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American PX Whisky and Perfume Flowing to Austere Hanoi

By FOX BUTTERFIELD
Special to The New York Times

HONG KONG, Jan. 12—Although the last American PX in Vietnam was closed in April, the impact of its bounty is still being felt—but now in North Vietnam.

According to recent travelers to Hanoi, Scotch whisky, perfume and Japanese radios that once lined the post exchange's shelves are being sold in markets in the North Vietnamese capital. They were apparently taken there by Northerners who snapped them up on the black market in Saigon. Such luxury items have not been seen in spartan Hanoi for years.

Incongruously, other relics of the American presence have turned up in Hanoi. Foreigners have sighted many of the Ford and Chevrolet sedans, still bearing South Vietnamese license plates, that were once driven by employees of the United States Embassy or the Agency for International Development.

In addition, the North Vietnamese in Saigon are reported to have packed up a well-equipped Seventh-day Adventist hospital—originally the United States Army Third Field Hospital—a textile mill and large quantities of South Vietnamese rice for shipment north.

Redistribution of property is only a small part of the reunification process that has been taking place over the last eight months, almost all of it apparently directed from Hanoi.

Le Thanh Nghi, a North Vietnamese Deputy Prime Minister, told a meeting of the National Assembly recently that "tens of thousands" of North Vietnamese "have been dispatched to

from Pham Hung, the fourth-ranking member of the North Vietnamese Politburo, through economic planners and security specialists to customs agents. A recent Western visitor to Saigon was surprised to recognize a customs inspector from Hanoi at Tan Son Nhut Airport.

Exactly why Hanoi has sent so many people south is a matter of conjecture. Perhaps, as American officials insisted during the war, the indigenous southern Communists were not so numerous after all and depended on the North. Or perhaps, in a continuation of traditional Vietnamese regional rivalries, the Northerners simply do not trust their southern compatriots.

An Asian businessman who left Saigon recently on a French-sponsored refugee flight reported that there were two types of policemen there: "Those with guns are Northerners, those without are Southerners." Moreover, he said, there are still eight to 10 North Vietnamese Army divisions in the Saigon area, exactly the same number as at the end of the war.

Another possible factor in North Vietnam's policy is that since the 1954 division of the country at Geneva, the Communist movement, by geographical accident, has been directed from Hanoi. Thus Mr. Hung, the senior Communist official in Saigon since the war, is a native of the Mekong Delta but a North Vietnamese party leader.

At a recent conference of delegates in Saigon called to approve a plan for reunification next spring, he was listed ahead of the president of the Provisional Revolutionary Government, Huynh

Hung was described as the secretary of the South Vietnam Committee of the Vietnam Workers Party.

Saigon and Hanoi have announced that political unification will follow National Assembly elections next April. The Assembly will draw up a constitution, and a government is to be formed by the end of June, with Hanoi apparently as the capital.

The National Liberation Front is to be subsumed then into the largely powerless Vietnam Fatherland Front, a broad North Vietnamese political organization. Last week it was disclosed at a meeting of the North Vietnamese National Assembly that Hue, Vietnam's one-time imperial capital, and the two northernmost provinces of South Vietnam had already been merged into North Vietnam's southernmost province.

The overwhelming fact of life in Saigon over the last eight months has apparently been the steady decline in its standard of living.

With the entire South Vietnamese Army and much of the former civil service disbanded, and with imported raw materials for the few factories in short supply, jobs have simply disappeared. The new Communist authorities have made such vital items as rice and milk available at state ration stores, but prices have continued to climb.

A Vietnamese woman who managed to settle in Hong Kong received a letter from her family in Saigon recently saying that her two brothers got up every morning at 5 to bicycle to work in a fertilizer factory in Bien

the Hanoi radio has regularly accused Bangkok of everything from harboring Vietnamese and Laotian refugees to plotting to invade Laos. North Vietnam has also demanded that all American forces in Thailand be withdrawn, a demand that Bangkok says will be met by spring.

In the meantime, it is estimated, North Vietnam has maintained 30,000 troops in southern Laos near the Thai border. Recent intelligence reports indicate that the

North Vietnamese are training Thai Communist guerrillas in both Laos and Vietnam. There have also been reports that Hanoi has stepped up clandestine arms shipments to the Thai insurgents.

Whether Hanoi wants anything more than to keep Bangkok nervous is unclear. Some analysts think the North Vietnamese may be laying the groundwork for nam Courier, an English-language, in the current issue of Viet, further activity.

U.S. FAMILY LOSES VIET ORPHANS

Mother's Joy Is Heartbreak to Another

LINCOLN, Neb. (AP)—"It seemed like a nightmare, then it was the most wonderful thing that happened to us. Now it's another nightmare."

State Sen. John DeCamp described his brief guardianship of two Vietnamese orphans. Their mother was located in South Carolina and both were reunited with her, he said.

"I would be a liar if I denied that I

considered a court fight, but after the children saw their real mother

"You could see it was settled."

Mallard, a service manager for

"Obviously, all the children weren't orphans, but at the time there was so much confusion no one could be sure of anything," DeCamp said. "My first understanding was that their parents had died in the fighting."

"It was a nightmare over there, but I thought I had been so careful in

every minute. We have no cl of our own."

DeCamp said he and his wife promised the children and themselves that they would do what they could to find out if the children's mother had escaped from Communists.

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group speeds up efforts

DENVER (AP) — Efforts to bring war orphans to the United States are being accel-



RES VIET ORPHANS

Joy Is Heartbreak to Another

...the children saw
...there just didn't see
...in it," DeCamp said
...He and his wife
...his sister, Tam, 7, 4
...was New Year's Day to
...Mallard.
...They just stay
...they saw her. They
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"Obviously, all the children weren't orphans, but at the time there was so much confusion no one could be sure of anything," DeCamp said. "My first understanding was that their parents had died in the fighting."

every minute. We have no children of our own." DeCamp said he and his wife had promised the children and themselves that they would do whatever they could to find out if the chil-

ing community 160 miles north of here. "It hasn't been all that long

Years of Effort in Aiding Viet Children

To The Denver Post:
I HAVE WAITED in vain for a factual response to the letters of criticism concerning "Operation Babylift." Only today did I realize that the local people directly involved in this effort,

sonal effort to give a few more children the opportunity to grow up—in Vietnam or elsewhere. The appalling deathrate, 80 per cent of the children brought in, has been significantly reduced in those orphanages

and support. Our efforts on their behalf should not end with the babylift, but neither should "Operation Babylift" cease. There are many families in our area who have adopted Vietnamese children over the

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VIETNAMESE CHILD Kari, 4, whose adoption has been placed in question by a federal court action in San Francisco, plays at All Saints Nursery School with Diane Bartlett, who is trying to adopt her.

—News-Press photo

COURT DECISION'S EFFECT

Must Kari go through another crisis period?

By Jenny Perry
News-Press Staff Writer

Four-year-old Kari Barnett is a blossoming pupil at All Saints Nursery School.

She is also one of 1,850 children from South Vietnam directly affected by a U.S. District Court decision in San Francisco Tuesday calling for individual review of circumstances surrounding availability for adoption.

Mr. and Mrs. Lewis (Buddy) Barnett, 152 Toro Canyon Ave., her parents for one-fourth of her life, strongly believe that Kari has had more than her share of survival uncertainty.

"A court case dragging on for four or five years is the last thing Kari needs," said Diane Barnett today. "And the others, too, are here now. What kind of readjustment problems are ahead for any of them that do turn out to have yearning mothers or extended families waiting for them in Vietnam?"

"Our Kari survived the C-5A crash that killed 200 adults and children fleeing Saigon in April last year," she said. "She saw the people who had been taking care of her for two years disintegrate before her eyes."

MRS. BARNETT said Kari has also survived:

- Abandonment at birth.
- Eighteen months at the largest orphanage in South Vietnam.
- Being turned over to a malnutrition center for treatment.
- Medical opinion that she could not be cer-

tified for adoption because she was autistic.

—Physical and psychological therapy that proved she was not, by Friends for All Children adoptive agency with headquarters in Boulder, Colo.

- Certification for adoption last January.
- The crash and another plane trip.
- Being picked up at the San Francisco Presidio by Mrs. Barnett on April 7 and transition into a large and loving family that includes two other multiracial adoptive children.

"NOW I ask you, should she continue to be a pawn in political power games one minute longer?" asked Mrs. Barnett.

The legal uncertainty — which can also prevent Kari and others from receiving certain social services available only to those legally residing in the U.S. — grew out of interviews with three Vietnamese young people arriving last April in San Francisco who said they had relatives alive and well in Saigon.

A class action suit, Nguyen Da Yen et al versus Henry Kissinger, was filed in U.S. District Court charging that the young people had been kidnaped and asking that all be returned.

THE HEARING before Judge Spencer Williams in the federal building Tuesday has a bearing on whether class action is appropriate. It resulted in a decision to set up a panel of three experts representing the plaintiffs, who are being advised by the well known radical attorney, William Kunstler; the defendants, and a

See Page A-4, Col. 1

Analysis predicts Democrats

1-26-76

RON
/ Editor

feared

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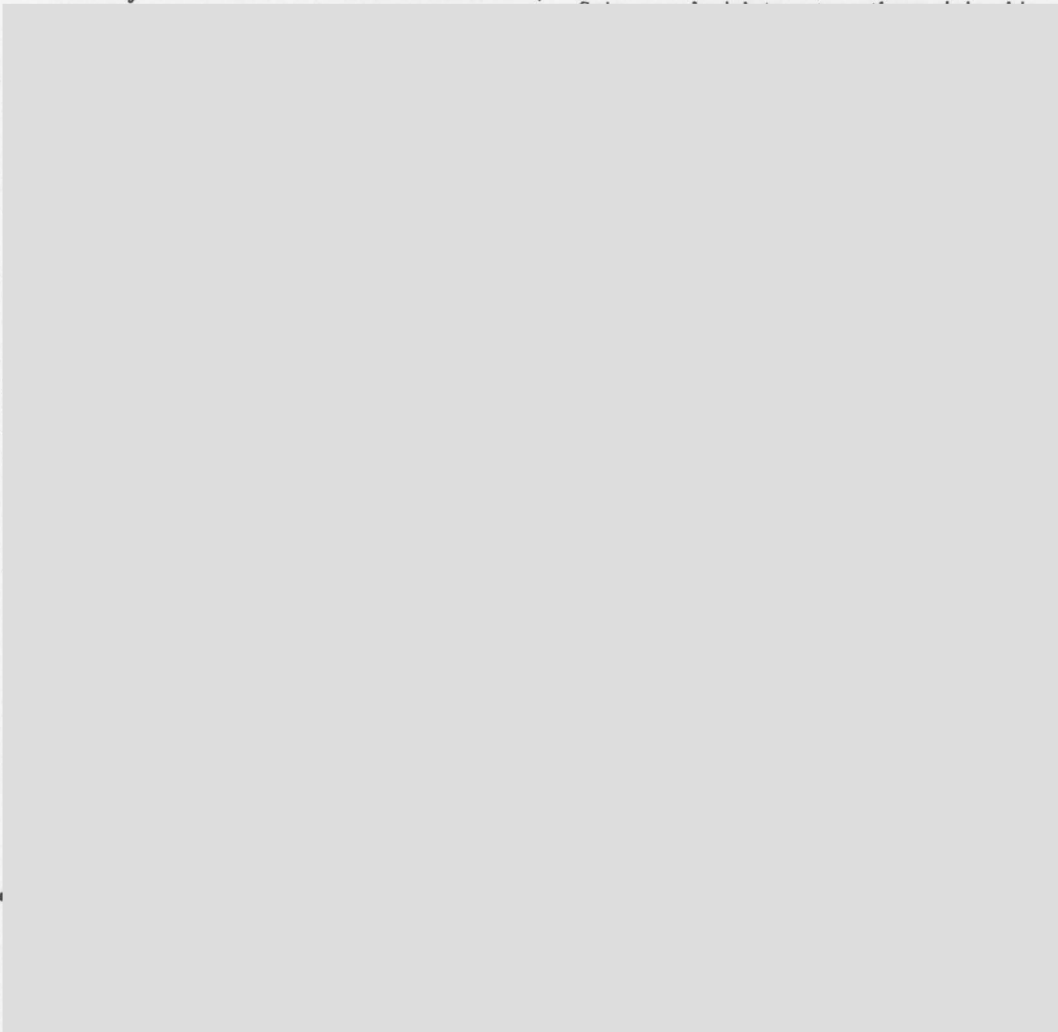
Monday, January 26, 1976

Plight of refugee child

King Solomon has been admired down the ages for his wisdom in deciding which woman had a valid claim to motherhood of a baby. He ordered the infant cut in half,

plane for San Francisco. There she was put in the care of the Barnetts.

Last April a group of Vietnamese young people who claim to have relatives in



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A/19Editorial

Medicine in a Vacuum ?

Last April, 1,600 Vietnamese children were flown to San Francisco in "operation Babylift." Many of the children had serious medical problems and Bay Area hospitals and health-service agencies were placed under unusual stress in coping with the serious situation. Many of the children had mothers and fathers or aunts and uncles back in Vietnam who could have cared for their own children. Indeed, it was a "pediatric disaster."

Last November, some eight months after the panic-filled last days before the victory of the Provisional Revolutionary Government, the U.S. Court of Appeals in San Francisco ordered a judicial review of the records of each Vietnamese "orphan". The decision was in response to a suit brought by the Ad Hoc Committee to Protect the Rights of Vietnamese Children, which contended that many of the children brought to the U.S. actually had relatives in Vietnam to whom they should be returned.

The decision not only paved the way for the possible return of many of the "orphans" but it also provides an important footnote to the Oct. 2, 1975 article in the *New England Journal of Medicine*, "Planning for a Pediatric Disaster: Experience with 1,600 Vietnamese Orphans," by S. Alex Stalcup (Chief Resident in Pediatrics at Moffitt Hospital), et al.

The entire operation, as documented in the Stalcup article, relied heavily on the voluntary efforts of numerous UCSF faculty, students, and workers — many of whom gave their time and energy in good faith to an ostensibly "humanitarian" relief effort based on the impression that these were indeed "orphans" who were being aided by their work.

The article made no reference, however, to the question whether in fact the 1,600 children were in fact "orphans", or to the allegations that the entire "disaster" was in fact a last-minute production of the U.S. war propaganda effort. The only mention of the controversy surrounding the arrival of the "orphans" was the following: "This operation generated

hostility from certain elements of the community. Plans must include strategies to deal with the possible hostile activity from some community groups and to control curious, non-essential people, including the press."

The primary hostility generated by the operation was not directed against the "orphans" or the volunteers who were working with them, but against those in power in the U.S. Government (Ford, Kissinger, et al.) who were believed to be using the "orphans" for their own political ends. The war was in its desperate final days and the "Babylift" was emotional fodder to rally public support for the U.S. Government's war effort. Some medical people may have been willing agents in this deception, others simply never questioned the motives or assumptions underlying the operation.

Several volunteers did discover evidence that many "orphans" were but temporarily placed in orphanages for safe-keeping by their families. At this point, if a full-scale investigation had begun and the placement process halted, full medical assistance could have continued; no child who had been mistakenly labeled "orphan" need have been dispensed to a new home. Instead, he or she could have been properly repatriated. However, the medical machine, in inexcusable harmony with the political machine, pushed forward. The "orphans" were funnelled through the medical triage operation and "successfully" placed in homes throughout the U.S., while their parents back in Vietnam wondered where their children were.

There is a lesson to be learned from this experience aside from the valid points made in the NEJM article about the need for adequate planning for a "pediatric disaster." The lesson is that medical operations do not take place in a vacuum — there are some very real personal and political consequences to what we do. Even in the "imminence of the disaster," it is important to ask in whose interests we are actually working.

ans have questioned the ty of Operation Babylift Vietnam, but they do not that each year thousands ndoned children of pure mixed race are brought rom Korea—22 years aft- at war. In one scene e watches as an adop- orker literally tears a race child out of the of its weeping bar-girl r, telling her it is "for son's own good." We e the specter of wealthy ies using the "excess" n of the poor to replen- eir own dwindling baby ts, rather than support- ograms to help destitute rs keep their children. ressive governments like Korea allow these ar- ments as a way to avoid own social and economic sibilities, while pressur- e adoption agencies not eal the circumstances of f's origins and abandon- est it be embarrassing m. How many uprooted en can be as lucky as

Lee Heh and Holly to have a Ruth Gruber in their lives, as well as an adoptive mother who is not threatened with the reality of their back- grounds?

At the close of the book Marjorie and her two girls are watching Operation Babylift on TV as the huge American cargo plane crashes in flames taking two hundred children to horrible deaths. While acknowledging that many of the children involved in the other flights were not orphans, the authors do not question why no provisions were set up to try to relocate them with relatives rather than placing them immediately into adoptive homes. A court case is now in process in California on this very issue.

Still, on its own terms, "They Came to Stay" tells a story that is both moving and important. It adds to the increasing recognition that all uprooted children require a sense of connection with their past, and suffer if it is withheld. And that is a real contribution. ■

2-29-76
Needed: more than love and patience

They Came To Stay

By Marjorie Margolies & Ruth Gruber.

Illustrated. 352 pp. New York: Coward, McCann & Geoghegan. \$8.95.

By BETTY JEAN LIFTON

When Marjorie Margolies, an unmarried TV newscaster, decided, at the age of 25, to adopt "an Asian child whom nobody wanted," she met a variety of responses: her mother told her to get married and have her own; her boyfriend accused her of wanting a Barbie doll; and adoption agencies rejected her as a single woman. However, with the encouragement of her father, who backed her "one hundred and fifty percent," Marjorie found a local agency that would do a home study and an international Christian agency (Holt Children's Services) that not only would consider a single parent, but a Jewish one at that.

Perhaps the best thing Marjorie had going for her was an extended family in her mother and father, who could help raise the two children she eventually was to bring over.

In the first part of the book Marjorie, in collaboration with veteran journalist Ruth Gruber, tells how she went to Korea in 1970 and found Lee Heh, a 6-year-old abandoned girl, whom a clever lawyer helped Marjorie bring in quickly on a "student visa" to start the first grade. Lee Heh, docile and eager to please, seemed as anxious to turn off her Korean past and become American as Marjorie was to get her quickly into school and go on with a demanding career. It wasn't until 1974, when Marjorie adopted a second child, Holly, of mixed race from Vietnam, that a "time bomb" went off. Holly, also 6, was not eager to please; a child of the streets, she threw temper tantrums in public places, kicked, screamed, banged her head, much to the embarrassment of her adoptive mother. Infested with worms, suffering internal infections, rotted teeth and incessant nightmares, Holly in no way matched the cheery adoption agency record that accompa-



Holly, Marjorie and Lee Heh.

nied her, and, like Lee Heh, kept the secret of her past locked within.

Americans still bring a lot of illusions to adoption, just as they had brought them to Asia. We see Marjorie as the innocent American, coming as unprepared to the complexity of adoption as she was to the complexity of taking children, about whom she knows little; from cultures about which she knows even less. It would have been easy for the two collaborators to have settled into a comfortable, heartwarming story that would reassure all prospective adopters that to bring children over from Asia may be tough in the beginning but, with a little patience and a lot of love, will have a Hollywood ending. Instead the authors decide to do something more serious and valuable.

With the introduction, in the last part of the book, of Ruth Gruber's trip to Korea and Vietnam to ferret out the true story of each child's background, the book becomes something more than a surface adoption story. Now we become aware of real children who have left real brothers and sisters back there and, in Holly's case, a real mother who abused her. The two girls drop their guard and suddenly become alive as people. They are released from the tormenting secrets and from the shame that has made them repress their past. With Marjorie's reassurance they are able to integrate their present identity, and we have a feeling they are going to have a better chance to cope with the future.

The strength of the book, then, is in its honesty about difficult human relationships. It is open, warm and chatty on a subject that in this country can be closed, tense and secretive.

NY Times
Feb 11, 1977

SLAVERY REPORTED AMONG REFUGEES

Camp Pendleton Study Finds Exploitation of Children

By EVERETT R. HOLLES

Special to The New York Times

CAMP PENDLETON, Calif., Jan. 31—A Marine Corps general has reported that "slave children," hidden weapons and unsanitary habits existed among the more than 50,000 Southeast Asian refugees cared

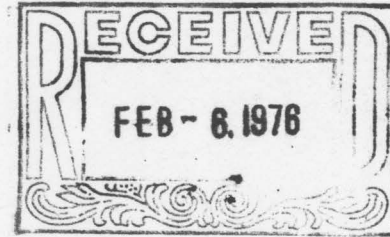
companied children at the camp were those whose families had them evacuated first, hoping to join them later. The remaining few had been live-in baby sitters for some of the families back in Vietnam. They were in no sense slave children."

Attention by Welfare Workers

In the San Diego area, where nearly 10,000 refugees have settled, county welfare officials said they have been alert to reports that some Vietnamese children had been forced to work for refugee families. The county officials said further that steps have been taken to protect the children.

General Graham defended his report, entitled "Operation New Arrival: After Action Report," as "wholly factual."

The report cited said that



Refugee

1942 Broadway, Suite 406
Boulder, Colorado 80302

April 30, 1976

Editor
Daily Camera
11th & Pearl
Boulder, Colorado 80302

To the Editor:

Your article on the front page of Monday, April 26th (Babylift--Trip to Limbo) was unfortunately out of date with respect to the litigation now pending in San Francisco federal court concerning the Babylift children brought from Vietnam in April, 1975.

First, and most important, in February of this year the Federal District Judge denied the plaintiffs' motion for class certification (which would have permitted plaintiffs' counsel to represent all the Babylift children) for the reasons that the individual situations and factual backgrounds of the children were so diverse as to defeat the possibility of a class action. The District Judge also ruled that plaintiffs' attorneys could not be named guardians ad litem for any of the other approximately 2,000 children because of significant potential conflicts of interest among the various children and the attorneys. Plaintiffs have appealed these rulings to the Federal Appeals Court in California.

Second, while not explicitly ruling on the issue of whether or not to permit tracing of alleged parents who remained in Vietnam, the Court did indicate that it would not order any active tracing plan designed to ferret out parents still in Vietnam, because of the possibility of retaliation, embarrassment, or other negative effects on those parents. Rather, the Court indicated that at most (if, for example, the class action ruling were reversed on appeal) the Court would permit a tracing plan which gave Vietnamese parents the opportunity to come forward and make contact with an appropriate international agency.

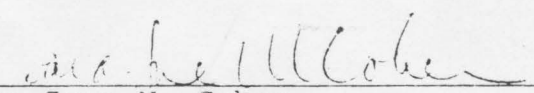
Such an international agency has been working in Vietnam for several months attempting to set up its own tracing plan, in cooperation with the United States government. However, it is our best information that the Provisional Revolutionary Government (PRG) has done nothing to cooperate with these efforts, and it is highly doubtful that such efforts will be successful.

Editor, Daily Camera
April 30, 1976
Page -2-

Two other points raised in the article also require attention. First, the actions of the United States Immigration and Naturalization Service in determining the status of the Babylift children have nothing to do with the children's adoptability in the various state courts. In fact, many more than the nine children referred to in your article have been adopted. Obviously, should the Court or Immigration Service at some point determine that some of the children are not legally in this country, those adoptions would not preclude the INS from taking appropriate action with respect to the children. However, the fact remains that adoptions and immigration issues are not coextensive.

Finally, it must be pointed out that of the more than 2,000 children who were brought to this country in the waning days of the war in Vietnam, the vast majority were children who had spent much time in orphanages as orphaned or abandoned children. Charges that children were improperly taken from Vietnam by overzealous or unethical agencies are totally without foundation. The agencies that participated in the Babylift had a long history of service in Vietnam, and in fact, they were forced to leave in Vietnam many children whose adoptable status was unclear. The real tragedy of the litigation in San Francisco is that the lives of the Babylift children, who have already suffered so much, have been further disrupted by this lawsuit, and agencies and individuals who gave so much time and energy to saving these children have been needlessly dragged through the mud.

Sincerely,


Sara-Jane M. Cohen

SJMC:rm

'Babylift' — Trip To Limbo

By ELIZABETH BECKER
The Washington Post

WASHINGTON — A year ago, they posed radiantly for photographers at airports around the country, sharing with an anxious national audience their apparent adoptions of Vietnamese children rushed here in "Operation Babylift" during the last days of the American withdrawal from Southeast Asia.

Today, most of these people have withdrawn into silence, afraid that they will lose their children. Of 2,043 Vietnamese and 30 Cambodian children brought here in the airlift only nine have been officially adopted. Many of the others may not be orphans at all, but rather are stranded here in legal limbo, without legal parents and with little hope of returning to their natural families in Asia.

A federal court now facing this question has yet to rule on the status of these children. The U.S. State Department has thus far failed to carry out an aggressive tracing

program to match the children with any living parents in Vietnam. The Americans who believed they were adopting war orphans are thus caught in the role of loving guardians who may lose a "son" or "daughter" at any time.

"My families with 'Babylift' children won't talk to the press anymore, they are afraid it might have a boomerang effect and that someone will come along and make a claim for their child," explained Charles Olds, director of the Pierce-Warwick Adoption Agency here.

"They don't want to steal a child from a true family," Olds said, "but how do you decide if a claim is bona fide? Time has gone by and, pilychologically, the child is part of his new family."

The U.S. Immigration and naturalization Service, which accepted most of the Vietnamese children last April under the emergency parole status granted all refugees, must grant certification of orphan status before the

(Continued On Page 6)

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'Babylift'

(Continued From Page 1)

children can be adopted here.

So far, 281 children have been certified as orphans and nine have been adopted, according to Verne Jervis, information officer for the immigration service.

Vietnam and Cambodia, and then allow an international organization to search hard for the parents, as has been done following other wars, according to Nancy Stearns, an attorney for the children.

That law suit, and the example of two Midwestern

Questioning Viet Baby Adoptions: Who's Whose?

By Nadeane Walker
FROM DALLAS

JOHN AND Sandra Shea thought the worst was over for the little Vietnamese boy they obtained as a result of the "babylift" last year. He not only had come through the last days of the war, but he also survived the cargo-plane crash that killed scores of the nearly 2,000 children that the United States airlifted from Vietnam.

The youngster was 6 months old when the Sheas brought him into their home in the Dallas suburb of Irving. They took him to their Episcopal Church a week later and had him christened George Brian Texas Shea. Some months ago the Sheas discovered that they had reason to worry that they might be ordered to give up the youngster they had made a member of the family.

The Sheas were among the many

hundreds of families who learned that the Vietnamese youngsters they had brought into their homes while going through adoption processes might not be adoptable because they have parents who want them back.

Last April a Federal class-action suit was filed in San Francisco on grounds that many of the babylift children are unadoptable. As a result of the suit, most adoptions have been delayed. Though it seems that most of the children—George Brian Texas Shea among them—will be dropped from the suit as evidence of their adoptability comes to light, the lingering issue is causing anxiety for several hundred parents across the country. They include not only those who grow closer each day to the Vietnamese children they've brought into their homes, but also several Vietnamese parents who now are reclaiming their children.

A Letter in Vietnamese

One of those parents is Nguyen Thi Phuc, a 36-year-old refugee mother who wants her four children back. After her husband and two of her children were killed in the war, she says, she was unable to care for the family, so three years ago she let an Air Force captain take custody of her two young sons and bring them to the United States. The boys, now 10 and 5, have been placed for adoption with an Air Force lieutenant colonel and his wife in Virginia.

Mrs. Nguyen, who works here and is being represented free by a Dallas lawyer in her attempt to regain custody of the boys, has spent a week with her sons in Virginia. But she says she still

doesn't know where her daughters are. They are Huong, 13, and Hahn, 12. She says she turned them over to what she thought was a Baptist agency last April, and she hasn't been able to find them since.

Some Vietnamese parents who have turned up in this country looking for missing children have successfully reclaimed their children without a court battle. Judge Spencer Williams, who is hearing the babylift suit, recently ordered that a letter in Vietnamese be sent to all refugees in this country informing them of the suit. Thomas Miller, a lawyer for plaintiffs, said Mrs. Nguyen and others will be allowed to sift through pictures collected in the investigations in connection with the suit to see if they can spot their children.

Some may have been sent to other countries. Friends of All Children, in Boulder, Colo., says that 250 of the 575 children it brought out of Vietnam were placed in the United States, and the rest went to Europe. Miller says that "we will at least try to get information on the kids that went to other countries from the agencies, so their parents will know what happened to them."

A Worry About Reprisals

A recent study concluded that nearly 300 of about 1,800 children taken from Vietnam might not be eligible for adoption. The Center for Constitutional Rights, in New York, one of the parties to the suit, wants the children's parents in Vietnam traced immediately. Defendants (U.S. Government officials responsible for the babylift) argue that reprisals might be taken by the Communist government in Vietnam, and that tracing of children's Vietnamese

clies where fraud is suspected, the court battle will go on.

Miller says that most fraudulent papers (usually records prepared for children who later died, then used for other children) are being traced to one agency, and that all the others have denied taking in children offered by panic-stricken parents in the last weeks of the

war simply to save their lives.

"The Government has suggested that it [the suit] be wound up within six months; we think it will take another year at least," Miller says. "There will have to be a cutoff date so adoptions can proceed, but that would not preclude later claims by natural parents who may come forward."



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The San Francisco
Bay Guardian

2-20-76

The tragic end to

Operation Babylift

Editor's note: Another tragic twist to the babylift fiasco has been uncovered by a lawsuit currently being considered in federal court in San Francisco: at least eight Vietnamese refugee families in the US are looking for their children who were brought to the US during the much ballyhooed "Operation Babylift" last spring.

The Ford administration claimed at the time that the babylift brought only orphans to the US, but some of the children, who were temporarily housed at the Presidio in SF last April, told volunteer interpreters that they had been separated from living Vietnamese parents by accident (see Guardian 4/19/75).

Armed with that information, interpreter Moui McConnell filed suit last May in US District Court in San Francisco, asking that the children not be placed for adoption with American families until their "orphan" status could be confirmed or their Vietnamese families traced.

US District Judge Spencer Williams refused to stop the children from being placed with American families but ordered an investigation of the children's legal status.

The investigation, which is not yet complete, has so far confirmed the worst fears of Moui McConnell and others:

more than half of the babylift children were brought out under false or incomplete adoption papers. Many of them may have Vietnamese parents who want them to come home.

The lawsuit has also revealed that there are Vietnamese parents looking for their children. Most of them apparently thought the children would be delivered to their friends or relatives in the US. Instead, the children were placed with American adoptive families who now refuse to return them to their natural parents.

These eight cases are only the tip of the iceberg: nobody knows how many other Vietnamese families, both in the US or in Vietnam, have not heard of the lawsuit and do not know how to trace their children.

The lawsuit, which has been crawling through procedural hearings for nine months, was dealt a serious blow Feb. 13 when Judge Williams refused to consider it a class action. Attorneys Nancy Stearns, Tom Miller and Morton Cohen will now have to sift through all the babylift files and name each nonorphan individually.

But the lawsuit has illuminated the panicky conditions in Saigon which led parents to put their children aboard the babylift, and it has helped in the reunification of one Vietnamese family so far.

By Katy Butler

On April 4, 1975, a day after the start of "Operation Babylift," while Saigon swarmed with rumors of the imminent takeover by the Provisional Revolutionary Government, San Shie appeared at the US Agency for International Development office with her adopted daughter, 17-month old San Nang Hien in her arms.

Overcome with panic, she pleaded with Juanita Nofflet, an AID employee she knew, to get the young girl onto a babylift plane and deliver her to a friend in New Jersey.

"I had no desire to give up my child but was only thinking of her safety," Shie later swore in an affidavit she filed in LA Superior Court during an adoption battle to get her child returned.

According to Shie, who had worked as a concessionaire in American hotels in Saigon, she could not afford the exorbitant bribes required for an exit visa in the final panic-stricken days of the Saigon regime. She hoped to send her child to her friend Ester Cully and reclaim her child if she managed to escape Vietnam.

Nofflet agreed to help. She took the child, had Shie sign a handwritten release, and gave her \$330 which Shie later tried to return.

A month later, Shie arrived

Success Story

A story in Sunday's Denver Post explored the remarkable progress that young Vietnamese ref-

2/11/76

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5

HONG KONG, MARCH 5th, 1976

Two Needs in Vietnam Medicines and the Medicine of Mercy

by Father Patrick O'Connor

PARIS (NC)—Two urgent needs, among many, stand out starkly in the picture of South Vietnam as given by recent arrivals from Saigon and elsewhere.

One in particular is the need for relief supplies, food and medicines from abroad. The savages of war, cessation of

Human Rights of the United Nations and the 1949 Geneva Convention on prisoners and victims of war. It is contrary

Viet Orphans in a Melting Pot of Problems

By DONALD SINGLETON

Two trials reach critical points today in adjacent 19th-floor courtrooms in the Federal Office Building in San Francisco's Civic Center. One case, which directly affects only a handful of people, will make page-one headlines in newspapers all over the country. The other case, which affects thousands of young children all over America, will pass relatively unnoticed.

The first case, of course, is the trial of heiress Patricia Hearst. The second is a little-known trial with a long and complicated title, the short-Yen, Nguyen Da Vuong, Nguyen Da Tuyen, et al., vs. Kissinger, et al.

An even shorter name for the second trial could be "The Babylift Case," since it involves the future of the majority of the 2,700 children who were airlifted out of Saigon in the last days before the fall of South Vietnam, those panic-filled days when the Army of North Vietnam moved inexorably down toward Saigon, and no serious person believed that South Vietnam's Army could hold the northern army off. Those were the days when South Vietnamese soldiers and civilians trampled each other at airports in attempts to board departing flights, and men and women drowned as they tried to swim out to departing ships, and hundreds of babies were carried from orphanages in cardboard basinettes.

8 Flights from Saigon

The end came one year ago next month. One year ago next month, Operation Babylift started and ended. In the main, it consisted of eight flights from Saigon, the first leaving April 2 and the last April 26. Huge jet planes filled with hundreds of children, frightened, screaming, sick, unaware of what was happening to them.

The terror didn't end when the planes took off, either. One huge Air Force C-5 Galaxy loaded with 319 persons crashed near Saigon's Tan Son Nhut Air Base, killing 180, most of them infants and babies.

For the rest of the children in Operation Babylift, it was far from an easy escape. One World Airways 747 jet that made it into Los Angeles with 330 persons landed with one passenger



Anguished Vietnamese woman carried surviving babies from Saigon crash of C-5 Galaxy, April 4, 1975. One hundred eighty died. At right: A U.S. volunteer.

children and forms didn't match up. In at least one case American social workers unfamiliar with the Vietnamese language matched up a young girl named Nguyen Da Tuyen with papers issued to a child named Trinh Van Loc — roughly equivalent to John Paul Smith.

Even as a combine of some of the largest adoption agencies in America was beginning to place the children with adoptive families, two of the older Babylift children told a social worker that they were not orphans at all, but had been accidentally separated from their parents in Saigon and placed against their will first in an orphanage, then on a plane to San Francisco.

It didn't take long for the opposition to Operation Babylift to make itself heard. There were statements in the press, angry letters to Washington. And then, late last April,

to the attorneys general of the 50 states.

The message was blunt and simple: Do not clear adoptions of Vietnamese children until the legal questions have been resolved. The news fell like a thunderbolt on 1,800 families in virtually every state of the Union. The babies they had been waiting for, the beautiful Oriental children they were nursing back to health and learning to love, might not be theirs after all. The little dark-haired children in their new cribs, in their newly painted and decorated nurseries, might not grow up as Kathleens and Andys and Marys after all, but might become Yens and Vuongs and Tuyens, back in their native Vietnam.

The lawsuit is a complex bit of litigation, one that enters unplowed legal turf.

On the one hand are the babies



Viet Orphans in a Mel

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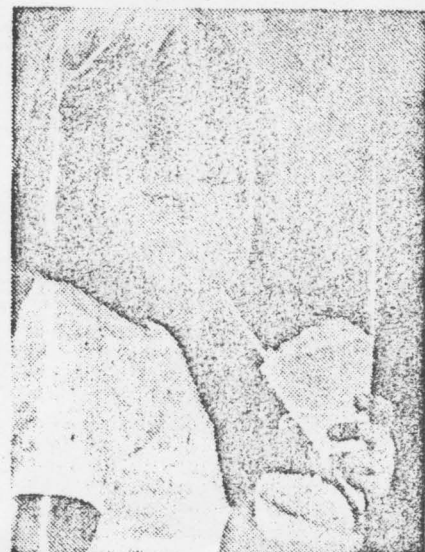
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For the rest of the children in Operation Babylift, it was far from an easy escape. One World Airways 747 jet that made it into Los Angeles with 330 persons landed with one passenger dead, three critically ill and scores seriously ill with pneumonia, dysentery, malnutrition, dehydration and a variety of other diseases. By April 13, three of the Babylift infants had died on the West Coast, and hundreds were in hospitals, battling for their lives.

Health problems were not the only ills that plagued the Vietnamese babies. They arrived in the United States amid incredible bureaucratic snarls. Birth certificates, exit visas and adoption papers and forms of all sorts had been burned, lost, jumbled together. Sometimes,

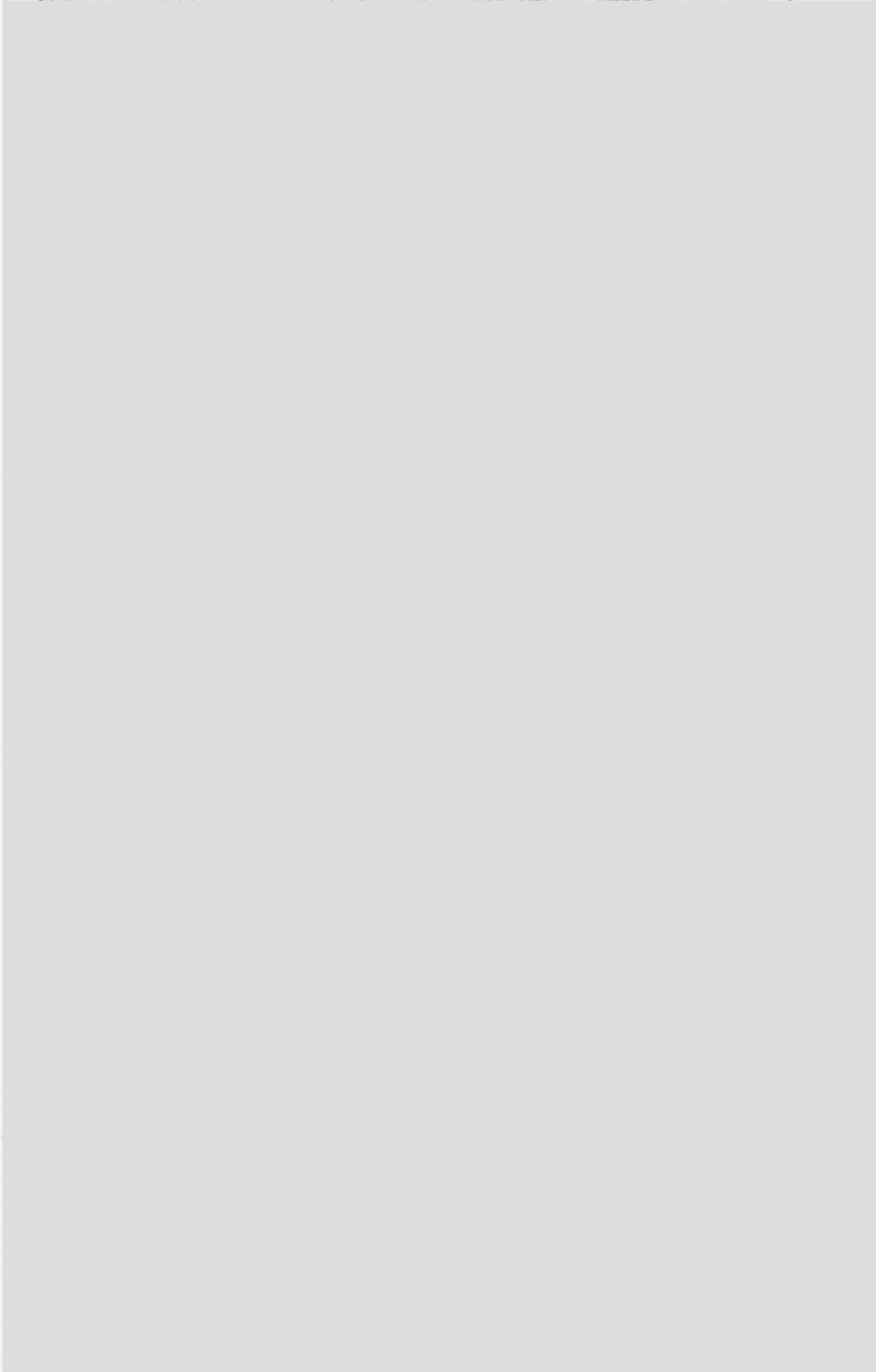


DAILY NEWS, FRIDAY, MARCH 10, 1976

3-A-1976

AY, MARCH 19, 1976

lting Pot of Problems



VII

Viet Kids Rousted

Big Battle With Cops

Copenhagen

For the second time in a month, police used force yesterday to take a group of Vietnamese youngsters away from the contro-



3-25-76

Harry,

for your interest

appeared Forest City Summit
3-25-76

Nelsons

Judge orders child turned over to Vietnamese mother

Judge L. E. Plummer has ruled that Ben, the Vietnamese boy who has been living with the Johnny Nelson family of Forest City for the

(4) That the father of said child is deceased.

(5) That the writ of habeas corpus served upon the defendants is sustained.

26, 1976

RULING FAVORS 'MOTHER'

Nelson

Couple Loses Viet Boy, 4

By GORDON HANSON

FOREST CITY, Iowa—(AP)—After fighting in court to keep him, an American couple has been ordered to surrender an Operation Babylift boy to his mother, who followed him from Saigon to the United States.

hoped they would be brought to the United States, but didn't want them placed for adoption unless she failed to get out of Vietnam too. The court said Ben's father is dead.

Mrs. Ahn did get out, as a refugee sponsored by the

oto

Ford is asked to intervene in court fight

DES MOINES (AP) — A Vietnamese mother says she has written to President Ford and Secretary of State Henry Kissinger, imploring them to intervene in her court fight to win custody of her 6-year-old son.

However the Nelsons appealed and on Tuesday Iowa Supreme Court Justice M. L. Mason ruled that the boy would remain with the Nelsons until April 13. Another hearing will be held then and two justices are to determine who should have custody during the several months it is expected to take before the full court makes a final determination.

The Nelsons had contended at the initial hearing in February that Mrs. Ahn had not proved she was Ben's natural mother and that she had surrendered her children to the orphanage for adoption.

Mrs. Ahn denies the allegation. She

Fight over child's custody continues

FOREST CITY (AP) — "The heart of the matter is Ben," said Bonnie Nelson, 28, a licensed practical nurse in Forest City. "We've been hoping his best inter-

Great Falls, Mont. "I just be very disappointed to explain to my children the whole story again that he not coming." District Court Judge L.E. Plummer

age in Saigon on April 24, 1975. At the time, Communist troops were approaching Saigon and the last of the Americans were leaving.

like — the trees, the mountains, the sun — and the ship on the way." She said her children believed Ben would arrive by ship.

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4/26/76*

S. Viet still in grasp of military

By R. H. BOYCE

Scripps-Howard Staff

WASHINGTON — One year after South Vietnam fell to the Communist North Vietnamese — the anniversary is Friday — the South still is under full military occupation.

That is because:

—There still is widespread

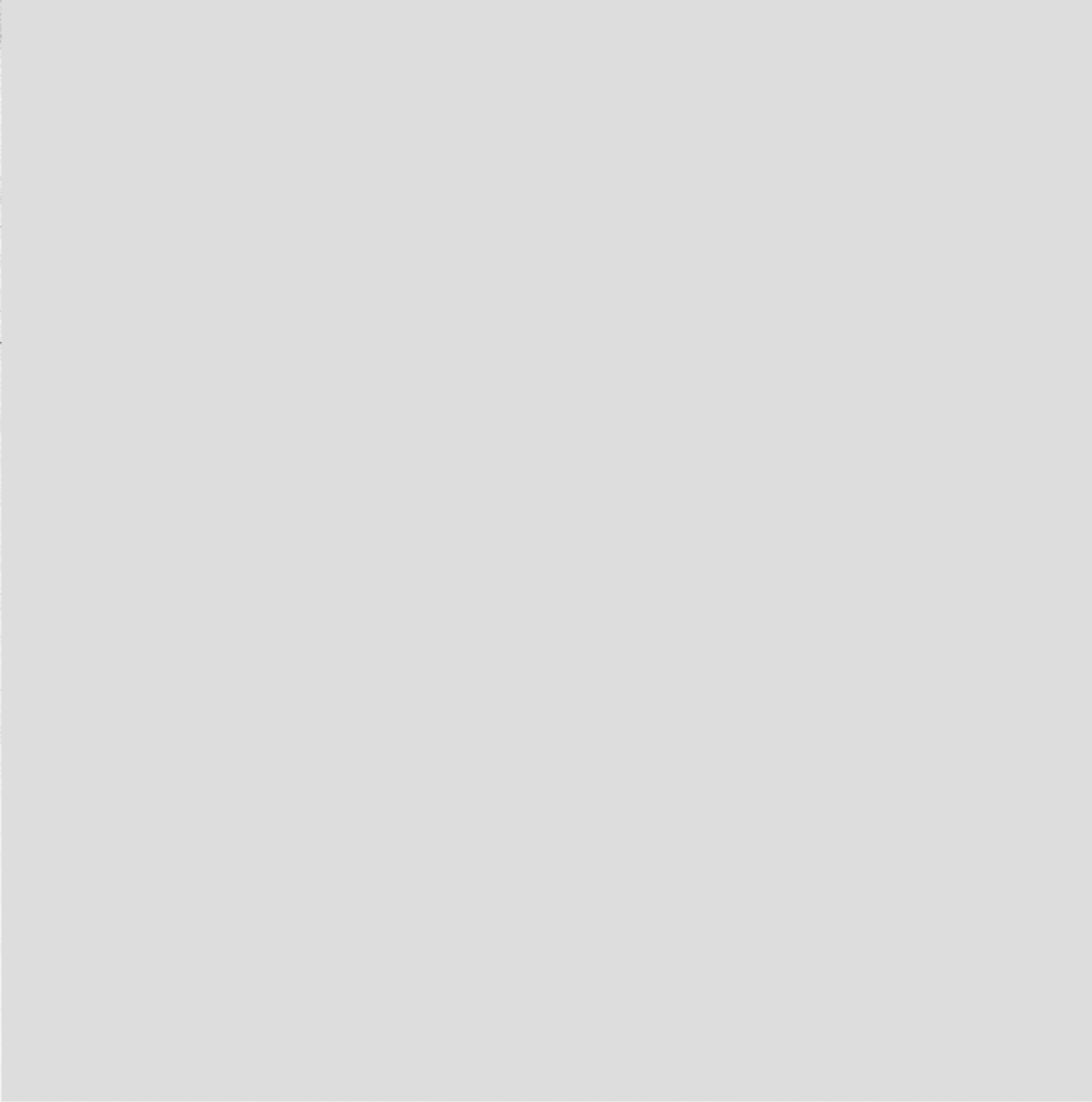
food. Barter replaced commerce.

SO THE conquerors re-opened the banks and permitted the U.S.-spawned capitalist economy to survive — if not flourish — a bit longer. To ease the problems of mass unemployment, hundreds of thou-

gram. One reason is that Hanoi cannot go too fast or too harshly in the conservative countryside for fear of stimulating active opposition among Catholics, Buddhists, and other groups traditionally resistant to Communism.

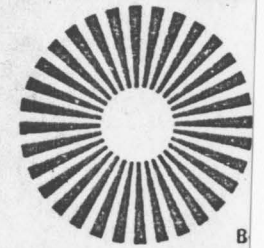
When most of the masses have been reformed, Hanoi

THE NORTH AT first encouraged the outside world to regard South Vietnam as newly independent, and under the administration of the so-called Provisional Revolutionary Government (PRG) of South Vietnam. But the PRG was given no say in running things.



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Colorado Daily



Vol. 24, No. 110

Friday, April 16, 1976

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Sportsshorts	20

Soviet dissidents rep activists exiled, beate

By THOMAS KENT

MOSCOW (AP) — A 35-year-old Russian human rights activist was sentenced Thursday to five years' exile from Moscow, another political rebel got 2 and one half years at hard labor and Nobel Peace Prize winner Andrei D. Sakharov and his wife got retaliatory beatings by police, dissident sources reported.

The exile sentence for Andrei Tverdokhlebov, the secretary of the Soviet branch of Amnesty International, amounts to two years because of time already spent in jail. His sentence and the labor term for Crimean Tartar nationalist Mustafa Djemilev, 32, were the second and third verdicts against Soviet dissidents in two days.

On Wednesday in Lithuania,

Valery Maresh refused to testify another dissident was ordered to stop his wages for

Sakharov has a 10-year term in a Siberian city of Chita, east of Moscow. Djemilev's wife, Yelena, was briefly Wednesdays. Soviet news agencies said they each struck officers.

Yelena said she told friends in Moscow that two had been arrested by police stationing after Djemilev and were beaten. She claimed they were released when announced.

It was not clear if the reported couple appeared for medical treatment.

Nam 'babylift' just that

Mother faces court battle to claim son

PRG builds system of childcare centers

Nam 'babylift' just that

Mother faces court battle to claim son

By RASA GUSTAITIS

SAN FRANCISCO (PNS) — Hao Thi Vo searched for months through bureaucratic mazes before she learned that her three-year-old son was in the care of

who had brought him, Vo said, had given him to the agency, expecting that he'd be cared for until his mother could claim him. But the agency, armed with a release paper Vo never signed, had placed the youngster in a

PRG builds system of childcare centers

By LINDA HIEBERT

SAIGON (PNS) — As the Vietnamese near the end of their first year of peace in decades, the story of the million-plus homeless children untouched by the American babylift is becoming clear.

The Provisional Revolutionary Government (PRG), start-

The Washington Post

Washington Post Co.

MONDAY, MAY 31, 1976

Saigon's Secrets Seized

Thieu and U.S. Didn't Destroy Classified Files

By Don Oberdorfer
Washington Post Staff Writer

North Vietnamese invading Saigon took over virtually complete files of the South Vietnamese armed forces, national police and secret intelligence agency, including highly classified data which had been furnished by the United States, according to the last chief CIA analyst of Communist strategy at the U.S. Embassy there.

Frank W. Snapp, who left Saigon on the final day of U.S. evacuation last year and resigned from the CIA this January, said the secret files of former South Vietnamese President Nguyen Van Thieu were also left behind.

Calling these unintended legacies "a tragedy," Snapp said they may reveal to Communist authorities a great deal about U.S. intelligence operations and permit them to identify well-placed U.S. agents behind Communist lines as well as "anyone who helped us in the slightest degree."

Snapp's statements in an interview confirmed portions of an extraordinary book-length memoir, recently published and broadcast in Vietnam, by the



An armored car of a leftist Moslem group firing

S. Africa's Press Hits Apartheid

By Robin Wright

Special to The Washington Post

JOHANNESBURG, May 30—"Discrimination offends black people, is full of explosive emotions... and is a poisonous hatred and the fuse to light the conflagration of southern Africa."

These angry words were

Long- Rural Dwell

By William Chapin
Washington Post Staff Writer

McLEANSBORO, Tenn.

Each night, five times a week, Sam Gaines drives into the driver's seat of a battered 1957 bus and goes for his job in a 100-mile round trip from here across the Wabash River in southern Indiana.

Along the way, he

Saturday Review
5/1/76

Orphans in Limbo

Many of the Vietnamese "orphans" gathered up in the last days of the war and shipped to the United States now want to go home—to their parents.

by Betty Jean Lifton

History moves quickly, today's hysterical headlines becoming tomorrow's stale news. It has been a year now since the controversial Operation Baby-lift brought more than 2,000 Vietnamese children to American adoptive homes—and the glow of either virtue or outrage to American hearts. For those who favored the program, something noble had finally come out of this ignoble war; for those opposed, removing children from their homeland and their heritage was the most ignoble act of all.

Since quite a few of the children have turned out not to be bona fide orphans—gathered up as they were in the last chaotic days of the war—the question of their eligibility for entry into this country, as well as for adoption, has yet to be legally answered. A court case has, in fact, been in process on this very issue for the past year.

The case originated when Muoi McConnell, a Vietnamese volunteer receiv-

ing the children on arrival in California, heard some of them pleading to be returned to their parents. Shocked by this, and frustrated over the government's reluctance to investigate the situation, she managed—with the help of some California lawyers and a group called the Center for Constitutional Rights in New York—to file a class action on behalf of the non-orphans. The defendants are an unlikely combination: Secretary of State Henry Kissinger, former Secretary of Defense James Schlesinger, Attorney General Edward Levi, et al.—as well as the seven adoption agencies that processed the children.

In the federal courthouse in San Francisco, just down the corridor from where the Patty Hearst trial has come and gone with its own brand of hysteria, the case has been proceeding at a snail's pace in front of Judge Spencer Williams—in spite of the plaintiffs' plea that the best interests of the children would be served by fast and decisive action.

Judge Williams, a Nixon appointee, did order that the adoption files be turned over to the Immigration and Naturalization Service for inspection by the plaintiffs and court-appointed masters. He also ordered that the adoptive parents be notified to wait before finalizing adoptions, and that the older children be interviewed about their wishes. However, all of this has been imperfectly carried out. The plaintiffs contend that only a few children have been interviewed, that INS is instructing adoptive parents to try to get adoptions legalized in their state courts in spite of improper documentation, and that they have been given too brief a time in which to inspect the files.

On February 23 Judge Williams declared the case no longer a class ac-

—suppose, though, the ~~message~~ back the message that there is life on Mars. If so, it will be vital to examine it further, however simple a form of life

