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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.

vietnam." Among of the National Liberation Front, Nguyen Huu Tho, Mr.

return home at 10 P.M. exhausted. However, the two men, former law students, consider themselves lucky; at least they have jobs, which means they will not be told to resettle in the countryside.

Such economic difficulties may be one explanation for reports of continued armed resistance in South Vietnam. The reports, at best fragmentary and second-hand, indicate that it is concentrated in the Central Highlands around the montagnard center of Ban Me Thuot, in Darlac Province, and in the Mekong Delta.

Oddly, the Communists have lent credence to the reports by publicizing reports of military action against dissidents. In a broadcast last week the Hanoi radio announced that its troops in Darlac had carried out a mission "to search and sweep" — a phrase that recalled American search-and-destroy tactics during the war.

In another broadcast last week the Hanoi radio said that in the last six months its troops had rounded up "some 7,000 puppet soldiers and personnel still hiding in the jungles" in the highlands.

American intelligence specialists who still follow Vietnam reason that many of those continuing to resist the Communists may be desperate people who see little alternative, though in some cases they may be little more than bandits. In the highlands, where the montagnards have traditionally been hostile to the Vietnamese, there may also be an ethnic element.

Most analysts believe that the resistance, lacking guns and ammunition, has little chance of being anything more than an annoyance.

Another matter of conjecture is the continued, intense North Vietnamese propaganda barrage against Thailand. Over the last few months

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 there just didn't seem to be any point in it," DeCamp said.

He and his wife took Hung, 6, and his sister, Tam, 7, to Charleston, S.C., New Year's Day to see Mrs. Thomas Mallard.

"They just started crying when they saw her. They were so happy.

"You could see it was settled."

Mallard, a service manager for a Charleston oil company, is their stepfather.

DeCamp, who served in Vietnam as an Army captain and speaks Vietnamese, went there twice to take part in Operation Babylift, a project that brought thousands of Vietnamese orphans to this country.

"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 picking these children that I was just sure everything would work out," DeCamp said. "I helped so many other people adopt Vietnamese orphans. I don't think this has happened to any of them."

DeCamp said his wife was heartbroken "because she was with them

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.

"A short time ago we learned a Vietnamese woman fit the description the children gave of their mother... she was in a refugee camp and making efforts to find them. It has all led to this," he said.

The children lived with their mother in Neligh, Neb., a small

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group speeds up efforts

DENVER (AP) — Efforts to bring war orphans to the United States are being accelerated as the military situation deteriorates in South Vietnam.

"We have 200 to 300 families waiting for children. We're trying to get them out, but we don't know if we can make it," said Sally Bergner of Friends of Children of Vietnam.

"We don't know how much longer we can hold out."

Mrs. Bergner said food costs have risen 200 per cent at some Saigon orphanages in the last few days, creating a desperate shortage of money.

Food supplies to the orphanages have been interrupted by the renewed fighting, and thousands of refugees are pouring into Saigon, where many of the nation's 133 orphanages are located, she said.

The Denver-based Friends of Children organization has been ferrying about 10 orphans from Saigon to new homes in the United States each week for the last year, and hopes to accelerate the pace because of recent developments.

The latest group of 10 children arrives in Los Angeles Tuesday.

"We just don't know how much longer we'll be able to operate in South Vietnam. We want to get as many children out as we possibly can," said Cheryl Martson, the group's executive director.

"One Saigon orphanage was swamped with 150 orphans who were brought down from Quang Nam last week," Mrs. Martson said. "They had no food, only the clothes on their backs, no fresh clothes."

YES VIET ORPHANS

Joy Is Heartbreak to Another

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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 past six years. To see the unbelievable progress that has been made with these youngsters, physically and emotionally, is to witness a miracle. To see sickly, malnourished, despondent babies develop into healthy, responsive children underscores daily the "right" to help them. And the unselfish sacrifices of their parents are repaid daily by the love those children have learned to give. Arrogance? Hardly. Compassion? Absolutely!

I suggest critics of this effort spend several weeks working in the Vietnamese orphanages and witness the agony; just as so many members of FFAC and FCVN have done in the past five years. Then let them complain.

NANCY FOSTER

Lakewood

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The children lived with the DeCamps in Neigh, Neb., a small farm-

ing community 160 miles north of here.

"I haven't been all that busy storing so many memories," he said. "My wife can tell you about their first days here when they never got their fill of riding in their cars. They were fascinated many things we take for granted."

"The first time Hung saw a ant, he almost went out of his mind. That little rural area was his newland to them."

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, through Friends For All Children or Friends of the Children of Vietnam, are so busy with the business of saving lives and orderly processing the incoming children, that they not only have no time to reply, but do not even know such opposition exists! I am not a member of either organization nor an adoptive parent of a Vietnamese child, but I am moved to respond on their behalf.

The people of the United States and the people of South Vietnam deserve to know the facts behind the babylift. Although it is considered a recent political move spurred by motivations of guilt, the real efforts on behalf of these children began in the hearts of a handful of people in the Boulder-Denver area more than six years ago.

Friends of the Children of Vietnam was not founded as an adoption agency. It was specifically founded to give life support in the forms of clothing, food and money for those children living in orphanages in South Vietnam.

FCVN and its sister organization, Friends For All Children, continue to work toward this end; many individuals and families sacrificing amazing amounts of money and per-

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 under FCVN or FFAC sponsorship. Both groups also encourage Americans to support specific children through their foster care programs.

That brings me to the secondary effort of these groups; that is, providing homes for some of the children in the United States and other countries.

This has been done and is still being done under the auspices of regular, licensed adoption agencies and the South Vietnamese government. The small percentage of children adopted could hardly be considered "robbing a nation of its youth." It definitely can be considered an effort to save lives.

It is true that the concept of the "extended family" is a real one in Asia. The harsh reality is that these children have not and are not being taken care of by any family; nor is there a chance that they will be. Tragically, the war has destroyed much of the structure of the Vietnamese family. And adoption as we know it is not part of the Asian cultures.

Recently published statistics indicate that there are as many as 1.5 million homeless children in Vietnam. Between 15,000 and 40,000 of these children are the offspring of American soldiers; therefore as much American as Vietnamese. Following historical precedent, the United States should have long ago granted these children dual citizenship and assumed the responsibility of their care.

"Operation Babylift" is a token effort, maybe. But it is a welcome response to years of appeals on behalf of these children. The above statistics are dramatic enough to illustrate that the few thousand children brought to this country recently are but a handful of those in need of our concern

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Jan. 8, 1976

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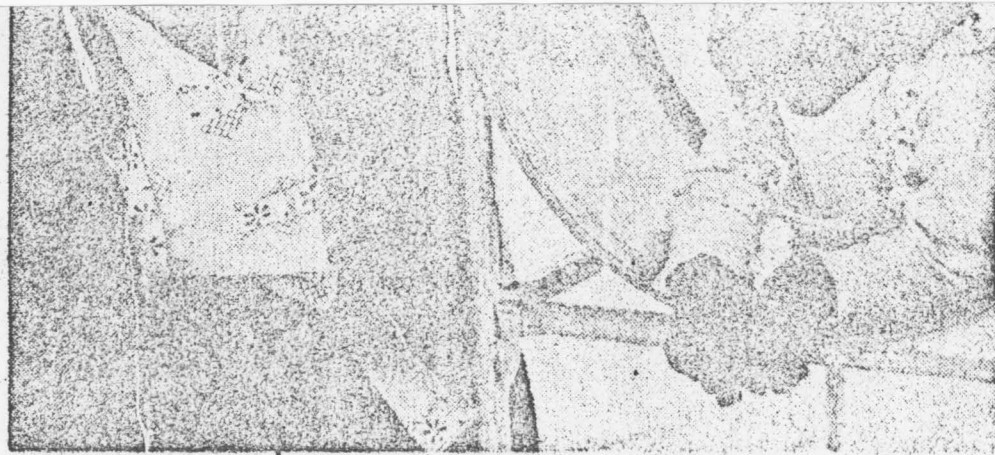
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VIETNAMESE CHILD Kari, 4, whose adoption has been placed in question by a federal court action in San Francisco, plays at All Saints Nursery School with Diane Bartlett, who is trying to adopt her.

—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

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Santa Barbara, Calif., News-Press, Thursday, January 22, 1976

Court ruling affects case of Vietnamese child here

Continued from Page A-1

group of intervenors made up of the seven
licensing agencies and CRAFT.

The Barnetts are members of CRAFT
(Council for the Rights of Adopted Families
Together), which is the organization of families
adopting children airlifted to the United States
during the fall of Saigon.

THE OPINION of a single expert may set in
motion tracing procedures opening confidential
files of the adoptive agencies, which include
sometimes occupations of the fathers, and of
the U.S. Immigration and Naturalization Ser-
vice, said Mrs. Barnett.

"Still to be decided is whether the proce-
dures will simply involve widespread announce-
ment that families of airlifted children may be
able to request their return or whether field
workers will be sent to find relatives of each
child," she said.

Mrs. Barnett is firmly convinced that many
of the 1,850 children were "signed away" by
mothers who feared their multiracial children
would suffer greatly by remaining.

And in Kari's case, at least, there is no ques-
tion of "complete cultural uprooting" some find
objectionable about the mass adoption airlift,
said Mrs. Barnett.

THE BARNETTS are legally the foster
parents now of another Vietnamese youngster
who made it out on his own — 15-year-old Chi,
who is on the Carpinteria High School basket-
ball team, goes to adult education language
classes with other Vietnamese at night, and is
planning to become a citizen.

How did a 15-year-old Vietnamese boy make
it to the United States on his own? "Now that's
another story entirely, but it is the whole
point," said Mrs. Barnett. "Each one of these
kids has a separate story, and each one de-
serves to be treated like a human being, not
argued over like a used tank or something."

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By Jenny Perry

News Press Staff Writer

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C-8

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, and each claimant to receive her share. When one woman wept and offered to relinquish her claim in order to spare the child's life, she was adjudged to be the true mother, and given the unharmed baby.

Today the federal court in San Francisco is pondering a case affecting some 1,850 refugee children from South Vietnam. It has some similarities to the Solomon classic, though more complicated by legal procedures and political, ideological and international relations issues.

One of the 1,850 young people is a 4-year-old girl, Kari Barnett, a happy and healthy pupil at All Saints Nursery, and the foster daughter for the past year of Mr. and Mrs. Lewis Barnett of Toro Canyon Road. The early years of this mixed-race child reflect the harsh cruelties of life in a war-torn land.

She was abandoned at birth, kept 18 months in a large orphanage, turned over to a malnutrition center for treatment, and then found to be autistic, and unsuited for adoption. The Friends of All Children adoptive agency of Boulder, Colo., provided therapy that proved she was not autistic. She was certified for adoption, and placed on the C-5A plane that was to take children and adults out of Saigon to safety last April. The plane crashed, killing 200; but Kari survived and was put on another

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 Saigon and wish to return there, joined in a class action suit brought by a group that charges many refugee children were kidnapped by the American rescue workers, and demand to be returned. Their attorney, William Kunstler, obtained a hearing in the federal district court. The court has ordered a panel of plaintiffs, defendants, and intervenors from seven adoptive agencies, to undertake individual reviews of all the circumstances surrounding the availability for adoption of all the refugee children taken into American homes in response to the humanitarian appeal of the U.S. government.

Kari and many of her fellow orphans or abandoned children (many multiracial children were "signed away" by mothers who feared for their safety in Vietnam) already have suffered such terror, uncertainty and deprivation that a long legal battle over their future, or their possible return to Vietnam, could be harmful, psychologically, emotionally and physically.

The Barnetts are members of CRAFT, an organization of families that adopted children after the fall of Saigon. They seek to assure that these children are treated sensitively and wisely, as human beings, "not argued over like a used tank or something."

They will find a great body of American opinion that supports their purpose.

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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.

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Financial Aid

unsigned, January 22, editorial the *Synapse* a series of serious, led and uninformed against the Viet-Babylift. In mouthing thought-out charges, a question must be raised the intellectual integrity author, and why the student body allows full disregard for the in its paper's editorial

several years a small of dedicated nurses, and Vietnamese, an, and European lay had struggled against difference of the Thieu and the U.S. Govern- as they ran orphanages hout Vietnam. Ap- ately 100,000 infants all children languished dhist orphanages or in ages sponsored by seven national adoption es. The orphanages were e bottom of the priority both governments in of food supplies, able water and nes. Consequently the ay rate occasionally ran as 80% per year in orphanages. As the war ed to a close, the n became even more ate with as many as infants placed on each eing given rice meals of and frequently, con- ted water.

There is a long tradition adoption in Vietnam, es past the extended took care of children parents had died, and it uly said that there were hians in Vietnam. The aggression in Southeast harged that system: the ed family was disrupted, subgroups moved, in vast distances, in se to having their onal, homes bombed, d and defoliated, gh the family system worked well for many the war disrupted it in nan a generation. Ad- ally, a stigma came to be ed to children of mixed age — another ugly e of the war. These n were abandoned to nages for care, as the er was subject to

Vietnamese-Black and Vietnamese — Caucasian.

The seven international adoption agencies had functioned in Vietnam since the late '50's. It is true that in rural areas and in some suburbs, mothers would frequently bring children to an orphanage for safekeeping and for food. Although the children stayed at the orphanage, their mothers visited them often. These children were well-known to the nurses and Vietnamese men and women who staffed the orphanages. The goal of the staffs was to keep the family unit together at all cost. No attempt was ever made to place these children as orphans in adoptive homes. It is depressing to realize that only the most desperate circumstances could drive a mother to bring her child to an orphanage, even temporarily, for it was widely known that the situation in the orphanages was grim (at best). However, despite the extended family system, and despite the "respite care" offered by the orphanages, there were, in fact, true orphans — many of mixed race, as mentioned. They were an "artifact" of the war, but real human children, nonetheless, children with every right to food, parenting, schooling, security. Many of these had been adopted over the years into homes in Europe, Australia and the U.S. the babies brought into San Francisco were predominantly of this group — in fact 900 had been preadopted (all papers final) and were awaiting exit from Vietnam. Graft, bribery and exploitation mushroomed in the last days of the corrupt U.S. supported government, and it became progressively more difficult and costly to obtain exit papers.

It was in this context that the Babylift began. Far from a "last minute production of the U.S. war propaganda effort," the Babylift was the result of the drive of an incredibly determined group of desperate orphanage workers who used every contact, every trick, every device at hand, to "blackmail" the U.S. Government into flying out the orphans before Saigon fell. God bless them to

The current dispute in the U.S. Court of Appeals in San Francisco was badly misrepresented in the *Synapse* editorial. The judge's decision was made solely on the "adequacy" of the records accompanying the orphans, not on whether the children were demonstrably orphans or not. In the chaos of the last days before Saigon fell whole orphanages were evacuated with few accompanying papers. The records of over 1000 children were destroyed in the crash of the Galaxy C-SA which also killed more than 200 children and orphanage workers. Indeed it was clear that some of the children in the group were not orphans — the orphanage nurses did not know them, they did not have orphanage necklace ID's, and most strikingly, did not have scabies, lice, furunculosis, diarrhea or any of the other diseases which commonly marked the children of the orphanages. Many of these fat, healthy babies were claimed upon arrival by a relative or friend of the family which hoped to follow soon. Many of this group of children were, in fact, "bribe babies" — children accepted on the flights in order to placate a hostile or corrupt official. This small group in no way invalidates the other children. They are also "unadoptable" in the legal sense since they are not certifiable orphans.

Although the Provisional Revolutionary Government (PRG) of Vietnam has asked for the return of the orphans, its follow-through on this issue has been confusing. A group of 207 older Montagnard children petitioned me for help in returning to Vietnam following their expatriation to Denmark as part of a technical school which arranged asylum for them in April, 1975. In May, 1975, I met in Montreal on their behalf with representatives of the PRG. I was reassured, and believed, that the children would be welcomed back and that provisions would promptly be made for their return. However, fully nine months later, despite continued appeals from the Danish government and others

deliberately over simplified. There was no shortage of frantic shouting little men during the Babylift who gesticulated wildly to call our attention to the "moral corruption," "Government propaganda," "Ford-Kissinger Conspiracy," and similar garbage. Their argument is appealing in the hazy abstract. But if those little men had taken time to inform themselves, their pat, altogether paranoid hysteria would have collapsed.

"Medicine in a Vacuum?" It appears to me that the vacuum referred to lies between the editor's ears.

S. Alex Stalcup, M.D.
Department of Pediatrics
Columbia University
Medical Center

Editor's response:

We are grateful to Dr. Stalcup for giving us his expanded view of what actually took place during "operation babylift." However, the January 22nd *Synapse* editorial, "Medicine in a Vacuum" was directed at Stalcup, et al.'s Oct. 2, 1975 article in the *New England Journal of Medicine*. "Planning for a Pediatric Disaster: Experience with 1,600 Vietnamese Orphans." Stalcup charges above that the editorial was "deliberately over-simplified" but perhaps it would be better to review the *New England Journal of Medicine* article for therein lies the culprit of over-simplification. Nowhere in that article was there any mention of the context in which the "Babylift" took place; no history of the Vietnamese orphanage situation, no mention of the conflicts that did occur within the medical personnel who gave of their time.

The truth of what happened during the "Babylift" is a many colored picture, and Stalcup's article painted it in black and white:

— Specifically, the context in which the "babylift" took place did include widespread allegations that the entire operation was a last minute U.S. propaganda effort. This is quite beside the point of

small children languished in Buddhist orphanages or in orphanages sponsored by seven international adoption agencies. The orphanages were at the bottom of the priority list of both governments in terms of food supplies, drinkable water and medicines. Consequently the mortality rate occasionally ran as high as 80% per year in the orphanages. As the war neared its close, the situation became even more desperate with as many as ten infants placed on each table, being given rice meals of lukewarm and frequently, contaminated water.

There is a long tradition against adoption in Vietnam. Times past the extended family took care of children whose parents had died, and it is truly said that there were no orphans in Vietnam. The U.S. aggression in Southeast Asia charged that system: the extended family was disrupted, family subgroups moved, at great vast distances, in response to having their traditional homes bombed, burned and defoliated. Though the family system did work well for many years, the war disrupted it in less than a generation. Additionally, a stigma came to be attached to children of mixed parentage — another ugly feature of the war. These children were abandoned to orphanages for care, as the mother was subject to stigmatization which may have jeopardized her other children. Over 60% of the children brought through San Francisco

circumstances could drive a mother to bring her child to an orphanage, even temporarily; for it was widely known that the situation in the orphanages was grim (at best). However, despite the extended family system, and despite the "respite care" offered by the orphanages, there were, in fact, true orphans — many of mixed race, as mentioned. They were an "artifact" of the war, but real human children, nonetheless, children with every right to food, parenting, schooling, security. Many of these had been adopted over the years into homes in Europe, Australia and the U.S., the babies brought into San Francisco were predominantly of this group — in fact 900 had been preadopted (all papers final) and were awaiting exit from Vietnam. Graft, bribery and exploitation mushroomed in the last days of the corrupt U.S. supported government, and it became progressively more difficult and costly to obtain exit papers.

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The glib, hysterical rhetoric of the *Synapse* editorial is

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— Specifically, the context in which the "babylift" took place did include widespread allegations that the entire operation was a last minute U.S. propaganda effort. This is quite beside the point of whether the "babylift" in fact originated as such. As Dr. Stalcup has informed us in his

syna

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5, 1975. As the editorial stated, the court ordered a judicial review by court-appointed experts of the records of each Vietnamese "orphan." In addition, the judges overturned an earlier ruling that had denied the children's attorneys access to the files. The two experts who are now reviewing the cases of all the children are Oakland attorney Mas Yonemura and Vietnamese legal scholar and attorney Dr. Ta Van Tai of the East Asian Legal Studies Department at Harvard Law School. The decision to examine the files of all the children came as the result of Dr. Tai's first report on the status of the children which concluded that on the basis of the first group of 25 studied, 18 had been illegally removed from Vietnam.

—The period of time between the fall of Thieu's regime and the establishment of the Provisional Revolutionary Government was marked by a relatively peaceful transition. Stalcup's statement that "in the interregnum period many thousands may have died" is a balk attempt to justify the whole "babylift" operation based on an unfounded supposition which in fact did not occur. One of the U.S. forces had withdrawn, the Vietnamese rapidly got down to the business of relocating and reuniting the millions of people who had been forceably dislocated by U.S. "strategic hamlets" and bombing attacks.

Thus, farbeit from a vacuum existing between our editorial ears. Stalcup's letter vividly demonstrates that the vacuum lies within his original article.

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(415) 666-2211

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letter. it was the orphanage organizations that frantically pushed for placement and sought even to circumvent the attempts of medical personnel to provide medical care for the "orphans" when they arrived in the U.S. Nevertheless, the fact remains, whatever the intentions of the originators of the "babylift", the U.S. government did attempt to capitalize on the emotional elements of the operation to bolster support for its waning war effort.

—The Synapse editorial did not, contrary to Stalcup's assertion, "misrepresent" the 3-Judge U.S. Circuit Court of Appeals decision of November 5, 1975. As the editorial stated, the court ordered a judicial review by court-appointed experts of the records of each Vietnamese "orphan." In addition, the judges overturned an earlier ruling that had denied the children's attorneys access to the files. The two experts who are now reviewing the cases of all the children are Oakland attorney Mas Yonemura and Vietnamese legal scholar and attorney Dr. Ta Van Tai of the East Asian "Legal Studies" Department at Harvard Law School. The decision to examine the files of all the children came as the result of Dr. Tai's first report on the status of the children which concluded that on the basis of the first group of 25 studied, 18 had been illegally removed from Vietnam.

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ans have questioned the ty of Operation Babylift Vietnam, but they do not that each year thousands andoned 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 d's origins and abandon- lest 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.

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But the authors, however,
stop short of confronting the
moral issues that underlie in-
ternational adoptions. Many

Continued on Page 22

NY Times
Feb 1, 1976

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 for here last year before their American resettlement.

A sharp dispute has been touched off by the report, which was prepared for the commandant of the Marine Corps by Brig. Gen. Paul Graham, who recently retired as commander of this training base.

Details of the report, meant to be confidential, were disclosed last week and were quickly disputed by the Vietnamese Alliance Association and other refugee groups.

Officials of the Federal Immigration and Naturalization Service, who were accused in the report of negligently allowing "illegal aliens" to slip away, also challenged the findings.

The angriest reaction was to a statement that "slave children were discovered among the refugee families," either orphans of war or children separated from their parents in the confusion of the evacuations from Saigon last April.

Earlier Reports Unconfirmed

While the refugee center was in operation from last April 29 to Oct. 31, there were repeated but unconfirmed reports that wealthier refugee families were exploiting parentless children by compelling them to do menial work.

Mrs. Christine Minh, wife of a Vietnamese physician in San Diego and public relations director of the Vietnamese Alliance Association, denounced the findings as "grossly inaccurate."

"Slave children are not a part of the Vietnamese culture," she said.

"Ninety percent of the unac-

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 there had been not only confusion but also a lack of coordination among civilian and military officials assigned to the refugee project and singled out the immigration service for criticism.

"For reasons of convenience," the report said, the immigration service issued I-94 identity cards—used for aliens legally admitted to the United States—to refugees still undergoing security checks.

As a result, the report said, many refugees left the camp without authorization and were not subject to legal action for their absence.

Denial by Official

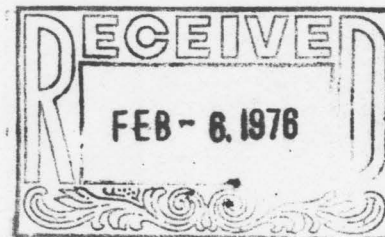
Donald Day, who headed the immigration processing detail at Camp Pendleton, denied that his agency had condoned unauthorized absences.

He said that contrary to General Graham's account, refugees who had left the camp improperly had been charged with being illegal aliens but that the charges had been dismissed by the United States Attorney's office.

The Marine Corps' account of weapons in the camp was contained in a section dealing with Cambodian refugees.

A search of the Cambodians and their belongings just prior to their transfer to Fort Chaffee, Ark., in October was said to have turned up 12 revolvers and 1,100 rounds of ammunition.

Much of General Graham's report dealt with what it called low standards personal hygiene among the refugees and their refusal to obey the camp's sanitation and housekeeping regulations, an accusation disputed by Mrs. Minh.



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.

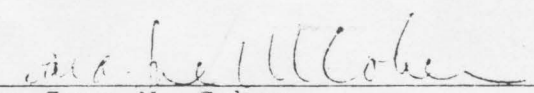
Such an international agency has been working in Vietnam for several months attempting to set up its own tracing plan, in cooperation with the United States government. However, it is our best information that the Provisional Revolutionary Government (PRG) has done nothing to cooperate with these efforts, 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, psychologically, 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 Jarvis, information officer for the immigration service.

But that was before an extraordinary law suit was filed in San Francisco, demanding that the U.S. government trace all the children's parentage. That suit is still being argued. Until it is settled, the remaining children, scattered about the country with American families, will remain in limbo.

That suit was brought on behalf of three Vietnamese "Babylift" children who told a volunteer nurse at the Presidio last April that they had parents left behind in Vietnam. The nurse, Mui McConnell, "got nowhere with the officias," in her attempt to discover how these children were placed on the airlift, according to her attorney, and eventually filed the class action suit in their names in San Francisco federal court.

The suit asks that the U.S. government allow an investigation of all the documents of these and similar children, discover which ones may have living parents in

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 families who have been confronted with refugee Vietnamese women asking to have their "orphan" children back, have left countless prospective adoptive parents in a panic across the country.

Last week, during presidential campaign tour in Nebraska, Sen. Frank Church of Idaho was confronted on the streets of York, Neb., by a woman who pleaded that he do something "so we can adopt our baby."

Jeannie Sears told Church, "It was one year ago today that we went to Omaha airport to pick up our child, and still nothing has happened because of the law suit."

Mrs. Sears said she realized "some of the children were taken away from Vietnamese parents," but contended that her baby had been orphaned from birth and was rescued from a Mekong Delta nursery.

Last winter, Nebraska state senator Jean DeCamp was faced with the dilemma that Mrs. Sears and others fear. He and his wife heard that a woman refugee living in South Carolina claimed to be the mother of their two "orphans."

DeCamp, who had made two trips to Vietnam to help with the babylift, at first considered a court fight. But he instead took Hung, 6, and Tam, 7, to see the woman. When the children burst into tears at the sight of the woman, who is now married to an American, DeCamp handed over his charges.

Johnny and Bonnie Nelson, of Forest City, Iowa, faced with a similar claim, are now fighting for custody of 4-year-old Doan Van Binh in court. Their case points up the evidentiary dilemma caused by adoption agencies, American officials and Vietnamese, when, acting in panic, they placed children without papers on "Babylift" flights because they believed that the war's end would result in a holocaust.

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

cies 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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Although the court ordered Immigration and Naturalization Service investigation records opened to plaintiffs, the Government opposes giving international agencies information about the adoption proceedings. Such information usually is confidential.

If an agreement on a tracing procedure is reached, Miller says, and if a plaintiff's suggestion that all older children be interviewed is followed, most nonorphan and unadoptable Vietnamese children and their parents could be quickly traced and reunited.

A Welcome Exclusion

The Sheas got their baby from Friends of All Children. In November they received a letter from the agency suggesting that they might want to consult a lawyer, because the agency was no longer confident of the outcome of the suit. But the agency's director, Wendy Grant, maintains that Friends of All Children never switched identifications of any children. "We lost 73 children and our co-ordinated sets of papers in the babylift crash," she says. "We were able to replace most, but not all papers." For some children there is only the agency's affidavit of their adoptability.

In January the Sheas were informed that they and other parents who hold valid releases signed by Vietnamese parents before March 15, 1975, may soon be excluded from the lawsuit and allowed to file adoption applications.

Lawyer Miller says that the children expected to be left out of the suit are, "generally speaking, those with parental releases signed before the panic started." But for those with papers signed by orphanages or agen-

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2-20-76

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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.

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Success Story

A story in Sunday's Denver Post explored the remarkable progress that young Vietnamese refugee children are making in schools in Colorado and elsewhere.

In mathematics the children know more than their classmates, "work harder" and "apply themselves more diligently," to use some of the phrases found in the survey.

But there's nothing magic about it, according to the teachers. A Jefferson County teacher, Mrs. Mary Ellen Schrecengost, probably summed it up best:

"They really apply themselves," she said. "They work very hard. And a lot of it is due to support from home. If they don't behave in school, they're in trouble at home—unlike some of my American kids."

Well said. Where are all those people who 18 months ago were saying that attempting to absorb refugees from Vietnam would be "too much of a problem?"

2/11/76

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wrote, "these children were sent to the United States for their protection and education, not to be given up to strangers." The children are still living in Pennsylvania.

With every month that passes since the babylift, the agony of both Vietnamese biological parents and American adoptive parents increases.

The situation faced by US District Judge Spencer Williams is beginning to rival that faced by King Solomon when he offered to divide a disputed child in half.

Williams has ordered the US Immigration and Naturalization Service, which allowed the children into the US as adoptable orphans, to review their files, and has appointed two Asian legal experts to check the files independently.

These children, placed in American adoptive homes, remain in legal limbo while

their new American parents grow more and more attached to them. At every hearing, Williams's courtroom is filled with anxious American couples who fear their new children will be taken away.

The cases have not yet returned any nonorphans to their Vietnamese parents, and the investigation of the children's files has confirmed the worst suspicions of the plaintiffs.

Under fictitious names

Dr. Ta Van Tai, an Asian legal expert appointed by the court to examine the children's eligibility, has told the court that 124 of the first 200 files he examined did not contain enough documentation to prove that the children had been legally released by their parents for adoption.

Cherie Clark, an administrator for Friends of the Chil-

dren of Vietnam, one of the seven adoption agencies which supervised the babylift, told the court in an affidavit that children were brought out under fictitious names and under legal papers belonging to children who had died.

The court-ordered investigation has also uncovered some hints of government interference in the process. Two hundred and twelve "orphans," brought over to the United States by Betty Tisdale, a former secretary for NY Senator Jacob Javits, were originally declared "ineligible for adoption" by the Immigration and Naturalization Service because their only adoption release consisted of a single mass orphanage release which listed them all as having the same last name. Following a phone call from Washington, however, INS investigator Glenn Hulseley in SF changed their

adoption status to "eligible," according to INS's own records. John Cooney, the Assistant US Attorney representing INS, told the Guardian, "As far as I know there hasn't been any political pressure brought on INS over this." He explained the change as the result of confusion between the district office's standards and those from the central INS office in Washington.

While lawyers and the INS argue over the children's legal status, hundreds of American adoptive families are anxiously watching the outcome of the lawsuit, worried that "their" children may be among the nonorphans whose Vietnamese parents want them back.

'An adult conversation'

"If a child has really been kidnapped from the arms of a mother or father, the child should be returned," argues Paul Matzger, the attorney representing local American adoptive parents. "But the parents don't think, from the information they have from the adoption agencies, that that's the case. It's up to the plaintiffs to prove otherwise. And they haven't."

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San Shie is one of the lucky ones; she was able to trace her child's whereabouts, and she had the money to fight for her custody in court.

adoption. In January, after incurring \$4500 in legal costs, San Shie was awarded the return of her child.

San Shie is but one of many Vietnamese parents who are seeking the return of children who were scooped up on the baby lift.

San Shie is one of the lucky ones: she was able to trace her child's whereabouts, and she had the money to fight for her custody in court proceedings. Many Vietnamese refugee parents don't even know where their children are.

So far, eight Vietnamese refugee families have contacted Tom Miller of Berkeley's International Children's Fund for help in tracing children lost on the baby lift. Miller is one of three attorneys who are asking US District Judge Spencer Williams in SF to return non-orphaned children to their parents in Vietnam or the United States.

Nobody knows how many Vietnamese parents are trying to trace their children on their own. Miller showed me classified advertisements running in a Saigon newspaper which showed photographs of children lost during the fall of South Vietnam and offered rewards for their return. Some of these children may have been scooped up during the baby lift and may now be living in American

adoptive families.

Some American families have been cooperative when they discover that their children have living Vietnamese families who want them back. Nebraska State Senator John DeCamp voluntarily returned Hung, 6, and Tam, 7, to their mother, Jan. 7, 1976, after they traced her to a refugee camp.

"I would be a liar if I denied that I considered a court fight," DeCamp told the Associated Press. "But after the children saw their real mother there just didn't seem to be any point in it. They just started crying when they saw her; they were so happy."

Other American families have become attached to the Vietnamese children, who they thought were war orphans, and refuse to give them up. David and Barbara Pederson of Royal Oak, Michigan, are presently trying to adopt five-year-old Duong Quoc Tuan (now known as Matthew Pederson).

Tuan's mother Duong Bich Van, now a nursing student in Wisconsin, says she worked in Vietnam for the Friends of the Children of Vietnam adoption agency and asked them to baby lift Tuan.

She says she never signed an adoption release and never intended to give up her child. But when she arrived in the

United States and called FCVN to trace Tuan, she was told he had been placed with the Pedersons and asked her to sign an adoption release. She has refused to sign, but her child has not been returned.

Jeanette Stump, a Vietnamese woman married to a former GI in Long Beach, Calif., has been battling since last May (one month after the baby lift) for the custody of her nephews, who are nine and 13 years old.

The children were put aboard a baby lift plane with Jeanette's address written on their skin, their clothes, and on a tag around their necks. Instead the children were placed for adoption with a family in Doylestown, Pennsylvania.

When Jeanette wrote asking for their return, the charitable agency handling the placement turned her down.

"They have now been placed for adoption and have been in their new home for a month and have made beginning attachments to a new American mother and father," wrote Mary Graves, administrator of Welcome House.

Jeanette Stump, who is one of 21 relatives of the two boys living in the LA area, asked again for the children's return.

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Attorneys for the adoption
agencies also object to any
plan to contact parents in Viet-
nam to ask them whether they
really wanted to relinquish
their children.

"We felt that doing that to
any person who gives up a
child may cause untold pain,"
Kate Freeland, attorney for the
Friends for All Children adop-
tion agency, told the Guard-
ian. Such contact, she said,
might expose Vietnamese pa-
rents to "political repercus-
sions" or "social ostracism"
under the PRG government.

Since Judge Williams decided
Feb. 13 to deny class action
status to the lawsuit, attorneys
for the Vietnamese nonorphans
are facing the time-consuming
task of sifting through INS
records for the names of the
nonorphans. As the lawsuit
drags on, the adoptive parents
worry and organize.

"There's one thing this has
taught me," says Rev. John
Baker, an Episcopalian min-
ister who opposed the Vietnam
war and adopted a nine-month
old babylift child. "Children
are not property. Children
really don't have any rights
in this country. It's an adult
conversation, and the children
are the pawns in this." ■



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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 ravages of war, cessation of foreign aid, demobilization of a large army, disruption of industry and widespread unemployment have resulted in extensive distress. It is more than the resources of the present government can meet.

Catholic and other relief agencies in several countries, including the United States, have indicated a willingness to help, irrespective of what government holds power. Already, for several years, German Catholic charities has been active in building and equipping a children's hospital in North Vietnam, in collaboration with the Hanoi government.

Negotiations between representatives of the Vatican and the Communist regime in South Vietnam for shipment of relief supplies broke down over questions of distribution.

The shortage of medical and other hospital supplies in the South is acute now, according to reports.

Another urgent need: the release of the men held in "re-education camps" for the past eight months or so. Until they are freed and reunited with their families, without oppressive and humiliating conditions imposed, a heavy weight of suffering continues to weigh on innumerable persons.

The continued detention of these men, long after the end of hostilities, is contrary to the 1948 Universal Declaration of

Human Rights of the United Nations and the 1949 Geneva Convention on prisoners and victims of war. It is contrary also to the principles embodied in the Paris Agreement of January 27, 1973.

Events have made this agreement outdated in its military and political provisions, but the assurances it implied cannot be dismissed as no longer applicable.

According to Article 11 of the Paris Agreement, "immediately after the cease-fire, the two South Vietnamese parties will achieve national reconciliation and concord, end hatred and enmity, prohibit all acts of reprisal and discrimination against individuals or organizations that have collaborated with one side or the other."

The Paris Agreement was signed by the United States, the Saigon government of the time, the North Vietnamese government and the Provisional Revolutionary government in that order. The last two — with the North Vietnam authorities in the lead — now control South Vietnam. It falls to them to observe the principles they accepted in signing the Paris document.

Article 11 also listed the "democratic liberties" to be ensured: personal freedom, freedom of speech, of the press, of meeting, of belief, of movement, and so on. These, too, have become the undivided responsibility of the government now in power.

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 Vuonga 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



Melting Pot Of Woes for Viet Orphans

(Continued from page 4)

er, Attorney General Edward Levi and a variety of other officials involved in the Babylift. They have been joined in the defense by the adoption agencies, the Holt Adoption Agency of Eugene, Ore., Friends of All Children of Denver, Colo., and the Catholic Committee for Refugees, Inc., of Boulder, Colo.

The plaintiffs are seeking to block all adoptions of Vietnamese babies "until it is ascertained that their parents or appropriate relatives consent to their adoption or until it is ascertained after diligent search by a neutral international agency that their parents or relatives are no longer alive or cannot be found."

As the case has developed over the past months, the Center for Constitutional Rights has presented a hefty body of evidence to support the claim that Operation Babylift might have been, in some cases, Operation Babysnatch.

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The plaintiffs have also attacked the basic practice of what is called transracial and cross-cultural adoption. Included in the evidence in the trial are affidavits from sociologists who contend that such a practice leads to problems, particularly in a child's teenage years.

Joyce Ladner, a sociology instructor at Hunter College in New York, said in an affidavit that some studies of transracially adopted children "leave one to conclude that a large percentage of the children have undergone

mild to severe emotional and identity problems."

The defendants make equally strong emotional and logical cases for allowing adoption. The babies will be loved by their adoptive parents, all of whom have been screened by social agencies to insure that they will be good parents. They say that to uproot the babies again—so soon after their traumatic uprooting a year ago—would be psychologically devastating to the children and unfairly painful to their adoptive parents.

Today's decision in San Francisco is a critical one in the case, which recently seemed to be heading toward a victory for the adoption agencies. In a recent ruling, the court held that the plaintiffs could not have class-action status—that is to say, they could not represent all 1,800 children, but could represent only specific individuals.

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

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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, came the lawsuit, filed in the Ninth Circuit Federal Court in San Francisco before Judge Spencer Williams.

And, as the suit opened in a series of long and complex legal hearings, it brought forth a letter from Washington, a letter that has placed a cloud over the heads of approximately 1,800 of the Babylift children and their adoptive American families.

The letter was dated June 30, 1975, and it was sent by the U.S. Immigration and Naturalization Service of the U.S. Department of Justice

tions have been resolved. The new law 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 Kathleen and Andy's and Marys after all, but might become Yens and Vuongs and Tuyans, back to their native Vietnam.

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On the one hand are the plaintiffs, represented by the three Vietnamese children whose names head the suit and a nurse who has been declared their temporary legal guardian, Muoi McConnell. Representing them, supplying the legal know-how and talent, is the Center for Constitutional Rights in New York, an organization perhaps best known for the fact that the radical lawyer William Kunstler is its big gun.

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(Continued on page 70, col. 1)

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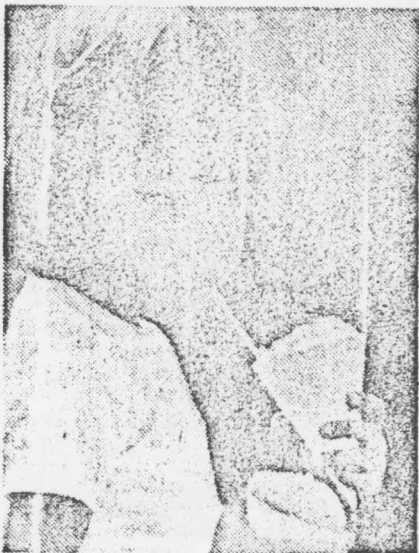
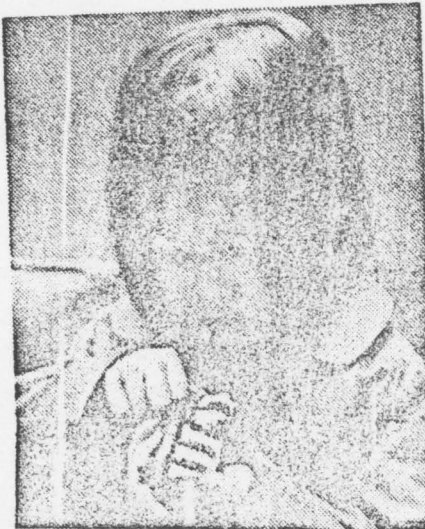
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DAILY NEWS, FRIDAY, MARCH 10, 1976

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Waiting Pot of Problems



Associated Press photo

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.

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Viet Kids Roused

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 controversial German who brought them here ten months ago from Saigon.

Several policemen were injured as they dragged or carried away the 28 struggling Vietnamese, whose ages range from 4 to 23.

The youngsters had fled from school to a private estate north of here to be with Henning Becker, a 32-year-old former newspaperman who ran an orphanage in Saigon and claims parental rights over the group.

Children's welfare organizations had requested their removal, charging that Becker was obstructing their education and indoctrinating them against Danish authorities.

The Vietnamese threw stones and burning logs or swung sticks and hot pokers as 40 policemen moved in on them.

It took 20 minutes to subdue the youngsters. They were then driven ten miles to the school from which they had fled last Tuesday.

The 28 youngsters are part of a group of 204 Vietnamese children and youths flown here from Viet-



3-25-76

Nelsons

Harry,

for your interest

appeared Forest City Summit
3-25-76

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 past year, must be surrendered to his natural mother, Doan Thi Hoang Anh of Great Falls, Mont., on or before April 1.

The judge's decree was filed in Winnebago county district court Wednesday noon.

The Nelsons, who had sought to adopt Ben through the Friends of the Children of Vietnam agency, had been named as the defendants in a writ of habeas corpus brought forth by the Vietnamese woman last month.

Attorneys for both sides debated the issue in an emotional, day-long hearing in Winnebago county district court on March 4.

In his nine-page ruling, Judge Plummer makes the following seven decrees:

(1) That the plaintiff, Doan Thi Hoang Anh, is the biological mother of the child, Doan Van Binh.

(2) That she had not signed an attested release to a placement agency or a written verified consent for the child's adoption by the Nelsons.

(3) That said child has not been abandoned by the plaintiff.

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

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

(6) That the defendants must surrender the child to Doan Thi Hoang Anh on or before April 1, 1976.

(7) That costs of the action are taxed to the defendants.

26, 1976

RULING FAVORS 'MOTHER'

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.

The Americans, Johnny and Bonnie Nelson of Forest City, wanted to adopt 4-year-old Doan (Ben) Van Vinh. They claimed the Vietnamese woman, Doan Thi Hoan Ahn, didn't prove she was the mother. And, they said, Ben's mother abandoned him by giving him up to the Denver-based Friends of Children of Vietnam orphanage in the final days before the fall of Saigon.

But Dist. Judge L. E. Plummer didn't agree. On Thursday, he ordered the Nelsons to surrender Ben to Mrs. Ahn, and he praised Mrs. Ahn profusely in court.

"Hers was a selfless act," said Plummer.

"Ben's mother did not reject her responsibilities with respect to Ben and to the other children, but rather exercised the highest type of responsibility toward them. . . . Trapped in dangerous circumstances over which she had no control, she was ready and willing . . . to make the ultimate maternal sacrifice of final separation to insure the protection and safety of her children."

Nelson said he and his wife would appeal the ruling.

A year ago, as Communist troops approached Saigon and the last Americans were leaving, Ben was one of nearly 2,000 orphans and other children placed on planes for the United States.

Mrs. Ahn said she left seven children, Ben among them, at the Saigon orphanage April 24, 1975, and six of them apparently got out of the country. She said she

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 United Methodist Church at Great Falls, Mont. She reached the United States last August after months in refugee camps and lives in Great Falls now with four of her children. She works at odd jobs, mostly housework.

She said she is still trying to locate the sixth child who left Vietnam, who is reportedly living with a family in France.

Nelson, a 32-year-old public relations director for Waldorf College, didn't accept the ruling as final.

"We'll do everything in our power to keep him," he said. "God has brought him into our lives, and we'll appeal to the Iowa Supreme Court. If no other options become available, then we'll know that God is telling us Ben is supposed to go back to this lady."

His lawyer, Ed Boyle, contended, "We're not convinced Mrs. Ahn is the biological mother of the boy. The boy didn't recognize her at the trial March 4. She looked at the boy, he looked at her and walked away indifferently."

Mrs. Ahn, for her part, commented: "I feel sad and sorry for anything that happened in court. I feel not good idea to see Nelson family . . . when they have to say goodbye to my boy."

The Nelsons have two children, 4 and 5. Ben arrived May 3. The adoption process is not complete, Nelson said.

Nelson

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 Operation Babylift son from a Forest City couple wanting to adopt him.

"The President is a kind man. I don't feel scared and that's why I wrote to him, Doan Thi Hoang Ahn, 33, said in a telephone interview from her Great Falls, Mont., home early Thursday.

"I asked them to help return my baby to me. I don't know if this good idea, but I don't know what else to do."

Mrs. Ahn and four of her seven children had readied their home for the arrival this week of her 4-year-old son, Doan (Ben) Van Vinh. But her plans were dashed, at least temporarily, Tuesday.

Mrs. Ahn had surrendered her seven children to the Denver-based Friends of Vietnam Children (FVC) orphanage in Saigon a year ago. Communist troops were approaching the city, the last Americans were leaving and Mrs. Ahn said she wanted only to have children flown out.

"Her's was selfless act," District Court Judge L. E. Plummer said last week. He said she was prepared to make the ultimate maternal sacrifice for the safety of her children and directed the American couple, Johnny and Bonnie Nelson, to surrender the boy in Forest City Thursday.

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 said the FVC, which helped bring the children to America "lost my baby.

"I left my baby to the FVC. I no left to the Nelsons. I found my baby in the Nelson house. Mr. Nelson got to prove how he got my baby. Did he find him in movie theater? No. He found my baby in the FVC.

"I want my baby back."

Nelson, 32, is public relations director Waldorf College. The couple has two children, ages 4 and 6, and took Ben into their home last May.

Mrs. Nelson said Ben was a frightened, withdrawn child when he arrived.

Of the custody fight, she says "the heart of the matter is what is best for Ben. We're praying that the best decision will be made April 13."

Mrs. Ahn concluded: "I don't know how to spell in letter to president, but I think he forgive me. It take me long time to write. I look in dictionary very carefully."

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 interests will be met. We've been trying to overcome our emotions and do what is best for Ben."

Ben is Doan Van Vinh, 3, and Bonnie Nelson and her husband, Johnny, have appealed to the Iowa Supreme Court to keep custody of the small refugee from Southeast Asia, whom they hope to adopt.

But their legal efforts meant a setback for a Vietnamese mother who expected to be reunited Thursday with Ben, whom she claims as one of her sons. Operation Babylift took him out of Vietnam when the family was torn apart by the war there.

"My family so happy to hear my baby would be coming back," Doan Thi Hoan Ahn, 33, said Tuesday at her home in

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 ruled here last week that the 3-year-old should be returned by the American couple.

But on Tuesday, following the Nelsons' appeal, Iowa Supreme Court Justice M. L. Mason of Mason City ordered a temporary stay, allowing Ben to remain with them two more weeks.

A hearing will be held April 13 when Mason and another justice will decide whether the Nelsons can retain custody pending the Supreme Court ruling, which could take several months.

The Nelsons contended at a hearing last month that Mrs. Ahn hasn't proved she is the boy's natural mother. They also said she had abandoned her seven children by giving them to the Denver-based Friends of Children of Vietnam orphan-

age in Saigon on April 24, 1975.

At the time, Communist troops were approaching Saigon and the last of the Americans were leaving.

Judge Plummer lauded Mrs. Ahn's action, saying: "Hers was a selfless act ... Trapped in dangerous circumstances over which she had no control, she was ready and willing ... to make the ultimate maternal sacrifice of final separation to insure the protection and safety of her children."

Mrs. Ahn came to America last fall. Her husband is dead, and four of her children live with her. She said one child lives with a French family and "nobody knows where my seventh baby is."

Festive preparations were made for Ben's arrival, she said. "Already my family have a special room ready for Ben."

"My children bring toys. My 7-year-old boy drew a painting of what Montana is

like — the trees, the mountains, the sun — and the ship on the way."

She said her children believed Ben would arrive by ship.

"Oriental people be patient and wait," she added.

Nelson, 32, is public relations director at Waldorf College here. The Nelsons have two children, Bobby, 4, and Julie, 6.

Ben was a frightened, emaciated child when he arrived at the Nelson home last May 3, Mrs. Nelson said, adding:

"During the first two weeks, he was afraid of noise. He would jump and shake. Then he started playing with our kids and reaching out to us."

"It was the beginning of his returning the love we were giving him."

Ben attends pre-school with Bobby. "He plays all the games, sings all the songs. He comes out of school, climbs into the car and says, 'I had a good day, Mommy'."

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wish translation

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13

Charles H. Hume-
713-658-2421

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 lack of acceptance of the Communist takeover by the South Vietnamese masses.

—The Communists' attempt quickly to communize the South's economic and social structure proved too big a job and the reform must proceed at a slower pace.

BUT THE two parts of Vietnam are being made into one Communist Vietnam, and formal establishment of a single state probably is no more than a few months off.

Sunday's elections for a single assembly were a preliminary step toward total unification. The assembly is expected to draw a new constitution for what may be renamed the People's Democratic Republic of Vietnam.

Already the northernmost provinces of South Vietnam along the former Demilitarized Zone have been merged with the southernmost provinces of North Vietnam, and on paper at least restructured as one province. More redrawing of province borders is expected.

At the outset, the North set up military management committees in Saigon and throughout the South. These are army-run units which established and still keep a tight rein on security, political administration, the economy and social "reform."

The North closed all banks and froze the monetary system, and closed all schools and many businesses. People quickly ran out of money to buy food and goods. Employers were unable to pay workers. Gasoline dented up and the Hondas stopped running. The entire fiscal exchange system collapsed. Unemployment soared. People sold or traded furniture and other goods for

food. Barter replaced commerce.

SO THE conquerors reopened 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 thousands were transported from the cities to the countryside to dig irrigation ditches and work in rice paddies.

Life is tough for the masses. It is even tougher for those who had any connection with the former regime, or who are suspect for any reason. Thousands upon thousands have been sent to "re-education" camps in the northern highlands of the South, and many of these are never heard from again — although U.S. intelligence reports indicate there has been no real bloodbath.

What has happened is that those considered least likely to accept reform were used to clear minefields left over from the war. Of course, many were killed or maimed.

A large group of wives of former South Vietnam army officers rioted after hearing nothing of their husbands for months. The riot was quickly and bloodily put down.

For the most part, only the people in the cities have yet come under the North's concerted attempts at reform. The rural masses have not yet faced a reorganization pro-

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 will institute broad-scale land reform and socialization of the entire economy on lines already achieved in the North.

The elections to an assembly are a means of working Communist South Vietnamese into the North's structure, but only the most stalwart can expect to be appointed to party central committee or politburo posts.

That is because the North is determined that it shall dominate the South as well as dominate a reunified Vietnam.

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.

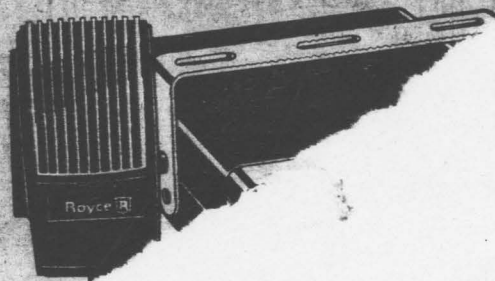
It could not be summarily dumped, however. It was needed to present the appearance of a South Vietnam that had won its war, and in hopes it could generate popular support at home and a perception of legitimacy abroad. But the many outside nations which quickly recognized the new South Vietnam "government" were not allowed to establish embassies in Saigon, which was renamed Ho Chi Minh City. The embassies had to be in Hanoi.

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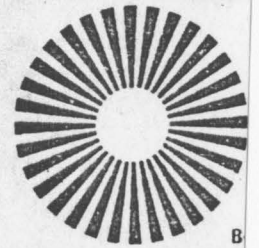
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Soviet dissidents rep activists exiled, beate

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 Russian city of Crimean Tartars east of Moscow. Djemilev's wife, Yelena, was briefly Wednesday. Soviet news said they each struggle.

Yelena said to friends in two had been police stationing after Djemilev and were beaten. They claimed they bance when announced.

It was not the reported couple appeared medical treat

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 one of the "orphan Babylift" agencies. But when she found him, she was told she could not have him: he might be better off with his new American "parents."

Vo is one of more than a dozen refugees in this country known to be seeking return of children shipped here in the panic of the last days of the war. She is one of several who must face court action if she expects to be permitted a reunion.

Like many other Vietnamese mothers with half-American children, Vo feared for the lives of her three sons when the Saigon regime was collapsing and sent them to the United States for their safety. Through a friend, she said, she met an American named Dick who agreed to take her oldest sons, Vo Huy Khanh, 7, and Vo Anh Tuan, 5, if she signed a release for them. She did.

A neighbor bound for the United States agreed to take Vo Huy Tung, then 2, as her own son, under an assumed name. For him Vo signed nothing, she said.

Vo herself managed to fly out shortly thereafter. From Travis Air Force Base she called Bill Popp, a Flying Tiger pilot she'd met in Saigon. He had offered to help if she managed to get to this country. Popp decided to sponsor Vo, her 20-year-old sister, a cousin and the cousin's six-year-old boy. All came to live in his home near Los Angeles, found jobs and, together, put a down payment on a house. (In Saigon, Popp said, Vo had been head of household for an extended family of 13.)

With Popp's help, Vo sought

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 home for adoption.

A LETTER AND A VISIT. Through FCVN, a letter arrived for Vo from "Bob and Joan," who had had her child for 10 months. It told Vo that her son was not Vo Huy Tung now but Bruce Donovan, that he loved going fishing with his "daddy," that his good behavior "still gives us great pride," that "he can count to nine, he knows all the basic colors."

"We think you should see Bruce," the couple wrote. "That way we both could see his feelings. If by chance he does not remember you, we think it would do him great harm to leave us. We can't help but feel that he would think we had rejected him. Then, on the other hand, if he did remember you, we feel it would be wrong for us to keep him from you even though it would hurt greatly."

Vo flew to Denver and was taken to a room where five strange adults faced her with her child. After a few minutes in a highly tense situation, the authorities now in charge of the boy decided he did not recognize his mother.

"They don't give him to me," Vo said in an interview. "I ask, give me a chance to see the boy. A few minutes. To play with him. They say, maybe the kid get hurt. I say, I don't hurt the boy."

She was not permitted to hold him, she said. "They say, he has good home now, good mother, good father. I have good home, good mother. Not father. That I don't have," Vo said. "They say, birthmother mean nothing."

"I ask, 'When they tell the boy that he has a mother?' They didn't answer."

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), starting with 138 orphanages left from wartime, is building a nationwide system of childcare centers to provide homes for all who need care.

Tran Thi My, in charge of four orphanages in Saigon, told PNS that the PRG is asking "neighborhood administrations to locate, feed and clothe" children still on the streets until enough childcare centers can be built. Thousands of children are already in orphanages.

In addition, the PRG is pushing a program to help unemployed people move out of Saigon to settle in "new economic areas" in the countryside. Many families, impoverished by the war, gave up their children because they could not longer feed them. The PRG hopes the new program will enable these families to care for their children again.

At the childcare centers now in operation, most of the pre-PRG directors and staff are still at their jobs. But My explains that they are being trained to change their attitude from one of simple care for the children to one of personal responsibility, taking the role of second mothers.

Despite the new program, the effects of the war remain ever present. The government, short of funds, can supply

continued on page 3



Nam 'babylift' just that

Mother faces court battle to claim son

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continued on page 3



mother faces court battle . . .

continued from page 1

Vo left alone, with the advice that she seek a lawyer if she wanted to fight for her son.

AGENCY POLICY. FCVN officials refused to comment on Vo's case. In explaining the agency's general policy, case work supervisor Marcia Schocket quoted from a book she goes by, in which the authors maintain that "It's the psychological parent, not the biological parent" who is important to the child.

"If there's no recollection," she said, "there can't be a continuance of the same relationship. There could only be a new relationship. It was obvious after 15 minutes to half an hour in two cases that the biological parent was just another person in the room to the child."

Agency procedure requires, she said, that when a biological mother seeks a child's return, a social worker be sent to "assess her financial situation, living situation." This information is given to the adoptive family who may then opt to return the child. If not, a court may have to settle the issue.

"We feel confident we're observing sound social work practice," Schocket said. Asked if the authors of the book she goes by considered cross-cultural adoption, she said "not really," but indicated that was not a currently relevant factor.

ETHNIC IDENTITY. Among those who think the issue of culture is highly relevant is Dr. Joseph John Westermeyer, a psychiatrist whose experience with Indian children reared in white homes taught him to ex-

pect great turmoil for them — not in the early years, but later in adolescence, "when society denies them the social and ethnic identity to which they have successfully adapted." As teenagers, he explained, they are punished or sought out because they are Indians. Yet they tend to identify as white.

Similar experience is reported by Joyce Ladner, a sociologist, in her study of trans-racial adoptions.

Both Westermeyer and Ladner urge that the Vietnamese children be reunited with their families whenever possible, or at least be placed in other Vietnamese homes. They have submitted affidavits to district court here, where a suit in behalf of Vietnamese children has been dragging on for many months.

TIP OF THE ICEBERG? Tom Miller, an attorney for the children in that suit, says an unknown number of Vietnamese refugee families are in Vo's position. The dozen or so who have made themselves known to him and the Center for Constitutional Rights, which is backing the suit, may be only the tip of an iceberg, he said.

At the State Department, Frank Sieverts, deputy coordinator for humanitarian affairs, disagreed. He said the vast majority of the children brought here as orphans are, in fact, orphans.

One refugee woman who searched for her son here managed to get him back after a court fight that cost \$4500. Few refugees can afford such sums.

A few older children were returned to natural parents voluntarily by adoptive parents who were moved by the children's joy at seeing their families again.

Vo now hopes that the man named Dick in Massachusetts, who has her oldest boys, will permit her to see them and that they, being old enough, can settle with her. She is preparing for a court battle to reclaim her youngest.

"There aren't many villains in this story," commented Popp, who was echoed by others representing conflicting points of view. It comes down to a choice based on a value judgment: Who is entitled to judge the children's best interests?

As long as that question goes unsettled, these children and their families will remain victims in the last battle of the war that everyone wants to forget.

Copyright 1976, Pacific News Service. Rasa Gustaitis, now a freelance writer in San Francisco, worked for 10 years as a staff reporter first for the Washington Post and later for the Herald Tribune.

childcare centers

continued from page 1

only rice and clothing. Milk, meat, medicine, equipment and furniture must come from the Red Cross and other donors.

At My's Nha Tre orphanage, four-and-a-half pounds of meat has to be divided among 192 children, and there is only enough milk to give each child one glass a day. The roof leaks, and three children share two beds.

My and the Red Cross say the orphanages also face shortages of soap, antibiotics, eye and skin medicines, vitamins, beds, chairs and clothes.

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to speak at
CU Tuesday**

Democratic presidential hope

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AGENCY POLICY. FCVN officials refused to comment on Vo's case. In explaining the agency's general policy, case work supervisor Marcia Schocket quoted from a book she goes by, in which the authors maintain that "It's the psychological parent, not the biological parent" who is important to the child.

"If there's no recollection," she said, "there can't be a continuance of the same relationship. There could only be a new relationship. It was obvious after 15 minutes to half an hour in two cases that the biological parent was just another person in the room to the child."

Agency procedure requires, she said, that when a biological mother seeks a child's return, a social worker be sent to "assess her financial situation, living situation." This information is given to the adoptive family who may then opt to return the child. If not, a court may have to settle the issue.

"We feel confident we're observing sound social work practice," Schocket said. Asked if the authors of the book she goes by considered cross-cultural adoption, she said "not really," but indicated that was not a currently relevant factor.

ETHNIC IDENTITY. Among those who think the issue of culture is highly relevant is Dr. Joseph John Westermeyer, a psychiatrist whose experience with Indian children reared in white homes taught him to ex-

identity to which they have successfully adapted." As teenagers, he explained, they are punished or sought out because they are Indians. Yet they tend to identify as white.

Similar experience is reported by Joyce Ladner, a sociologist, in her study of trans-racial adoptions.

Both Westermeyer and Ladner urge that the Vietnamese children be reunited with their families whenever possible, or at least be placed in other Vietnamese homes. They have submitted affidavits to district court here, where a suit in behalf of Vietnamese children has been dragging on for many months.

TIP OF THE ICEBERG? Tom Miller, an attorney for the children in that suit, says an unknown number of Vietnamese refugee families are in Vo's position. The dozen or so who have made themselves known to him and the Center for Constitutional Rights, which is backing the suit, may be only the tip of an iceberg, he said.

At the State Department, Frank Sieverts, deputy coordinator for humanitarian affairs, disagreed. He said the vast majority of the children brought here as orphans are, in fact, orphans.

right that cost \$4500. Few refugees can afford such sums.

A few older children were returned to natural parents voluntarily by adoptive parents who were moved by the children's joy at seeing their families again.

Vo now hopes that the man named Dick in Massachusetts, who has her oldest boys, will permit her to see them and that they, being old enough, can settle with her. She is preparing for a court battle to reclaim her youngest.

"There aren't many villains in this story," commented Popp, who was echoed by others representing conflicting points of view. It comes down to a choice based on a value judgment: Who is entitled to judge the children's best interests?

As long as that question goes unsettled, these children and their families will remain victims in the last battle of the war that everyone wants to forget.

Copyright 1976, Pacific News Service. Rusa Gustaitis, now a freelance writer in San Francisco, worked for 10 years as a staff reporter first for the Washington Post and later for the Herald Tribune.

childcare centers

continued from page 1

only rice and clothing. Milk, meat, medicine, equipment and furniture must come from the Red Cross and other donors.

At My's Nha Tre orphanage, four-and-a-half pounds of meat has to be divided among 192 children, and there is only enough milk to give each child one glass a day. The roof leaks, and three children share two beds.

My and the Red Cross say the orphanages also face shortages of soap, antibiotics, eye and skin medicines, vitamins, beds, chairs and clothes.

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**Morris Udall
to speak at
CU Tuesday**

Democratic presidential hope-

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DANCE

dance, gymnastics



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 one of the "orphan Babylift" agencies. But when she found him, she was told she could not have him: he might be better off with his new American "parents."

Vo is one of more than a dozen refugees in this country known to be seeking return of children shipped here in the panic of the last days of the war. She is one of several who must face court action if she expects to be permitted a reunion.

Like many other Vietnamese mothers with half-American children, Vo feared for the lives of her three sons when the Saigon regime was collapsing and sent them to the United States for their safety. Through a friend, she said, she met an American named Dick who agreed to take her oldest sons, Vo Huy Khanh, 7, and Vo Anh Tuan, 5, if she signed a release for them. She did.

A neighbor bound for the United States agreed to take Vo Huy Tung, then 2, as her own son, under an assumed name. For him Vo signed nothing, she said.

Vo herself managed to fly out shortly thereafter. From Travis Air Force Base she called Bill Popp, a Flying Tiger pilot she'd met in Saigon. He had offered to help if she managed to get to this country. Popp decided to sponsor Vo, her 20-year-old sister, a cousin and the cousin's six-year-old boy. All came to live in his home near Los Angeles, found jobs and, together, put a down payment on a house. (In Saigon, Popp said, Vo had been head of household for an extended family of 13.)

With Popp's help, Vo sought her sons. After many expensive long distance phone calls, Popp said, they learned through the International Red Cross where the two oldest boys were and discovered that the youngest was with Friends of Children of Vietnam (FCVN). The neighbor

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 home for adoption.

A LETTER AND A VISIT. Through FCVN, a letter arrived for Vo from "Bob and Joan," who had had her child for 10 months. It told Vo that her son was not Vo Huy Tung now but Bruce Donovan, that he loved going fishing with his "daddy," that his good behavior "still gives us great pride," that "he can count to nine, he knows all the basic colors."

"We think you should see Bruce," the couple wrote. "That way we both could see his feelings. If by chance he does not remember you, we think it would do him great harm to leave us. We can't help but feel that he would think we had rejected him. Then, on the other hand, if he did remember you, we feel it would be wrong for us to keep him from you even though it would hurt greatly."

Vo flew to Denver and was taken to a room where five strange adults faced her with her child. After a few minutes in a highly tense situation, the authorities now in charge of the boy decided he did not recognize his mother.

"They don't give him to me," Vo said in an interview. "I ask, give me a chance to see the boy. A few minutes. To play with him. They say, maybe the kid get hurt. I say, I don't hurt the boy."

She was not permitted to hold him, she said. "They say, he has good home now, good mother, good father. I have good home, good mother. Not father. That I don't have," Vo said. "They say, birthmother mean nothing."

"I ask, 'When they tell the boy that he has a mother?' They didn't answer."

Vo said she was shown a paper saying the boy was declared an orphan April 16. She said she then showed the FCVN officials a photograph of her holding her son April 19.

continued on page 3

By LINDA HIEBEKI

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), starting with 138 orphanages left from wartime, is building a nationwide system of childcare centers to provide homes for all who need care.

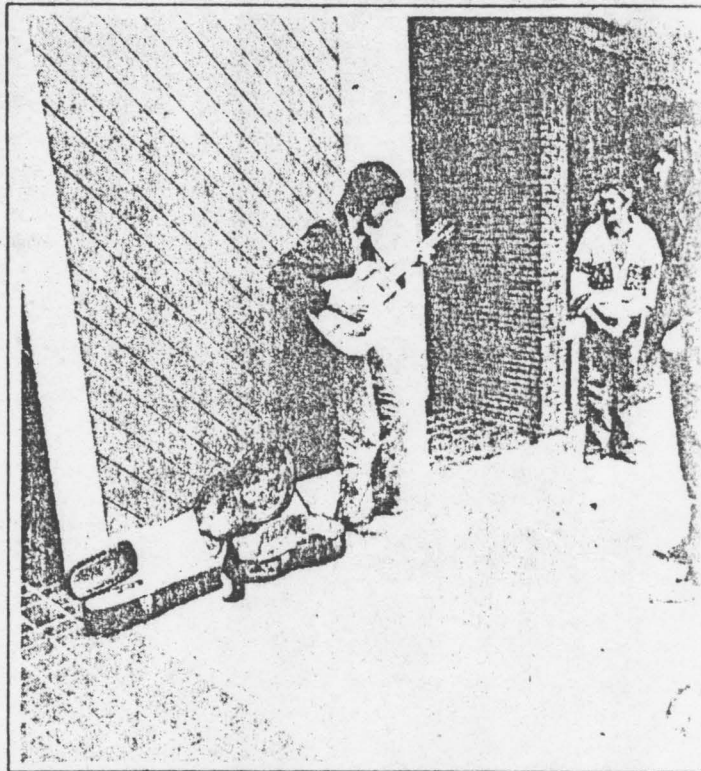
Tran Thi My, in charge of four orphanages in Saigon, told PNS that the PRG is asking "neighborhood administrations to locate, feed and clothe" children still on the streets until enough childcare centers can be built. Thousands of children are already in orphanages.

In addition, the PRG is pushing a program to help unemployed people move out of Saigon to settle in "new economic areas" in the countryside. Many families, impoverished by the war, gave up their children because they could not longer feed them. The PRG hopes the new program will enable these families to care for their children again.

At the childcare centers now in operation, most of the pre-PRG directors and staff are still at their jobs. But My explains that they are being trained to change their attitude from one of simple care for the children to one of personal responsibility, taking the role of second mothers.

Despite the new program, the effects of the war remain ever present. The government, short of funds, can supply

continued on page 3



Nothing quite like a little "Johnny B. Goode" to brighten an otherwise cloudy Thursday afternoon. This local fingerpicker pleased, well, entertained at

least a work on Spring 5

The Washington Post

Washington Post Co.

MONDAY, MAY 31, 1976

Saigon's Secrets Seized

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

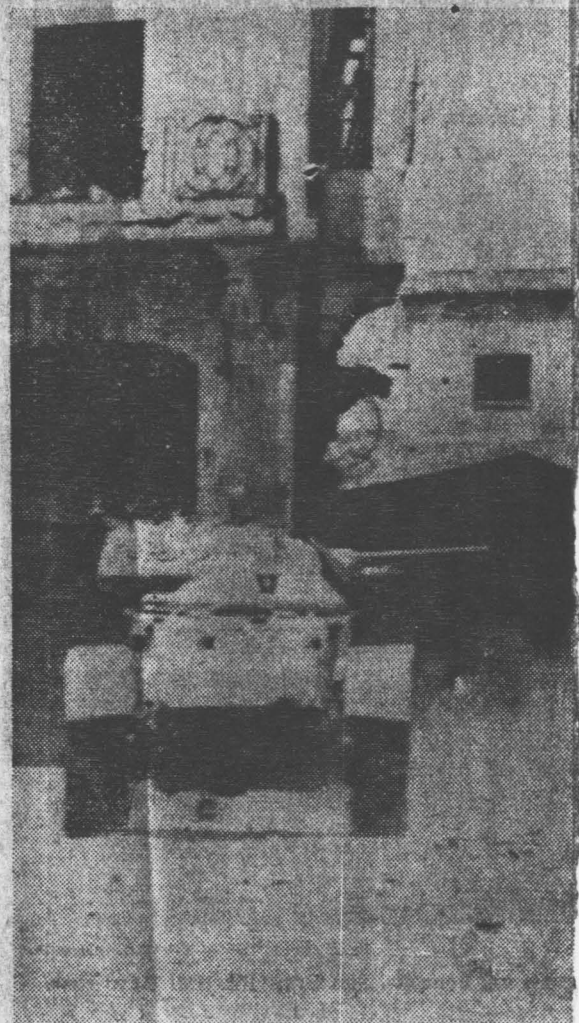
By Don Oberdorfer
Washington Post Staff Writer

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. Snepp, 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," Snepp 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."

Snepp'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,

Each night, five times a week, Sam Gaines jumps into the driver's seat of a battered 1957 bus and goes for his job in a paddy field 10 miles from here across the Wabash River in southern Indiana.

Along the way, he

by the United States, according to the last chief CIA analyst of Communist strategy at the U.S. Embassy there.

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Snepp's statements in an interview confirmed portions of an extraordinary book-length memoir, recently published and broadcast in Vietnam, by the North Vietnamese Army Chief of Staff, Gen. Van Tien Dung. Dung was Communist field commander for the final campaign of the war.

At South Vietnamese police headquarters and military general staff headquarters "we found that top-secret files and documents of the puppet commanders were intact," Dung wrote. "A modern enemy computer containing the records of each officer and enlisted man of the puppet armed forces of more than a million was still operating."

"Giai Phong," a recent book on the fall of Saigon by Tiziano Terzani, an Italian journalist who remained in the capital after the takeover, reported that double agents inside South Vietnam's Central Intelligence Organization were able to save "all the dossiers that had been compiled over the years by the secret police in collaboration with the American CIA."

Snepp, who is writing a book of his own on the collapse of South Vietnam, attributed the failure to destroy vital documents and other records to mistaken belief by senior U.S. Embassy officials in "smoke screens" and "ambiguous signals" which suggested that a negotiated settlement was possible. This "wishful

See VIETNAM, A13, Col. 1

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."

Those angry words were not spoken by a South African black, a radical or an embittered exile. They came from the heart of Afrikanerdom itself, the most conservative element in South African society, as part of a series of articles in Johannesburg's *Die Transvaler* newspaper.

In recent months the Afrikaners' journals have been rivaling the opposition liberal English-language press in their call for a reexamination of the country's apartheid, or racial segregation, policies.

As explained by Willem de Klerk, *Transvaler* editor and author of the statement: "Five years ago the role of the Afrikaners' press was to propagate government policy. But gradually we have changed the partnership to a point where we are now open—and often very critical—of government policy."

It is an important development for South Africa, for many political observers here feel that significant and lasting political change must come from the conservative National Party, which dominates the government by an overwhelming majority.

This sentiment is expressed partly because of simple statistics: There are six Afrikaners for every four English-speakers

See S. AFRICA, A23, Col. 1

Long Rural Dwell

By William Chapin
Washington Post Staff

McLEANSBORO, Ind.—Each night, five times a week, Sam Gaines jumps into the driver's seat of a battered 1957 bus and drives 10 miles from here across the Wabash River in southern Indiana.

Along the way, in like Enfield, Carl Crossville, he stops to pick up more work. He gets paid up to \$9 a week for his commuting. An hour and 15 minutes after leaving home, he is at work as a night watchman at the 11 p.m. to 7 a.m. shift at the Babcock & Wilcox plant in Mt. Vernon.

As he steps down the bus, he transfers

Blacks But M

By Eugene L. M...
Washington Post Staff

Three years ago, the blocks of rowhouses at the Metro station on Island Avenue NE were the city to an development corporation renovation.

Today, because of businessmen failed construction financing, rowhouses are in the hands of a white real estate speculator with his own money.

Black businessmen face insurmountable obstacles in the District of Columbia. That they to reap a profit from rowhouses was, in a fortuitous turn of

Saigon Left Its Secrets When Hanoi Moved In

VIETNAM, From A1

thinking," shared in Washington, put off the destruction of files and evacuation of key intelligence agents until it was too late, Snapp said.

Snapp said the CIA's chief in Saigon, Thomas Polgar, as well as Ambassador Graham Martin were deceived by hints of a negotiated deal in April 1975 and were encouraged in their belief by high officials in Washington. At the same time, however, "consistent intelligence from the ground was that there would be no negotiated settlement, and this was from the most reliable sources," Snapp said.

The North Vietnamese general's account of decision-making in the Communist command gives no indication that a negotiated deal was considered during the final Saigon drive, and every indication to the contrary. Dung relates that the order for quick liberation of Saigon came from the North Vietnamese Politburo in the third week of March, 1975. He reports successive orders after that for the Saigon attack with no sign of letup.

Dung refers contemptuously to "perfidious diplomatic maneuvers to check our troops' advance and avoid total defeat." He attacks the "U.S. CIA clique in Saigon" for conducting what he claims were "many insidious plots." CIA station chief Polgar, who is of Hungarian extraction, was a key figure in Saigon contacts about a negotiated deal with Hungarian and Polish delegates of the International Control Commission.

Secretary of State Henry A. Kissinger evidently placed credence in the possibility of a negotiated deal to forestall the attack on Saigon. Kissinger has said publicly that North Vietnam "changed their signals" and "appeared to shift suddenly to a military option" on April 27, three days before



GRAHAM MARTIN
... had hints of a deal

concentration on "smoke screens" and "wishful thinking" about negotiations.

According to Snapp, the account by Dung gives these indications of Communist intelligence powers:

• Dung reports receiving a "flash cable" at his field command post March 13 from Defense Minister Vo Nguyen Giap in Hanoi saying that the Politburo and high command believed South Vietnam might abandon the Central Highlands in a "strategic retreat." Dung was instructed to quickly encircle Phubon, a key area in a retreat path.

According to Snapp, Thieu had been seriously considering such a retreat in great secrecy for only a few days before that, and secretly informed his cabinet and the Joint General Staff March 13 that he had decided to execute the withdrawal plan. The South Vietnamese general in charge of the withdrawal was informed March 14. The pull-out began March 15.

The United States knew nothing of Thieu's order until March 15, Snapp said. By then, Dung's troops were already moving to cut off the retreat at Phubon. The

gon assessment, the Hanoi Politburo amended its plan for a two-year campaign to liberate the South. While still planning for a 1975-76 campaign, the Politburo added a guideline for liberation in 1975 "if opportunities presented themselves," according to Dung.

This was done in Hanoi on Jan. 9, 1975. According to Snapp, the United States obtained an accurate intelligence report within 10 days of this decision.

• Dung quotes a secret report sent by Ambassador Martin to Washington on April 19, 1975, "on the true situation" in the South. Accurately summarized by Dung, this report was drafted by Snapp for Martin to use in persuading Thieu to resign the presidency and thus make way for the rumored "negotiations."

According to Snapp, Martin took a copy of the report to Thieu at the presidential palace on April 20, while cabling another copy to Washington. The report was a decisive factor in Thieu's decision to resign, which he announced April 21.

Snapp said he helped prepare—but does not stand by—another classified U.S. report which was quoted in the North Vietnamese general's account of the final days of the war. This estimate, cited as evidence that Thieu was "forced to fight a poor man's war," said that South Vietnamese firepower had decreased by nearly 60 per cent due to bomb and ammunition shortages, and that South Vietnamese mobility was cut in half by shortages of aircraft, vehicles and fuel.

Snapp said these estimates were prepared by U.S. officials in Saigon early in 1975 in an effort to sell Congress on the need to appropriate additional aid to South Vietnam. Snapp said the phrase, "a poor man's war," was originated by the United States for this purpose.

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Snepp said several key points in the recent detailed memoir by the North Vietnamese general have convinced him that the Communist side had a spy with access to the most important information of the South Vietnamese government. At the same time, he added, the United States had accurate intelligence within days about Communist strategic decisions cited in Dung's account.

The crucial difference, Snepp suggested, was that the Communists believed the intelligence they were getting, but the United States chose to ignore its accurate intelligence data in a



GRAHAM MARTIN

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concentration on "smoke screens" and "wishful thinking" about negotiations.

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- The United States knew nothing of Thieu's order until March 15, Snepp said. By then, Dung's troops were already moving to cut off the retreat at Phubon. The quick North Vietnamese maneuver led to the destruction of nearly the entire force being withdrawn from the highlands—the equivalent of two divisions. This was to be Thieu's strategic reserve. "That loss spelled the end of South Vietnam," Snepp said.

- Dung quotes "our intelligence reports" on a major assessment session held by Thieu on the fourth floor of the presidential palace in Saigon Dec. 9-10, 1974. This assessment, which predicted only moderately big Communist attacks during 1975, was quoted by Dung in his memoir. Snepp said the quotation was a remarkably accurate summary of a U.S. CIA estimate—which he himself drafted—supplied for Thieu's use in the year-end assessment.

After learning of the Sai-

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The former CIA official said these estimates were "billingsgate"—numbers pulled out of the air for U.S. political reasons. He said he did not know whether or not North Vietnam believed these numbers when its spies obtained them in Saigon.

Astronomers

Find New Galaxy

ALMERIA, Spain, May 30 (UPI) — West German astronomers working at the Calar Alto observatory near this Mediterranean coast town have discovered a new galaxy, scientists at the center announced.

They said Friday that the new galaxy — named Calar Alto-1 — is located in the Cygnus constellation and was discovered with the use of infrared rays.

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-

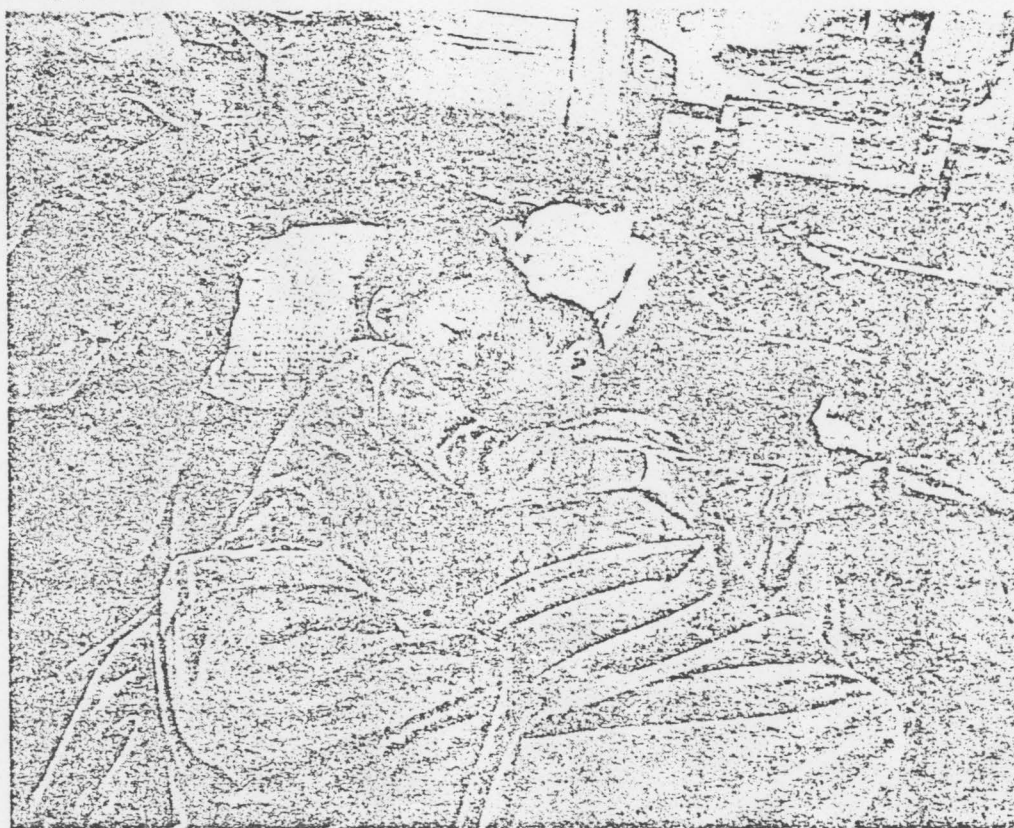
—suppose, though, the ~~thing~~ back the message that there is life on Mars. If so, it will be vital to examine it further, however simple a form of life





En route to a new homeland—"The question of their eligibility for entry into this country has yet to be legally answered."

Photographs: Wide World



tion. In other words, the plaintiffs must now file suit for each individual child—a situation that is clearly in the best interests of the adoption agencies and of prospective adoptive parents who would like their children considered separately, if they are to be considered at all.

It would take a King Solomon to unravel the bureaucratic red tape that has accumulated. The seemingly simple operation of sending possibly a few hundred non-orphans back to their families has become entangled in the emotional snarl of adoption politics in this country. Judge Williams has already declared that he is not running an adoption court, and that he does not want to get involved with an international situation over which he does not have jurisdiction. No wonder he has allowed months to pass between hearings, and in mid-February took a vacation from the briefs, counter-briefs, appeals, affidavits, and telegrams from all sides.

The question—reminiscent of the clas-

sic one posed to King Solomon—is this: who is the real mother—the one who gave birth to the child, or the one who has taken care of the child for the past year as the psychological parent? Since these two mothers are, for the most part, at opposite ends of the world, it is left to the lawyers for the plaintiffs and defendants to do the tugging for their clients' rights.

CONSIDER the plaintiffs' position. It holds that the Babylift was as immoral as the war itself—violating, as it did, the Geneva Convention, which explicitly states that children separated from their families in times of conflict may be moved only to a neutral country, and preferably placed with guardians of their own nationality, language, and religion. According to Tom Miller, one of the lawyers, over half of the files already checked do not have adequate documentation to establish that these children have actually been orphaned, abandoned, or legally

released for adoption. Furthermore, those children with known parents or relatives who managed to get here as refugees are being kept from reunion with them by the families in whose homes they were placed for adoption. Miller maintains that the government could have acted independently of this court case but is deliberately stalling as a way of avoiding political embarrassment.

Consider, on the other hand, the government's position. The government claims to have acted in good faith in bringing the children here, believing that the adoption agencies had their papers in order. It fears that if it tries to do any tracing of parents in Vietnam, the present government might produce "fake parents" in order to get the children back. And the lives of those real parents might be endangered if their identities are revealed. John F. Cooney, Jr., assistant U.S. attorney of California, admits that the government could have acted

"Who is the real mother—the one who gave birth to the child, or the one who has taken care of the child for the past year as the psychological parent?"

without waiting for the court case, but insists that if it has proven that a mistake has been made, nothing will be done to stop the children from going back.

Consider, too, the adoption agencies' position. They have little in common but this case, and one of them has already admitted to having changed the names of some children to those of dead ones in order to get them out of Vietnam at the last minute. The agencies share the danger that they could be sued by adoptive parents if the children are taken away, and possibly lose their state licenses. John Adams, executive director of Holt International Children's Services, which has been bringing children out of Korea since the Fifties, is quick to differentiate his operation from the "inexperienced" agencies. "Our children were processed long before the emergency," he says, "but

there were opportunists around during that last spasm of our involvement in Vietnam trying to get children quickly and easily. It will put a bad smell on inter-country adoption if this thing is not cleared up." Adams hopes that any child having improper credentials and with a parent found in Vietnam will be returned, but he also hopes it will not be one of his 406 children.

Consider the prospective adoptive parents' point of view. Some of them sincerely believed that they were rescuing an orphan from either homelessness or communism. Others who had found it impossible to adopt a baby here were eager to get one from abroad. All of them have grown attached to these children in the past year, and many have declared they will not give them up without a court fight. There are exceptions: Nebraska Sen. John DeCamp voluntarily returned his two charges to their mother, who was located in a refugee camp, and Washington attorney Lisa Brodyaga is hoping to find her six-year-old child's mother back in Vietnam.

Then there is the position of the natural parents and relatives who managed to make it to this country. There are at least six cases pending in Judge Williams's court in which Vietnamese mothers claim to have acted under duress in the last days of the war, but now want their children returned. Only one has succeeded—San Shie, herself an adoptive mother, who managed to get her two-year-old adopted daughter back after going through a California state court at the expense of \$5,000, to say nothing of the emotional cost.

It is difficult to consider the position of the parents and relatives in Vietnam, since there has been virtually no contact with them. It is known that there are daily advertisements for lost children in the Saigon papers, but how can those bereaved parents know if their children are among those here?

THIS BRINGS UP the thorny issue of tracing, over which there has been so much bickering. Last June the International Committee of the Red Cross offered the government the services of its Central Tracing Agency to help with family re-

unification. No official sanction has been given to the ICRC office in Saigon as yet, but the plaintiffs wanted it to trace the parents actively and to notify them of their children's whereabouts.

However, the defendants have not wanted the names of the children in the files revealed publicly, contending that anyone with a missing child must come forward with documentation to the ICRC office. In March, Judge Williams ruled in the defendants' favor against notifying the parents, stating that it might stimulate their "guilt" over giving up their children and prompt an "illusory desire" for their return.

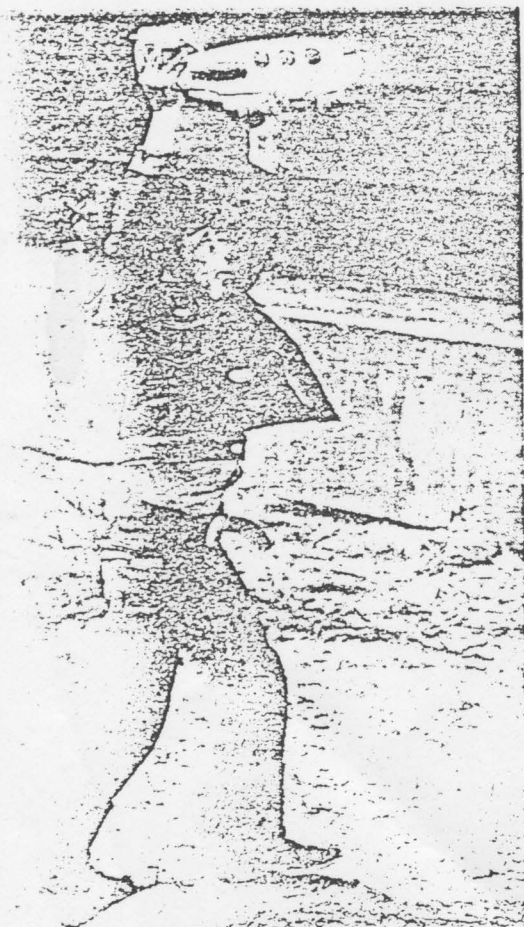
Frank Sieverts of the State Department concedes that it has not been worked out just how the ICRC can reach the parents' attention, especially those in remote areas. In fact, no one seems to have a clear idea how the South Vietnamese government feels about all this, although the Provisional Revolutionary Government did claim at the time that the children were being kidnapped. But even if some Vietnamese parents should come forward, they would be informed that they must press their claims in a custody suit in American state courts.

"We will demand due process for those children in this country," says Kate Freeland, a lawyer for Holt and for Friends for All Children. "It has not yet been proven who has jurisdiction over these children—an international court, a federal court, or a state court. The fact is that the children are here and the courts have the duty to protect them."

Protect them from whom—their own parents?

PERHAPS the real question is, How can parents in Vietnam possibly have the means to appeal in our state courts? Also, are we not confusing the rights of Vietnamese mothers who have become separated from their children with the legal controversy over the rights of unwed mothers here who give up their children and change their minds before the adoption is finalized? Can the best interests of the Babylift children be served by denying them the right to return to living parents—especially to those mothers who are in this country pleading for them?

Until these questions are answered by a court of law or by an international commission acting officially on behalf of the two countries involved, the children remain the hapless victims of the conflict, as surely as they were of the war itself. □



Recalling the big flight—Was it a noble act or the most ignoble of all?