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Attorney objects

U.S. challenges refugee probe

Tom Hall

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Judge Spencer Williams had been prepared to order INS to begin an investigation which would determine whether each child was actually eligible for adoption.

But Assistant U.S. Attorney John F. Cooney said such an investigation would hinge on the attorney general's discretionary power to role immigrants into this country and thus be illegal.

In addition, he said, providing such information to lawyers who brought the suit to stop adoption proceedings of those children caught here under Operation Babylift would be an unwarranted invasion of the privacy of the children and foster or adoptive parents.

It could "lead to a multitude of abuses and harassment by the plaintiff's attorneys, their agents and their sponsors," he said.

The suit was brought by Ed McConnell of San Francisco and the Ad Hoc Committee to Protect the Rights of Vietnamese Children.

Judge Williams, after holding hearings last month, said it appeared there is enough evidence some of the

orphans brought here may not be actual parentless children. He said he intended to order INS to:

- Immediately notify more than 2,000 parents caring for Vietnamese refugee children that they should not start adoption proceedings.

- Start files on all Vietnamese children involved so that their status— orphan or non-orphan — can be established.

- Obtain photographs and fingerprints or footprints of all the children.

- Encourage an international agency to help locate possible parents in Vietnam.

- Conduct individual interviews with those Vietnamese children old enough to be interviewed.

- Allow attorneys for the plaintiffs to check the INS investigations on a random basis.

The government had initially agreed to such an order, but Cooney said yesterday it was rejected by INS lawyers in Washington, D.C.

Arguments on whether such an order will be issued will be heard at 9:30 a.m. Monday before Williams.

Marshall diplomas

BALTIMORE — U. S. Supreme Court Justice Thurgood Marshall is scheduled to return to his hometown on Wednesday to award diplomas to 550 graduates of his alma mater, Douglass High School.

*no photos & files
will be established*

U.S. Move

Snag in Probe Of Viet Orphans

The Immigration and Naturalization Service is trying to back out of an agreement in which it pledged to conduct an exhaustive background check on each of the 2000 Vietnamese

orphans in the United States.

In what is apparently a

Cooney said that while all sides, including the service, had stipulated to the settlement in court, the judge had not actually signed the proposed order of settlement.

Cooney said he has the discretionary authority, under the law, either to parole or not parole a person into the United States.

He said the Service in Washington has taken the position that it would be an abuse of judicial authority for a judge to interfere in the Immigration and Naturalization Service's discretionary role.

"Such order would mandate investigation by the Immigration Service of the background of parolees. As has been and will be further demonstrated at the hearing of this matter, the Immigration Service has voluntarily undertaken certain special investigations relative to those children.

"The question presented, however, is whether this court may require further and other investigation as well as disclosures of orphan and adoption records." Williams will hold a hearing at 9:30 a.m. Monday.

real bureaucratic snafu, the U.S. Attorney's office in San Francisco filed memorandum in federal court here yesterday opposing an agreement already by U.S. District Judge Spencer Williams.

On May 21, Williams announced the settlement in open court. He said he had promised to service make thorough background checks and take pictures and either footprints or fingerprints of all the children.

The announced settlement came after several days of hearings in a class action suit brought on behalf of all the orphans.

The plaintiffs argued that many of the orphans had in effect, been kidnaped from their homeland. The court had been asked to halt all adoptions until it could be determined that the children had no relatives of their own who wanted them.

But yesterday, Assistant U.S. Attorney John F. Cooney Jr. attempted to explain what had happened.

"I thought I had touched all the bases with the INS," Cooney said, "and the district representatives for the INS had agreed to the settlement and this is what we told the court. But Washington did not agree and they want the proposed settlement overturned.

Tues., June 3, 1975

San Francisco Chronicle 5

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Babylift or babysnatch

by Helen C. Steven

The controversial issue of the babylift of Vietnamese orphans has brought varied and often bitter reactions. Many Vietnamese people have said harsh things about it as a result of deeply hurt pride, and the revolutionary government in Saigon calls it "kidnapping" and is demanding the return of all the children to Vietnam. I have no wish to reopen old wounds, nor do I wish to use human emotion as a political lever; what is important at this juncture is a calm, rational look at some of the issues involved in an attempt to understand the problem.

First, the babies around whom the storm rages: Who are they; where do they come from in such numbers? Undoubtedly the first few plane-loads were children who were "being processed," that is, they were already assigned to a family and their adoption papers were going through the bureaucratic channels. But as the pressure and panic in Saigon grew, many other children were hastily snatched as well. Whole orphanages were emptied, mothers signed away their children in hysterical panic, waifs were rounded up from the streets, children of rich army officers and civil servants were pushed on board, and refugee children were suddenly and drastically separated from their families. The whole thing snowballed out of control.

At this point, I particularly want to emphasize some basic facts about Vietnamese society. Children are deeply treasured in Vietnam and the extended family is the backbone of Vietnamese culture. Their out-

tiny 3 percent are abandoned to an orphanage. Child abandonment is unnatural and a last resort for Vietnamese people. Moreover, in the orphanages in Saigon where I worked for two years, only 20 percent of the children there were "real" orphans. Eighty percent had one or both parents still alive, and these parents naturally hoped that some day the economic pressures which had forced them to the drastic step of abandoning their children would improve sufficiently to enable them to take their children home again. I feel it is important to bear these things in mind when considering the whole issue of adoption in Vietnam.

In all that I say, I want to make it plain that I hesitate to criticize those mothers in the United States who have already adopted Vietnamese children. Most of them have done it out of very genuine love and a desire to help, and this is particularly true of those who had already been waiting two or three years for their children to come. Perhaps some of the others, however, made rather hasty decisions on the crest of an emotional wave, and there are also certain elements of guilt and a kind of status-seeking involved. Whatever their motives, these parents have no easy task ahead of them, and arguing the morality of their actions is of no help to them. I would hope that they can find understanding and support.

As for the adoption agencies, ten of which operated in Vietnam, again I feel that their motives were based on a genuine concern for the well-

were saving the children from a terrible fate, but if they had made a study of the treatment of orphans under the North Vietnamese regime they would have discovered a very efficient program of foster homes and family care which effectively eliminated all but one of the 100 orphanages left by the French. It is true that the plight of children in Saigon orphanages is deplorable, but here again, study would have revealed how few of these children are orphans and that Vietnamese social workers believe that prevention of child abandonment is the first priority. Unfortunately, however, very few of the foreign personnel of these adoption agencies could speak any Vietnamese, and so it was virtually impossible for them to have any real cultural contact. In fact, the whole idea of adoption to the West is based on an inherent belief in the cultural superiority of the West.

•The ultimate decision whether or not a child is free for adoption frequently rests with the orphanage director. Most orphanages are Catholic, with only a few Buddhist ones. The Buddhists have consistently opposed adoption out of the country, even to the extent that they recently hid large numbers of children to keep them out of reach of "babylift." Among the Catholic directors, there is a wide range of opinion, partly as a result of their close ties with French influence. Some allow the children to go for adoption believing they will have a better life in the West; some are fairly casual and don't even know how

Babysnatch

(Continued from page 4)

working in the orphanages, I did not see much evidence of direct buying and selling of children, but it was quite obvious that if an orphanage director was able to supply a large number of children for adoption, there were many benefits to be obtained from the foreigners, such as medical supplies, baby foods, and hospital care. What the adoption agency workers did not see was the intolerable pressure put upon the mother abandoning her child to sign the child over permanently.

It has been said that a mother who abandons her child must have little concern for that child's life. All too often, it is simply because of her care for the life of her child that she makes the supreme sacrifice of giving up her child in order to save its life. In the economic chaos of Saigon during the last few years, this was often the choice facing mothers, and no one seeing them bring their children to the orphanages could say that they had made the decision lightly. Certainly, during the last critical weeks of April there was terror and panic, and many mothers must be deeply regretting their decision now that the takeover has proved peaceful.

But the children are in the United States, and the decision seems to have become fatally irreversible.

There is not much to be gained from looking back and saying "If only..." but what a difference it would have made if we had listened to the Vietnamese social workers who were opposed all along to adoption out of the country. They had two reasons: First, they believed that the existence of orphanages and adoption agencies helped to perpetuate the problem and, secondly, they wanted to place the emphasis on prevention rather than on an ill-planned cure. The main question remains: What is to be done about the Vietnamese children in the United States? I hope that as many as possible can be returned to their parents and families in Vietnam. I hope that this is done quickly before the culture shock becomes too great, and I urge the responsibility of the US government in this matter. And for those who remain, I would appeal for help so that the parents and the children have an opportunity to learn a true appreciation of their cultural background. (Ms. Steven, a native of Scotland, worked in the orphanages of Saigon for more than two years.)

Ebony Photo-Editorial

June '75

....AND NOW A DOMESTIC BABY LIFT?

IT WAS the kind of thing movies are made of—a daring commercial pilot defying South Vietnamese officials to take off for the United States with a load of South Vietnamese war orphans. And then a huge U. S. military transport fighting odds to get back to the Saigon airport after rear cargo doors had blown out. The plane crash-landed in a rice paddy and some 120 of the 320 passengers (most of them babies and children) were saved. All the world knew that the United States was determined to airlift some thousands of war babies to safety before South Vietnam fell to the Viet Cong. The press of the world—news magazines, papers, radio and television—carried the story. Operation Baby Lift took over front pages, relegating the stories of falling South Vietnamese provincial capitals to inside pages. The story had drama, human interest, tragedy, pathos. It had everything—except a real reason for being at that time.

Plight Of War Babies Long Known

THE plight of South Vietnam's war babies was no secret to the U. S. government nor to a great number of U. S. citizens. There have been groups working for years in both Korea and South Vietnam to find homes in the United States for orphans born to American soldiers and Vietnamese or Korean girls. And one of the big stumbling blocks these organizations have had to face was a lack of full cooperation from the government itself. In fact, President Gerald Ford announced that the more than 2,000 children he had ordered airlifted to this country already had promised homes in the U. S. and other Western countries. Some of them had been waiting for more than a year for bureaucratic red tape to be cut so that they could join their new families.

Ebony's First Hand Report

EARLY in the fall of 1972, Era Bell Thompson, EBONY's international editor, spent several weeks in South Vietnam researching a story on the plight of war babies. Her firsthand report appeared in the December, 1972 issue. She reported then that the

soldiers face a bleak future in South Vietnam regardless of who is in charge. Judging from what has happened so far, Miss Thompson believes that black-mixed girls who cannot become entertainers are likely to become prostitutes. And black-mixed boys with some talent for singing or dancing might become entertainers but the bulk of the boys will end up as soldiers in the Vietnamese army. She feels that these children will be better off in the United States. Here, she says, they will at least be able to get an education and the job opportunities are much better for them.

Black Soldiers Protest

SOME black soldiers protest that one reason there are so many black-mixed babies left in Vietnam is that the military made it almost impossible for a black GI to marry a Vietnamese girl and bring her home even though she had already given birth to his child. Black soldiers in Germany, England, Italy and France in World War II and later in Korea voiced the same complaint. More than once, black soldiers have found themselves transferred, even sent back to the States, after prejudiced officers find that they have made a meaningful liaison with a girl of an occupied country.

How Great The Emergency?

THERE are some who believe that the emergency airlift, despite the good it did in getting children quickly to their new homes, was not really necessary. They look upon the fact that the administration was trying to get a Vietnam aid bill through Congress and that the airlift was the kind of event that could win sympathy. To do in a matter of days something that could have been done at least a year earlier does not attest to careful, humanitarian planning. Many of the children were ill, several died in transport and the swift change of events caught some of the adoptive parents unprepared. Some of the children (like the baby on the opposite page changing planes in Los Angeles en route to Norway) faced flights of more than half way round the world as they were flown from Saigon to Los Angeles and then forwarded to their adoptive

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EARLY in the fall of 1972, Era Bell Thompson, EBONY's international editor, spent several weeks in South Vietnam researching a story on the plight of war babies. Her firsthand report appeared in the December, 1972, issue. She reported then that the demand for South Vietnamese orphans far exceeded the supply. One Australian woman who worked as an intermediary between five orphanages and families in other countries who wished to adopt children was reported to have 50 families for every child available for adoption. At that time, Miss Thompson said that while estimates of the number of children fathered by American soldiers and civilians (many of them construction workers) ranged as high as 200,000, the most quoted figure was 15,000. And most of these children were not available for adoption. It seems that a large percentage of the white American-Vietnamese offspring were taken somehow into the extended family of the mother and that a lesser number of black-fathered children also remained with the mothers or their families. Miss Thompson reported then that more than 50 percent of the mixed children in Saigon's war baby orphanages were there for temporary care until their mothers could provide homes for them. The bulk of the abandoned children (according to Vietnam law a child had to be abandoned by both mother and father before being eligible for adoption), she said, were black-Vietnamese mixtures. At that time, Miss Thompson says, the Vietnamese government was reluctant to cooperate in inter-country adoptions and claimed that black-mixed children would face little discrimination in South Vietnam. Actually, she found that many Vietnamese were prejudiced against blacks and that offspring of black French colonials and Vietnamese mothers were called names in school and faced job discrimination when they tried to enter the work force.

Vietnamese orphans who are obviously the offspring of black

that once, black subjects have found themselves sent back to the States, after prejudiced officers find that they have made a meaningful liaison with a girl of an occupied country.

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And What About Our Own?

A GOOD number of black Americans were upset with the baby lift not because it was a bad thing, but because it took place at a time when the federal government is doing almost nothing about an adoption problem that is much larger and of longer standing than the Vietnam war baby problem. It is estimated that today there are more than 100,000 babies and children available for adoption right here in the United States. The majority of these tots and youngsters are black and many of them are rapidly reaching an age when they will no longer be adoptable. They will live out their childhood and adolescence in orphanages or being transferred from one foster home to another. Psychologically scarred because they are unwanted, they will find it difficult to adjust to adulthood. While most authorities will agree that it would be best for these black children to be adopted by black families, most also will agree that it is better to be adopted by any family that can give love and care than to have to grow up in a cold and impersonal school or orphanage.

Now that the Vietnam adoption emergency has been taken care of, it is time for this country to initiate a domestic "baby lift." If thousands of babies from abroad can be absorbed into American families, why can't homeless black American children find sanctuary?



Analyze why black children were adopted - many
Blacks in America - An indication of a black boy & girl
Does not strike the heart like an abandoned black
child in a war-torn country - An indication of a
battle fatigued frustrated black G.I. & sadistic Vietnamese
girl finding a moment of love & pleasure. Somehow
it seems more reasonable & acceptable for a white
family to take in a war orphan than a baby
born to a black girl across town.

DREN

From First Page

of the unaccompanied. So far, they have located 100 parents, according to Red Crossman Patrick Guibao.

and he would like children separated from their families, they left Vietnam or to be sponsored as a group, sponsor agreeing to return when the parents or blood relatives are found.

solution is to have a refugee take care of a child, with understanding that the child be sent to its parents or relatives when they are found.

er this kind of approach," said Guibao. "The time we get all these kids out of the Pacific, we don't have enough information to be sure and double-check while they are still in the camp."

the children at Pendleton are taking part in recreational and educational programs.

a Red Cross nurse on call every day. Volunteers from the Jesus Christ of Latter-day Saints offered assistance around the camp in various hut activities.

Cross described the mental state of the unaccompanied children as "good, and improving" although he conceded that there is a "deal of instability" when they began about six weeks ago.

children are not as enthusiastic about their situation as Thorne said.

lived in Camp Pendleton on Monday and was told that since his parents are not at the camp, he cannot be able to leave even if he has a sponsor.

and Oaks family, the Leonards, met Phan at Pendleton and decided to sponsor him shortly after.

Smiths wanted to sponsor Phan, but they were told they could not because I have no money and I am so young. They then agreed to adopt me. They come to see me several times a week, and they were always ready to go out, and I was always ready to go. We have had to wait so long, we've been here six weeks, and I haven't heard anything from my family center," Phan said.

Phan said he is just as frustrated. He told me we could sponsor him. We filled out the necessary forms, and they told us we would adopt him. So we worked with the Ventura County adoption agency to have our home cleared. We have done everything possible to get him with the government,

Part of the problem has been that even if the government decided to let Phan leave Pendleton, he could not be declared a ward of the court in Ventura until he is physically in the Ventura area.

Meanwhile, Mrs. Smith is growing more bitter.

"At one point several weeks ago, they told us we would have him in less than a week. They said problems would be solved quickly, but they weren't."

"That makes it doubly hard on us. We've been told several times he would be with us. Yet every time it is about to happen, they change their minds again."

Meanwhile, Phan said he had been at Pendleton so long that he would do anything to "get out of here as soon as possible and stay with the

Smiths so I don't feel so lonesome. I want to feel like I'm living with a family like back home."

He said he doesn't want to return to Vietnam because his parents insisted he leave the country and stay in America.

"They told me they were sending me away so that I can have a better future for my life, so that I could have freedom for myself, and so I could have a good education. That is why I will never go back to Vietnam," Phan said.

The Smiths are concerned about his education here as well.

"Phan doesn't speak English and we want him to learn the language this summer so he won't have as many problems when school starts in September. There is an extended family of 25 Vietnamese living only

★ Los Angeles Times

Sun., July 6, 1975 - Part 1

three blocks from us, and they would be able to help him learn English too," Mrs. Smith said.

Meanwhile at her home, Mrs. Smith packed a box of homemade cookies and a Vietnamese grammar book to send to Phan at Camp Pendleton.

"We didn't start this with the idea of adopting a child. We just wanted to provide a home for a child for a while. But Phan is a beautiful child," Mrs. Smith said.

"We just don't understand what the world is the hangup," she said. "We're willing to adopt him, be his permanent sponsor or whatever the law requires. We just want somebody to stamp the final form and let us have him."

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'WE MISS OUR PARENTS'

Viet Children at Pendleton Sit and Wait

BY GREG WASKUL
Times Staff Writer

While refugees by the thousands are making plans to leave American bases around the world and begin new lives, a group of children at Camp Pendleton must sit and wait until the American government decides what to do with them.

"We miss our parents, especially after it gets dark. There are many boys and girls crying every night. It is like a chain reaction—one boy cries and others start crying together—especially when they play the Vietnamese music over the loudspeaker," says Phan Xuan Hoang, 15.

Phan lived in Saigon with his parents until the Communist offensive threatened the city. His father, an army colonel, paid to get Phan, his only son, to safety.

The boy later found himself at Camp Pendleton along with 106 other unaccompanied children, according to Nick Thorne, Interagency Task Force commander at Camp Pendleton.

Some of the children, who range in age from 2 to 17, have waited as long as six weeks to leave the camp. Only four of the children have been reunited with their parents.

The government, however, cannot decide whether to put the remaining unaccompanied children into foster homes or place them through normal adoption procedures. And, unless red tape is cleared and a decision made, there are many children who will remain in the camp for some time to come.

The Red Cross is taking care of 33 of the children.

Thorne said he thought the situation was so complicated that it could have "a tremendous potential for unhappiness."

"We want to stay away from adoption processes until we are absolutely sure that the child is an orphan," Thorne said. He also said that in cases in which parents or blood relatives were found in Cambodia or South Vietnam, the government would decide whether to place the child in a foster home or put him up for adoption.

Thorne said that such a decision must be made with the mutual agreement of several agencies in the task force because "we don't believe we can play God in this thing."

Meanwhile, the Red Cross is conducting camp-to-camp searches for

Please Turn to Page 5, Col. 1

7-6-75

NOT RELEASED FOR ADOPTION

Unaccompanied Refugee Kids Pose Legal, Moral Problems

By DOUGLAS E. KNEELAND

(C) 1975, Denver Post-N.Y. Times

CAMP PENDLETON, Calif. — Officials dealing with the resettlement of 130,000 Vietnamese and Cambodians in refugee camps have discovered more than 300 children who arrived in this country unaccompanied by their parents.

Most of them are Vietnamese, according to those familiar with their cases. Some apparently were sent out with other relatives or friends when Saigon fell to the Communists at the end of April. Others are said to have been separated from their parents as they fled.

Unlike the 2,000 youngsters, most of whom were orphans, who were flown to the United States in Operation Babylift in early April, nearly all the unaccompanied children in the camps apparently have living parents who haven't released them for adoption.

The disposition of these children, members of the President's Inter-agency Task Force in Indochina Refugees acknowledged this week, poses serious legal

and moral problems that haven't been resolved.

"They've only surfaced reasonably late," said Elinor Green, the group's chief spokesman.

She said the government's policy as far as it had evolved was "to find out where their families are" and then "to reunite them."

"If they turn out to be children with parents in Vietnam," she added, "that presents a problem that has never been faced before that I know of. One can only assume that if their parents did not want them they would be kept here."

She said that to the best of her knowledge neither the International Red Cross nor the United Nations High Commissioner for Refugees had been asked to approach the new government in Saigon to see if it could be determined whether the children's parents wanted them back.

However, an official at the commissioner's office in New York, who is working on the repatriation of about 2,400 refugees who have asked to return, said he

was aware of the children and had asked the interagency group not to put any of them up for sponsorship until it could be learned if they had parents in Vietnam who wanted them back.

He said he didn't think the children should be placed in any sort of permanent situation, except with close relatives, until some sort of inquiries could be made.

"Frankly, we don't have any answers for the moment," he said. "We're not in a position yet to check on people in Vietnam. We don't have an office there yet."

The largest number of children who have been identified as "unaccompanied," about 170, is here at Camp Pendleton. Seventy-nine are at Indiantown Gap, Pa.; 38 at Ft. Chaffee, Ark., and 18 at Eglin Air Force Base, Fla.

Although different methods of caring for the children have been used at the various camps, most of the youngsters here are living with relatives or families they attached themselves to during the exodus.

However, 300 of them, 13 girls and 20 boys, mostly between the ages of 8 and 13, are being housed dormitory-fashion in an unmarked quadruple trailer guarded by a military policeman.

Shielded From Visitors

They are children who have no one to care for them and they are being watched over by Red Cross officials and counselors with the aid of bilingual Vietnamese couples from the camp.

No outsider is allowed to talk with the children or visit the dormitory. This policy led one person to complain that officials appeared to be reluctant to have the children's personal histories explored.

However, Thomas C. Irvin, deputy senior civil coordinator for the task force here, insisted that the only intent was to shield the youngsters from undue pressures after their traumatic experience.

Like other officials questioned, Irvin, who is in charge of the efforts here to resettle the children, conceded that there were no easy answers.

"We're still trying to formulate ideas on how to handle this problem," he said.

"We're not talking, except in very rare cases, about an adoptable child. The facts are so difficult to establish you'd never get a court to agree that the child was adoptable."

However, Irvin indicated some doubt

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She said the government's policy as far as it had evolved was "to find out where their families are" and then "to reunite them."

"If they turn out to be children with parents in Vietnam," she added, "that's a problem that has never been solved. I know of one case only where the parents did not want them to be kept here."

She said that to the best of her knowledge, neither the International Red Cross nor the United Nations High Commission for Refugees had been asked to help the government in Saigon determine whether the children were orphans.

She said the government in Saigon was working to determine whether the children were orphans and whether they could be reunited with their families.

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San Francisco Examiner

Year No. 27



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SATURDAY, JULY 12, 1975



DAILY 20c

HOME EDITION



Elizabeth Brodyaga happily holds My Hang, the child she wants to keep

—Examiner Photo by Matt Southard

The real orphan story now unfolds

Friends of Children in

By Rasa Gustaitis
Pacific News Service

Soon after welcoming the Vietnamese child she hoped to adopt, Elizabeth Brodyaga saw that something was tragically amiss.

The girl, about 6, was supposedly an orphan. Yet she talked of her mother who, weeping, had left her with an American doctor who whisked her to a plane. She spoke of her brother, her little sister, the way to her grandmother's house.

Ms. Brodyaga, 34, a Berkeley attorney who had applied last year to adopt a Vietnamese orphan, received the girl in April from one of the groups in "Operation Baby-lift."

She was told the child was 6, in good health, adoptable and was named Van Thi Ha. But that name evoked no response. Through an interpreter, the child said she was My Hang.

In the anxious months since, Ms. Brodyaga has tried in vain to pry loose from the

sponsoring agency, in Vietnam, some documents that could help her answer My Hang's questions about her family. The child already has forgotten most of her native tongue.

Painfully, Ms. Brodyaga watches as the child collects treasures in a paper bag to take to her mother.

My Hang is one of an unknown — but possibly large — number of children whose identities and histories have been lost in the

—Turn to Page 2, Col. 1

The real orphan story now unfolds

—From Page 1

panic of operation Baby-lift.

Authorities broke all the rules of adoption in rushing more than 2,000 children here three months ago. Now they invoke such rules in failing to aid the victims. The Immigration and Naturalization Service only last week took a first step toward sorting out the misplaced youngsters.

Meanwhile, as childish memories fade and faces change, the chances of reunion with families wane.

A four-year-old child may forget his language completely during months in an alien environment, according to Joseph Reid, president of the Child Welfare League of America.

"If this drags on for six

months or a year, it's a hopeless case, he said, "Nobody will be able to ascertain the truth."

Some children were sent away by mothers who feared alarmist rumors. Tran Thi Bich, 24, heard in Saigon that the Communists would murder all children with American fathers. So she rushed around the city seeking someone to rescue her six-year-old son, Muhammed Ameen.

A priest — she doesn't know his name or his church — agreed to take him to America with other children. She watched this priest write down her child's name as Ameen, omitting the Muhammed, then handed him over.

"Then I ran home," she

said. "I was afraid he would see me cry. I thought, if I can ever come to America, I will look for my son."

Ms. Bich wound up at Camp Pendleton with her two younger children. She wants her son back. All she has for her search is a year-old photo and the aid of volunteer attorneys.

Nobody has a central file on the Baby-lift children. Agencies involved have refused to give Ms. Bich's attorneys access, pleading the usual right to privacy in adoption cases.

Ms. Bich and Ms. Brodyaga testified last week in a class-action suit brought by the Committee to Protect the Rights of Vietnamese Children.

Thomas Miller, a lawyer,

is spokesman for the Committee. He said children told of being accidentally separated from parents, placed in orphanages and brought here against their wishes. Some were randomly assigned names and identities.

"Some children came with five I.D. bracelets, some with none," Miller said. "Being children, they had traded. Some girls had boys' names, so, when they pointed that out, they were given other names."

A nurse has testified that, upon command, she had switched the bracelets of two Baby-lift children.

Meanwhile, Elizabeth Brodyaga, knowing she and My Hang will continue in limbo, tells the child she is trying to find her mother,

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San Francisco Examiner
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HOWE EDITION

VIETNAM REFUGEE

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Mrs. Joe's Rejection Reflects V

By PAT AFZAL
Denver Post Staff Writer

Something unpleasant—and something very embarrassing—hovers around the story Huyen Thi Tue has to tell about her plight since leaving panic-stricken South Vietnam last April.

It is unpleasant because it reflects a certain ugliness about the war that statistics don't tell.

And it is embarrassing because it deals with rejection—the rejection of Tue by an American man she calls "Mr. Joe."

Mr. Joe, a construction worker in Placentia, Calif., is the man Tue says is her husband. He was in Vietnam 11 years, Tue said, and they were married in 1971.

But Mr. Joe left her and three children—one of them his—during the American evacuation of Saigon last April.

Tue, who is 42, claims Mr. Joe used her passport to bring another, younger Vietnamese woman to the United States. He wanted to take the couple's 1-year-old son, Robert, with him too, but Tue said she refused.

Fearful for their lives, Tue and the children escaped Saigon with help from the American embassy.

FOUND 'MR. JOE'

After her release from Camp Pendleton, Calif., two weeks ago, she went to Placentia to find "Mr. Joe." He drove her to Denver, bought a house here

for his sister, Tue and the children, then returned to California.

Tue has since run away from the house, claiming the sister wants her to be a maid. Officials of the Jefferson County Welfare Department have sent her to a women's shelter house, called Women in Transition, at 1395 Lafayette St.

In the sparsely furnished shelter house, she waits with her children for the day she can return to Mr. Joe. His desire to live without her "hasn't sunk in," shelter house director Mona McElderry said.

"I think it's a cultural thing. Just because he's left her doesn't mean she will let him go. As far as she's concerned, he's her husband. And she thinks she should be with him," Ms. McElderry said.

According to "Mr. Joe," he has tried to help Tue, but she won't accept it.

'GAVE HER A HOUSE'

In a telephone interview with The Denver Post, he said "I actually tried to set her up in Vietnam. I put money in a bank for her and gave her a house. But she run off and left it."

"I think she's in this country illegal," he said.

He said he doubts "very much" that Tue would have been killed just because one of her sons was fathered by an American. "There are a lot of people with American children in Vietnam. And there were French, Canadian, Australian, British. My God, there was everything over there."

Mr. Joe denies he and Tue

He said his concern is for his son, Robert, who had his first birthday Monday.

"That's why I bought that house in Colorado, so my son would have a place to stay. But she (Tue) ran away from it. 'I don't know...'"

He said he didn't desert Tue. He left her in Saigon because he didn't think she would be able to adjust to the American way of life. "I don't think she can make the change."

DOESN'T UNDERSTAND

Ms. McElderry at the Women in Transition shelter house, said it is difficult for Tue to understand that. "My concern," she said, "is that Tue will leave here and start walking to California."

"She doesn't understand about distances. She may just want to take off. I don't know if I could stop her."

Ms. McElderry is unclear why Tue didn't have an American "sponsor" assigned at Camp Pendleton to look after her and her children. "Perhaps she told them she had an American husband. She probably showed them her marriage certificate. And I guess they just let her go."

In Ms. McElderry's opinion, "what Tue needs now is to be able to talk to some other Vietnamese people. She needs the support of people who understand her. That cultural misunderstanding is what is so difficult."

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Panel to Screen

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The formation of the committee was announced Wednesday morning by Council President Larry Perry, who served himself as a member of the commission prior to being elected to his first term as a councilman more than four years ago.

The special committee will be headed by District 7 Councilman Edward Burke. The other members of the committee will be Councilmen James Nolan, Elvin Caldwell and Sal Carpio and Councilwomen Cathy Donohue and Cathy Reynolds.

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Denver Post Photo by Bill Stinchy

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Ms. McElderry said she thinks Tue's ordeal may be similar to that of many other Vietnamese women. "I wonder how many other people are in the same kind of predicament?" she asked.

"Right now, she's still caring for Mr. Joe. And I think she's very determined to see him."

Meanwhile, Tue quietly moves around the shelter home, carrying her year-old son from room to room.

Her precious few possessions are in a plastic shopping bag. Hidden in the bottom of the bag are her "papers," including the boy's birth certificate and what she says is her marriage license.

From a tattered billfold, she

pulls out pictures of Mr. Joe. "This is everything she has in the world," Ms. McElderry said.

Water Official Takes New Job

Dr. Ed Pugsley, technical secretary to the Colorado Water Quality Control Commission, announced Tuesday he is stepping down from that post to take a new job at the Colorado Health Department.

Pugsley said he is to become the director of the engineering and sanitation division of the health department.

William N. Gahr, former division director, retired June 30.

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seat for the past 3½ years as a replacement for the Rev. Cecil Howard, but the term has expired. Howard was appointed to the commission by the council but had to resign the position when his ministry carried him out of the city.

A special screening committee had been used by the council when Gibson was first selected, but Perry's original resolution made no mention of a committee.

Bank Loan Analyst

Caldwell and Councilman Bill Roberts followed Perry's resolution by presenting one of their own calling for King Harris, a loan analyst for the United Bank of Denver, to be appointed to fill the vacancy.

Perry avoided a council floor-fight over

In a letter to Burke announcing the creation of the special committee, Perry said, "In keeping with the prevailing will of the council, I request that this committee act as follows:

—Publicly solicit applications and resumes from persons who wish to be appointed.

—Accept all such applications and resumes through the end of the business day, Thursday, July 24, 1975.

—Examine the applications and resumes received in the city council office and schedule interviews of the applicants by the special committee.

—Make a written report to the council along with appropriate legislation at the

NOT RELEASED FOR ADOPTION

Unaccompanied Refugee Kids Pose Legal, Moral Problems

By DOUGLAS E. KNEELAND

(C) 1975, Denver Post-N.Y. Times

CAMP PENDLETON, Calif. — Officials dealing with the resettlement of 130,000 Vietnamese and Cambodians in refugee camps have discovered more than 300 children who arrived in this country unaccompanied by their parents.

Most of them are Vietnamese, according to those familiar with their cases. Some apparently were sent out with other relatives or friends when Saigon fell to the Communists at the end of April. Others are said to have been separated from their parents as they fled.

Unlike the 2,000 youngsters, most of whom were orphans, who were flown to the United States in Operation Babylift in early April, nearly all the unaccompanied children in the camps apparently have living parents who haven't released them for adoption.

The disposition of these children, members of the President's Inter-agency Task Force in Indochina Refugees acknowledged this week, poses serious legal

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"They've only surfaced reasonably late," said Elinor Green, the group's chief spokesman.

She said the government's policy as far as it had evolved was "to find out where their families are" and then "to reunite them."

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APPARENTLY NOT PRISONER

Denverite, Left Behind, Could Leave Sa

By ART BRANSCOMBE
Denver Post Education Editor

Fred J. Rivera Jr., a Denverite left behind in Saigon when most Americans were hurriedly evacuated April 30, could be flown out as early as Friday, a U.S. State Department official said Wednesday.

"The United Nations High Commission for Refugees believes it is going to have a series of regular flights out of Saigon starting Aug. 1," Frank A. Sieverts, State Department deputy coordinator for humani-

tarian affairs, reported in a telephone interview.

Rivera is one of 50 to 80 Americans still in South Vietnam who could be coming out on one of those flights, since he apparently isn't a prisoner, Sieverts said.

However, Sieverts also revealed that "about 10" Americans are being held as prisoners of war by the new Communist regime in Saigon.

Most of the Americans still in Saigon or South Vietnam are journalists or workers for relief

agencies who voluntarily remained after the new Communist regime took over and the majority of Americans were hurriedly evacuated on April 29 and 30, Sieverts explained.

Rivera apparently is one who wanted to get out but missed the evacuation plane somehow, Sieverts added. The International Red Cross has reported that he is staying at the Peninsula Hotel in Saigon— "perhaps not free to walk the streets at will, but at least not a prisoner," Sieverts said.

Robert Rivera, 1390 S. Honey

Way, Fred Rivera's younger brother, Tuesday received a letter brought out of Saigon about a month ago by an American newspaperman which indicated that Fred Rivera has been trying to get booked on a flight out of the city.

The letter, which was received by Rivera's aunt, Mrs. Madge Roybal in San Mateo, Calif., said that since April 29, "the conquering heroes now occupy all the other rooms on the 2nd, 3rd and 4th floors" of the Peninsula Hotel and added, "I think I will be moving soon."

He wrote that "I went to immigration and requested an exit visa and was refused. The conquering heroes are very busy attempting to get the new government organized and I'll just keep a low profile and leave when things are right."

"We and the U.N. are puzzled at the relative slowness of the departure of the Americans left in Saigon," Sieverts said, "especially in view of the fact that they ordered American news reporters out of the country soon after they took over."

It's hard to know what's going on there, he said, because there are no American diplomatic personnel left. The United States has been able to arrange for automatic or consular representatives of any other nation to look after American interests in Saigon.

Fred Rivera, who had been working in South Vietnam since 1967 as a civilian aircraft mechanic, said in the letter received by his brother that "There were quite a few employees left behind."

Dem Mayors Agree: Cities Need Money

By TODD PHIPERS
Denver Post Political Writer

The federal government

should supply more monetary support and less rhetoric to cities attempting to improve the environment, a group of Democratic mayors meeting in Denver agreed Wednesday.



Mayor Bill McNichols, coordinator of the Plains Region hearing for the National Conference of Mayors, called for a "balance between esthetic desire and economic necessity, between immediate needs and long-range requirements" in facing environmental problems.

The Denver mayor said the nation's governors should "call on environmentalists and economists to get together for the good of us all."

He said the need for environmental protection is real, but he emphasized that "we must not sacrifice the economic welfare of our working citizens by giving our attentions only to the environment."

"People can perish just as easily from malnutrition as

for the regional hearings in an attempt to stress dominant local issues. "Protecting the environment of the nation's cities" was the Plains Region topic.

Mayor Richard Hatcher, Gary, Ind., told listeners at the Stapleton Plaza Inn that "we didn't come here to say 'I told you' so about the problems of cities."

He warned, however, that "long, hot summers" aren't a thing of the past and causes for them must be solved or they will become "the wave of the future."

Hatcher said the Democratic mayors' group doesn't want to be on record as opposing a strong national defense. But he said the federal government

administration has den even those Band-aids."

A major frustration of mayors, Boulder's F. Tate testified, is knowledge that technology is available for combating energy shortage and environmental problems, but money to implement the technology isn't available, he said.

He proposed that the government spur local development in such areas as energy, rather than a study of its funds for unnecessary studies.

More studies would be of little use only if they were "build a fire to heat the lungs in Washington," T. Cheyenne, Wyo., M. Nation also urged more action by the fed

Left Behind, Could Leave Saigon by Friday

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"We and the U.N. are puzzled at the relative slowness of the departure of the Americans left in Saigon," Sieverts said, "especially in view of the fact that they ordered American news reporters out of the country soon after they took over."

It's hard to know what's going on there, he added, because there are no American diplomatic personnel left, nor has the United States as yet been able to arrange for diplomatic or consular representatives of any other nation to look after American interests in Saigon.

Fred Rivera, who had been working in South Vietnam since 1967 as a civilian aircraft mechanic, said in the latest letter received by his brother, "There were quite a few LSI employees left behind" in the

panicky American exodus from Saigon.

LSI is the name of the firm Fred worked for, Rivera said, but he doesn't know what the initials stand for.

"Word has it," Fred Rivera added in his letter, "that Americans were very busy evacuating strangers with and for money. The local employees were cooped up for days waiting for the word that never came."

"The night of April 29th," he explained, "the Marines at the U.S. Embassy told me it was impossible to get any more locals other than those already inside the embassy grounds. They told me to come back at 0900 hours the next morning."

"Well, we returned to the embassy a little after 0800 and realized it was all over. I moved into the Peninsula Hotel where I knew some U.S. news correspondents were staying."

Agree: Cities Need Money

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He proposed that the federal government spur local development in such areas as solar energy, rather than allocating its funds for unneeded additional studies.

More studies would be beneficial only if they were used to "build a fire to heat the buildings in Washington," Tate said. Cheyenne, Wyo., Mayor Bill Nation also urged more meaningful action by the federal gov-

**Public Showing by
FABRICS INTERNATIONAL
of
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Room 231, next to the gold dome Friday, August 1, 12 noon to 9 p.m. Saturday, Aug. 2, 10 a.m. to 9 p.m.

**Cherry Creek North
Summer Festival**

**Sidewalk Sale
Aug. 1st, 2nd, 3rd**

Munch a hot dog. Savor a crepe. Swoon to strolling street musicians. Pick up a boutique bargain. And maybe win yourself a prize. Fri. and Sat. 10 a.m. to 9 p.m. Sunday 12 Noon to 4 p.m. Over 60 unique shops East of University North of 13 Ave.



