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The subcommittee received the report of its recent Study Mission to Indochina on the crisis facing the children of the region, particularly in South Vietnam. The Study Mission made several very important and immediate recommendations on what our Government can do to help the children and orphans, and I believe they should be given serious consideration by the Congress and the executive branch.

Mr. President, I ask unanimous consent that the Study Mission's report and recommendations, as well as my opening statement at the hearing, be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

SENATOR KENNEDY'S OPENING STATEMENT BEFORE JUDICIARY SUBCOMMITTEE ON REFUGEES' HEARING ON THE CHILDREN OF INDOCHINA

Today's hearing resumes the Subcommittee's inquiry into the people problems of Indochina.

Nearly a month ago—on April 16—the Subcommittee considered the deteriorating situation in Cambodia, where the number of war victims dramatically escalates each day the bombing and conflict continues. This morning we shall focus on the most pitiful of war victims—the children of Indochina, especially those in South Vietnam.

Nothing so graphically reminds us of the human debris in Southeast Asia—and of our national responsibility to help heal the wounds of war—than the cries for help from homeless orphans, young refugees and maimed children—who are scattered by the hundreds of thousands over the face of Indochina—in North and South Vietnam, and Laos and Cambodia.

For many years their cries for help fell on deaf ears. The problems of child welfare and the needs of orphans went unattended—because governments were too preoccupied with making machines and war.

As early as 1965, witnesses before this Subcommittee told of a growing need for child welfare programs, trained personnel, and long range planning for children in South Vietnam. And in 1967, at the urging of this Subcommittee, a special AID social welfare task force was dispatched to South Vietnam to make program recommendations for children and other disadvantaged by the war. And we will hear this morning from the Chairman of that Task Force. But, as with so many other reports on humanitarian needs in Indochina, the Task Force recommendations were filed away and all but ignored—as conditions among the children and others in need continued to deteriorate. It was only the active humanitarian concern of many private Americans—and the leadership of voluntary agencies in this country and South Vietnam—that in recent months has finally turned our government around—and at least moved it from lip service to tokensim in its concern for young war victims in South Vietnam.

THE CHILDREN OF INDOCHINA

Mr. KENNEDY. Mr. President, one of the most tragic lessons of the Indochina war are the millions of disadvantaged children—the orphans, the maimed, the homeless—who have fallen as victims of continuing violence.

As the Congress and the American people begin to assess our Nation's role in a postwar Indochina, we must remember the faces of the children of Indochina, especially South Vietnam, and remember that we are still involved in their plight.

To document the massive needs of the children, to assess what our Nation can do to help, the Judiciary Subcommittee on Refugees, which I serve as chairman, held a hearing last Friday on child welfare and orphan problems in Indochina.

As members of the Subcommittee's recent Study Mission to Indochina. We are faced with a regional crisis of children. We are faced with an urgent need to redouble our efforts to help them—through international channels and voluntary agencies in the field.

In 1965, as we began our massive involvement in the war children were born in Indochina. Some of these children survived and today are at least 7 or 8 years old. But because of the war some are orphans. Some are half-orphans. Some are abandoned in the streets by parents unable to care for them. Some are stunted in mind and body from malnutrition and disease—and from the squalid conditions of the refugee camp or

shanty town where they may have lived for many years. Some are burned or maimed. And some are without limbs. But they all represent the crisis of children in Indochina—millions of children in need. And we must not walk away from our national responsibility to help them.

STATEMENT OF DR. JAMES DUMPSON AND MR. WELLS KLEIN ON CHILD WELFARE PROBLEMS IN SOUTH VIETNAM BEFORE HEARINGS HELD BY THE JUDICIARY SUBCOMMITTEE ON REFUGEES, MAY 11, 1973

Mr. Chairman, my name is James R. Dumpson, I am Dean of the Graduate School of Social Services of Fordham University, immediate past President of the National Conference on Social Welfare, and for seven years I was Commissioner of Public Welfare for the City of New York. With me is my colleague, Wells C. Klein, Executive Director of the American Council for Nationalities Service, who for five years was General Director of the American Branch International Social Service, after serving as Director of the Refugee and Social Welfare Division of the AID Vietnam Bureau.

Mr. Klein and I recently visited Vietnam in our private capacities as members of the Study Mission this Subcommittee dispatched to investigate postwar humanitarian needs in Indochina. Both Mr. Klein and I have worked in or visited Vietnam on numerous occasions in the past and have observed, at first hand, the steadily deteriorating conditions of children in Vietnam over the last eight years. We come before the Subcommittee this morning, as individuals, and as Americans, deeply disturbed over the welfare of children in Vietnam and deeply disturbed by the lack of sensitivity and responsible initiative our government has shown to even the most minimal needs of these children.

Since 1965 witnesses have come before this Subcommittee to testify as to the growing needs of children in South Vietnam. I, myself, testified nearly six years ago after heading a Social Welfare Task Force to South Vietnam on behalf of the Agency of International Development. But despite this Subcommittee's concern—and the concern of others in the Congress and countless Americans—little was done to meet their needs, even as the numbers of orphans and homeless children increased.

Mr. Chairman, when we speak of the children of Vietnam we are speaking of half the total population—that half, fourteen years and younger who, by reason of their age cannot, even under normal conditions, care for themselves and secure the physical and emotion requisites for survival and growth. But as you well know, in Vietnam we are not speaking of normal conditions. These eight million children have never known a day when the smells, the sights and the sounds of war were not all about them.

The gravity of the situation of children in Vietnam should surprise no one who can put two and two together and reach four. What surpasses surprise, however, is the insensitivity of our government, with some few exceptions which we shall detail later—the insensitivity to the situation that exists in Vietnam and to public concern here at home. We would submit, Mr. Chairman, that these children do not represent a political problem to be dealt with in terms of partisan politics, nor do they represent a problem in the allocation of resources. They are simply a large number of children for whom we share a responsibility—who desperately need our help—help which is not now forthcoming. At the end of this testimony, we shall submit some specific recommendations which we hope this Subcommittee, the Congress, and the Administration will consider as immediate steps which can be taken to alleviate some of the pain and heartbreak, and damage, and begin to turn the situation around

so that the children of Vietnam may have a future.

We have spoken of eight million children, but who are these children—what has happened to them—what are their needs? Wherever one observed children, one observed children deprived of their birthright to grow and develop in security with the sustained support of one or more meaningful adults in their lives. There are some 700,000 orphans or half-orphans in Vietnam. They have been torn by years of war from their families or have seen their families decimated about them. Their circumstances vary, but in most every case they lack the minimum physical and/or emotional requisites for healthy growth and development. We have heard much of the need to establish "stability" in Vietnam. By this is meant economic stability with the various supply and demand factors in some order of balance. The need for such economic stability is not disputed. But what about social stability? What is stability for 700,000 orphans? It is more than solving a balance of payments problem, it is an environment in which they can grow and mature with adequate food, clothing, shelter, physical and emotional security, and human contact.

Over 750,000 persons are crowded into approximately 128 refugee camps in South Vietnam. Half of these are children. In camp after camp, one observes children suffering from malnutrition, children with scrawny bodies, eye sores, eye cataracts, missing limbs, scuffed face or limb tissue, some naked or half naked. One observes children who are hungry because of bureaucratic red tape or sheer malfeasance. And if this were not enough, the refugees and their children face a particularly bleak future in this would be post war era—an era often referred to as that of "ceaseless fire". They are pawns in the game of who controls the most population. For most of these children there is no prospect of returning home. They are subject to the relentless pressure of de facto physical confinement in squalid, unbelievably crowded conditions. Children need to play—to move—they need stimulation, and new experiences. They need physical and emotional security. The refugee children have none of this and as time passes inevitably the lethargy syndrome becomes more and more deeply entrenched and their prospects for health development become less and less possible.

Some 23,000 children are known to be in orphanages. With rare exceptions, the care of these children is deplorable. The serious, dangerous overcrowding particularly in group care for infants, is nothing short of shocking. In one institution designed for less than 100 children we found nine dedicated nuns, four of whom are practical nurses, caring for 120 infants below one year of age, 95 children between one and two, and 75 or more children over five years of age.

In other institution equipped to accommodate not more than 150 children by the most minimal standards, we observed 400 children cared for by nine nuns, 5 to 7 "men on the grounds" assisting the nuns, and a small component of female custodians. Among these children, as in other institutions, were numerous severely retarded or handicapped children who need and should have intensive care and protection on a one/two or one/three basis.

Mr. Chairman, there is another particular group of children in Vietnam deserving of our concern, the same 25,000 children of mixed parentage whose fathers abandoned them or never knew of their existence, but children who bear the indelible imprint of their heritage. These children can be seen in the streets of Saigon and Danang, in the refugee camps and resettlement sites. Some 1,000 of these children are in orphanages living under the conditions described above. Half of the American fathered children in orphanages obviously had Black American

fathers. The remainder of the American fathered children, black and white, at this time, are living with their mothers and families in the general population.

For a variety of reasons, the needs of children of mixed parentage, particularly those already abandoned to orphanages and those whose fathers were unquestionably black, command a high priority in our concerns for the well-being of Vietnamese children. While the great majority of the American-fathered children have not been abandoned by their mothers—we saw much love and warmth for many of these children—as they grow into school-age and adolescence, in all probability, their physical difference will give rise to problems among their peers—for the black child, because he is black, and for the black and white because their mothers "did business with the Americans" as it was expressed by one of the children's grandmothers in a refugee camp.

Of very real concern is the black child. There is no question but that the black Vietnamese child will face serious problems of social rejection based on his physical difference. The experience and present social position of children fathered by French Senegalese troops during the 1945-54 period presents supporting evidence to this contention. Furthermore, there is no black community in Vietnam. These children will grow up and live a relative social isolation as have their French-Senegalese predecessors.

Meeting the needs of these children presents a number of issues that must be recognized and ultimately resolved by the government of Vietnam, hopefully with real and substantial assistance from the government of the United States. First, recognition must be made of the fact, frequently stated by Vietnamese officials, that these are Vietnamese children and the government affirms its ultimate responsibility for all Vietnamese children. This position, in our judgment, must be supported by the government of the United States and all of the voluntary agencies concerned with child welfare in Vietnam. Any program, however, well motivated, that does not accept this fact, does violence to the welfare of all the children in Vietnam.

Second, serious questions must be raised concerning the capability of the Government of Vietnam, at this time, to meet the special needs of these children. A statement of public policy is one thing; translation of that policy into meaningful reality for those for whom it is designed is quite another matter. In the foreseeable present, the needs of children of mixed parentage, particularly those whose fathers are black, and who already have been abandoned to orphanages, cannot be met. Alternative acceptable care to continued orphanage existence must be found.

Third, while high priority attention must be given to this relatively small number of disadvantaged children, it must be done within the context of the pressing needs of other disadvantaged children in Vietnam who are not racially mixed, who may or may not live in orphanages or refugee camps, and who may not be abandoned. This issue underscores the war-induced plight of the general majority of Vietnamese children. They are all war victims as are their mothers and most other adults in Vietnam. We cannot single out for special attention the unique needs of the American-fathered child and ignore that large number of other children who have a right to our concern and assistance. To do this would be unethical, and in our opinion un-American in the true sense of the term.

Mr. Chairman, before proceeding to recommendations, it may be useful to detail exactly what our government has, or has not done, in regard to needs of children in Vietnam. Until 18 months ago there was essentially no U.S. government program directed towards these children. While some

assistance was available through PL-480 food distribution and through the refugee program, this was indirect assistance not primarily designed to meet child welfare needs. Also, at one time, the U.S. government gave substantial support to U.S. and international voluntary agencies working in Vietnam, some of which was directed toward children. By the spring of 1971, however, it was no longer government policy to support the voluntary agencies. This was the process of "de-escalation", and with some sort of incomprehensible logic, our government chose to de-escalate voluntary agency support and the already minimal assistance going to children as one of its first steps.

In a way, the timing of this "de-escalation" was fortuitous, for it came at the very moment when a large segment of the American public was becoming increasingly concerned for the welfare of children in Vietnam. The down-grading of voluntary agency support and humanitarian assistance to children dramatically highlighted the lack of U.S. government concern. Thus, in the summer and fall of 1971 several events occurred simultaneously which resulted in a dramatic reversal of the government policy vis-a-vis children in Vietnam. A number of separate pieces of legislation were introduced into the Congress which, in one form or another, called on the government to respond to the needs of Vietnamese children. At the same time, a group of voluntary agencies made strong representations to the government requesting priority and funding for services for these children. Finally, and perhaps most important, the media and a significant and vocal segment of the general public began to focus attention on child welfare concerns, in effect demanding action from our government.

As a result, since the fall of 1971, or some 18 months ago, it has been government policy that the United States has an obligation to help the children of Vietnam. This has meant the beginning—just the beginning—of funding and priority to implement child welfare programs. In the past 18 months the Agency for International Development has done a commendable job of initiating responsible child welfare programs and engaging the Vietnamese Ministry of Social Welfare in developmental child welfare planning.

This brings us to the present. It is important to note that we have commended the AID response in the past 18 months, but not that of the government as a whole. Quite frankly, in our opinion, AID has gone about as far as it can without support from the U.S. Embassy in Saigon and from the White House and State Department in Washington. For the present, at least, some U.S. government funds for child welfare purposes seem to be available. However, these funds cannot be utilized effectively unless the Embassy in Saigon gives the matter of children reasonable recognition in its own priorities and reasonable support to AID and to the Vietnamese Ministry of Social Welfare.

At the time of our visit, the Embassy and AID were at loggerheads, with the real danger that the Embassy might pull the rug from under much of the responsible programming AID has initiated. There is nothing useful to be gained by discussing the details of this matter, except to say that in the immediate sense, and in the long run, most of what we can do for children in Vietnam can only be accomplished through Vietnamese institutions. It is, therefore, imperative to strengthen the Vietnamese government and voluntary agencies at the same time we are addressing ourselves directly to the immediate needs of children. This must be our policy if our assistance to the children in Vietnam is to be in their interest rather than simply a short range response to political pressures on our part.

Proceeding, now, to the future, we would

suggest that any child welfare programs in the immediate future must include the following ingredients:

1. Programs and measures designed to prevent the abandonment of children. Among other considerations, this involves counseling services available to mothers to help them identify what is in their best interests and the best interests of their children. Mothers and their families should be helped to identify realistic alternatives to abandonment.

2. Improved institutional care for those children who require such care.

3. Improved maternal and child care including expanded day care facilities.

4. Programs designed to reunite families with high priority assigned to children in orphanages, and to programs designed to maintain children with their families.

5. Facilitation of adoption on a case by case basis for those children for those children for whom this is the best alternative.

These are immediate child welfare goals for children in Vietnam. To achieve these goals, the United States on its part must undertake the following:

1. Ensure reasonable priority by all elements of the U.S. Government for child welfare and translate that priority into realistic meaningful programs with assurance of adequate long-term funding.

2. Raise the issue of the welfare of children with the Vietnamese government at the highest level so that child welfare programming will receive equivalent priority on the Vietnamese side. At this point, the Vietnamese Ministry of Social Welfare is at the bottom of the government's administrative structure and receives scant support in terms of funds and personnel. It is essential that the Ministry be able to hire and train competent personnel to implement reasonable and responsible programs within a Vietnamese context.

3. Support and encourage American and international voluntary agencies to expand their programs of service to Vietnamese children in cooperation with the Ministry of Social Welfare, and under the general supervision of that Ministry.

4. Seek out multi-level mechanisms within the United Nations family and/or the international voluntary agency structure through which to channel continuing child welfare assistance in Vietnam. While the United States must continue to provide major budget support for such endeavors, our government can best discharge its responsibility by working through multi-lateral mechanisms where direct U.S. involvement is minimal.

Further, Mr. Chairman, in very specific terms, we propose the following immediate steps. These can and should be implemented within the next two or three months. To the best of our knowledge, no new policy formulations or funds are required. It is simply a matter of acting with a concerted rather than a divided effort, and with a sense of priority.

1. Invite the establishment of, and fund, a consortium of experienced professional competent voluntary agencies to facilitate and expedite inter-country adoption of Vietnamese children for whom adoption is legally possible and clearly the best plan. Particular priority should be given to the racially mixed child. The primary bottle-neck with regard to inter-country adoption at present is the lack of adequate services and staff in Vietnam. We view this recommendation as an urgent requirement, though we recognize that adoption must still be handled on a case by case basis to protect all parties concerned. The expensive services for the few at the expense of the many is unconscionable. Therefore, the consortium must equally concern itself with providing counseling services to mothers who may be considering abandoning their children, and with the immediate up-grading and improvement of

child care services and institutions in Vietnam.

2. Expedite the inter-country adoption process by assigning one additional officer to the INS regional office in Hong Kong so that U.S. government formalities will not represent a bottleneck as they have, on occasion in the past. INS is planning to transfer 1,000 inspectors to the U.S. Customs Bureau in the near future. We ask that one of these be diverted to Hong Kong.

4. The U.S. government, through its Embassy in Saigon, should urge the Government of Vietnam to expedite passage, or interim implementation by decree, of sound adoptive legislation which, we understand, is presently in draft form.

5. The government of the United States should formally transmit to the Government of Vietnam a clear statement of intent of support for programs designed to assure the welfare of children in Vietnam. This recommendation will have the dual effect of indicating American commitment particularly in terms of funds on a more than a year to year basis, and of stimulating the Government of Vietnam to give its own child welfare programs and Ministry of Social Welfare reasonable support and priority. One of the persistent problems is that U.S. funding is only available on a year to year basis. The Vietnamese, understandably, are reluctant to commit themselves to long range programs with only a few months of funding in sight.

6. The U.S. government should strongly urge the Vietnamese government to lift its present restriction on hiring new personnel within the Ministry of Social Welfare. At present, the Ministry does not have adequate personnel, in terms of numbers of professional competence, to supply many of the child welfare services needed.

7. AID should be authorized to proceed with direct hire from outside its own personnel resources in order to replace departing child welfare personnel in Vietnam and expand the AID child welfare advisory and support program by several additional positions.

8. The Subcommittee on Refugees should review the various pieces of legislation addressed to the needs of children of Vietnam which have been introduced over the past two years to determine whether modification of previously proposed legislation, or new legislation, is warranted to ensure that we can and will continue to exercise our responsibilities to the children of Vietnam.

9. The appropriate Subcommittee of the Judiciary Committee should be asked to explore some modification of our present Immigration and Nationality Act in order to enable American fathered children in Vietnam to obtain American citizenship, if they so wish, upon reaching their majority.

10. Until such time as multi-lateral mechanisms can be determined and utilized, the Agency for International Development should continue to work with the government of Vietnam, particularly the Ministry of Social Welfare, in an advisory and supporting role, to assist that government in carrying out its responsibility to the children of Vietnam, responsibilities which we share. After many years of inaction, AID had initiated a well-thought out program of child welfare assistance in Vietnam. The AID continuing effort should be encouraged and supported by this Subcommittee and by the Administration.

Mr. Chairman, we have presented a review of the needs of the children in Vietnam and we have made some specific recommendations for meeting those needs. We do not suggest that our review has been comprehensive or that our recommendations are by any means all inclusive. However, we have sufficient confidence in our own experience and judgments to suggest that careful consideration of the views and recommendations presented this morning will significantly enhance our government's ability to meet our national obligation to the children of Vietnam.