

## Calendar No. 110

109TH CONGRESS  
1ST SESSION

# S. 1084

To eliminate child poverty, and for other purposes.

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### IN THE SENATE OF THE UNITED STATES

MAY 19, 2005

Mr. KENNEDY introduced the following bill; which was read the first time

MAY 20, 2005

Read the second time and placed on the calendar

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## A BILL

To eliminate child poverty, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

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

6 **SEC. 2. FINDINGS.**

7 Congress makes the following findings:

1           (1) Nearly 13,000,000, or nearly 1 in 5, chil-  
2           dren in the United States who are younger than 18  
3           live below the poverty line.

4           (2) The parents of poor children are playing by  
5           the rules by working to support their families. De-  
6           spite their efforts, many of these parents still cannot  
7           help their children get ahead, since 7 out of 10 poor  
8           children live in a working family and almost 1 poor  
9           child in 3 lives with a full-time year-around worker.

10          (3) Poor children are at least twice as likely as  
11          non-poor children to suffer stunted growth or lead  
12          poisoning, or to be kept back in school. Poor chil-  
13          dren score significantly lower on reading, mathe-  
14          matics, and vocabulary tests when compared with  
15          otherwise similar non-poor children. More than half  
16          of poor people in the United States, including poor  
17          children, experience serious deprivations during the  
18          year, including lack of food, utility shutoffs, crowded  
19          or substandard housing, or lack of a stove or refrig-  
20          erator.

21          (4)(A) Eighteen percent of children are hungry  
22          or on the verge of hunger, largely because they are  
23          living in poverty.

24          (B) Hungry children—

1 (i) lack nutrients vital to healthy brain de-  
2 velopment;

3 (ii) have difficulty focusing their attention  
4 and concentrating in school; and

5 (iii) often have greater emotional and be-  
6 havioral problems, have weaker immune sys-  
7 tems, and are more susceptible to infections, in-  
8 cluding anemia, than other children, and often  
9 suffer from obesity.

10 (5) Child poverty has risen significantly, by  
11 1,300,000 since 2000.

12 (6) The poverty rate for children in the United  
13 States is substantially higher than that in other  
14 major industrialized nations.

15 (7) Children in the United States are more like-  
16 ly to live in poverty than any other age group in the  
17 United States.

18 (8) African-American and Latino children are  
19 much more likely to live in poverty than White chil-  
20 dren. One third of African-American children are  
21 low-income, as are nearly a third of Latino children.

22 (9) Great Britain made a public commitment to  
23 cut child poverty in half in 10 years, and end child  
24 poverty by 2020, and it has already successfully lift-  
25 ed 2,000,000 children out of poverty.



1 shall be appointed by the minority leader of the  
2 House of Representatives.

3 (C) ADDITIONAL MEMBERS.—

4 (i) APPOINTMENT.—Two members  
5 each shall be appointed by—

6 (I) the Speaker of the House of  
7 Representatives;

8 (II) the majority leader of the  
9 Senate;

10 (III) the minority leader of the  
11 House of Representatives; and

12 (IV) the minority leader of the  
13 Senate.

14 (ii) EXPERTISE.—Members appointed  
15 under this subparagraph shall be appointed  
16 on the basis of demonstrated expertise in  
17 child poverty issues.

18 (2) PERIOD OF APPOINTMENT; VACANCIES.—  
19 Members shall be appointed for the life of the  
20 Board. Any vacancy on the Board shall be filled in  
21 the manner in which the original appointment was  
22 made. The vacancy shall not affect the power of the  
23 remaining members to execute the duties of the  
24 Board.

1           (3) CHAIRPERSON AND VICE CHAIRMAN.—The  
2 Board shall elect a chairperson and a vice chair-  
3 person from among the members of the Board.

4           (4) MEETINGS.—The Board shall first meet not  
5 later than 30 days after the date on which all mem-  
6 bers are appointed, and the Board shall meet there-  
7 after at the call of the chairperson or vice chair-  
8 person or a majority of the members.

9           (c) PLAN AND REPORT.—

10           (1) PLAN.—The Board shall meet regularly to  
11 develop a plan for cutting child poverty in half with-  
12 in a decade, and eliminating child poverty entirely as  
13 soon as possible. The plan shall include rec-  
14 ommendations for allocations of funds from the  
15 Child Poverty Elimination Trust Fund established in  
16 section 9511 of the Internal Revenue Code of 1986,  
17 to carry out the plan.

18           (2) REPORT.—Not later than 1 year after the  
19 date of enactment of this Act, the Board shall pre-  
20 pare and submit a report containing the plan to the  
21 Committee on Education and the Workforce of the  
22 House of Representatives, the Committee on Health,  
23 Education, Labor, and Pensions of the Senate, and  
24 the President.

25           (d) POWERS.—

1           (1) HEARINGS AND SESSIONS.—The Board may  
2 hold such hearings, sit and act at such times and  
3 places, take such testimony, and receive such evi-  
4 dence as the Board considers appropriate. The  
5 Board may administer oaths or affirmations to wit-  
6 nesses appearing before it.

7           (2) ACCESS TO INFORMATION.—The Board may  
8 secure directly from any Federal agency information  
9 necessary to enable the Board to carry out this Act,  
10 if the information may be disclosed under section  
11 552 of title 5, United States Code. Subject to the  
12 previous sentence, on the request of the chairperson  
13 or vice chairperson of the Board, the head of such  
14 agency shall furnish such information to the Board.

15           (3) USE OF FACILITIES AND SERVICES.—Upon  
16 the request of the Board, the head of any Federal  
17 agency may make available to the Board any of the  
18 facilities and services of such agency.

19           (4) PERSONNEL FROM OTHER AGENCIES.—On  
20 the request of the Board, the head of any Federal  
21 agency may detail any of the personnel of such agen-  
22 cy to serve as an Executive Director of the Board  
23 or assist the Board in carrying out the duties of the  
24 Board. Any detail shall not interrupt or otherwise

1 affect the civil service status or privileges of the  
2 Federal employee.

3 (5) VOLUNTARY SERVICE.—Notwithstanding  
4 section 1342 of title 31, United States Code, the  
5 chairperson of the Board may accept for the Board  
6 voluntary services provided by a member of the  
7 Board.

8 (e) COMPENSATION.—

9 (1) PAY.—Members of the Board shall serve  
10 without compensation.

11 (2) TRAVEL EXPENSES.—Members of the  
12 Board shall be allowed reasonable travel expenses,  
13 including a per diem allowance, in accordance with  
14 section 5703 of title 5, United States Code, when  
15 performing duties of the Board.

16 **SEC. 5. ISSUANCE AND IMPLEMENTATION OF PLAN.**

17 (a) ISSUANCE.—Not later than 90 days after receiv-  
18 ing the report containing the plan developed by the Board  
19 under section 4(c), the President shall review the report,  
20 and shall issue a plan for cutting child poverty in half  
21 within a decade, and eliminating child poverty entirely as  
22 soon as possible. The plan shall include specifications and  
23 allocations of funds to be made from the Child Poverty  
24 Elimination Trust Fund, to carry out the plan.

1 (b) RELATIONSHIP TO BOARD PLAN.—The plan  
 2 issued under subsection (a) shall be the same as the plan  
 3 developed by the Board under section 4(c) except insofar  
 4 as the President may determine, for good cause shown and  
 5 stated together with the plan issued under subsection (a),  
 6 that a modification of the Board’s plan would be more  
 7 effective for eliminating child poverty.

8 (c) IMPLEMENTATION.—Not later than 90 days after  
 9 issuing a plan under subsection (a), the President shall  
 10 ensure the implementation of the plan issued under sub-  
 11 section (a), and shall work with Congress to ensure fund-  
 12 ing for the implementation of the plan.

13 **SEC. 6. IMPOSITION OF INDIVIDUAL INCOME TAX SUR-**  
 14 **CHARGE TO FUND CHILD POVERTY ELIMI-**  
 15 **NATION FUND.**

16 (a) IN GENERAL.—Section 1 of the Internal Revenue  
 17 Code of 1986 (relating to imposition of tax on individuals)  
 18 is amended by adding at the end the following new sub-  
 19 section:

20 “(j) ADDITIONAL INCOME TAX.—

21 “(1) IN GENERAL.—If the adjusted gross in-  
 22 come of an individual exceeds the threshold amount,  
 23 the tax imposed by this section (determined without  
 24 regard to this subsection) shall be increased by an  
 25 amount equal to 1 percent of so much of the ad-

1       justed gross income as exceeds the threshold  
2       amount.

3           “(2) THRESHOLD AMOUNTS.—For purposes of  
4       this subsection, the term ‘threshold amount’  
5       means—

6           “(A) \$1,000,000 in the case of a joint re-  
7       turn, and

8           “(B) \$500,000 in the case of any other re-  
9       turn.

10          “(3) TAX NOT TO APPLY TO ESTATES AND  
11       TRUSTS.—This subsection shall not apply to an es-  
12       tate or trust.”.

13          (b) COORDINATION WITH MINIMUM TAX.—Section  
14       55(c) of the Internal Revenue Code of 1986 (defining reg-  
15       ular tax) is amended by redesignating paragraph (3) as  
16       paragraph (4) and by inserting after paragraph (2) the  
17       following new paragraph:

18          “(3) COORDINATION WITH MINIMUM TAX.—  
19       Solely for purposes of this section, section 1(j) shall  
20       not apply in computing the regular tax.”.

21          (c) ESTABLISHMENT OF CHILD POVERTY ELIMI-  
22       NATION FUND.—

23          (1) IN GENERAL.—Subchapter A of chapter 98  
24       of the Internal Revenue Code of 1986 (relating to

1 trust fund code) is amended by adding at the end  
 2 the following:

3 **“SEC. 9511. CHILD POVERTY ELIMINATION TRUST FUND.**

4 “(a) CREATION OF TRUST FUND.—There is estab-  
 5 lished in the Treasury of the United States a trust fund  
 6 to be known as the ‘Child Poverty Elimination Trust  
 7 Fund’ (referred to in this section as the ‘Trust Fund’),  
 8 consisting of such amounts as may be appropriated or  
 9 credited to the Trust Fund as provided in this section or  
 10 section 9602(b).

11 “(b) TRANSFERS TO TRUST FUND.—There is hereby  
 12 appropriated to the Trust Fund an amount equivalent to  
 13 the increase in revenues received in the Treasury as the  
 14 result of the surtax imposed under section 1(j).

15 “(c) DISTRIBUTION OF AMOUNTS IN TRUST FUND.—  
 16 Amounts in the Trust Fund shall be available, as provided  
 17 by appropriation Acts, to make expenditures in connection  
 18 with Federal programs designed to carry out the plan  
 19 issued by the President under section 5 of the End Child  
 20 Poverty Act, to eliminate child poverty.”.

21 (2) CONFORMING AMENDMENT.—The table of  
 22 sections for subchapter A of chapter 98 of such  
 23 Code is amended by adding at the end the following:

“Sec. 9511. Child Poverty Elimination Trust Fund.”.

1       (d) EFFECTIVE DATE.—The amendments made by  
2 this section shall apply to taxable years beginning after  
3 December 31, 2005.

4       (e) SECTION 15 NOT TO APPLY.—The amendment  
5 made by subsection (a) shall not be treated as a change  
6 in a rate of tax for purposes of section 15 of the Internal  
7 Revenue Code of 1986.



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109<sup>TH</sup> CONGRESS  
1<sup>ST</sup> Session

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