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Attorney objects

U.S. challenges refugee probe

By Tom Hall

A U.S. District Court judge's plans to order an extensive Immigration and Naturalization Service investigation into the more

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

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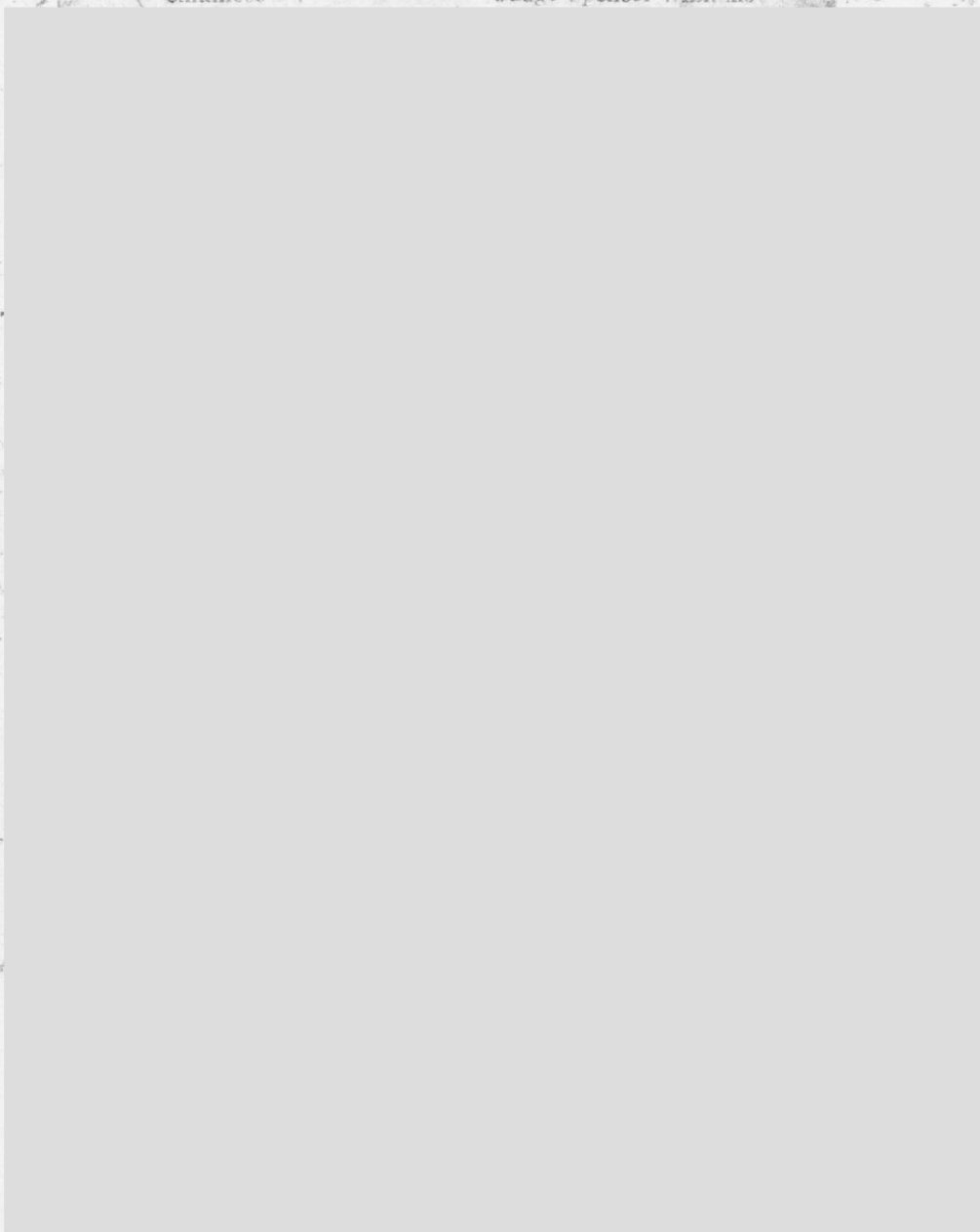
U.S. Move

Snag in Probe Of Viet Orphans

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

real bureamcratic snafu, the U.S. Attorneys office in San Francisco filed memorand in aederal court here yesterday opposing an agreement already by U.S. District Judge Spencer Williams

6-2-75



6-3-75

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Babylift or babysnatch

by Helen C. Steven

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

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

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

every 100 children are abandoned, only 3 percent are abandoned to an orphanage. Child abandonment is unnatural and a last resort for Vietnamese people. Moreover, in the orphanages in Saigon where I worked for two years, only 20 percent of the children there were "real" orphans. Eighty percent had one or both parents still alive, and these parents naturally hoped that some day the economic pressures which had forced them to the drastic step of abandoning their children would improve sufficiently to enable them to take their children home again. I feel it is important to bear these things in mind when considering the whole issue of adoption in Vietnam.

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

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

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

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

Ebony Photo-Editorial

June '75

.... AND NOW A DOMESTIC BABY LIFT?

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

Plight Of War Babies Long Known

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

Ebony's First Hand Report

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

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

Black Soldiers Protest

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

How Great The Emergency?

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

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

DREN

on First Page
of the unaccompanied
So far, they have located

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

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

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

★ Los Angeles Times
Sun., July 6, 1975 - Part 1

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

✓ H

WE MISS OUR PARENTS'

Viet Children at Pendleton Sit and Wait

BY GREG WASKUL
Times Staff Writer

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

"We miss our parents, especially when it gets dark. There are many boys and girls crying every night. It's like a chain reaction—one boy cries and others start crying together especially when they play the Vietnamese music over the loudspeaker," says Phan Xuan Hoang, 15. Phan lived in Saigon with his parents until the Communist offensive threatened the city. His father, an army colonel, paid to get Phan and his only son, to safety.

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

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

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

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

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

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

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

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

Please Turn to Page 5, Col. 1

7-6-75

NOT RELEASED FOR ADOPTION

Unaccompanied Refugee Kids Pose Legal, Moral Problems

By DOUGLAS E. KNEELAND
(C) 1975, Denver Post-N.Y. Times

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

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

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

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

and moral problems that haven't been resolved.

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

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

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

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

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

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

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

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

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

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

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

Shielded From Visitors

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

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

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

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

"We're still trying to formulate ideas on how to handle this problem," he said. "We're not talking, except in very rare cases, about an adoptable child. The facts are so difficult to establish you'd never get a court to agree that the child was adoptable."

However, Irvin indicated some doubt

Prisoners in Women Inmates

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San Francisco Examiner

Year No. 27



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SATURDAY, JULY 12, 1975



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HOME EDITION



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

—Examiner Photo by Matt Southard

The real orphan story now unfolds

Friends of Children in

By Rasa Gustaitis
Pacific News Service

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

The girl, about 6, was supposedly an or-

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

She was told the child was 6, in good health, adoptable and was named Van Thi Ho. But that name evoked no response

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

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

one of an unknown — but — number of children whose stories have been lost in the

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VIETNAM REFUGEE

Mrs. Joe's Rejection Reflects V

By PAT AFZAL
Denver Post Staff Writer

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

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

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

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

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

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

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

FOUND 'MR. JOE'

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

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

Tue has since run away from the house, claiming the sister wants her to be a maid. Officials of the Jefferson County Welfare Department have sent her to a women's shelter house, called Women in Transition, at 1895 Lafayette St.

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

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

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

'GAVE HER A HOUSE'

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

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

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

Mr. Joe denies he and Tue

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

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

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

DOESN'T UNDERSTAND

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

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

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

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

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COMMISSION OPENING

Panel to Screen

By GEORGE LANE
Denver Post Staff Writer

A special city council screening committee has been appointed to interview candidates for an opening on the Denver Civil Service Commission.

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

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

seat for the past 3 1/2 year ment for the Rev. Cecil term has expired. Howar to the commission by the to resign the position w carried him out of the city.

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NOT RELEASED FOR ADOPTION

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APPARENTLY NOT PRISONER

Denverite, Left Behind, Could Leave Sa

By ART BRANSCOMBE
Denver Post Education Editor

Fred J. Rivera Jr., a Denverite left behind in Saigon when most Americans were hurriedly evacuated April 30, could be flown out as early as

tarian affairs, reported in a telephone interview.

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

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

Rivera apparently is one who wanted to get out but missed

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

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

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

Left Behind, Could Leave Saigon by Friday

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Way, Fred Rivera's younger brother, Tuesday received a letter brought out of Saigon about a month ago by an American

He wrote that "I went to immigration and requested an exit visa and was refused. The conquering heroes are very

It's hard to know what's going on there, he added, because there are no American diplomatic personnel left, nor

panicky American exodus from Saigon. LSI is the name of the firm Fred worked for, Rivera said,

"The night of April 29th," he explained, "the Marines at the U.S. Embassy told me it was impossible to get any more

Denver Post
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drinkers who were drawn to the gathering to learn about the program first-hand.
"And you should have seen the people gather around the new ones and draw them into the fellowship," Bob said.
"There was an immediate sharing and caring for them."
WAS 'GREATEST'
That kind of caring was what

I think is significant," he said. "I'd say that we did that."

FCVN Is Granted Provisional License

Complaints made by some citizens against Friends of Children of Viet Nam (FCVN) adoption agency have been answered. The department says the agency has been granted a provisional license to operate and will receive a full license in September if

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