

109TH CONGRESS
2D SESSION

S. CON. RES. 121

Expressing the sense of the Congress that joint custody laws for fit parents should be passed by each State, so that more children are raised with the benefits of having a father and a mother in their lives.

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 29, 2006

Mr. AKAKA submitted the following concurrent resolution; which was referred to the Committee on Health, Education, Labor, and Pensions

CONCURRENT RESOLUTION

Expressing the sense of the Congress that joint custody laws for fit parents should be passed by each State, so that more children are raised with the benefits of having a father and a mother in their lives.

Whereas, in the Fatherhood Program provided for in section 119 of H.R. 240, as introduced in the House of Representatives on January 4, 2005, it states that—

(1) in approximately 84 percent of the cases where a parent is absent, that parent is the father;

(2) if current trends continue, half of all children born today will live apart from one of their parents, usually their father, at some point before they turn 18 years old;

(3) where families (whether intact or with a parent absent) are living in poverty, a significant factor is the father's lack of job skills;

(4) committed and responsible fathering during infancy and early childhood contributes to the development of emotional security, curiosity, and math and verbal skills;

(5) an estimated 19,400,000 children (27 percent) live apart from their biological fathers; and

(6) 40 percent of the children under age 18 not living with their biological fathers had not seen their fathers even once in the past 12 months, according to national survey data;

Whereas single parents are to be commended for the tremendous job that they do with their children;

Whereas the United States needs to encourage responsible parenting by both fathers and mothers, whenever possible;

Whereas the United States needs to encourage both parents, as well as extended families, to be actively involved in children's lives;

Whereas a way to encourage active involvement is to encourage joint custody and shared parenting;

Whereas the American Bar Association found in 1997 that 19 States plus the District of Columbia had some form of presumption for joint custody, either legal, physical, or both, and by 2006, 13 additional States had added some form of presumption, bringing the current total to 32 States plus the District of Columbia;

Whereas data from the Census Bureau shows a correlation between joint custody and shared parenting and a higher rate of payment of child support;

Whereas social science literature shows that a higher proportion of children from intact families with two parents in the home are well adjusted, and research also shows that for children of divorced, separated, and never married parents, joint custody is strongly associated with positive outcomes for children on important measures of adjustment and well being; and

Whereas research by the Department of Health and Human Services shows that the States with the highest amount of joint custody subsequently had the lowest divorce rate: Now, therefore, be it

1 *Resolved by the Senate (the House of Representatives*
 2 *concurring)*, That it is the sense of the Congress that joint
 3 custody laws for fit parents should be passed by each
 4 State, so that more children are raised with the benefits
 5 of having a father and a mother in their lives.

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