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## **FATHERS COUNT ACT OF 1999**

Congresswoman Nancy Johnson, Chairman  
Human Resources Subcommittee  
House Ways & Means Committee  
House of Representatives  
Washington DC

Statement of Gregory J. Palumbo, Ph.D.  
Oklahomans For Families Alliance

Respectfully Submitted,  
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## **The Author**

Gregory J. Palumbo, Ph.D. spent the first 20 years of his professional career in medical research having received his B.S. from the University of Illinois in 1979, and his Doctorate of Philosophy in Medical Science and Immunology from the University of Texas Southwestern Medical Center in Dallas, Texas in 1987. He spent seven years at the National Institutes of Health in Bethesda, MD as a research fellow and then as a staff scientist. In 1994 Dr. Palumbo accepted a tenure-track faculty position in the College of Medicine at the University of Oklahoma Health Sciences Center that ended in 1998.

Dr. Palumbo is now Executive Director of the pro-family organization, Oklahomans For Families Alliance, in Oklahoma City, OK. This organization has helped sponsor pro-family events in Oklahoma since 1998 including annual rallies at the Oklahoma State Capitol in Oklahoma City, OK. The 1999 Rally and Conference had 38 participating organizations, speeches by elected Oklahoma officials and community leaders. The goal of Oklahomans for Families Alliance is to bring to the fore as a unified voice concerns that real people have about families and children. Organizations and groups who have participated in the Rally at the Capitol and activities during Family Month during February of this year in Oklahoma include those that work at saving two-parent family structure, those interested in protecting the rights of parents to be parents, those involved in the healing and strengthening of families, the betterment of families, the training of parents and children, the education of children, the health and safety of children, the spirituality of children, the morality and character of children, covering the fate and destiny of Oklahomans from conception to death. Dr. Palumbo is also Director/volunteer for the Oklahoma Fatherhood Consortium and Program, a subsidiary of COPE, Inc., a 501-C3 multicultural mental health and substance abuse treatment company located in Oklahoma City, OK. Dr. Palumbo is also on the Advisory Board for the Men's Health Network In Washington, D.C. and served as President in 1998.

Dr. Palumbo became interested in the destruction of families and government policies towards families after he was made into a visitor to his children following a surprise divorce upon his planned move of the family to Oklahoma City. Dr. Palumbo since 1997 has used his analytical tools and education skills to inform and educate the Oklahoma Legislature by testifying on numerous occasions on the status of families, marriage, parents, and children and the impact of government policies and laws on families. Dr. Palumbo has used his knowledge as well as 1000s of family tragedies presented to him by disenfranchised parents from Oklahoma and nationally, to convey the havoc being brought upon the two-parent family structure by misguided public policies and laws relating to parents and children.

## **The Removal of Fathers from the Family**

What is the status of families in Oklahoma? Oklahoma has one of the highest divorce rates in the nation, one of the highest rates for out-of-wedlock births, one of the highest rates of teen pregnancy, and one of the lowest rates of paternity establishment. The marriage rate in Oklahoma has plummeted since 1980 so that now Oklahoma has nearly equal numbers of

marriages and divorces. The rapid decline of two-parent family structure in which to raise children in Oklahoma has coincided with the passing of Federal Laws and Federal Agency policies, enacted by the State of Oklahoma, that provide incentives for broken families. Fathers have almost exclusively been the targets of these laws and policies with the true losers being the children.

Unfortunately, many of the behaviors that result in these negative social indicators for children are learned, and passed down from generation to generation as the welfare and entitlement philosophy and programs demonstrate. Oklahoma and the nation have promoted policies that devalue the importance of a two-parent family and make it easy for families to never form, hinder their formation, and make it far too easy to dissolve a marriage...especially when children are involved. What has in effect been done through policy and law is that one parent can do what is in the best interest of the parent, without accountability or having to take responsibility for choices, that ultimately put children at risk and in harms way. In almost every case, it is fathers who have been driven from their families or have never been allowed to enter, creating the next generation of fatherlessness and children at risk.

In the mid 1960's Daniel Patrick Moynihan predicted the outcome of driving fathers from families in order for mothers to qualify for welfare benefits.....society would pay a price for fatherlessness with increased social problems. Senator Daniel Patrick Moynihan was right. The consequences of fatherlessness for children, for being raised in a broken home, are associated with dramatic increases in suicides, being homeless or runaway, exhibiting behavioral disorders, performing poorly in school, becoming a high school dropout, becoming teen mothers, and filling prison beds.

Legislation that affects the family is unequivocally the most important bills considered in the State and the Nation, and their enactment into law affects everyone—today, tomorrow, and for future generations to come. So why has this nation taken family structure made of two parents, a structure that worked for millennia, and in a short 40 years created incentives to destroy it?

There was a lesson to be learned from the welfare experiment that failed. In 1960 there was over 700,000 families receiving AFDC. And as more entitlement programs were added to the welfare package, the numbers of single parent families headed by mothers rose dramatically so that by 1994 there were over 5 million of these families, over a 700% increase in welfare families while the nations population hadn't doubled, with more than 15% of all families with children under 18 now receiving AFDC and numerous other entitlements. Generational welfare was occurring whereby a family on welfare produced the next generation of welfare recipients and non-welfare mothers were being recruited into the program. Fathers were excluded from these families by law, in order for mothers to qualify for welfare benefits, with the end result that children were being raised without the presence of a father or the stability of a two-parent family. We now have a need to teach young men how to be fathers as a consequence of this policy. Money and benefits paid to only one parent for having children, and excluding a parent that was almost always the father, were the incentives that caused the destruction of two parent families for the poor. We now repeat this process through cash incentives for divorce, but now we call it child support.

It is clear to see how laws of good intention were twisted due to money. As the number of welfare recipients increased, so did the budget, and so did the bureaucracy, and so do taxes. According to the Heritage Foundation, the total state and federal expenditures for welfare benefits exceeds 500 billion dollars. The cost to society for the criminal legal and prison industries costs another 500 billion dollars per year.....incarcerating mainly children raised in fatherless homes. This does not include the 100s of billions in dollars in costs we must pay because of divorce or the subsequent problems associated with broken families. And as the family consisting of a father and mother and children disappears, the federal and state budgets continue to increase, as we need more programs to deal with the problems created by raising children in broken families.

There is a crisis in America because of out of wedlock-births and divorce. Nearly one third of all births today are out-of-wedlock, and over half of divorces today involve children under 18, with 50% of these occurring when the children are younger than 5 years of age. Approximately 1.5 million parents with children join or add to the ranks of families with children at risk every year—who are being raised absent one biologic parent—the father. Yet less than 10% of biologic fathers have primary physical custody of their children after divorce, separation, or because the children were born out-of-wedlock. Then, only one in 6 children see their father weekly after divorce or separation. And ten years after divorce or separation only 1 in 10 have weekly contact with their father, and 66% have no contact what so ever. When fathers are so important for the well being of their children, both financially and emotionally, why does Oklahoma and the nation continue to provide incentives to exclude fathers from families and their children? Why have we replaced a failed welfare and entitlement policy with a private entitlement policy funded by fathers in the name of child support which was mandated by the Federal Government in laws passed since 1975? Money and jobs can be the only answer since the surest way to remove children from poverty is to raise them in an intact two parent family, and not raise them in a single parent family.

Our state laws and their treatment of fathers today are not much different than the laws that created the welfare problem, providing financial incentives to states, an industry, and one parent to drive fathers from families. You may ask why do we not have legislation in Oklahoma that promotes marriage and ensures children have two parents? Follow the money to see who benefits. There are cash incentives in the form of block grants from the federal government to the states for broken families. Broken families also provide jobs programs. In 1994, California received a net income to its general revenue fund of 108 million dollars in federal block grant dollars above its costs for child support enforcement. It made money from broken families. It also spent over 355 million dollars in child support enforcement....a huge jobs program for the state. Oklahoma in contrast received 2.6 million dollars in net income to the state while spending 18.6 million dollars on child support enforcement. This cash flow for broken families will continue to increase dramatically as more states receive more dollars for broken families in the form of these federal block grant reimbursements. In 1998 there were over 60,000 employees in federal and state child support enforcement divisions while there were only a little over 100,000 IRS employees. And for all of these employees, the cost of this enforcement was over 1 billion dollars more than the money collected for families on welfare as reimbursement to the taxpayer for these expenses,

which was the original purpose for establishing child support enforcement. The bottom line is that broken families are profitable to states and to too many groups including private business, and they provide clients for social programs and the criminal justice industry.

### **Young Men Want to be Fathers to Their Children**

In 1998 The Oklahoma Fatherhood Program of COPE, Inc. held fatherhood classes in the Oklahoma County Juvenile Detention Center as a pilot program. There was only sufficient time and space to enroll young teenage fathers while the program was offered. Almost every one of the young men enrolled in our classes came from a broken home absent their biologic father, and they were now fathers to children born out-of-wedlock. They were repeating the cycle of their childhood. Some of the mothers of their children already had new boyfriends (approximately 15-20%) driving some of the young fathers out of the lives of their children. Yet all of these young men in a few short weeks demonstrated they had a desire to be a father to their child(ren). Each went through parenting class, watched instructional videos, participated in discussions on fatherhood, etc. Every one of the participants in the class exhibited a real commitment to be a part of their child's life. The Fatherhood classes ended when the funds for the pilot program expired.

There are other examples that demonstrate men wish to be parents for their children. The voluntary paternity establishment program run by the Office of Child Support Enforcement and state agencies is one. Approximately 80% of men identified by the mothers as the father of their child show up in the hospital for the birth, even though paternity establishment through DNA testing will demonstrate many are not the biologic father. Then there are numerous fathers after divorce who spend thousands of dollars trying to enforce access and parenting time orders so that they can see their children. If fathers did not care about their children, fathers wouldn't try to remain involved in their child's life after divorce, and one would expect fathers to be the driving force behind divorce—yet mothers file the vast majority of divorces for no better reason than a bad hair day according to research by Dr. Sanford Braver. Then there are studies which indicate many mothers see no need for father involvement in rearing children, and further, that many mothers interfere with a father's access to his child(ren). Many of the problems fathers have had in being a parent to their children can be traced to Federal policies and laws that have rewarded states for broken families with a focus on money and child support. It is clear from the Congressional Record of the 1980's that it was not the intent of Congress to promote only the financial support of children by the legislation being considered, and that was made into law, but that emotional support for children should also receive priority. Unfortunately states and custodial parents do not receive money for the emotional support of children so there has been little legislative activity or enforcement in this area.

### **Father Cleansing through Policy and Law**

Federal and state laws that paid a mother to not marry the father of her children was bad public policy, yet now it is being expanded through privatization. In order to maximize the financial support of children and mothers, Federal Law superceded state laws for establishing child support obligations based on the needs of the children and circumstances

of the parents. Again the Federal government has its fingerprints all over these destructive policies. First came the laws, and then consultants for the Department of Health and Human Services and the Office of Child Support Enforcement began promoting child support guidelines to states that went well beyond the cost of raising children. One of these consultants has a child support collection company under contract to many states where they collect on both ends.....raising child support guidelines and collecting child support. What is clear from data collected by the Census and analyses performed by others is that child support doesn't remove children from poverty and it likely never can or will. Why? Because poor people have children with poor people.....parents who are unskilled, have less or little education, or have other limitations. The best way to remove these children from poverty is to promote marriage and provide both parents with the skills and education that will allow them a better future and less need for government assistance.

Instead the nation has gone in an opposite direction.....Federal law has subsequently mandated that fathers be defined as criminals upon failure to financially support their children regardless of circumstance. States have been more than willing to comply with Federal law by vilifying fathers and passing laws that punish fathers for failing to pay.

What types of fathers are we punishing with these harsh laws? We have laws in Oklahoma and elsewhere in the U.S. that make a husband financially responsible for any child born in marriage, even if the mother had an adulterous affair and left her husband prior to birth of the child. We allow a mother of a child to withhold informing the father that she had a child out-of-wedlock, and then years later come back for back child support regardless of the man's current circumstances-----like a second family and children to support. There are states that apparently do not care who the father is for paternity as long as some man is called the father and a child support order is entered. And then there are fathers who willfully raise their children full time for years after a mother leaves them in their care, only to find years later that they did not modify a child support order so they can now pay back child support to the parent that abandoned the child. We allow states to force a person to work overtime or obtain additional employment in order to survive after having to pay oppressive child support, knowing full well that the primary beneficiaries of the policy are federal and state tax revenue coffers, then the child/mother, and then the person earning the money. Federal and State law penalizes fathers who lose a job by making them debtors due to child support, often with interest added to the debt, and possible imprisonment. There are mothers who are being forced to work because their husbands can't keep any of the extra income they earn due to child support and taxes, thus robbing children of their parent's time. There are fathers and their wives who are distraught because the father needs medical care that will prevent him from having income and paying child support for several weeks or more.....making him a deadbeat and a debtor with a possible prison term. Many of these problems are due to one specific Federal law.....the Bradley Amendment (P.L. 99-509, Subtitle B, Sec. 9103) that prevents retroactive modification of child support when warranted. Congress needs to modify this law so real circumstances can be taken into account when it comes to child support obligations, and let the states decide how best to do this.

Where are the studies examining how many fathers have been legally cutoff from their children and families, financially bankrupted by the child support policies and laws, who have lost careers or businesses by becoming entangled in this quagmire of flawed social policy and law, who have spent their retirement accounts trying to stay up to date on child support, that have had to give up seeing their children because the mother moved with the children or interferes with access, or who have been sent to county, state, or federal prison? Why is it that all we hear about is the dollars collected, the dollars owed, and the newest laws that will further vilify and punish fathers whiling growing federal and state government bureaucracies and industries that are parasites of the intact two-parent family and children? How have we so lost our way in a short 40 years?

### **A Solution to Fatherlessness**

The federal financial incentives for broken families must end if we are to re-establish the intact two-parent family as the norm—an environment where for millennia children and society have flourished. We must as a nation hold both parents of children truly accountable for financial and emotional child support, thus removing the financial incentive for one parent to divorce or never marry. We must change laws like the Family Support Act of 1988 that has served as a family destruction incentive act, a divorce industry and government bureaucracy growth and reward act by reinserting discretion, circumstances, and common sense when setting child support awards. We must modify the Bradley Amendment (P.L. 99-509, Subtitle B, Sec. 9103) that prevents retroactive modification of child support when warranted. Making a father into a debtor to the state or another parent due to child support will not solve the problem of children being raised in poverty, but will drive fathers from the life of their children. Congress needs to modify this law so real circumstances can be taken into account when it comes to child support obligations, and let the states decide how best to do this. We must begin to disassemble the federal and state bureaucracies that parastize families and promote their destruction using cash and other entitlements as the incentive, and redirect their efforts to education and promoting family formation. The damage done to men and fathers for 40 years must also be reversed. Men raised in fatherless homes and children experiencing it for the first time must be educated on the role of fathers in the family and in society. Women must be educated to the risks they expose their children to by having children out-of wedlock or after divorce. We as a nation must begin to reassemble two-parent family structure through public policy and law, by mainly removing the incentives for creating single-parent families.

It has only been in the last few years that Congress and the nation have begun to examine public social policies in regards to family and the role and importance of fathers. It is time for this Congress to act. As a first step in the reintegration of men and fathers into the family, Congress should pass the Fathers Count Act of 1998. Many young boys and men who have been raised absent a father have many of the social ills and characteristics associated with fatherlessness. These young men have many of the characteristics of long-term welfare dependants requiring assistance. These young boys and men need education, job skills, mental health and substance abuse treatment, family counseling involving the mothers of their children, transportation, etc. Most importantly these boys and young men need access to their children on a regular and continuing basis from birth onwards, so that

they form the emotional bonds that are so important for the child's development and for themselves to remain involved in financially and emotionally supporting their children through life.

Congress should approve substantial funding for the **FATHERS COUNT ACT OF 1998** of at least \$2 billion for nationwide and targeted fatherhood programs. Public relations campaigns should be instituted to educate the public to the needs children have for two biologic parents, and the risk mothers and their children face by choosing single-parenthood, divorce, and a non-stable or non-traditional two-parent family lifestyle. The National Governor's Association should be urged by Congress to survey, examine, and identify state laws, policies, and procedures which discourage two-parent family formation and stability, or that criminalize fatherhood so that they may be rewritten or repealed. If this Congress takes steps now to recognize the importance of fathers in childhood development, then we as a nation can begin the 21<sup>st</sup> Century promoting the involvement of both mothers and fathers in rearing children in an intact two-parent family within marriage, and the benefits that their children will receive from this traditional family structure.