a child's health and well-being.²⁷ It is recognized that some instances of a child growing up in a non-traditional family structure are unavoidable from outside factors, and the actions of single parents in those cases are applauded, but parents that willingly choose to let a child grow up in a non-traditional circumstance should consider the ramifications.²⁸ Thus, in light of unavoidable circumstances, the traditional family structure should be the goal, and public policy should recognize and support that goal.²⁹ For instance, tax incentives can be structured to favor families, offering them the resources they need to thrive while emphasizing the importance of parental involvement in a child's development.³⁰ Additionally, policies should safeguard the rights of parents to make decisions regarding the upbringing and education of their children, ensuring that governmental influence does not interfere with the familial unit.³¹ In this regard, conservative public policy maintains that a

²⁴ Li-Dan Shang et al., *Estimating the Causal Impact of Non-Traditional Household Structures on Children's Educational Performance Using a Machine Learning Propensity Score*, 25 ASIA PAC. EDUC. REV. 939, 940 (2023).

²⁵ *Id.* at 948.

²⁶ Jane Anderson, *The Impact of Family Structure on the Health of Children: Effects of Divorce*, 81 LINACRE Q. 378, 380-81 (2014).

²⁷ *Id.*

²⁸ Marion Scharte & Gabriele Bolte, *Increased Health Risks of Children with Single Mothers: The Impact of Socio-Economic and Environmental Factors*, 23 EUR. J. PUB. HEALTH 469, 470-72 (2012), <https://academic.oup.com/eurpub/article/23/3/469/540019>; Isabel V. Sawhill, *Are Children Raised with Absent Fathers Worse Off?*, BROOKINGS INST. (July 15, 2014), <http://www.brookings.edu/articles/are-children-raised-with-absent-fathers-worse-off>.

²⁹ Araujo, *supra* note 21, at 199–200.

³⁰ Mannes, *supra* note 21, at 15; Gabrielle Pepin, *Tax Credits Can Increase Child Care Usage and Enable More Mothers to Work*, UPJOHN INST., <https://www.upjohn.org/research-highlights/tax-credits-can-increase-child-care-usage-and-enable-more-mothers-work> (last visited Oct. 11, 2025); Paola Scommegna, *Anti-Poverty Tax Credits Linked to Declines in Reports of Child Neglect, Youth Violence, and Juvenile Convictions*, POPULATION REFERENCE BUREAU (Dec. 8, 2022), <https://www.prb.org/resources/anti-poverty-tax-credits-linked-to-declines-in-reports-of-child-neglect-youth-violence-and-juvenile-convictions>.

³¹ Emilie Kao, *Safeguarding Parental Rights and Protecting Children from Federally Mandated Gender Ideology*, HERITAGE FOUND. (Jan. 10, 2023), <https://www.heritage.org/gender/report/safeguarding-parental-rights-and-protecting-children-federally-mandated-gender>.

strong, intact family structure not only promotes individual responsibility but is essential for ensuring the long-term prosperity of society.³²

B. Legislative Framework of the TCJA

1. TCJA's Purpose

Republican lawmakers set out to pass the TCJA with the objective of three major policy goals, including fairness, simplicity, and tax cuts.³³ At a time in political history when Republicans held the majority in both houses of Congress and the Presidency, lawmakers took charge in passing what became one of the most extensive overhauls of the U.S. tax code in decades.³⁴ These goals were pursued through a combination of individual and corporate tax cuts, along with structural changes intended to simplify the tax system and make the U.S. more competitive on the global stage.³⁵

A central tenet of Republican reasoning behind the TCJA was the belief that lower taxes would boost economic growth by increasing business investment and consumer spending.³⁶ By reducing the corporate tax rate from 35% to 21%, Republicans hoped to incentivize businesses to reinvest savings from tax cuts into their operations, expand their workforces, and create jobs by moving production back into the U.S. from outside countries.³⁷ The idea was that, by lowering the tax burden on companies, businesses would have more capital to use for research and development, capital expenditures, and wage increases, which would in turn benefit the overall economy.³⁸ In contrast, Democrat lawmakers criticized the TCJA for lowering the corporate tax rate, expressing a disproportionate benefit to high-wealth corporations over middle-class

³² Patrick F. Fagan, *Family and Faith: The Roots of Prosperity, Stability and Freedom*, HERITAGE FOUND. (Mar. 21, 2001), <https://www.heritage.org/marriage-and-family/report/family-and-faith-the-roots-prosperity-stability-and-freedom>.

³³ Stephen J. Pieklik et al., *Deducting Success: Congressional Policy Goals and the Tax Cuts and Jobs Act of 2017*, 16 PITT. TAX REV. 1, 1 (2018); *The Tax cuts and Jobs Act of 2017*, BROOKINGS INST., <https://www.brookings.edu/collection/the-tax-cuts-and-jobs-act-of-2017/> (last visited Nov. 14, 2025).

³⁴ Pieklik et al., *supra* note 33, at 1–2; *The Tax Cuts and Jobs Act of 2017*, BROOKINGS INST., <https://www.brookings.edu/collection/the-tax-cuts-and-jobs-act-of-2017> (last visited Oct. 12, 2025).

³⁵ Pieklik et al., *supra* note 33, at 2–3.

³⁶ *The Tax Cuts and Jobs Act – Tax Series Part 2 of 7*, CTR. FORWARD (Nov. 20, 2024), <https://center-forward.org/basic/the-tax-cuts-and-jobs-act-tax-series-part-2-of-7/>.

³⁷ Pieklik et al., *supra* note 33, at 19; *The Economic Impact of Extending Expiring Provisions of the Tax Cuts and Jobs Act*, WHITE HOUSE (Apr. 3, 2025), https://www.whitehouse.gov/research/2025/04/the-economic-impact-of-extending-expiring-provisions-of-the-tax-cuts-and-jobs-act/?utm_source.

³⁸ Pieklik et al., *supra* note 33; WHITE HOUSE, *supra* note 37.

families; this is one of the reasons the TCJA did not receive Democrat support and not a single “yea” vote from the party in the House.³⁹

Republicans also aimed to simplify the tax code through the TCJA and to reduce the complexity of the system for both individuals and businesses.⁴⁰ For individuals, the TCJA almost doubled the standard deduction, which allowed more Americans to claim the standard deduction rather than having to itemize.⁴¹ For businesses, the TCJA introduced provisions such as immediate expensing of certain capital investments, which simplified the process for companies and encouraged investment in infrastructure, equipment, and other assets that would contribute to economic growth.⁴²

One of the most prominent provisions aimed at families was the expansion of the Child Tax Credit.⁴³ By increasing the amount families could claim for each child, Republicans aimed to provide direct financial relief to parents, helping to offset the costs of raising children, such as education and healthcare expenses.⁴⁴ Democrat lawmakers agreed with the expanded Child Tax Credit in theory but disagreed with the temporary nature of the provision, citing their belief that the TCJA favored corporations more highly than individuals and families by making individual tax benefits, such as the CTC, temporary and corporate provisions permanent.⁴⁵ The credit was seen as a targeted way to provide relief to families, which could also, in turn, stimulate consumer spending

³⁹ Margot Crandall-Hollick & Joseph Rosenberg, *Unpacking the TCJA: Who Benefits and Who Loses from Extending Major Provisions*, TAX POLY CTR.: URB. INST. & BROOKINGS INST. (Dec. 19, 2024), <https://taxpolicycenter.org/taxvox/unpacking-tcja-who-benefits-and-who-loses-extending-major-provisions>; Roll Call 699, H.R. 1, 115th Cong. (2017) (voting on the motion to concur in the Senate Amendment Tax Cuts and Jobs Act); Nicole Gaudiano, *Democrats Oppose GOP Tax Framework, but Can They Stop It?*, USA TODAY (Sept. 27, 2017), <https://www.usatoday.com/story/news/politics/2017/09/27/democrats-oppose-gop-tax-framework-but-can-they-stop-it/708923001/>.

⁴⁰ Jennifer Bird-Pollan, *Revising the Tax Law: The TCJA and Its Place in the History of Tax Reform*, 45 OHIO N. UNIV. L. REV. 501, 507 (2019).

⁴¹ See Pieklik et al., *supra* note 33, at 13–14.

⁴² See *Tax Cuts and Jobs Act: A Comparison for Businesses*, INTERNAL REVENUE SERV. (Nov. 5, 2024), <https://www.irs.gov/newsroom/tax-cuts-and-jobs-act-a-comparison-for-businesses>; CONG. RSCH. SERV., R48286, EXPIRING PROVISIONS OF P.L. 115-97 (2023), <https://crsreports.congress.gov/product/pdf/R/R48286>.

⁴³ Christian E. Weller, *Expanded Child Tax Credits Have Been a Lifeline for Many*, CTR. FOR AM. PROGRESS (Feb. 23, 2022), <https://www.americanprogress.org/article/expanded-child-tax-credits-have-been-a-lifeline-for-many/>; Kate Schubel, *What Is the TCJA?*, KIPLINGER (Jan. 2, 2025), <https://www.kiplinger.com/taxes/what-is-the-tcja>; Christian Weller, *Expanded Child Tax Credits Quickly Improved Families' Lives*, FORBES (Dec. 21, 2021), <https://www.forbes.com/sites/christianweller/2021/12/21/expanded-child-tax-credits-quickly-improved-families-lives/?sh=6a12f4466ae2>.

⁴⁴ Jacob Goldin & Ariel Jurow Kleiman, *Whose Child Is This? Improving Child-Claiming Rules in Safety-Net Programs*, 131 YALE L.J. 1719, 1722–23, 1730 (2022).

⁴⁵ Gaudiano, *supra* note 39.

and contribute to economic growth.⁴⁶ By focusing on families, the TCJA sought to balance the benefits of tax cuts between businesses and households, with an emphasis on economic expansion.⁴⁷

2. Impact on 26 U.S. Code § 24 - Child Tax Credit

The focus of this article is the impact the passage of the TCJA in 2017 had on 6 U.S. Code § 24 (Child Tax Credit), specifically. The CTC, in terms of history, is not very old; the legislative history of the CTC actually begins with the Taxpayer Relief Act of 1997, in which lawmakers intended to provide financial relief for growing families.⁴⁸ Since its inception in 1997, the CTC has gone through multiple iterations, depending on support in Congress and the changing needs of modern families.⁴⁹ With the passage of the TCJA in 2017, changes to the CTC included increasing the maximum Child Tax Credit to \$2,000 per qualifying child under the age of 17 from \$1,000, increasing the refundable credit amount from \$1,000 to \$1,400, increasing the income thresholds at which the credit began to phase out for individual and joint filings, and increasing the definition of a qualifying child.⁵⁰

Under the Taxpayer Relief Act of 1997, the original Child Tax Credit that was implemented was a \$500 per child non-refundable credit.⁵¹ In 2001, the credit amount increased to \$1,000 per child and also became refundable up to the \$1,000 amount.⁵² From 2001 up to the passage of the TCJA in 2017, the credit amount remained unchanged – a

⁴⁶ Weller, *supra* note 43; Samuel Hammond & Robert Orr, *Measuring the Child Tax Credit's Economic and Social Policy*, NISKANEN CTR. 1, 1, 4–5 (Aug. 2021), https://www.niskanencenter.org/wp-content/uploads/2021/08/Measuring-the-Child-Tax-Credits-Economic-and-Community-Impact.pdf?utm_source.

⁴⁷ See Weller, *supra* note 43; Hammond & Orr, *supra* note 44, at 1; *The Economic Impact of Extending Expiring Provisions of the Tax Cuts and Jobs Act*, WHITE HOUSE (Apr. 3, 2025), <https://www.whitehouse.gov/research/2025/04/the-economic-impact-of-extending-expiring-provisions-of-the-tax-cuts-and-jobs-act/>.

⁴⁸ Taxpayer Relief Act of 1997, Pub. L. 105-34, 11 Stat. 788 (1997); Margot L. Crandall-Hollick, CONG. RSCH. SERV., R45124, THE CHILD TAX CREDIT: LEGIS. HIST. (Dec. 23, 2021), <https://www.congress.gov/crs-product/R45124>.

⁴⁹ Margot L. Crandall-Hollick, CONG. RSCH. SERV., R46502, THE CHILD TAX CREDIT: SELECTED LEGIS. PROPOSALS IN THE 116TH CONG. (Aug. 28, 2020), <https://www.congress.gov/crs-product/R46502>; Robert Hovey, A Road to Recovery: *Why the Expansion of the Child Tax Credit Should Be Permanent*, 57 UIC L. REV. 589, 592 (2024).

⁵⁰ Hovey, *supra* note 49; Brendan McDermott, CONG. RSCH. SERV., R41873, THE CHILD TAX CREDIT: HOW IT WORKS AND WHO RECEIVES IT (Aug. 14, 2025), <https://www.congress.gov/crs-product/R41873>.

⁵¹ Crandall-Hollick, *supra* note 49.

⁵² *How Did the Child Tax Credit Change Over Time?*, USAFACTS (Mar. 21, 2023), <https://usafacts.org/articles/who-does-the-child-tax-credit-benefit-the-most/>.

16 year period without growth.⁵³ According to the Bureau of Labor Statistics, \$10,000 in April 2001 had the same buying power as \$13,822.72 in April 2017.⁵⁴ With that perspective, the credit amount being increased to \$2,000 under President Trump's leadership marked a historic high for the CTC.⁵⁵ From a public policy perspective, this action signaled to American families that the government supported the family structure and wanted to see it succeed.⁵⁶ From the perspective of American families, this meant more money directly back in their pockets, as it was in the form of a tax credit rather than a tax deduction.⁵⁷ Credits and deductions work similarly to reduce tax liability but practically have different outcomes.⁵⁸ A tax deduction allows you to reduce the amount you report as taxable income in your tax return, while a tax credit is applied directly towards the tax amount that you owe the IRS.⁵⁹ In his article with the UIC Law Review, Robert Hovey illustrates these concepts with the following simple examples:

A simple example of this is when a taxpayer has a tax liability of \$100 and they are eligible for a \$150 refundable tax credit; therefore, their \$100 tax liability will be reduced by \$150, resulting in a \$50 tax refund.²⁶ On the other hand, a tax deduction reduces taxable income. For instance, if a taxpayer's income was \$50,000, they would be eligible for a \$12,950 standard tax deduction, and therefore their taxable income would only be \$37,050 instead of the full \$50,000.⁶⁰

Both forms of tax relief have an impact on the taxpayer, but credits allow American families to keep more money directly in their pockets.⁶¹

⁵³ *What Is the Child Tax Credit?*, TAX POL'Y CTR: URB. INST. & BROOKINGS INST. (Aug. 2025), <https://www.taxpolicycenter.org/briefing-book/what-child-tax-credit>.

⁵⁴ *CPI Inflation Calculator*, U.S. BUREAU OF LAB. STAT., https://www.bls.gov/data/inflation_calculator.htm (last visited Apr. 5, 2025); U.S. BUREAU OF LAB. STAT., *Historical Consumer Price Index for All Urban Consumers (CPI-U): U.S. City Average, All Items* (Feb. 2024), <https://www.bls.gov/cpi/tables/supplemental-files/historical-cpi-u-202402.pdf> (showing the historical U.S. consumer price index change from 1912 to 2024).

⁵⁵ See Hammond & Orr, *supra* note 46.

⁵⁶ Dylan J. F. Bellisle et al., *The Role of Taxation in Family Inequality: Possibilities for Reform*, NAT'L COUNCIL ON FAM. RELS., (Dec. 2024), <http://www.ncfr.org/system/files/2025-01/The%20Role%20of%20Taxation%20in%20Family%20Inequality%20Policy%20Brief.pdf>; Donald J. Trump, *Remarks on Tax Reform*, WHITE HOUSE (Nov. 29, 2017), <https://trumpwhitehouse.archives.gov/briefings-statements/remarks-president-trump-tax-reform-2/>.

⁵⁷ Hovey, *supra* note 49, at 593–94.

⁵⁸ *What Are Tax Credits and How Do They Differ from Tax Deductions?*, TAX POL'Y CTR: URB. INST. & BROOKINGS INST. (Jan. 2024), <https://www.taxpolicycenter.org/briefing-book/what-are-tax-credits-and-how-do-they-differ-tax-deductions>.

⁵⁹ *Id.*

⁶⁰ Hovey, *supra* note 49, at 594.

⁶¹ See *id.* at 593–95.

As mentioned above, the original Child Tax Credit was non-refundable under the 1997 Act, and was subsequently changed in 2001 to be refundable.⁶² A non-refundable credit can only go as far as to reduce a taxpayer's liability to zero but a refundable credit has the ability to provide a potential cash payment to a taxpayer if the tax credit amount exceeds that of their tax liability, benefiting low-income taxpayers who owe very little or none in taxes.⁶³ The change in 2001 was a positive step for the CTC; at that point, the refund "was equal to 15% of earned income over a certain amount up to the total tax credit available or the maximum refund value [of \$1,000]," whichever ended up being satisfied first.⁶⁴ The TCJA, in 2017, reduced the earned income threshold from \$3,000 to \$2,500 and increased the refundable credit amount from \$1,000 to \$1,400.⁶⁵ Additionally, Republican lawmakers addressed the issue of inflation impacting the refundable amount's spending power by indexing the refund's cap to inflation.⁶⁶ This means that the refundable credit amount grows with inflation; in 2025, the refundable amount is \$1,700 when adjusted for inflation.⁶⁷ Once again, from a public policy standpoint, this change under the TCJA was positive for the family structure, as it indicated further support of traditional family values by providing financial relief for families, allowing more out-of-pocket funds to go towards the health and well-being of the children.⁶⁸

In addition to reducing the earned income threshold, the income thresholds at which the CTC begins to phase out have been significantly raised under the TCJA to make the credit available to even more families.⁶⁹ At pre-TCJA levels, the phase outs started at \$75,000 for single parents and \$110,000 for married couples.⁷⁰ The TCJA increased these thresholds substantially to \$200,000 for single parents and \$400,000 for married couples.⁷¹ Once that threshold is met by the taxpayer, the CTC is reduced by \$50 for every \$1,000 in income above the threshold until the

⁶² See sources cited in *supra* note 51.

⁶³ McDermott, *supra* note 50.

⁶⁴ Crandall-Hollick, *supra* note 49.

⁶⁵ McDermott, *supra* note 50, at 5.

⁶⁶ U.S. H.R. COMM. ON WAYS & MEANS, TAX CUTS AND JOBS ACT, H.R. 1, SECTION-BY-SECTION SUMMARY (Nov. 2, 2017), https://republicans-waysandmeansforms.house.gov/uploadedfiles/tax_cuts_and_jobs_act_section_by_section_hr1.pdf; TAX FOUND, DETAILS AND ANALYSIS OF THE 2017 TAX CUTS AND JOBS ACT (Nov. 3, 2017), <https://taxfoundation.org/research/all/federal/2017-tax-cuts-jobs-act-analysis/>.

⁶⁷ McDermott, *supra* note 50.

⁶⁸ Pieklik et al., *supra* note 33, at 1–2; see Trump, *supra* note 56.

⁶⁹ McDermott, *supra* note 50.

⁷⁰ *How Did the TCJA Change the Child Tax Credit?*, TAX POL'Y CTR. (Jan. 2024), <https://www.taxpolicycenter.org/briefing-book/key-elements-of-the-us/taxes-and-the-family/how-did-the-teja-change>.

⁷¹ McDermott, *supra* note 50; Child Tax Credit, 26 U.S.C. § 24 (2025).

credit reaches zero.⁷² In addressing the phase out levels for single versus married filers, it raises the question of which parent, if separated, would claim the child(ren) on their tax return for the credit.⁷³ While parents cannot share the CTC, it can be transferred between parents.⁷⁴ However, important questions to ask and settle in agreement between separated parents would be who files as head of the household and who claims the CTC.⁷⁵ For family law attorneys working with clients to form such agreements, it is important to take notes of which parent the child physically lives with more or which parent is covering the majority of costs for the child.⁷⁶ If these factors are both equal, then the attorney can evaluate which parent has the higher adjusted gross income and would benefit more financially from the filing status.⁷⁷ As for who claims the credit, that is traditionally used by the parent who is the primary parent, whether that is by physical or legal custody, or both.⁷⁸ However, this can be set in stone via divorce or separation agreement, as shown by case law; in 2023, the Court of Appeals of Minnesota upheld a couple's divorce pursuant to a stipulated agreement on what years the mother could claim the credit and what years the father could claim the credit.⁷⁹ In 2018, the Superior Court of Connecticut upheld a couple's divorce agreement that stipulated the father was able to claim the younger minor child and the mother was able to claim the older minor child for the CTC.⁸⁰ There are agreements of all types that can be formed by separated parents in determining who claims the CTC, but because there is a potential that who claims the credit can be impacted by the phase out threshold amounts, attorneys should keep this in mind when advising clients.⁸¹ By

⁷² McDermott, *supra* note 50; Child Tax Credit, 26 U.S.C. § 24 (2025).

⁷³ Cindy J. MacAulay & Miles Mason Sr., *Cover Story: Who Gets The Credit?: Calculating The New Child Tax Credits In Your Parenting Plan*, 55 TENN. B.J. 14, 15–17 (2019).

⁷⁴ *Id.*

⁷⁵ *Id.*

⁷⁶ See *Claiming a Child on Taxes Post-Divorce*, STRICKLER, PLATNICK & HATFIELD, P.C. (Dec. 20, 2023), <https://www.modernfamilylawfirm.com/claiming-a-child-on-taxes-post-divorce/>; See *Which Parent Should Claim a Child on Taxes?: Can Both Parents Claim a Child?*, H&R BLOCK, <https://www.hrblock.com/tax-center/filing/dependents/claiming-children-on-taxes/> (last visited Mar. 30, 2025).

⁷⁷ MacAulay & Mason, *supra* note 73, at 16.

⁷⁸ *Id.* at 16–17.

⁷⁹ In re Glirbas, No. A22-0962, 2023 Minn. App. Unpub. LEXIS 201, at 1 (Minn. Ct. App. 2023) (“Because the stipulated dissolution judgment granted respondent-father the exclusive right to claim the parties’ minor child as a dependent on his 2021 tax returns, we conclude that the district court did not abuse its discretion.”).

⁸⁰ Ferrabelo v. Ferrabelo, No. HHDFA176080834S, 2018 Conn. Super. LEXIS 534, at 19 (Conn. Super. Ct. 2018) (“For all tax filing purposes, both federal and state, the plaintiff may claim the youngest minor child for the child tax credit, if appropriate, pursuant to the IRS Code and the defendant may claim the older minor child . . .”).

⁸¹ MacAulay & Mason, *supra* note 73, at 16–17.

making the CTC more accessible to a larger group of taxpayers, the TCJA sought to improve overall economic stability for families, particularly those with children, thereby fostering greater long-term economic security.⁸² Based on this effect, the expansion of this provision is in accordance with the TCJA's policy goals of fairness and tax cuts; the TCJA increased the number of lower-income families eligible by lowering the earned income threshold and increased the number of middle and upper-income families by raising the phase out threshold.⁸³

One other major impact the TCJA had on 6 U.S. Code § 24 was the expansion of the "qualifying child" distinction.⁸⁴ The TCJA increased the age limit for a qualifying child from 16 to 17, meaning that children who are 17 years old are now eligible for the credit, whereas before they were not under pre-TCJA law.⁸⁵ In addition, the TCJA added a requirement that children must have a verifiable Social Security Number (SSN) to be eligible for the credit.⁸⁶ While providing more relief for American families, this requirement provides a safety net for taxpayers and the government.⁸⁷ In addition to the SSN requirement, the TCJA maintains that a child must also fulfil the relationship test and residency test criteria to qualify.⁸⁸ Under the relationship test, the child must be a biological child, adopted child, stepchild, or foster child, or a descendant of one of these (e.g. a grandchild).⁸⁹ The residency test requires that the child live with the taxpayer claiming the credit for six months of the year, absent a divorce or separation agreement laying out express terms otherwise.⁹⁰ This expansion of the "qualifying child" distinction helped to reduce the financial burden on parents as their children reached the later stages of childhood, offering continued tax relief and recognizing the ongoing expenses associated with raising teenagers.⁹¹ Based on these outcomes, the changes to this portion of the CTC under the TCJA also accomplish

⁸² See McDermott, *supra* note 50.

⁸³ Pieklik et al., *supra* note 33, at 2, 3, 12–13.

⁸⁴ Hovey, *supra* note 48, at 599.

⁸⁵ *Id.*

⁸⁶ *Id.* at 592.

⁸⁷ See generally *id.* at 592, 599.

⁸⁸ McDermott, *supra* note 50; *Frequently Asked Questions on the Child Tax Credit*, CHILD'S. DEF. FUND (Aug. 12, 2021), <http://www.childrensdefense.org/blog/understanding-the-expanded-ctc/> (last visited Apr. 1, 2025).

⁸⁹ McDermott, *supra* note 50; CHILD'S. DEF. FUND, *supra* note 88.

⁹⁰ CHILD'S. DEF. FUND, *supra* note 88.

⁹¹ See generally McDermott, *supra* note 50; Sophie M. Collyer et al., *Effects of the Expanded Child Tax Credit on Household Expenditure*, U.S. BUREAU OF LAB. STAT. (Nov. 2022), <https://www.bls.gov/osmr/research-papers/2022/ec220040.htm>.

the Republican lawmakers public policy goals of fairness, simplicity, and tax cuts, ultimately being realized as a positive for American families.⁹²

C. Constitutional Framework

The power to tax is one of the most fundamental authorities vested in the United States government; at the heart of this power lies the Constitution, which establishes a framework that not only grants but also limits the government's ability to levy taxes.⁹³ Primary constitutional provisions guiding this authority are found in Article I, Section 8, Clause 1 (commonly referred to as the "Taxing and Spending Clause") and the Sixteenth Amendment.⁹⁴ Together, these two provisions establish the foundation for the federal government's power to raise revenue and regulate fiscal matters.⁹⁵ An often-overlooked aspect of this framework, however, is the government's ability to provide tax deductions, exemptions, and credits, which are fully within Congress's discretion and power to provide.⁹⁶

Article I, Section 8, Clause 1 of the Constitution grants Congress the power "to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defense and general Welfare of the United States."⁹⁷ The Taxing and Spending Clause reflects a deliberate choice by the framers of the Constitution to provide the federal government with a robust and adaptable tool to generate revenue.⁹⁸ This authority has been interpreted to be broad authority, capable of evolving with the needs of the nation.⁹⁹

While the Taxing and Spending Clause granted Congress significant taxing power, it was the Sixteenth Amendment, ratified in

⁹² Pieklik et al., *supra* note 33, at 1–2; *Congress Profiles: 115th Congress (2017–2019)*, HIST., ART & ARCHIVES, U.S. HOUSE OF REP., <https://history.house.gov/Congressional-Overview/Profiles/115th/> (last visited Nov. 12, 2025).

⁹³ ALPHEUS THOMAS MASON & WILLIAM M. BEANEY, *THE SUPREME COURT IN A FREE SOCIETY* 127–28 (1959); Yoseph Edrey, *Constitutional Review and Tax Law: An Analytical Framework*, 56 AM. U.L. REV. 1187, 1191–92 (2007); Ari Glogower, *The Constitutional Limits To The Taxing Power*, 93 FORDHAM L. REV. 781, 783 (2024); Gillian E. Metzger, *To Tax, To Spend, To Regulate*, 126 HARV. L. REV. 83, 89 (2012).

⁹⁴ Edrey, *supra* note 93, at 1190–92; U.S. CONST. art. I, § 8, cl. 1.

⁹⁵ *See id.* (explaining that Taxing and Spending Clause and the Sixteenth Amendment form the Constitutional basis of Congress's power to tax).

⁹⁶ *See* Reuven S. Avi-Yonah & Yoseph M. Edrey, *Constitutional Review of Federal Tax Legislation*, 2023 U. ILL. L. REV. 1, 27–28 (2023); Alden Abbot et al., *The Left Is Arguing for a Constitutional Right to a Tax Deduction. Here's Why It'll Fail.*, HERITAGE FOUND. (Dec. 22, 2017), <https://www.heritage.org/taxes/commentary/the-left-arguing-constitutional-right-tax-deduction-heres-why-itll-fail>; *see also* *South Carolina v. Baker*, 485 U.S. 505, 527 (1988).

⁹⁷ U.S. CONST. art. I, § 8, cl. 1.

⁹⁸ MASON & BEANEY, *supra* note 93, at 127–28.

⁹⁹ *See id.* at 127–29; *Helvering v. Davis*, 301 U.S. 619, 640–41, 645 (1937) (holding that the concept of general welfare is not "static" and that such concept of welfare is shaped by Congress).

1913, that removed a critical limitation on the government's ability to impose income taxes.¹⁰⁰ Prior to the Sixteenth Amendment, the Supreme Court's decision in *Pollock v. Farmers' Loan & Trust Co.* held that direct taxes on income were subject to apportionment among the states based on population, a requirement that made such taxes politically and practically difficult to implement.¹⁰¹ The Sixteenth Amendment resolved this issue by authorizing Congress "to lay and collect taxes on incomes, from whatever source derived, without apportionment among the several States, and without regard to any census or enumeration."¹⁰² This constitutional revision eliminated the apportionment requirement for income taxes, allowing Congress to enact income taxes that could apply uniformly to all citizens, regardless of state boundaries.¹⁰³ With this new authority, Congress was able to expand its taxing reach, effectively giving rise to the modern federal income tax system.¹⁰⁴

The combination of the Taxing and Spending Clause and the Sixteenth Amendment gives Congress broad authority and flexibility to craft a tax code that reflects the nation's policy objectives that change over time.¹⁰⁵ Deductions, exemptions, and credits are a natural extension of this authority.¹⁰⁶ They enable Congress to tailor the tax code to achieve particular societal goals, such as incentivizing certain behaviors (e.g., keeping the traditional family structure intact) or providing financial relief to families.¹⁰⁷ Thus, while the taxing power is subject to judicial scrutiny in certain respects, the Constitution itself provides a solid framework for Congress's ability to create a tax code that incorporates deductions, exemptions, and credits as part of its broader public policy objectives.¹⁰⁸

Under this constitutional framework, the general public policy considerations, and the above impacts of the TCJA on 6 U.S. Code § 24, it can be said that from a public policy standpoint, the Child Tax Credit

¹⁰⁰ U.S. CONST. amend. XVI; Edrey, *supra* note 93, at 1190.

¹⁰¹ *Pollock v. Farmers' Loan & Trust Co.*, 158 U.S. 601, 619–20, 637 (1895); see Avi-Yonah & Edrey, *supra* note 96, at 13–14; see Glogower, *supra* note 93, at 784–85.

¹⁰² U.S. CONST. amend. XVI.

¹⁰³ Glogower, *supra* note 93, at 784–85; U.S. CONST. amend. XVI.

¹⁰⁴ Glogower, *supra* note 93, at 784–85.

¹⁰⁵ *Id.*; U.S. CONST. art. I, § 8, cl. 1; U.S. CONST. amend. XVI.

¹⁰⁶ See Avi-Yonah & Edrey, *supra* note 96, at 27–28.

¹⁰⁷ See Julia Kagan, *Tax Break: Definition, Different Types, How to Get One*, INVESTOPEDIA (Oct. 31, 2024), <https://www.investopedia.com/terms/t/tax-break.asp>; *Updated Effects of the Tax Cuts and Jobs Act on Representative Families*, TAX POLY CTR.: URB. INST. & BROOKINGS INST. (Dec. 22, 2017), https://www.urban.org/sites/default/files/publication/95561/updated_effects_of_tcja_act_on_representative_families_final.pdf.

¹⁰⁸ Ilya Somin, *The Spending Clause*, NAT'L CONST. CTR., <https://constitutioncenter.org/the-constitution/articles/article-i/clauses/755#the-spending-clause-by-ilya-somin> (last visited Oct. 25, 2025).

under the TCJA accomplishes the goals of Republican lawmakers.¹⁰⁹ Stated generally, the overall goal of these changes to the tax code was to promote the preservation of traditional values and to support economic stability and financial responsibility and freedom among families.¹¹⁰ By expanding the Child Tax Credit and making it more accessible to a broader range of families—particularly those with children aged 17—it aligns with priorities of tax relief, simplifying the tax code, and fairness.¹¹¹ Through providing financial incentives for spouses to stay together for the betterment of their children, families can realize the increased value of the credit and refundable portion.¹¹² The health and well-being of children should be the priority through these public policy discussions; the Child Tax Credit is one tangible tool that the government can provide families to achieve these goals.¹¹³

III. FINANCIAL ANALYSIS

Assessing the public policy goals of tax reform is important, as that points to the core of what lawmakers want to accomplish, however, understanding the financial impacts of changes to the tax code is equally as important since it shapes the economy.¹¹⁴ This section of this article will analyze the cost of the CTC on the government as well as the positive impacts it can have on a family's financial future.

A. *The Cost of the TCJA Child Tax Credit*

As previously established, a tax credit is a dollar-for-dollar reduction on a taxpayer's tax liability that keeps more money in the pockets of the taxpayer.¹¹⁵ With it being the case that some tax credits, such as the Child Tax Credit, are refundable, it is possible to reduce a

¹⁰⁹ See Pieklik et al., *supra* note 33, at 2; Andrew Lautz & Ariana Fanno, *The 2025 Tax Debate: The Child Tax Credit in TCJA*, BIPARTISAN POL'Y CTR. (Apr. 9, 2025), <https://bipartisanpolicy.org/explainer/the-2025-tax-debate-the-child-tax-credit-in-tcja>.

¹¹⁰ Pieklik et al., *supra* note 33, at 1–2; Araujo, *supra* note 21, at 199.

¹¹¹ Emily Wielk & Andrew Lautz, *A Framework for Pro-Family, Fiscally Responsible Tax Reform in 2025*, BIPARTISAN POL'Y CTR. (Mar. 31, 2025), <https://bipartisanpolicy.org/issue-brief/pro-family-fiscally-responsible-tax-reform-2025>; TAX POL'Y CTR.: URB. INST. & BROOKINGS INST., *supra* note 107.

¹¹² See *Financial Relief for Families: The Benefits of the Child Tax Credit*, MAULDIN & JENKINS (Feb. 24, 2025), <https://www.mjcpa.com/financial-relief-for-families-the-benefits-of-the-child-tax-credit/>; Lautz & Fanno, *supra* note 109.

¹¹³ See Walaa Elsayed, *Building a Better Society: The Vital Role of Family's Social Values in Creating a Culture of Giving in Young Children's Minds*, NAT'L LIBR. OF MED. (Apr. 3, 2024), <https://pmc.ncbi.nlm.nih.gov/articles/PMC11004650/>.

¹¹⁴ See Phyllis C. Taite, *Making Tax Policy Great Again: America, You've Been Trumped*, 24 FLA. TAX REV. 240, 242 (2020); see also Jialu L. Streeter, *How Do Tax Policies Affect Individuals and Businesses?*, STANFORD INST. FOR ECON. POL'Y RSCH. (Oct. 2022), <https://siepr.stanford.edu/publications/policy-brief/how-do-tax-policies-affect-individuals-and-businesses>.

¹¹⁵ TAX POL'Y CTR.: URB. INST. & BROOKINGS INST., *supra* note 58.

taxpayer's tax liability to below zero; this directly results in the U.S. Government paying a taxpayer in place of that taxpayer owing taxes.¹¹⁶ While the CTC directly supports households and is a noble public policy goal, it is a form of government expenditure that can leave an impact on budget and deficit.¹¹⁷ The long-term fiscal implications depend on how the credit is structured, its funding sources, and whether the government can generate sufficient tax revenue to balance the increase in spending established by the TCJA.¹¹⁸

The potential expiration of the CTC under the TCJA would effectively raise tax revenues for the government at the expense of raising the tax burden on families of low, middle, and upper-class status.¹¹⁹ With one goal of the current and past Trump Administration to pay down the federal deficit, logically speaking, it can be understood how the government might try to justify letting the CTC expire.¹²⁰ However, this is where lawmakers must take an objective look and a principled stance on maintaining the government's position on standing strong in its support of the family structure and the raising of children. Table 1 below shows the estimated revenue impact, in billions of dollars, that extending the expanded CTC under the TCJA, including the refundability and eligibility requirements, would have on the U.S. Government.

	2026	2027	2028	2029	2030	2031	2032	2033	2034	2035	Total
Extension of expanded CTC	-40.8	-84.9	-85.6	-85.9	-86.4	-87.2	-87.6	-88.3	-88.7	-89.1	-824.4

Table 1: Revenue Impact of Extending TCJA CTC (in billions)¹²¹

As shown in Table 1, it is estimated that the expanded CTC would operate at an \$824.4 billion loss over the next ten years if extended past the sunset time. While general business principles say that a business should not be operated at a financial loss, there is a newer concept called "Social Return on Investment" (SROI) that analyzes loss through the lens

¹¹⁶ McDermott, *supra* note 50; *Refundable Tax Credits*, INTERNAL REVENUE SERV. (Aug. 25, 2025), <https://www.irs.gov/credits-deductions/individuals/refundable-tax-credits>.

¹¹⁷ Hovey, *supra* note 49, at 594–95.

¹¹⁸ Preston Brashers, *What If the Trump Tax Cuts Expire? A Primer on What Is at Stake*, HERITAGE FOUND. (Feb. 25, 2025), https://www.heritage.org/taxes/report/what-if-the-trump-tax-cuts-expire-primer-what-stake#_ftnref25.

¹¹⁹ *See generally id.*

¹²⁰ Donald J. Trump, President, Joint Address to Congress (Mar. 4, 2025); *The 2025 Tax Debate: The Child Tax Credit in the TCJA*, BIPARTISAN POL'Y CTR. (May 13, 2024), <https://bipartisanpolicy.org/explainer/the-2025-tax-debate-the-child-tax-credit-in-tcja/>.

¹²¹ Brashers, *supra* note 118.

of societal impact.¹²² SROI “helps them [investors] see the real impact of their work, including improvements in people's lives and the environment.”¹²³ In the case of the CTC, the government is the investor, per se. Once again, the Republican lawmakers set out an agenda before passing the TCJA in 2017 that outlined a plan to promote fairness and simplicity in tax cuts, and structural changes in those tax cuts that would support the traditional family structure and the financial stability of parents.¹²⁴ If that agenda is what lawmakers want to accomplish in 2025, the goals should still be the same – provide tools for families to strengthen their financial position and care for their children.¹²⁵ While the CTC may in fact operate at a net loss in terms of tax revenue for the government, this Article argues that the social value is priceless. The CTC offers direct financial relief for families bearing the cost of raising children and their basic needs of health and well-being that effectively ripple into creating stronger family structures and communities.¹²⁶ In terms of numbers, the net effect on tax revenue might be negative, but the SROI is greatly positive for the domino effect that support over this issue can cause.¹²⁷ However, while arguing for the existence of the expanded CTC, this Article does not advocate for financial irresponsibility. With talks of finding areas to cut unnecessary government spending currently at an all-time high, lawmakers and government officials could offset the cost of extending the CTC.¹²⁸ In 2022, the U.S. Government Accountability Office (GAO) identified 94 corrective measures that would equate to roughly \$21 billion in savings for the government.¹²⁹ In February 2025, the GAO

¹²² *Social Return on Investment (SROI)*, SOPACT (last updated Aug. 27, 2025), <https://www.sopact.com/guides/social-return-on-investment-sroi#social-return-on-investment-sroi>.

¹²³ *Id.*

¹²⁴ Pieklik et al., *supra* note 33, at 1–2.

¹²⁵ *Id.*

¹²⁶ See Goldin & Kleiman, *supra* note 44, at 1722–23.

¹²⁷ *SROI: How Organizations Measure Social Impact*, OHIO UNIV. (June 27, 2024), <https://www.ohio.edu/news/2024/06/sroi-how-organizations-measure-social-impact> (“By embracing a holistic approach to impact assessment and integrating stakeholder perspectives, organizations can drive meaningful change, one investment at a time.”). In this case, the U.S. Government investing in the permanence of the expanded CTC represents one part of the comprehensive legislation this Article advocates for.

¹²⁸ Romina Boccia & Dominik Lett, *Reducing Spending Now: The Key to Growth, Not Austerity*, CATO INST. (Jan. 16, 2025), <https://www.cato.org/blog/reducing-spending-now-key-growth-not-austerity> (“Pairing tax reform with significant spending cuts is not only fiscally responsible but critical to a pro-growth agenda. . . . Spending cuts aren’t a burden—they’re a path to prosperity. By prioritizing fiscal discipline, Congress can boost growth, restore market confidence, and secure a brighter economic future for all Americans.”).

¹²⁹ *Where can Government Save Money? We’ve Found More than Half a Trillion Dollars in Potential Savings*, U.S. GOV’T ACCOUNTABILITY OFF. (May 11, 2022), <https://www.gao.gov/blog/where-can-government-save-money-weve-found-more-half-trillion-dollars-potential-savings>.

reported an \$84 billion financial savings since its previous annual report.¹³⁰ These cuts are just the tip of the iceberg according to government officials in recent months, and can lead to long-term prosperity if implemented.¹³¹ So, while there might not be enough cuts to completely compensate for the total net loss of the expanded CTC over the next ten years, there certainly is room for reducing the burden on the government to make it more manageable.

B. Impact on Individual Family Finances

To American families, the Child Tax Credit post-TCJA enactment has had a tremendous positive impact on reducing tax liability and furthering financial stability.¹³² The Trump White House reported in 2019 that doubling the CTC, from \$1,000 to \$2,000 per qualifying child, would benefit roughly 40 million American families with each one receiving an average of over \$2,200, effectively putting money back in their pockets.¹³³ For 2020, it was estimated that more than 48 million households would file to claim the credit.¹³⁴ In 2022, it was estimated that the average credit amount by household was \$2,370.¹³⁵ With this tax credit, families are afforded the opportunity to put these funds towards expenses necessary for their children, such as childcare, education, or other daily expenses, or into their savings account.¹³⁶ Overall, the expanded CTC has served as both a practical and symbolic investment in American families.¹³⁷

For a household with one child that received the standard credit amount of \$2,000, this money can have tangible impacts.¹³⁸ Data from the USDA indicates that for a family comprised of one adult male, one adult female, and one older child, the average grocery cost per month on a

¹³⁰ *Heightened Attention Could Save Billions More and Improve Government Efficiency and Effectiveness*, U.S. GOV'T ACCOUNTABILITY OFF. (Feb. 25, 2025), <https://www.gao.gov/products/gao-25-107743>.

¹³¹ Boccia & Lett, *supra* note 128.

¹³² *Two Years On, Tax Cuts Continue Boosting the United States Economy*, WHITE HOUSE (Dec. 20, 2019), <https://trumpwhitehouse.archives.gov/articles/two-years-tax-cuts-continue-boosting-united-states-economy/>.

¹³³ *Id.*; *Trump Administration Accomplishments*, WHITE HOUSE, <https://trumpwhitehouse.archives.gov/trump-administration-accomplishments/> (last visited Nov. 13, 2025).

¹³⁴ David Wessel, *What is the Child Tax Credit? And How Much of it is Refundable?*, BROOKINGS INST. (Feb. 1, 2024), <https://www.brookings.edu/articles/what-is-the-child-tax-credit-and-how-much-of-it-is-refundable/>.

¹³⁵ McDermott, *supra* note 50, at 10.

¹³⁶ Jake Schild et al., *Effects of the Expanded Child Tax Credit on Household Spending: Estimates Based on U.S. Consumer Expenditure Survey Data* (Nat'l Bureau of Econ. Rsch. Working Paper No. 31412, 2023), https://www.nber.org/system/files/working_papers/w31412/w31412.pdf.

¹³⁷ See McDermott, *supra* note 50, at 1.

¹³⁸ *Id.*

moderate-cost budget is \$1,080.¹³⁹ The reduction in tax liability with the CTC would nearly cover the cost of two months of groceries. According to a nationwide survey of over 24,000 primary and secondary private schools, the average cost of tuition for one child is roughly \$13,000.¹⁴⁰ While the savings in tax liability by the CTC would not cover the average cost of private school tuition, it would cover over 15% of the cost, giving families a cushion in what is often a stressful expense.¹⁴¹ It is estimated that the average family could spend \$500-600 per child in back-to-school shopping every year; the tax liability savings from the CTC would cover this cost with money left over.¹⁴² Bottom line, these are examples of everyday expenses that families realize every year in the raising of their children; the numbers explicitly show the expanded CTC under the TCJA have positive impacts on these expenses.¹⁴³

For families that decide not to use the \$2,000 in saved tax liability for direct expenses in raising their children, as shown above, another option would be to invest the money to build future savings that provide long-term financial stability and security.¹⁴⁴ Investing strategies are often personal, as the investor decides how to split their funds between stocks, bonds, etc; based on historical data for average investment returns between 1970 and 2024, a conservative investing strategy yields 7.1%, a moderately conservative strategy yields 8.4%, a moderate strategy yields 9.3%, a moderately aggressive strategy yields 9.9%, and an aggressive strategy yields 10.3%.¹⁴⁵ While these average percentages are based on years of past results, past performance is not always the perfect guarantee

¹³⁹ Cady Cohen & Heather Hatley, *Average Grocery Cost Per Month: The 2025 Breakdown*, INSTACART (Dec. 23, 2024), <https://www.instacart.com/company/ideas/average-grocery-cost-per-month/>; *USDA Food Plans: Monthly Cost of Food Reports*, U.S. DEPT OF AGRIC.: FOOD & NUTRITION SERV. (last updated Aug. 25, 2025), <https://www.fns.usda.gov/research/cnpp/usda-food-plans/cost-food-monthly-reports>.

¹⁴⁰ Melanie Hanson, *Average Cost of Private School*, EDUC. DATA INITIATIVE (Aug. 29, 2024), <https://educationdata.org/average-cost-of-private-school>.

¹⁴¹ *See id.*

¹⁴² *Back-to-School Budget: How Much to Save & Tips for Parents*, U.S. SENATE FED. CREDIT UNION (July 31, 2024), <https://www.ussfcu.org/media-center/senate-cents-a-financial-wellness-blog/blog-detail.html?cId=89629&title=back-to-school-budget-how-much-to-save-tips-for-parents>; Jennifer Timmerman, *Inflation and Tariffs are Hitting Back-to-School Spending. The stock market could be tested*, MORNINGSTAR (July 23, 2025), <https://www.morningstar.com/news/marketwatch/20250823185/inflation-and-tariffs-are-hitting-back-to-school-spending-the-stock-market-could-be-tested>.

¹⁴³ *See* McDermott, *supra* note 50, at 2-3.

¹⁴⁴ Jane G. Gravelle & Donald J. Marples, *Can Tax Policy Increase Saving?*, LIBRARY OF CONGRESS (June 11, 2024), <https://www.congress.gov/crs-product/R48092>.

¹⁴⁵ *How Three Types of Investors can React to Volatility*, CHARLES SCHWAB (Aug 15, 2025), <https://www.schwab.com/learn/story/how-types-investors-can-react-to-volatility>; Luke Conway, *What is Diversification and Why you Should Use it for Your Portfolio*, CONWAY WEALTH (Sept. 23, 2025), <https://conwaywealth.com/insights/what-is-diversification-and-why-you-should-use-it/>.

of future results; investing involves risk, and as shown, the greater amount of risk one is willing to take, the higher the opportunity for return.¹⁴⁶ A younger investor would feel more comfortable taking on a moderately aggressive strategy, as they have more time to recover their investment if it goes awry.¹⁴⁷ An older investor, on the other hand, would likely lean more towards a conservative strategy; these are individuals who have likely built a pot of savings for retirement, and this investment strategy is a method to keep the pot replenished but not necessarily grow expansively.¹⁴⁸

Working under a hypothetical situation, assume there is a family claiming the Child Tax Credit for their one child, and receiving the full \$2,000 credit as a reduction to their tax liability instead of any of the refundable portion. Assume that both parents are 25 when their child is born and decide to invest their \$2,000 savings every year for the 17 years possible under the expanded CTC. Table 2 and Graph 1, as shown below, show how this annual investment would grow under a moderately aggressive strategy.¹⁴⁹

Year	Deposit	Interest	Ending Balance
1	\$2,000	\$0	\$2,000
2	\$2,000	\$198.00	\$4,198.00
3	\$2,000	\$415.60	\$6,613.60
4	\$2,000	\$654.75	\$9,268.35
5	\$2,000	\$917.57	\$12,185.92
6	\$2,000	\$1,206.41	\$15,392.32
7	\$2,000	\$1,523.84	\$18,916.16
8	\$2,000	\$1,872.70	\$22,788.86
9	\$2,000	\$2,256.10	\$27,044.96
10	\$2,000	\$2,677.45	\$31,722.41
11	\$2,000	\$3,150.52	\$36,862.93

¹⁴⁶ CHARLES SCHWAB, *supra* note 145.

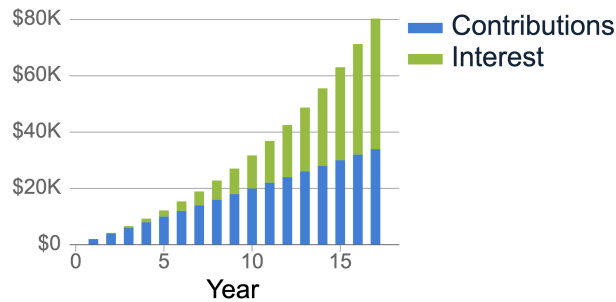
¹⁴⁷ *Id.*

¹⁴⁸ *Id.*

¹⁴⁹ *Id.* (“The hypothetical moderately aggressive allocation is 45% large-cap stocks, 15% small-cap stocks, 20% international stocks, 15% bonds, and 5% cash investments.”).

12	\$2,000	\$3,649.43	\$42,512.36
13	\$2,000	\$4,208.72	\$48,721.08
14	\$2,000	\$4,823.39	\$55,544.47
15	\$2,000	\$5,498.90	\$63,043.37
16	\$2,000	\$6,421.29	\$71,284.66
17	\$2,000	\$7,057.18	\$80,341.84

Table 2: Accumulation Schedule for Moderately Aggressive Strategy¹⁵⁰



Graph 1: Accumulation Schedule for Moderately Aggressive Strategy¹⁵¹

Under this hypothetical, by investing the \$2,000 tax credit annually using the moderately aggressive strategy for the entire 17-year period it can be claimed for their child, the family would average an ending balance of \$80,341.84. Broken down, \$34,000.00 of this balance is the annual contributions and \$46,341.84 is earned interest. As modeled by the graph, interest grows exponentially, and the longer it accumulates, the faster it will grow; by the 17th year, for example, the interest earned at that yield rate would be more than three times the contribution.

According to financial advisors, the average savings for a married couple with one child is \$73,890.¹⁵² By utilizing a tool made available to them by the government, the hypothetical family in the example above would be able to accumulate savings above the national average in 17 years, not taking into account any other types of savings or retirement

¹⁵⁰ Accumulation schedule was calculated using a financial calculator.

¹⁵¹ Data from Table 1 was input into a graphing model to create Graph 1. If graph color is not available, “contributions” is represented by the bottom portion of the columns and “interest” is represented by the top portion. Overall, this graph models the exponential growth that can be realized using an investing strategy.

¹⁵² Liz Knueven & Kit Pulliam, *What's the Average Savings Account Balance? Insights & Trends*, BUS. INSIDER (July 22, 2024), <https://www.businessinsider.com/personal-finance/banking/average-american-savings>.

plans the couple may have.¹⁵³ The CTC has real impacts on families across the country, helping them to achieve financial security while providing assistance in raising children, one of the central purposes of economic policy.¹⁵⁴ Traditional families, like the hypothetical one, are the cornerstone of society, and as shown, the CTC is a policy that supports the institution of marriage and strengthens family life.¹⁵⁵

IV. BIBLICAL PERSPECTIVE

A. What Defines a Family

The family structure is often defined differently by people today, commonly based upon their current situation, how they were raised, or what society insists. The word “family” is defined by Merriam-Webster’s dictionary as “the basic unit in society traditionally consisting of two parents rearing their children” or “any of various social units differing from but regarded as equivalent to the traditional family,” where the first definition represents the traditional family structure and the second definition represents families such as single-parent families.¹⁵⁶ Society today often views the family structure as a social construct or social calling.¹⁵⁷ To really understand what the definition of family is, however, we must turn to scripture to see how God intended families to be structured at creation.¹⁵⁸

Before any government or modern society was established that would eventually write a definition for marriage from a social perspective, there was an intentional commitment to the union of a man and a woman, as shown by the first marriage and family structure modeled in the Bible by Adam and Eve.¹⁵⁹ In Genesis 2:18, the Lord introduces His plan that we were not designed to live alone, as he says, “It is not good for the man [Adam] to be alone. I will make a helper suitable for him [Eve].”¹⁶⁰ Later in the chapter, Genesis 2:24 expresses God’s design that a man and a wife are to become united as one flesh.¹⁶¹ God intentionally did not create a separate man and woman from the start, but later formed a woman from the man’s rib, further conveying the importance for oneness in

¹⁵³ See *supra* text Section III.B, and accompanying notes.

¹⁵⁴ AM. ACAD. OF ARTS & SCIENCES, ADVANCING A PEOPLE-FIRST ECONOMY: SECURITY, 25 (American Academy of Arts & Sciences eds. 2023), https://www.amacad.org/sites/default/files/publication/downloads/2023_CORE_People-First-Economy.pdf; see Bufford, *supra* note 16, at 305.

¹⁵⁵ Araujo, *supra* note 21, at 199.

¹⁵⁶ *Family*, MERRIAM-WEBSTER’S DICTIONARY (11th ed. 2003).

¹⁵⁷ LYNNE MARIE KOHM, BIBLICAL FOUNDATIONS OF FAMILY LAW 3–4 (2013).

¹⁵⁸ Steven Wedgworth, *How Does God Define Family?*, DESIRING GOD (July 9, 2021), <https://www.desiringgod.org/articles/how-does-god-define-family>.

¹⁵⁹ KOHM, *supra* note 157, at 4.

¹⁶⁰ *Genesis* 2:18 (NIV).

¹⁶¹ *Genesis* 2:24 (NIV).

marriage.¹⁶² From these two verses, it is shown that one of God's purposes for designing the family was for unified spouses to act as each other's support, helper, and guide.¹⁶³ This partnership, rooted in selflessness and service, strengthens the foundation for a home where both spouses are empowered to fulfill their roles in God's greater plan.

Legislation implicitly displays the moral, social, and religious values of the lawmakers writing and supporting the legislation; in the case of the TCJA, the tax reform policies set forth reflect the direction Republican lawmakers want to go in supporting individuals, families, and businesses.¹⁶⁴ According to Linda Sugin, Professor of Law at Fordham Law School, the TCJA promotes five specific values, one of which is the promotion of the traditional family being the best structure for spouses and children; effectively, the TCJA has benefitted traditional families and encouraged spouses to stay married by changing the rate structure, modifying tax benefits for children, and changing the method of taxing alimony payments.¹⁶⁵ Married couples, by filing taxes jointly, aggregate their income and receive a "rate break" on the marginal tax rates; for example, "in 2018, single individuals begin paying tax at 22% on earnings in excess of \$38,700, while married filers pay tax at 22% on earnings in excess of \$77,400."¹⁶⁶ Under a marginal tax structure that supports married couples filing jointly, spouses are given flexibility in deciding who works more to earn income within the tax threshold and who might work less, or even part-time to stay-at-home and care for their children.¹⁶⁷ As discussed earlier in this article, the tax benefits for children were modified to include an increase to the Child Tax Credit from \$1,000 per qualifying child to \$2,000 and an increase in the phase-out income range to make the tax credit available to more American families. The change in the taxation of alimony payments is a section discussed less than others in the TCJA but one that still has an impact on families.¹⁶⁸ According to pre-TCJA tax laws, the taxpayer making alimony payments to a former spouse could deduct it on their tax return, and the taxpayer receiving the payment was

¹⁶² Joseph Calvin Atkinson, *Roots of the Christian Family in the Old Testament: Corporate Personality*, 4 LIBERTY LIFE FAM. 57, 66 (1999).

¹⁶³ *Id.* at 66–67.

¹⁶⁴ Linda Sugin, *The Social Meaning of the Tax Cuts and Jobs Act*, 128 YALE L.J.F. 403, 403–04 (2018).

¹⁶⁵ *Id.* at 405, 405; Linda Sugin, *Gail D. Hollister '70 Distinguished Research Scholar, Professor of Law*, FORDHAM SCH. L., <https://www.fordham.edu/school-of-law/faculty/directory/full-time/linda-sugin/> (last visited Nov. 16, 2025).

¹⁶⁶ Sugin, *supra* note 164, at 406.

¹⁶⁷ Robert VerBruggen, *Treating Parents Fairly*, NAT'L AFF. (2014), <https://www.nationalaffairs.com/publications/detail/treating-parents-fairly>.

¹⁶⁸ See Sugin, *supra* note 164, at 412.

required to include it as income on their tax return.¹⁶⁹ Under the TCJA, for divorce agreements going into effect on or after January 1, 2019, the alimony payment is no longer deductible for the taxpayer that is making the payment or included as income for the taxpayer receiving the payment.¹⁷⁰ From all these changes, the government is effectively providing married couples with incentives to stay married while also promoting financial responsibility.¹⁷¹

So, what defines a family? In God's eyes, the family is not defined by physical relationships alone, but also by the spiritual and emotional unification between the husband and wife, the desire and need to support their children, and the overall love and care that are expressly modeled through those two purposes above.¹⁷² By cultivating an environment that prioritizes spiritual growth, families have the opportunity to raise their children to be part of the next generation that embodies Christ's love and truth.¹⁷³ Together, these purposes underscore the enduring significance of the traditional family structure as both a reflection of God's design and a means of fulfilling His will on earth.¹⁷⁴ While not explicitly touted to support these Christian purposes of the model traditional family, the TCJA, in effect, does support the traditional family structure and definition through financial incentives, leading to a win in politics for Christian advocates.¹⁷⁵

B. Teachings Related to Family and Support for Children

In addition to the purpose of spouses being a support for each other, God also designed spouses to procreate and subsequently care for their children.¹⁷⁶ Children are gifts from the Lord, and parents are thus entrusted with the duty to care for them in a manner that is in the best interest of their children.¹⁷⁷ Through this sacred duty, families become a place of growth, teaching, and the passing down of values that honor God.¹⁷⁸ By caring for children, parents not only provide for their physical and emotional needs but also help them grow spiritually, teaching them to love and serve God.¹⁷⁹ In this way, family life becomes a means of

¹⁶⁹ *Id.*; *Divorce or Separation May Have an Effect on Taxes*, INTERNAL REVENUE SERV. (July 8, 2019), <https://www.irs.gov/newsroom/divorce-or-separation-may-have-an-effect-on-taxes>.

¹⁷⁰ INTERNAL REVENUE SERV., *supra* note 169.

¹⁷¹ Sugin, *supra* note 164, at 412–13; John C. McDonald, *Into the Sunset: Divorcing Families Need Their Slice of the TCJA Reversions*, 50 BYU L. REV. 531, 534 (2024).

¹⁷² KOHM, *supra* note 157, at 31.

¹⁷³ *Id.*

¹⁷⁴ *Id.*

¹⁷⁵ See Sugin, *supra* note 164, at 405.

¹⁷⁶ KOHM, *supra* note 157, at 23.

¹⁷⁷ *Id.* at 23–24.

¹⁷⁸ *Id.* at 24.

¹⁷⁹ *Id.*

reflecting God's heart and His desire for all to flourish.¹⁸⁰ Parents can teach the Bible to their children by making it a central part of their daily lives and fostering a love for God's Word from an early age.¹⁸¹ Parents can engage their children through questions, discussions, and even memorization, helping them understand the deeper meaning behind stories and teachings.¹⁸² Living out biblical principles in front of their children is just as important; parents model Christ-like love, forgiveness, and integrity, showing how the Bible shapes their own lives.¹⁸³ In addition, parents have been given direct biblical responsibilities in the way to bring up a child, including teaching the ten commandments, the law, how to act in a conduct that is pure and right, how to treat their mother and father or other elders, and how to pass on the biblical principles they have been taught to their children.¹⁸⁴ In his dissenting opinion in *Troxel v. Granville*, Justice Scalia subscribes to the same thought process – while parental rights are fundamental, the origin of these rights is not in government or the Constitution, but in natural law.¹⁸⁵ For Scalia, the right of parents to direct the care and upbringing of their children is not merely a cultural or historical tradition but an unalienable right.¹⁸⁶ Parental authority and the right to support one's children “perhaps [is] the oldest of the fundamental liberty interests,” existing prior to and independent of government.¹⁸⁷ Justice Scalia called for legislative, not judicial, solutions to protect, uphold, and support the rights bestowed on families by the Lord, believing that matters of this nature should be debated and decided by elected lawmakers, not a panel of judges.¹⁸⁸ In light of this perspective, the expanded CTC under the

¹⁸⁰ See PAUL KUMAR, FAMILIES AFTER GOD'S HEART: A BIBLICAL PERSPECTIVE ON MARRIAGE, FAMILY AND DISCIPLESHIP 63–64 (May 2023) (Ph.D. dissertation, Asbury Theological Seminary) (on file online with Asbury Theological Seminary).

¹⁸¹ David Jeremiah, *How to Help Our Kids Love God's Word*, PROVERBS 31 MINISTRIES (Dec. 15, 2016), <https://proverbs31.org/read/devotions/full-post/2016/12/15/how-to-help-our-kids-love-gods-word/>; Voddie Baucham, Jr., *It's Up to Parents to Teach God's Word to Their Children*, FAMILYLIFE, <https://www.familylife.com/articles/topics/parenting/foundations/spiritual-development/its-up-to-parents-to-teach-children-gods-word/> (last visited Sept. 19, 2025).

¹⁸² Kurt W. Bubna, *Raising Godly Kids in an Ungodly World*, FOCUS ON FAM. (Apr. 27, 2022), <http://www.focusonthefamily.com/parenting/raising-godly-kids-in-an-ungodly-world/>.

¹⁸³ *Id.*

¹⁸⁴ *Deuteronomy* 6:7 (NIV) (teaching children the ten commandments); *Deuteronomy* 11:19 (NIV) (teaching children the law); *Proverbs* 20:11 (NIV) (teaching children to act in a manner pure and right); *Mark* 7:10 (NIV) (teaching children how to treat their mother and father or other elders); *Joel* 1:3 (NIV) (teaching children to pass along the biblical principles taught by their parents).

¹⁸⁵ *Troxel v. Granville*, 530 U.S. 57, 91–92 (2000).

¹⁸⁶ *Id.* at 91.

¹⁸⁷ *Id.* at 65.

¹⁸⁸ Sonya C. Garza, *The Troxel Aftermath: A Proposed Solution for State Courts and Legislatures*, 69 LA. L. REV. 927, 938 (2009); *Troxel*, 530 U.S. at 91–92.

TCJA fits within not only the biblical framework of God's design for caring for children but also within the structured, family-first outlook on legislation that advances a commitment to judicial restraint and an originalist view of the Constitution set forth by Justice Scalia in *Troxel*.¹⁸⁹

C. Principles Related to Taxation

The principles of taxation are highlighted multiple times in scripture, emphasizing the role of civil government and its authority to set and collect taxes for the common good of citizens.¹⁹⁰ Just as it was God's design for spouses to care for each other and their family, it was also His design for those in authority to tax in a way that is compassionate, fair, effective, and in a manner of stewardship.¹⁹¹ While the concept of taxes is not one often evaluated through that of a Biblical lens, "individual Americans enjoy absolute constitutional rights, when voting and expressing their political views in a law abiding fashion, to draw upon their personal (including faith-based) moral values to evaluate all public policy issues, including tax policy questions."¹⁹² In fact, in a country where the staggering majority identify themselves to be Christian, it would more often than not benefit society positively if more individuals evaluated public policy issues through that of a Biblical lens.¹⁹³ In the Old Testament, the Israelites were instructed to contribute to various forms of taxation, such as the tithe, which was a tenth of their produce or income given to support the Levites, who were responsible for the temple and religious services.¹⁹⁴ In addition to the tithe, there were other taxes and offerings, including the annual half-shekel temple tax.¹⁹⁵ The New Testament echoes the legitimacy of taxation when Jesus, in Matthew 22:17-21, instructs people to "[s]o give back to Caesar what is Caesar's, and to God what is God's" in response to a question about paying taxes to the Roman authorities, underscoring the principle of obeying secular

¹⁸⁹ David M. Wagner, *Thomas V. Scalia on the Constitutional Rights of Parents: Privileges and Immunities, Or Just "Spinach"?*, 24 REGENT U.L. REV. 49, 57 (2011).

¹⁹⁰ Susan Pace Hamill, *An Argument for Tax Reform Based on Judeo-Christian Ethics*, 54 ALA. L. REV. 1, 8 (2002) [hereinafter Hamill, *Argument for Tax Reform*].

¹⁹¹ Ralph Drollinger, *Five Biblical Principles for Tax Policy*, CAP. MINISTRIES (Nov. 27, 2023), <https://capmin.org/five-biblical-principles-for-tax-policy/>; Mark D. Harris, *Taxes in the Bible*, MD HARRIS INST. (Mar. 6, 2023), <https://mdharrismd.com/2023/03/06/taxes-in-the-bible/>.

¹⁹² Susan Pace Hamill, *An Evaluation of Federal Tax Policy Based on Judeo-Christian Ethics*, 25 VA. TAX REV. 671, 677 (2006) [hereinafter Hamill, *Evaluation of Federal Tax Policy*].

¹⁹³ *Id.* at 675–76.

¹⁹⁴ *Leviticus* 27:30–32 (NIV); *Numbers* 18:21–24 (NIV).

¹⁹⁵ *Exodus* 30:13–15 (NIV).

government laws.¹⁹⁶ Moreover, in Romans 13:6-7, the Apostle Paul affirms that taxes are a rightful obligation to those in authority, as they serve as ministers of God to promote good and maintain justice.¹⁹⁷

These biblical teachings emphasize that taxation is not only a duty but also a means of ensuring societal welfare, with the importance of fairness, justice, and the responsible use of public resources.¹⁹⁸ It is the place of the law to enforce payment of taxes to uphold these purposes, combating human greed and the desire for one to not pay their fair share of taxes that stems from sin and the fall of humankind in Genesis.¹⁹⁹ The Bible also, however, cautions against excessive or unjust taxation, advocating for transparency and accountability in how tax revenues are used for the benefit of all citizens.²⁰⁰ Providing specific tax cuts is one way the government can encourage citizens to fulfill their duty of paying taxes while giving relief in certain circumstances.²⁰¹

The tax burden on American families can be a significant financial challenge, especially for those with children.²⁰² The cost of raising children in the U.S. has steadily risen, with expenses for child care, education, and everyday needs adding up quickly.²⁰³ In this context, tax relief is an important tool in easing the financial strain on families and providing support for parents; there has been a nationwide trend of individual states

¹⁹⁶ *Matthew* 22:17–21 (NIV) (In this story, Caesar represents human authority and an earthly government system. The coin displays Caesar's image, so it's appropriate to give it back to him – it is a tangible product of his impact on the political and economic system of that time. Jesus acknowledges that part of living within an earthly kingdom is subjecting oneself to the confines of human government. The distinction Jesus is making is between the importance of perspective on matters that are of this earth and differentiating them from eternal matters. According to Genesis 1:26–27, humans, on the other hand, are made in the image of God, implying that our ultimate allegiance and identity belong to God. So, while it is reasonable and even right to fulfill obligations to governing authorities in material matters, Jesus is drawing a sharp line: material things may belong to Caesar, but the soul, heart, and life of a person belong entirely to God. In short, give Caesar [the government] your coins [taxes], but give your life to God.)

¹⁹⁷ *Romans* 13:6–7 (NIV).

¹⁹⁸ Tsilly Dagan, *The Currency of Taxation*, 84 *FORDHAM L. REV.* 2537, 2537 (2016); Philip Hackney, *Political Justice and Tax Policy: The Social Welfare Organization Case*, 8 *TEX. A&M L. REV.* 271, 272–73 (2021).

¹⁹⁹ Hamill, *Evaluation of Federal Tax Policy*, *supra* note 192, at 677, 680; *see Genesis* 3:1–24 (NIV).

²⁰⁰ *Luke* 3:12–13 (NIV) (emphasizing that tax collectors are called to fairness and justice).

²⁰¹ *See* Hamill, *Evaluation of Federal Tax Policy*, *supra* note 192, at 694, 695.

²⁰² *See id.*; Robert Rector, *Reducing the Crushing Tax Burden on America's Families*, HERITAGE FOUND. (Mar. 7, 1994), <https://www.heritage.org/taxes/report/reducing-the-crushing-tax-burden-americas-families>.

²⁰³ Matt Gonzales, *Soaring Child Care Costs Are Burdening Working Parents*, SHRM (Feb. 6, 2024), <http://www.shrm.org/topics-tools/news/inclusion-diversity/soaring-child-care-costs>; Bethany Braun-Silva, *How Much it Costs to Raise a Child in the US*, ABC NEWS (Apr. 7, 2025), <http://abcnews.go.com/GMA/Family/costs-raise-child-us/story?id=120376717>.

passing legislation to reduce the tax burden on families.²⁰⁴ On a federal level, the TCJA's Child Tax Credit offers direct financial relief to families making the decision to have and raise children by increasing the credit amount from \$1,000 to \$2,000 per child.²⁰⁵ Not only does the credit help reduce the overall tax burden, but it also includes a provision for a \$1,400 refundable credit, meaning families can receive the benefit even if they don't owe enough taxes to fully use the credit.²⁰⁶ These changes make it easier for families to afford the growing costs of raising children, helping them meet the demands of daily life and plan for the future with greater financial stability.²⁰⁷

D. Bible's Place in Advocating for and Forming Legislation

Famously written about in his 1802 letter to the Danbury Baptists, Thomas Jefferson reinforced the principle of the separation of church and state and its significance to individual liberties and the practice of religion in the United States.²⁰⁸ When many of the European countries were deeply intertwined with the church in relation to government, the Founding Fathers understandably wanted to establish the U.S. with a separation of church and state.²⁰⁹

Freedom of religion is one of the ideological pillars this country was founded on, and has since been made a Constitutional protection through the First Amendment.²¹⁰ This freedom is one that most Americans, those on both sides of the political aisle and those who practice different religions, very much believe in and support; we might not agree with someone theologically who practices another religion, but that is within their individual right to do so.²¹¹ While lawmakers should not be

²⁰⁴ Hamill, *Argument for Tax Reform*, *supra* note 190, at 12; *Child tax credit: FAQ*, THOMSON REUTERS (Apr. 17, 2025) <https://tax.thomsonreuters.com/blog/child-tax-credit-faq>.

²⁰⁵ McDermott, *supra* note 50, at 2.

²⁰⁶ *Id.*

²⁰⁷ Amanda Guarino, *The Child Tax Credit and the Child and Dependent Care Tax Credit – Understanding the Difference*, FIRST FIVE YEARS FUND (Sept. 27, 2024), <https://www.ffyf.org/resources/2024/09/understanding-the-difference-between-the-child-tax-credit-and-the-child-care-tax-credit/>.

²⁰⁸ Thomas Jefferson, *Letter to the Danbury Baptists*, LIBR. OF CONG. (Jan. 1, 1802), <https://www.loc.gov/loc/lcib/9806/danpre.html>; Raymond W. Kaselonis, Jr., *Everson and “the Wall of Separation Between Church and State”*: *The Supreme Court's Flawed Interpretation of Jefferson's Letter to the Danbury Baptists*, 17 REGENT U.L. REV. 101, 122 (2004).

²⁰⁹ See *Another Trans-Atlantic Divide? Church-State Relations in Europe and the United States*, PEW RESEARCH CTR. (May 22, 2007), <https://www.pewresearch.org/religion/2007/05/22/another-trans-atlantic-divide-church-state-relations-in-europe-and-the-united-states/>; Patrick M. Garry, *The Myth of Separation: America's Historical Experience with Church and State*, 33 HOFSTRA L. REV. 475, 476, 483–84 (2004).

²¹⁰ U.S. CONST. amend. I; Michael W. McConnell, *Why Protect Religious Freedom?*, 123 YALE L.J. 770, 772 (2013).

²¹¹ McConnell, *supra* note 210, at 772.

writing legislation to decree Christianity the official religion of the U.S. on a national level at the expense of other religions, the basic principles and beliefs supported by the Christian faith transcend that of the faith and should be considered by lawmakers.²¹² Although the U.S. government was not established explicitly by Christian principles and cited by scripture, Christian principles did play a role in shaping their worldview on issues such as natural and individual rights, governance, and the rule of law.²¹³

To strike the balance between how far lawmakers should go in relying on religion, the First Amendment of the U.S. Constitution includes two key clauses related to religion: the Free Exercise Clause and the Establishment Clause.²¹⁴ The Free Exercise Clause guarantees individuals the right to practice their religion freely, without government interference, allowing citizens to express their religious beliefs and engage in religious activities.²¹⁵ On the other hand, the Establishment Clause prohibits the government from establishing an official religion or favoring one religion over others.²¹⁶ Together, these clauses create a framework that ensures both religious freedom and the separation of church and state, aiming to protect individuals' rights to practice their religion while preventing government endorsement or imposition of religious practices.²¹⁷ The gray area between the restriction and freedom the two clauses create is where the litigation over religious liberty occurs.²¹⁸

In Romans, the Apostle Paul writes about a Christian's role in governance, emphasizing the importance of submitting to authority and obeying the laws of the land.²¹⁹ However, this does not mean that

²¹² *Unlocking the Spiritual Connection: Discover How the U.S. Legal System Embodies Christian Faith Values*, MCKAY L. (Oct. 18, 2024), <https://mckaylawtx.com/discover-how-the-u-s-legal-system-embodies-christian-faith-values> [hereinafter *Unlocking the Spiritual Connection*].

²¹³ Roger Bern, *A Biblical Model for Analysis of Issues of Law and Public Policy: With Illustrative Applications to Contracts, Antitrust, Remedies and Public Policy Issues*, 6 REGENT U.L. REV. 103, 108 (1995); Mark David Hall, *Did America Have a Christian Founding?* HERITAGE FOUND. (June 7, 2011), <https://www.heritage.org/political-process/report/did-america-have-christian-founding>

²¹⁴ Carl H. Esbeck, *Differentiating the Free Exercise and Establishment Clauses*, 42 J. CHURCH & ST. 311, 311 (2000); see U.S. CONST. amend. I.

²¹⁵ Esbeck, *supra* note 214, at 311.

²¹⁶ *Id.*

²¹⁷ *Id.*

²¹⁸ *Id.* at 327.

²¹⁹ *Romans* 13:1–5 (NIV) (“1 Let everyone be subject to the governing authorities, for there is no authority except that which God has established. The authorities that exist have been established by God. 2 Consequently, whoever rebels against the authority is rebelling against what God has instituted, and those who do so will bring judgment on themselves. 3 For rulers hold no terror for those who do right, but for those who do wrong. Do you want to be free from fear of the one in authority? Then do what is right and you will be commended.

Christians are simply to sit by and accept a government and society marginalizing the Church; we are called to stand firm in our faith, especially when the law directly contradicts the Lord's commands.²²⁰ Christians can influence the law by advocating for principles and legislation that align with biblical teachings, such as the sanctity of life, the dignity of traditional marriage and family, and the importance of truth-telling.²²¹ In a study published in 2020 by the Pew Research Center, researchers asked U.S. adults on how much influence the Bible should have on legislation, culminating in the following feedback:

Today, about half of Americans (49%) say the Bible should have at least "some" influence on U.S. laws, including nearly a quarter (23%) who say it should have "a great deal" of influence, according to a recent Pew Research Center survey. Among U.S. Christians, two-thirds (68%) want the Bible to influence U.S. laws at least some, and among white evangelical Protestants, this figure rises to about nine-in-ten (89%).²²²

Christians have a role in government and are called to serve in office or as advocates, just as some are called to serve in ministry, medicine, or business.²²³

The emphasis the Founding Fathers placed on the rule of law promotes uniformity, common good, and fairness, and the need for both leaders and individuals to be held accountable is rooted in the Christian principles of justice referenced in Exodus and the Ten Commandments. Christians support freedom of religion and individual rights but not unlawfulness; the Ten Commandments and other Biblical teachings serve as a moral foundation to the law, and we should continue to support justice, mercy, and humility as the Lord desires.²²⁴ The Ten Commandments support general human flourishing, which is a common

4 For the one in authority is God's servant for your good. But if you do wrong, be afraid, for rulers do not bear the sword for no reason. They are God's servants, agents of wrath to bring punishment on the wrongdoer. 5 Therefore, it is necessary to submit to the authorities, not only because of possible punishment but also as a matter of conscience.").

²²⁰ Bern, *supra* note 213, at 189.

²²¹ See *Unlocking the Spiritual Connection*, *supra* note 212.

²²² Michael Lipka, *Half of Americans Say Bible Should Influence U.S. Laws, Including 28% Who Favor it Over the Will of the People*, PEW RSCH. CTR. (Apr. 13, 2020), <https://www.pewresearch.org/short-reads/2020/04/13/half-of-americans-say-bible-should-influence-u-s-laws-including-28-who-favor-it-over-the-will-of-the-people/>.

²²³ See Jon Bloom, *Christian, Your Job is a Ministry Job*, DESIRING GOD (May 18, 2015), <https://www.desiringgod.org/articles/christian-your-job-is-a-ministry-job>.

²²⁴ Hamill, *Evaluation of Federal Tax Policy*, *supra* note 192, at 679; Mary Beth McCauley, *The Ten: The Commandments as a Moral Source Code in Modern Life*, CHRISTIAN SCI. MONITOR (Nov. 6, 2019), <https://www.csmonitor.com/USA/Society/2019/1015/The-Ten-The-Commandments-as-a-moral-source-code-in-modern-life>.

ground that Christians and non-Christians can agree upon.²²⁵ For example, the commandments against killing, stealing, and lying all influence modern law today; murder, theft, and perjury all are possible criminal charges.²²⁶ The crimes are not inherently pushing those punished to believe in God or accept Christianity, but instead the accountability principle that the faith promotes.²²⁷ Christians can be firm in the law while staying true to Christian principles.²²⁸

Based on all this, while there should be a formal separation of church and state as the Founders intended, there is a place for Christians to interact with and influence the law.²²⁹ Culture is very quickly shifting away from the Christian principles that once were the societal norm, evidenced by the shift in society's definition of family.²³⁰ We need strong Christian voices at all levels of government that can influence courts of public opinion and law and promote Christian principles that actually provide the basis for freedom of individuals, justice, and equality.²³¹

Therefore, by analyzing the relief and support the TCJA Child Tax Credit provides through the lens of biblical principles and God's purpose and design for families, the CTC is a positive for American families.²³² The expanded child tax credit helps alleviate the financial burdens that often make it difficult for parents to provide proper care, education, and opportunities for their children.²³³ By reducing the tax burden on families, it allows parents to better fulfill their roles as providers and caretakers.²³⁴ Making this tax relief permanent would not only be a financial benefit for families but would also reflect a commitment to supporting the well-being of children and families in society.²³⁵

V. PROPOSED SOLUTION

With the deadline for expiration of the TCJA and reversion of the Child Tax Credit to pre-TCJA levels quickly approaching, lawmakers need to act on a solution that puts the support of American families first.²³⁶ If

²²⁵ See Hu Williston, *The Ten Commandments: A Dialogue for Humanists and Christians*, OASIS NETWORK (July 25, 2019), <https://www.houstonoasis.org/blog/the-ten-commandments-a-dialogue-for-humanists-and-christians>.

²²⁶ *Id.*; John A. Eidsmoe, *The Use of the Ten Commandments in American Courts*, 3 LIBERTY U.L. REV. 15, 15, 35, 39, 42 (2009).

²²⁷ See Williston, *supra* note 225.

²²⁸ Hamill, *Evaluation of Federal Tax Policy*, *supra* note 192, at 679.

²²⁹ *Id.*

²³⁰ KOHM, *supra* note 157, at 4.

²³¹ See *id.* at 31.

²³² See Sugin, *supra* note 164, at 405.

²³³ See *id.* at 408; *State Child Tax Credits Boosted Financial Security for Families*, INST. ON TAX'N ECON. POL'Y 1 (Sept. 11, 2025), <https://itep.org/state-child-tax-credits-2025/>.

²³⁴ Sugin, *supra* note 164, at 408.

²³⁵ Hamill, *Argument for Tax Reform*, *supra* note 190, at 12.

²³⁶ Brashers, *supra* note 118.

the TCJA were to expire, it would represent the largest tax hike in decades.²³⁷ Based on the conclusions made from a public policy analysis, a financial analysis, and a Biblical perspectives analysis, the TCJA CTC is a net positive and should be saved from expiration at the end of 2025. This article, however, argues that the solution should be taken one step further. Making the TCJA CTC permanent legislation, alongside expanding supportive policies like newborn supply kits, would constitute a powerful investment in both the well-being of America's children and the traditional family structure.²³⁸ This approach would not only mirror successful state-level policies but also align with international models that have long prioritized children and families.²³⁹

While the TCJA was passed in 2017 during a Republican-majority government, the Child Tax Credit specifically has garnered bipartisan support for permanence; Democrats support the expanded CTC and the positive financial impact it has on families.²⁴⁰ For example, although Democrats did not vote for the TCJA as a whole, the Wyden-Smith bill proposed in the Senate with the goal to raise the cap on CTC to stay at \$2,000, has bipartisan support.²⁴¹ When there is an issue like this that both parties can come to a consensus on, it would be in the best interest of families for Congress to act, especially when there is a thin majority.²⁴²

Permanent legislation impacting the tax code is more difficult to pass than temporary provisions, and it is tempting for Congress to avoid making those decisions that make a long-term impact.²⁴³ However, this temptation should be avoided; while a short-term extension of the CTC would reflect a smaller impact on the deficit, it would artificially achieve these numbers by simply pushing the work and decision-making to the next Congress.²⁴⁴ This is not the precedent lawmakers should set; this precedent would enable "future Congresses to justify continuing the

²³⁷ *Id.*

²³⁸ See Araujo, *supra* note 21, at 199.

²³⁹ Neva Butkus, *Which States Improved Child Tax Credits and EITCs in 2024?*, INST. ON TAX'N ECON. POL'Y (July 25, 2024), <https://itep.org/child-tax-credit-eite-improvement-2024/>.

²⁴⁰ Kris Cox et al., *About 16 Million Children in Low-Income Families Would Gain in First Year of Bipartisan Child Tax Credit Expansion*, CTR. ON BUDGET AND POL'Y PRIORITIES (Jan. 22, 2024), <https://www.cbpp.org/research/federal-tax/about-16-million-children-in-low-income-families-would-gain-in-first-year-of>; *Congress Profiles*, HIST., ART, & ARCHIVES, <https://history.house.gov/Congressional-Overview/Profiles/115th/> (last visited Nov. 9, 2025).

²⁴¹ *Fact Sheet on the Wyden-Smith Tax Relief for American Workers and Families Act*, U.S. S. COMM. ON FIN. (July 31, 2024), <https://www.finance.senate.gov/chairmans-news/fact-sheet-on-the-wyden-smith-tax-relief-for-american-workers-and-families-act>.

²⁴² Kevin Mahnken, *Long a Stranger to the Spotlight, Child Tax Credit Earns Embrace of Both Parties*, THE 74 (Aug. 25, 2024), <https://www.the74million.org/article/long-a-stranger-to-the-spotlight-child-tax-credit-earns-embrace-of-both-parties>.

²⁴³ Brashers, *supra* note 118.

²⁴⁴ *Id.*

pattern of short-term extensions without long-term resolution to the tax code or to America's spending problem."²⁴⁵ This continuous short-term mindset to legislation and tax reform would leave a negative impact on the economy, as it would constantly be in limbo where families would not have security or stability in what the tax code might look like in the coming years.²⁴⁶ Rather, Republicans, while holding office, should work with the political support they have amongst Democrats to formulate a comprehensive bill that makes the expanded CTC permanent while also expanding the Newborn Supply Kit Program currently being piloted by the government.²⁴⁷

Sparked by the positive impacts the TCJA CTC has made on a national scale, twelve states, including D.C., have recognized the importance of child and family support and created or expanded their state-level CTC programs since 2022 through proactive legislation that can serve as models for federal action.²⁴⁸ In 2023, Utah implemented its own non-refundable child tax credit targeted at children under age five, previously cut off to only include children under age four, that reflects Utah's family-first outlook and acknowledges that early childhood years are financially demanding on families.²⁴⁹ New York has taken a broader approach with refundable child tax credits for low-income families, aiming to reduce poverty and boost child outcomes in underserved communities by expanding their Empire State Child Credit in 2024.²⁵⁰ Both states showcase bipartisan consensus that helping families is a necessary goal with public policy.²⁵¹ Federal action should build upon these examples, not lag behind them.

The federal Newborn Supply Kit Program, a public-private partnership started between the U.S. Department of Health and Human Services (HHS) and non-profit organization Baby2Baby, is currently a pilot program in select states that provides new parents with essentials for postpartum care and newborn care.²⁵² The purpose of the program is to provide "families with basic physical supplies crucial to the first few

²⁴⁵ *Id.*

²⁴⁶ Brashers, *supra* note 118; Jason S. Oh, *Will Tax Reform Be Stable?*, 165 U. PA. L. REV. 1159, 1199 (2017).

²⁴⁷ Samuel Hammond & Robert Orr, *Bipartisan Reform Options for the Child Tax Credit*, NISKANEN CTR. (Apr. 13, 2022), <https://www.niskanencenter.org/bipartisan-reform-options-for-the-child-tax-credit/>; *About the Newborn Supply Kit*, U.S. DEP'T HEALTH HUM. SERVS., <https://www.hhs.gov/healthcare/maternal-health/newborn-supply-kit/about/index.html> (last visited Nov. 9, 2025).

²⁴⁸ Butkus, *supra* note 239.

²⁴⁹ *Id.*

²⁵⁰ *Id.*

²⁵¹ *Id.*; *2025 State Legislatures*, MULTISTATE (last updated Feb. 6, 2025), <https://www.multistate.us/resources/2025-state-legislatures>.

²⁵² U.S. DEP'T HEALTH HUM. SERVS., *supra* note 247.

weeks after delivery.”²⁵³ Essentials like nursing pads, diapers, wipes, thermometers, and onesies are all included in the kit.²⁵⁴ As this is a pilot program in select states, there are limitations including it being restricted to certain income levels or Medicaid recipients, no option for universal opt-in, and limited in quantity and support, however, it shows promise if significantly expanded and tied to this Article’s proposal for greater family support policy, given how expensive the first few months of a child’s life are.²⁵⁵ Results from the 2023 pilot program showed promising results where 97% of participants reported they were satisfied with the tools the kit provided and would recommend it to other expecting parents; two-thirds of participants reported they felt less stress bringing their child home from the hospital, feeling like they had been practically given a head start on successfully caring for their child; 71% of participants said that the program saved them money on necessary items for their newborn; and 35% of participants expressed that the kit provided useful items they would not have known about or bought on their own.²⁵⁶ In 2024, it was announced that the pilot program would be expanded from delivering 3,000 kits in three states to delivering 10,000 kits in ten states due to a new partnership with Huggies; further partnerships could be made to offset any funding from the government.²⁵⁷ Bottom line, including an expanded Newborn Supply Kit Program as part of this comprehensive legislation should not be shot down by lawmakers simply by the upfront cost without weighing all options for private involvement and budget cuts in other line items. In, once again, looking at the general public policy goals Republicans set out to accomplish, including protecting the traditional family as the cornerstone of society, this program would fit within the confines of those goals.²⁵⁸

²⁵³ *Id.*

²⁵⁴ U.S. DEPT HEALTH HUM. SERVS., NEWBORN SUPPLY KITS REDUCE MATERNAL STRESS AND IMPROVE TRUST IN GOVERNMENT 1, 4 (2024), <https://digitalgovernmenthub.org/wp-content/uploads/2024/12/newborn-supply-kit-pilot-program.pdf> (“The total cost of goods contained in the kit was estimated at around \$300 retail value, with a lower at-cost value due to donations and relationships between Baby2Baby and their partners. During the Pilot phase of the initiative, no federally appropriated funds were used to procure or distribute the Kits—Baby2Baby is fully and independently funding procurement for the goods included in the Kits and distribution of the Newborn Supply Kits.”) [hereinafter NEWBORN SUPPLY KITS REPORT].

²⁵⁵ *Id.*

²⁵⁶ *Id.*

²⁵⁷ *Id.* at 14. (*E.g.*, Companies like Johnson & Johnson and Gerber would be beneficial additions as private supporters that produce products which serve a purpose in the support of a newborn. Johnson & Johnson produces baby products such as shampoo, body wash, and lotion. Gerber produces baby food products, both for snack and mealtime. Both of these companies could add value to a kit for new parents.).

²⁵⁸ Pieklik et al., *supra* note 33, at 1–2.

While this is a newer concept here in the U.S., programs of similar purpose have been supported by countries internationally for decades.²⁵⁹ Over 90 countries and states offer a program along this premise.²⁶⁰ Finland's baby box program, launched in 1938, is not just a cultural symbol but a deeply rooted policy success.²⁶¹ Finland recognized early on the importance of supporting the family structure and providing tools for initial success in parenthood.²⁶² What started initially as a program for low-income families was expanded and opened to all families in 1949 where every expectant mother could receive a box filled with clothing, blankets, bathing products, and a small mattress that allows the box to double as a bassinet.²⁶³ New mothers do have the choice to opt-in to receive the box, so it is not forced, but 95% of mothers end up opting-in.²⁶⁴ In the 1930s, infant mortality rates were high in Finland – 65 out of 1,000 babies died.²⁶⁵ Today, Finland has one of the world's lowest infant mortality rates and highest child well-being indexes, largely credited to the success of the baby box program.²⁶⁶ Following the success of Finland's program, Scotland launched a similar program in 2017.²⁶⁷ The box, also including a mattress for use as a bassinet, included other essentials like newborn clothes, a bath towel, a changing mat, and children's books.²⁶⁸ In the first five years the program existed, more than 241,000 boxes were delivered to families across Scotland.²⁶⁹

Combining practical aid with tax cuts that support families is not "government overreach" or a direct monetary payout that builds undetachable reliance, but a recognition of the government's vested interest in the next generation.²⁷⁰ In terms of policy goals, this vested interest is one that historically is supported by Republicans.²⁷¹ A comprehensive bill of this nature would have both short-term and long-term impacts. In the short term, a family's financial burden would be

²⁵⁹ NEWBORN SUPPLY KITS REPORT, *supra* note 254.

²⁶⁰ *Id.*

²⁶¹ Helena Lee, *Why Finnish Babies Sleep in Cardboard Boxes*, BBC NEWS (June 4, 2013), <https://www.bbc.com/news/magazine-22751415>; Tricia Goss, *Expectant Finnish Moms Receive A 'Baby Box' for Safe Sleeping with Essentials Inside*, ABC23 (last updated Jan 3, 2023), <https://www.turnto23.com/finnish-moms-receive-baby-box-essentials-inside>.

²⁶² *See* Lee, *supra* note 261.

²⁶³ *Id.*

²⁶⁴ *Id.*

²⁶⁵ *Id.*

²⁶⁶ *Id.*

²⁶⁷ Goss, *supra* note 261.

²⁶⁸ *Id.*

²⁶⁹ *Baby Box*, SCOT., <https://www.scotland.org/live-in-scotland/progressive-scotland/baby-box> (last visited Nov. 13, 2025).

²⁷⁰ *See Reigniting American Growth and Prosperity Series: Removing the Burdens of Government Overreach: Hearing Before the H. Comm. on the Budget*, 118th Cong. 2 (2024) (statement of Jody C. Arrington, Committee Chairman).

²⁷¹ Araujo, *supra* note 21, at 199–200.

lessened, as highlighted in detail in the financial analysis section of this article.²⁷² According to the USDA, the average cost of baby essentials in the first year is over \$13,000.²⁷³ A newborn kit eases this initial burden, especially for first-time or low-income parents.²⁷⁴ In addition, by providing materials and aids for safe sleep tactics, a reduction in infant mortality rates would be realized.²⁷⁵ In 2024, University of Virginia Health published a report for a study conducted between 2011 and 2020 on unexpected infant deaths from 23 jurisdictions.²⁷⁶ Notably, out of the thousands of infant deaths that were reviewed, nearly 60% of the deaths occurred when the infant was co-sleeping with an adult.²⁷⁷ While many adults believe this practice is a method to build connection with their new infant, it is a strongly discouraged practice by health officials, as it is a serious risk.²⁷⁸ Countries like Finland show that family-focused policies correlate with higher birth rates and improved maternal health.²⁷⁹ In the long-term, for every \$1 spent on early family support, research shows a return of up to \$7 in reduced healthcare costs, improved educational outcomes, and lower crime rates.²⁸⁰ For the government, this is an important financial distinction in the analysis of passing this legislative proposal. As previously mentioned in the financial analysis section of this article, making the CTC permanent would come at a cost, however, it can be offset by other spending cuts.²⁸¹ The costs would further be offset by the reduction in child poverty and dependency on welfare programs; higher future tax revenues from better-educated citizens; and lower societal costs in crime, healthcare, and education remediation.²⁸²

²⁷² See discussions *supra* Section III.B.

²⁷³ Mark Lino et al., EXPENDITURES ON CHILDREN BY FAMILIES, U.S. DEP'T AGRIC. 19 (Revised March 2017), <https://fns-prod.azureedge.us/sites/default/files/resource-files/crc2015-march2017.pdf>.

²⁷⁴ NEWBORN SUPPLY KITS REPORT, *supra* note 254, at 2.

²⁷⁵ *Id.* at 2–3.

²⁷⁶ *Multiple Unsafe Sleep Practices Found in Most Sudden Infant Deaths*, UVA HEALTH (Mar. 21, 2024), <https://newsroom.uvahealth.com/2024/03/21/multiple-unsafe-sleep-practices-found-in-most-sudden-infant-deaths/>.

²⁷⁷ *Id.*

²⁷⁸ *Id.*; Marilena Vogiatzoglou et al., *Exploring the Relationship Between Co-Sleeping, Maternal Mental Health and Expression of Complaints During Infancy, and Breastfeeding*, HEALTHCARE 2 (2024), <https://pmc.ncbi.nlm.nih.gov/articles/PMC11241345/pdf/healthcare-12-01278.pdf>.

²⁷⁹ See Lee, *supra* note 261.

²⁸⁰ THE ECONOMICS OF EARLY CHILDHOOD INVESTMENTS, OBAMA WHITE HOUSE: ARCHIVED 2–3, 31–32 (Jan. 2015), https://obamawhitehouse.archives.gov/sites/default/files/docs/early_childhood_report_update_final_non-embargo.pdf; *High Return on Investment*, UNIV. PA. 1, 2 (2015), <https://live-penn-impact.pantheon.io/wp-content/uploads/2016/2015/06/Why-Invest-High-Return-on-Investment.pdf>.

²⁸¹ See discussions *supra* Section III.A.

²⁸² Elizabeth Ananat & Irwin Garfinkel, *The Potential Long-Run Impact of a Permanently Expanded Child Tax Credit*, ANNALS AM. ACAD. 192, 193 (2023), <https://journals.sagepub.com/doi/pdf/10.1177/00027162241272309>.

Passing a bipartisan comprehensive family support bill that includes the permanent TCJA Child Tax Credit and expanded support to the national Newborn Supply Kit Program is not just good policy, but a moral imperative and positive investment in America's future.²⁸³ It reflects our society's values, prioritizes future generations, and empowers families to thrive practically and financially.²⁸⁴ At a time when states are already leading the charge, the federal government must act to unify and amplify these efforts under a national strategy that honors both tradition and innovation in family policy.²⁸⁵

VI. CONCLUSION

The Tax Cuts & Jobs Act implemented one of the largest overhauls of the U.S. tax code in decades.²⁸⁶ Focused on economic growth, support for the traditional family structure, and providing financial relief for low, middle, and upper income taxpayers, the TCJA saw success through provisions such as the expanded Child Tax Credit.²⁸⁷ If allowed to sunset at the end of 2025, the expiring CTC provision would represent an increase in tax liability to families across the nation.²⁸⁸ The potential expiration of these tax benefits could also have a ripple effect on consumer spending, which has been a major driver of economic growth in recent years.²⁸⁹ With less disposable income, families may cut back on purchases, which could slow down demand for goods and services.²⁹⁰ This, in turn, could affect businesses that rely on consumer spending, leading to slower economic growth overall.²⁹¹

Through an analysis of public policy goals, finances, and Biblical perspectives, it is arguable that the Child Tax Credit is a greater positive for the U.S. than what it costs in reduced tax income. From a public policy standpoint, the goal of the changes made to 6 U.S. Code § 24 was to promote the preservation of the traditional family structure and support the financial stability of families, particularly those with children.²⁹² The expansion of the CTC from \$1,000 to \$2,000 and the increased availability for income levels and those with older children marks an investment by the government into the future generations while providing incentives for

²⁸³ See Brashers, *supra* note 118; Lautz & Fanno, *supra* note 109.

²⁸⁴ Araujo, *supra* note 21, at 199–200.

²⁸⁵ Brashers, *supra* note 118.

²⁸⁶ See sources cited *supra* note 1.

²⁸⁷ Philippon, *supra* note 16, at 708.

²⁸⁸ Brashers, *supra* note 118.

²⁸⁹ LIDA R. WIENSTOCK, INTRODUCTION TO U.S. ECONOMY: CONSUMER SPENDING, CONG. RSCH. SERV. (Oct. 3, 2024), <https://www.congress.gov/crs-product/IF11657>.

²⁹⁰ Crandall-Hollick, *supra* note 49.

²⁹¹ *Id.*

²⁹² See Pieklik et al., *supra* note 33, at 2; 6 U.S. Code § 24.

couples to stay married.²⁹³ For a family, the CTC can have great impacts on their finances; with more disposable income available for spending on groceries, education, or other school expenses, families are able to further provide for the health and well-being of their children.²⁹⁴ Additionally, the credit provides a tool for families to save, invest, and set themselves up for financial success in the long-term, potentially having a fund large enough to pay for a child's college expenses to prevent the accumulation of debt.²⁹⁵ From a Biblical standpoint, by reducing the tax liability of parents, they are able to focus on their God-given mandate to be caretakers and providers.²⁹⁶

By passing comprehensive legislation to make the CTC expansions under the TCJA permanent, as well as building support for the Newborn Supply Kit Program, by using a proven model, the government would be able to provide a sense of security and stability for families for years to come. Ensuring these expansions are permanent would not only ease financial burdens but also encourage family formation.²⁹⁷ Additionally, the Newborn Supply Kit Program, with its proven model of providing essential baby supplies to new parents, would offer a tangible benefit to families in the early stages of caring for a new child.²⁹⁸ This is an issue that has garnered broad bipartisan support, as it resonates with both conservative and liberal values – fostering economic stability and supporting the family structure.²⁹⁹ With bipartisan backing and a roadmap for success, lawmakers should act now, rather than pushing the issue to another Congress, to ensure that these policies are made permanent, providing long-term benefits to families and communities across the nation.³⁰⁰ This is an opportunity to make a meaningful, lasting difference for millions of Americans, and one that should not be delayed.

– Andrew L. Mintz*

²⁹³ McDermott, *supra* note 50.

²⁹⁴ *Id.*

²⁹⁵ Gravelle & Marples, *supra* note 144.

²⁹⁶ Sugin, *supra* note 164, at 408.

²⁹⁷ Araujo, *supra* note 21, at 199.

²⁹⁸ Lee, *supra* note 261.

²⁹⁹ Lautz & Fano, *supra* note 109.

³⁰⁰ Brashers, *supra* note 118.

* J.D., Regent University School of Law, May 2026. Special thanks to Professor Lynne Marie Kohm for her gracious guidance, input, and encouragement during the writing process of this article.