

The original documents are located in Box 6, folder “Clippings: May - December, 1976” of the Shirley Peck Barnes Papers at the Gerald R. Ford Presidential Library.

Copyright Notice

The copyright law of the United States (Title 17, United States Code) governs the making of photocopies or other reproductions of copyrighted material. Gerald Ford donated to the United States of America his copyrights in all of his unpublished writings in National Archives collections. Works prepared by U.S. Government employees as part of their official duties are in the public domain. The copyrights to materials written by other individuals or organizations are presumed to remain with them. If you think any of the information displayed in the PDF is subject to a valid copyright claim, please contact the Gerald R. Ford Presidential Library.

Some items in this folder were not digitized because it contains copyrighted materials. Please contact the Gerald R. Ford Presidential Library for access to these materials.



Vietnamizing South Vietnam

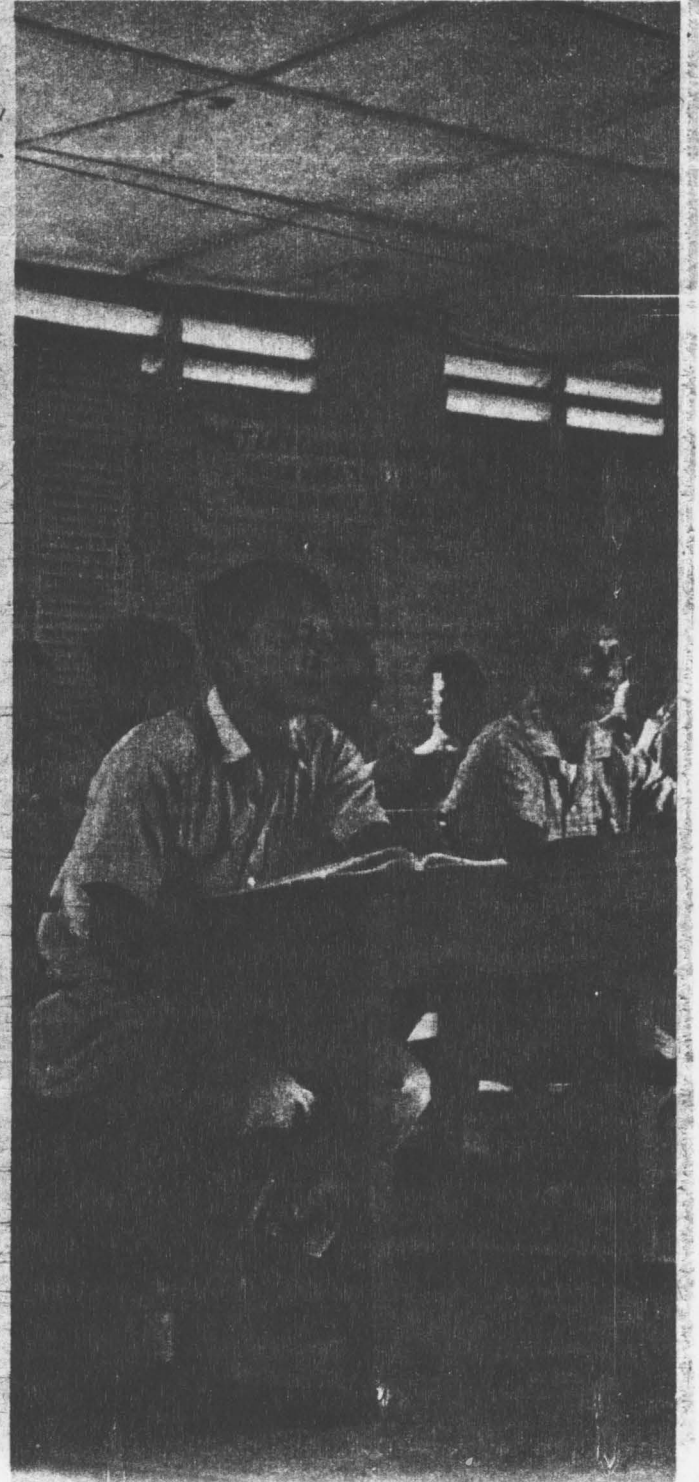
Former army officers being 're-educated' . . . five million displaced city dwellers moving back to the farms . . . the new Communist rulers soft-pedaling the revolution as they seek to return to native ways.

By Max Austerlitz

SAIGON. One year after the fall of the Thieu regime, Saigon is still a city in transition, half of it living in the past, the other half in a future partly undefined. The downtown bars are still mostly open, and in their empty dimness the bar girls still seem to be waiting for the return of their former patrons. The cafes, patterned

another published by an opposition figure under the old regime; a Chinese-language daily serving the Chinese ethnic community, and a Roman Catholic weekly.

The thieves' market is still thriving, with transistor radios, TV sets, stereo equipment, American records and other "preliberation" import items on sale at exorbitant prices. Cars and motorcycles have gone down in price, as a result of gasoline rationing; bicycles have gone up. At the central market, there is no shortage of goods or buyers.



Saturday Review
5/1/76

Orphans in Limbo

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

by Betty Jean Lifton

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

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

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

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

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

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

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

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





The torment: Lon, who is seeking to regain her three sons (lower right) from adoptive families.

Torment over the Viet non-orphans

By Tracy Johnston

It seemed simple at the time. As outlined by American A.I.D. officials, at a meeting in Washington on April 2, 1975, it seemed the only humanitarian thing to do. It would be "Operation Babylift." Immigration authorities agreed. They would permit

until the second Babylift plane actually landed in San Francisco on April 5 was it clear that what seemed to be a final humanitarian gesture might turn into a final irony of the American involvement in Vietnam. Before the exhausted, frightened children, some of them badly wounded survivors of the crash the day before, were allowed to disembark, there was a two-hour delay—officials, it

THE FAMILY PICNIC IS SHARED BY, FROM LEFT, JOHANNAN BALL, three-month-old Mexican-American child and his father, Gary Ball; Carrie Ball, nine-month-old Thai baby and her mother, Carol Ball; and Natalie Schwalenberg, 11-month-old Thai toddler asleep in the arms of her mother Dorothy Schwalenberg.

PICNIC IN MANNING PARK

Refugees mark anniversary

Vietnamese refugees living in the Santa Barbara area and their adoptive families held an unusual picnic yesterday in Manning Park.

The gathering was sponsored by local members of Aid to Adoption of Special Kids (AASK) and an organization of adopting parents, Open Door Society of Santa Barbara.

The day was also the first anniversary of the "baby lift" plane crash at Saigon airport during the U.S. pullout from South Vietnam. And it — or the arrival of the second plane in San Francisco a year ago Wednesday — is observed as a birthday for several of the infants who survived the crash and others now subjects of a court federal battle over adoption rights.

Among guests were a number of the 100 or so Vietnamese refugees living in the area and many families who have completed other earlier interracial adoptions.

But the principle reason for celebration — a late March ruling in U.S. district court that a suit to prevent adoption of over 1,900 children flown from Vietnam last spring is not acceptable as a class action — was tinged with anxiety for families such as the Lewis Barnetts, the James Shieldses, the Edward Damrons, the David Selzers, the Harold Schwalenbergs, the Frank Ellises.

These families, many of whom had initiated proceedings to adopt long before the "baby lift" days, foresee months of waiting for a decision on the appeal and perhaps years of expensive litigation in individual cases if the ruling is upheld.

"What seems forgotten is that our babies are human and we are human and our lives are interwoven," said Diane Barnett, Southern California co-ordinator for AASK. "We could understand a suit brought by a natural mother, but a suit brought on the chance that a natural mother might now be



SKATEBOARD COACHING SESSIONS are part of everyday life now for Chi Long, 15, left, who came to the United States a year ago from South Vietnam. His life in the Lewis Barnett household is shared with, among others, Jason Barnett, 4, on skateboard. At right is Jeff Damron, a friend.

—News-Press photos

My Hang and her adoptive mother: "People will st

Six months later, a Babylift child

I first applied to adopt a child with Friends of Children of Viet Nam in July of 1974. I applied to this agency because I had heard that they were placing children with single parents, and normally, because of the scarcity of children for adoption in this country, it's fairly difficult for a single parent to adopt a child.

I originally applied to adopt a child who was moderately physically handicapped and racially mixed, in the belief that such a child could profit from being brought to the United States and given the benefits of medical care and what-have-you that would be available here.

After going through the preliminary process, the agency approved me as an adoptive parent in about January of this year. Under normal procedures, which would have taken about a year, I would have been sent a child's picture and story in advance and I would have had the option at that point of accepting the child or not. Instead, what happened was that one morning in early April I received a call from the agency's adoption supervisor who told me that they had a little girl about 6 years old who was in good health, and that if I wanted her, they could get her to me that day.

Now this was a little sudden for me, so I asked if I could call back in ten minutes, which I did, saying that I did want the child. I asked what her name was and what they knew about her. I was told that her name was Van Thi Ha and that they would send her documents along in about a week, but that they were too busy to summarize her story for me then.

That evening I went out to Friendship

Airport to pick her up.

From the beginning she was completely unresponsive to her name, so I sought the help of an interpreter and we learned that her name was My Hang.

We learned also that she had a family—including a mother, a father, a grandmother, a great-grandmother, and a little sister.

Now My Hang has been here for about six months and certain things are rather obvious to me. First, there is no doubt that she is *not* an orphan. Second, it seems that her mother agreed to give her up only on account of the general hysteria about the Communists coming to power; everything suggests that the Americans were playing on this hysteria. Third, there is nothing to indicate that anybody over here—either the agency or the government—has any knowledge of who this child is or what her background is. And finally, all of their actions with respect to this case indicate to me that they don't care, and that they have no interest whatever in locating My Hang's mother.

My Hang told us that she had been living at an orphanage near Bien Hoa for, as far as we can tell, about a year, before coming to America. However, she made it very clear to us that she saw her mother, who she says worked at the orphanage, constantly, and had a very close, normal relationship with her, as she did with her baby sister.

Incidentally, she told us that her sister was sent to the U.S. also, but we have been unable to find any trace of her.

My Hang described to us being taken by an American doctor in an American car to an American house, where she and her mother had a tearful farewell. Her mother apparently told her that she would not be able to come back to Vietnam soon, if at all, because "there wasn't enough money" to send her back.

Now all this was upsetting to me, to say the least. I had, of course, expected—like the others who applied, I'm sure—to receive a child who was a bona fide orphan or who had been abandoned by her family, and abandoned some time ago—not a child who had a family until the moment she was released for adoption. Furthermore, I don't think we can say that My Hang was abandoned at all. I think her status would be questionable both morally and legally, even if we had a signed release for her. It seems that Americans were involved in spreading the belief that children of mixed parentage—and we don't know whether My Hang's natural father was an American or not—would be killed by the

Loose ends persist from the Vietnamese Orphan Babylift operation of last April in which a great many of the air-lifted children apparently weren't legitimate orphans at all. (And there is the possibility that many of the children have been given falsified documents.) Testifying before a Congressional committee on Oct. 8, Leonard Chapman, Commissioner of the Immigration and Naturalization Service reported that of the 2,212 children flown here, 1,444 have been found eligible for adoption while 233 have been found ineligible, and 545 investigations are pending.

Lisa Brodyaga is one adoptive parent who has been trying unsuccessfully to sort out her child's true identity and situation. Ms. Brodyaga, 35, is an attorney who lives in Washington, D.C. She spoke with Walter Miale about the frustrations of the last six months.

y, 'Oh, how touching!' but nothing will happen.

still hangs between two worlds

Communists.

Anyway, my anxiety increased as days went by and I received no documents from the agency.

The point at which I became involved with it was at a hearing where we brought evidence that any children who would have to be sent back would be irreparably

IF
1,
S

*

*Children
outside
name tags*

The Bitter Legacy of the Babylift

"When am I going home?" asked twelve-year-old Ya Hinh, just eight weeks after arriving in the suburban New York home of Janet and Louis

or starvation. Operation Babylift was created out of humanitarian motives on all sides. Yet it has left a legacy of uncertainty, considerable bitterness—and a

THE NATION

decisions, is asking for a case-by-case review of each child's background. A district court in San Francisco, however, has ruled that no class litigation for all the children is lawful; if individual reviews are requested, they must be granted by the appropriate local courts. This ruling is being appealed. The ambiguity hurts all parties.

I am 'babylift' just that *aftermath*

Other faces court battle to claim son

RASA GUSTAITIS

SAN FRANCISCO (PNS) — 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 out she was told she could not claim him; he might be better off with his new American parents.

She is one of more than a dozen Vietnamese women in this country known for seeking return of children adopted here in the panic of the early days of the war. She is one of the few who must face court action if she expects to be permitted a reunion.

Like many other Vietnamese women 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 offered to take her oldest son, Huy Khanh, 7, and Vo Anh, 5, if she signed a release form. She did.

A neighbor bound for the United States agreed to take Vo Huy Khanh, then 2, as her own son, under an assumed name. For Vo signed nothing, she said. She herself managed to fly out of Saigon 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 her 20-year-old sister, a nurse, and the cousin's six-year-old boy. All came to live in a home near Los Angeles, where jobs and, together, put a down payment on a house. (In an interview, Popp said, Vo had been a member of household for an extended family of 13.)

With Popp's help, Vo sought reunions. After many expensive long-distance phone calls, Popp said they learned through the International Red Cross where her oldest boys were and arranged that the youngest, 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

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 country. Many families, impoverished by the war, gave up their children because they could not longer feed them. The new program will enable these families to raise 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

5/1976



Free Press Photo by BOB SCOTT

Barbara and David Pederson with the boy they'd like to be their son. They call him Matthew, but his real name is Duong Quo Than.

Viet Mother, Foster Parents Battle for Custody of Boy, 5

BY PAUL MAGNUSON
Free Press Staff Writer

The five-year-old boy who now calls himself Matthew sat at the feet Saturday of the two people who want to be his parents, curiously turning a photographer's light meter in his small brown hands.

The woman reached out to touch his thin, black hair.

"Spell your name," she coaxed. He did. "M-a-t-t-h-e-w P-e-d-e-r-s-o-n."

But Matthew is not the boy's real name, admit the Pedersons, a Royal Oak couple whose desire to adopt the boy is now an issue before state and federal courts and U.S. immigration authorities.

Before he came to live with the Pedersons 13 months ago, Matthew was Duong Quo Than, a Saigon boy of Vietnamese and Philippine parentage whose unwed mother worked

bound for the U.S. Mrs. Duong followed soon after, with her own visa. But she could not find her son.

He had landed in San Francisco wearing an armband identifying him as Hoa, an orphan who had died earlier in Saigon as communist forces were closing on the capital. Hoa had been bound for Detroit and adoption by the Pedersons.

It took several months before the identities were straightened out, months during which Matthew learned English, started nursery school, took up fishing with his foster father and made friends in the neighborhood.

TO THE Pedersons, news that Matthew's 25-year-old mother was alive and attend-
Please turn to Page 6A, Col. 6

As Our Readers See It

Real Mother of Viet Boy Deserves a Fairer Deal

CONCERNING YOUR May 30 article headlined, "Viet Mother, Foster Parents Battle for Custody of Boy, 5" by Paul Magnusson:

I'm very surprised to see such an obviously slanted article in this newspaper. Why wasn't the

Letters to the editor must be originals bearing a true signature and complete address. Names will be withheld only for extraordinary reasons. Letters may be edited.

I was. To set the matter straight, the sentence following in the article reads:

"The fact that the effect (the support of individ-

answered by the local League of Women Voters.

MARY SALASSI DES BORGES
Selfridge ANG Base

anguish on account of her son, and is willing to go through more to be reunited with him?

SUSAN STILLWATER
Ferndale

Other Side of Adoptions

ONCE AGAIN WE are confronted with the exception to the rule on the front page ("ACLU

gamea with children's lives.

JIM AND JUDY SMITH
Sterling Heights

One Couple's Fight to Keep The

By Joan Chatfield-Taylor

Kathy and Dale Strand of Altoona, Wisc., came to San Francisco this week to fight to keep the three Vietnamese children they took into their home during the orphan airlift last April.

The three children — Rebekah, 7, Rachel, 5, and Aaron, 2 — have been named as the plaintiffs in a lawsuit that claims that they are among many children who arrived on the airlift during the U.S. pullout from Vietnam and were placed in American homes in spite of their having parents in Vietnam able to care for them.

The Strands brought the children here to participate in an interview to determine why they were sent to the United States and whether they wish to return. The interview did not take place, and they have since returned to Wisconsin.

According to their lawyer, Paul Metzger, Muoi McConnell, the Vietnamese nurse who was scheduled to do the interview, was out of town. Tom Miller, the lawyer for the opposing side, said that he learned only last Friday that the children were coming and there was not time to get a child psychologist versed in the case to do the interview.

It was one more frustration for the Strands. After almost a year of legal maneuvering, they are no closer to knowing the fate of the children.

The children themselves are radiantly happy and ebullient, chatty in English and clearly fond of the solid, kindly couple they call Mommy and Daddy. They were noisy and energetic, running from room to room in a suite at the Westbury Hotel as the Strands told their story.

It began five months before the babylift, in December, 1974, when they applied to adopt a Vietnamese child, to add to their family of three biological children and an adopted Korean girl. Late in March of last year their application was approved, but the fall of South Vietnam to the Communists had already begun and they had little hope that there would be a child available for them.

On April 15, 1975, Dale Strand, a certified public accountant, received a phone call at his office, asking whether he would be willing to take a family of three Vietnamese children who had just arrived in San Francisco. Two days later the children had arrived at the Strands' house in the countryside outside of Eau Claire, Wisc.

The children settled in happily, and everything was fine until last May, when an Immigration Service officer came to their house.

"He didn't say much, but we knew something was amiss. On the second



be eligible for adoption. Later, as the children's mastery of English grew, they talked about their life in Vietnam.

"They were a close family, and say good things about their mother, and they were concerned about a little brother who died.

"They have never said that they wanted to leave us. They said that their parents told them to come to the United States. Rebekah is quite frightened of being separated from us. When she heard we were coming to San Francisco, she made me promise, cross my heart, that we wouldn't leave them out here," Mrs. Strand continued.

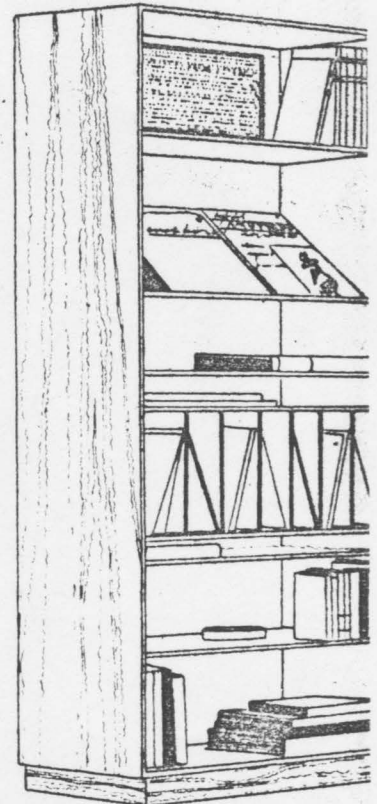
Nevertheless, the Strands didn't want the children to be interviewed without their being present.

"I think that the wrong person would push too hard and frighten the children. We tell them to be honest, that's part of their upbringing. We feel that we could help this rather than hinder it."

The Strands point to the fact that the children have at least nine relatives in the United States, including the children's aunt, who ran an orphanage in Saigon and was responsible for bringing them to this country. According to Metzger, these relatives agree that the whole family made the decision to send the children to America.

The people who brought the lawsuit claim that parents may have made this decision in a state of panic and that they should be given a chance to reconsider, now that life in Vietnam has stabilized. According to Metzger, the relatives who are in the U.S. feel that to communicate with the parents might

the mu



Double unit on left is 54" wide, 51" high, 12" deep. Component shelves 15" deep. The ingenious danish H-U wall shelves are made of teak, walnut or rosewood. Come in with brochure.

copen

Mother wants return of Viet "orphan" in Adams County

Straight Creek Journal

5-6-77

BY RASA GUSTAITIS and GAIL PAULSON

Hao Thi Vo searched for months through bureaucratic mazes before she learned that her three-year-old son was with one of the "orphan Babylift" agencies. But when she at last found the boy, she was told she could not have him: He might be better off with his new American "parents."

The boy, Vo Huy Tung, now lives with a family in Adams County. Mrs. Vo knows only their first names, Bob and Joan, and that they have renamed her son Bruce Donovan. However, she now has an attorney in Denver and is preparing to fight to get her child back.

Vo (who has married recently and is now Mrs. Bill Popp) 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.

Like many other Vietnamese mothers with half-American children, she feared for the lives of her three sons when Saigon was collapsing and she sent them to the U.S. 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. Those boys now live in Boston, and she wants them back, too.

A neighbor bound for the U.S. agreed to take Vo Huy Tung, the youngest, as her own son, under an assumed name. For him, Hoa Thi Vo signed nothing, she said.

Mrs. Vo managed to fly out shortly thereafter. She contacted Bill Popp, who sponsored her, her 20-year-old sister, a cousin and the cousin's six-year-old boy. She married Popp after reaching this country.

And the Poppes began searching for her sons. After many expensive long-distance phone calls, they learned from the International Red Cross where the two oldest boys were and discovered that the youngest had been turned over to the Friends of Children of Vietnam. The neighbor who had brought him, Mrs. Popp 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 — a document Mrs. Popp said she never signed — had placed the youngster in a Denver-area home for adoption. The boy hasn't yet been legally adopted, however.

Through FCVN, a letter arrived for Vo from "Bob and Joan" who had had her child for 10 months. It told

her that the newly named Bruce loved going fishing with his "daddy," that his good behavior "still gives us great pride," and that "he can count to nine, he knows all the basic colors."

The letter also said, "We think you should see Bruce. That way you 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 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."

Mrs. Popp flew to Denver and was taken to the FCVN office where five strange adults faced her, with her child. After a few minutes in a highly tense situation, the FCVN people decided he did not recognize his mother.

"They don't give him to me," Mrs. Popp said in a recent 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. They say, birthmother mean nothing."

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

Mrs. Popp said she was shown a paper saying the boy was declared an orphan on April 16, 1975. She said she then showed the FCVN officials a photograph of her holding her son in Saigon on April 19, 1975.

She left the five-minute meeting alone, with the advice that she seek a lawyer if she wanted to fight for her son.

Mrs. Popp took that advice and retained Richard Hartman. Hartman said he has applied to FCVN for the name of the adoptive parents. They haven't supplied it yet, and Cheryl Markson, executive director of FCVN, indicated the agency wouldn't supply it unless required to do so by court order. "To do otherwise would be violating our rules of confidentiality," she claimed.

Meanwhile, Hartman said, there has been no adoption of the child. "We would like to negotiate this situation," he said. "In Colorado, a natural mother has rights, unless it can be proved that she's unfit, and that's never been in question in this case."

However, Hartman said, if negotiations break down, he is willing to go to court under the premise that the adoptive parents are holding the child illegally. "We'll get a writ of habeas corpus," he declared. But he also said he hopes it doesn't have to go that way.

FCVN officials aren't talking much about the case. In explaining the agency's general policy, casework 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 decide to return the child voluntarily. If not, a court may have to settle the issue.

"We feel confident we're observing sound social-work practice," Schocket said.

Cheryl Markson says the adoptive parents in this case — "Bob and Joan" — are only interested in what's best for the child.

There are those who contend, however, that the "orphan babylift" programs — FCVN and Friends for All Children, in Boulder, are deliberately obstructing efforts to return children to their natural parents.

One such person is Tom Miller, a Berkeley attorney who heads the Center for Constitutional Rights. Miller said that at least one agency official had signed an affidavit, now on file in the U.S. District Court in California, which says that names of Vietnamese children brought into this country at the end of the war "were deliberately changed to prevent their Vietnamese parents from ever finding them."

"We've run into an awful lot of cases where children came in with double and triple identities — and some without any at all," he explained. So far, only one Vietnamese mother has been able to get back her child, according to Miller. That was only after a long court case which cost about \$4500.

Miller maintains the adoption agencies have much to lose. "If one child goes back, they may lose their license. They're subject to civil and criminal suits if it can be proved they knowingly allowed adoptions of children who were not orphans." One woman has already filed a major damage suit asking \$100,000 for "pain and suffering" caused her by the agencies.

Popp, too, maintains the thought of suing for pain and suffering has crossed his mind, but adds, "Right now all we want is the boy back."

Miller maintains that not only are the adoption agencies opposed to reconciliation of families, but so are some courts. "Our judge here [in California] is a friend of Ronald Regan's and sees this whole thing [to get children back to their parents] as an attempt to embarrass the U.S. government. He's said that Vietnamese parents may think they want their children

Rasa Gustaitis is a freelance writer in San Francisco who worked for 10 years as a staff reporter, first for the Washington Post and later for the Herald Tribune. Gail Paulson is a freelance writer in Denver and a frequent contributor to Straight Creek.

Turn to p. 8

Party overshadows custody

By Gary Grimmond
North Iowa News Director

FOREST CITY — Julie Nelson was the "birthday girl" and as Mrs. Nelson lit the seven candles on the cake Wednesday afternoon, Doan (Ben) Van Vinh, 4, and

a dozen or so others burst into the "Happy Birthday" song.

But when it came to the "how old are you" part, uncertainty was on Ben's face. He looked for support to Mrs. Nelson. Ben has been getting a lot of it from

Bonnie Nelson and her husband, Johnny. They are in a court battle over custody of the Vietnamese boy, whom they obtained from an adoption agency during the rush of Operation Babylift. A Winnebago County District Court ruling, before an appeal to the Iowa Supreme Court, said the boy was to be returned to his natural mother, Doan Thi Hoang Ahn of Great Falls, Mont.

But Wednesday afternoon was funtime as Julie and her mostly first-grade friends celebrated with the traditional cake and ice cream.

It took Ben a while to get used to all those girls tromping into the Nelson home at the northwest edge of Forest City. His security seemed to be a fat, yard-long balloon that he was clutching under his arms. He batted Jennifer Sagerdorf with it and became one of the gang.

He held up his cup and called for "more jooose" when Mrs. Nelson raised the large can of Hi-C.

He intently went about planting his marigold seeds in the styrofoam cups of soil that were part of the activities. The children will take these home, said Jennifer, "and watch them grow."

Letting out a "look, Mommy" squeal, Ben pointed to his cup and Mrs. Nelson asked him if he thought the plant was starting to grow already. He smiled.

Ben ran to Mrs. Nelson, pointed with panic to his loosening name tag and announced in almost perfect English, "It won't stay on."

A bright child used to attention (although not the kind that has made him a *cause celebre* in Iowa), Ben became miffed when Mrs. Nelson failed to immediately notice one sleeve of his coat was inside out as she helped him on with it. He was going outside with the girls.

"Ben works well into new situations," said Mrs. Nelson, who noted how the boy has been going to pre-school with the Nelson's natural son, Bobby. "The teacher said he just joins in with the singing and activities," added Mrs. Nelson, who quoted a psychiatrist as saying Ben became adjusted quickly to his new life in Forest City with the Nelsons.

It was obvious Ben has a big attachment for Mrs. Nelson, 28, a licensed practical nurse who works parttime and is originally from Milwaukee. Although he enjoyed the birthday activities, he sought her out frequently as she sat in the living room of their home telling why she and her husband — with Waldorf College and a former sports writer for the Albert Lea, Tribune — were so determined to do all they can to keep Ben.

"We wouldn't be good parents if we didn't ask for proof (from Doan Thi Hoan Ahn)," said Mrs. Nelson. "If she is indeed his mother..." she continued as a hungry Ben returned from outdoors and patted her knee for attention. "You want a fork? Can you get one yourself?"

About this time a little girl who

bumped in
usurped M
with polite
nie cuddler

The crisi
tones contin
ed is "long
interest of
driving to s
for the par
from the N

"We just
interest by
any more.
hausted and
Falls then
plan...and w

Looking o
dow with a
the word "le
titles as "C
her, Mrs. Ne
ple's chances

But, she n
friend and
"we're not d



Staff photo

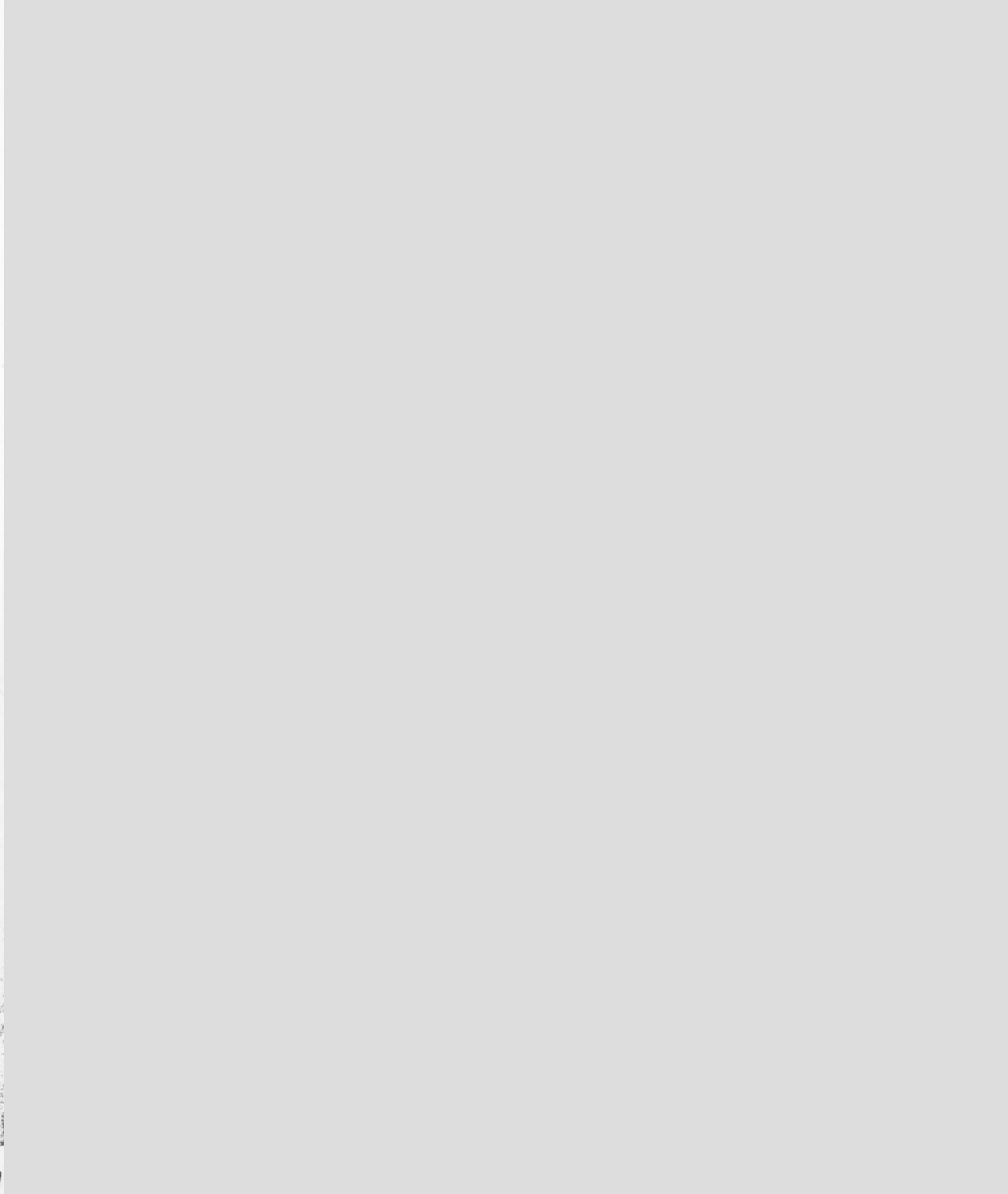
Bonnie Nelson, Ben, and daughter Julie; party guests are in background.

Madows custody tight

Others burst into the "Happy" song.

Bonnie Nelson and her husband, Johnny. They are in a court battle over custody of the Vietnamese boy whom they obtained

bumped into a door came crying and usurped Mrs. Nelson's attention. Ben, with polite resentment, watched as Bon-



d
background.

a fork? Can you get one yourself?"
About this time a little girl who



AP Laserphoto

DOAN THI HOANG ANH CARRIES SON, DOAN VAN BINH, TOWARD CAR
They are flanked by Bonny and John Nelson and their two children.

Mom Reclaims Viet Child As Iowa Couple Weeps

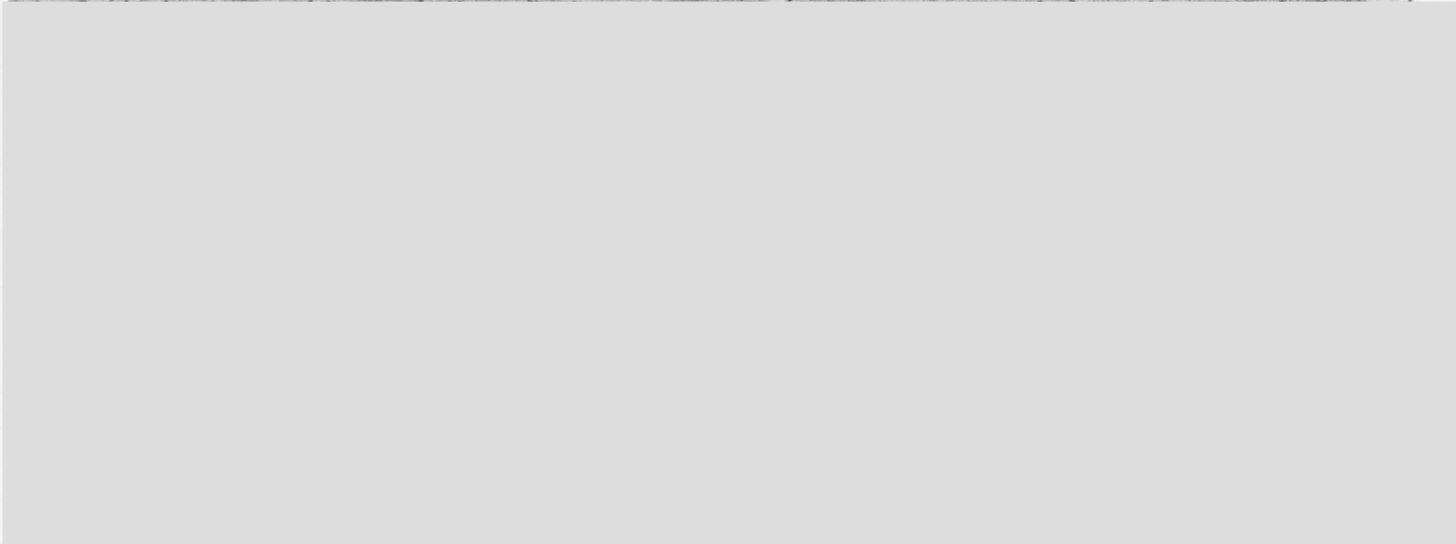
FOREST CITY, Iowa —(AP)— John and Bonny Nelson said farewell to the Vietnamese boy they had tried to adopt, children with the Friends of Children of Vietnam orphanage. But she refused to consent to their adoption.

5/76

er, Colo.

Adoption program for Vietnam orphans to be resumed

WASHINGTON (UPI) — The all the orphans and also re- The litigation has not ended, The lawsuit involved 1,850
Immigration and Naturaliza- fused to order INS not to proc- however, and the INS said it is orphans, INS said. It said it



**Judge
Wants to
Hear Viet
Boy's Tale**

BY PAUL MAGNUSSEN
Free Press Staff Writer

The five-year-old Viet-
namese refugee whose custody
is being bitterly disputed in an
Oakland County Circuit Court,
may be called to Judge Rich-
ard David D. Kuhn's cham-
ber at the child

Kidnap warrant issued for Viet orphan sponsor



Sheila Kowal

PHILADELPHIA (UPI) — Sara R. Coner, who disappeared with two Vietnamese children she had sponsored during Operation Babylift, is now lines to evade Pennsylvania authorities. "This is not a traditional kidnaping case," said Assistant U.S. Attorney Jeffrey M. Mill-

WASHINGTON (UPI) — The Immigration and Naturalization Service has announced it will resume processing applications of couples who want to adopt Vietnamese orphans. These two decisions have enabled INS to resume the adoption program, it was advised, and the INS said it is advising states they can use their own discretion in deciding whether to permit adoptions without waiting for the INS to resume the suit. The lawsuit involved 1,850 applications before the suit was filed. INS said it has applications for about half-

Adoption program for Vietnam orphans to be resumed

Bill Keane

2, 1976, Denver, Colo.

The Human Factor in Hanoi's Victory

N. Vietnamese General Details Campaign to 'Liberate' Saigon

By Don Oberdorfer
Washington Post Staff Writer

Three Politburo members from Hanoi embraced one another in their field headquarters outside Saigon at the moment of their final victory, according to a remarkable book-length memoir by Gen. Van Tien Dung, chief of staff of the North Vietnamese army and field commander for the final campaign.

In the dramatic high point of his account of the final stages of the Vietnam war, Dung recalled the scene in midday of April 30, 1975:

"At the field command post, we left our radios on. We heard the puppet president ask his troops to lay down their weapons and unconditionally surrender to our troops. Saigon was completely liberated. We had won a complete victory. All of us at the command post jumped and shouted with joy, embraced each other and even carried friends on our shoulders. The sounds of applause, laughter, talking, singing and reading poems were heard throughout the command post. Comrades Le Duc Tho [North Vietnamese

Politburo member and Paris peace negotiator] and Pham Hung [North Vietnamese Politburo member in political charge of the South] embraced me and all other cadres and combatants present. All of us were choked with emotion and joy. I lit a cigarette and smoked."

Dung's recollections, titled "Great Spring Victory," were serialized in North Vietnam's Communist Party newspaper, Nhan Dan, and broadcast to the Vietnamese people in 41 installments beginning April 5 and ending last Wednesday.

Running more than 65,000 words in English translation, the memoir is unprecedented in its detailed descriptions of decision-making, strategy and human interaction in the Vietnamese Communist high command.

According to American experts, Dung's account is by far the most candid report on the war ever published by a senior North Vietnamese official. In chapter and verse—including the text of poems by Le Duc Tho and others—the general's memoir is

See GENERAL A14, Col. 1



GEN. VAN TIEN DUNG

... "choked with emotion"

art
Hou
a pl
a n
serv
It
back
suf
be p
cial
Stan
duct
clea
vate
F
of
sm
ing
inf
po
m
an
ma
for
I
mit
the
men

5/76

... French Get

An Agonizing Mother's Day Dilemma

BY TRACY JOHNSTON

"Operation Babylift" seemed simple at the time. As outlined by American AID officials in Washington on April 2, 1975, it seemed the only humanitarian thing to do.

Immigration authorities agreed. They would permit an estimated 2,000 Vietnamese orphans to enter the United States, and AID would allocate \$2 million for their transportation.

That same day in Vietnam, as the Saigon government crumbled, the Vietnamese minister of social services sent a letter to the prime minister, asking that a mass release be given for the orphans. In 24 hours, Operation Babylift was ready to roll.

The first plane crashed shortly after takeoff and 78 of the children aboard were killed. But not until the second Babylift plane actually landed in San Francisco on April 5 was it clear that what seemed to be a final humanitarian gesture might turn into a final irony of the American involvement in Vietnam.

People who had gone to the airport to meet the youngsters learned that many of them were not orphans at all.

Many were middle-class kids who had parents or relatives in



Times drawing by Pete Bentoveja

Saigon. Many were given to American agencies in Vietnam during the final days of the war by mothers who believed they would be killed in the predicted bloodbath. Some said they had been living in orphanages because their families were too poor to care for them, but they did not think their mothers would ever have signed releases for them to be carried off to a foreign land.

No one knows for certain how many of these 2,000 children were not, indeed, orphans. But the estimates of the number who were never officially abandoned

range from 250 to 1,500. Mothers who fled Vietnam themselves and also made it to this country have since gotten back about two dozen of these children. Other Vietnamese in this country are fighting bitter court custody battles with the adoptive American parents.

And just over a year ago, three public-interest lawyers in San Francisco filed a class-action lawsuit against "Henry Kissinger et al" on behalf of parents in Vietnam to reunite them with these nonorphans as quickly as possible. The class-action complaint cit-

ed the constitutional rights of the children to due process, liberty and freedom from illegal seizure. It cited the Paris Peace Agreement ("The United States will not intervene in the internal affairs of South Vietnam"), and the Geneva Convention ("Persons evacuated shall be transferred back to their homes as soon as hostilities have ceased"). Now, after endless court proceedings, appeals and interventions in the case by adoption agencies and adoptive parents, the lawsuit has succeeded only in debilitating and upsetting almost everyone connected with it.

When asked about the lawsuit, parents burst into tears. State Department officials slammed down the phone cursing the case. The public-interest lawyers go into tirades about government, courts and adoption agencies' delaying tactics. Meanwhile, the adoptive parents have no idea what is going to happen to the children. And not a single child has been returned to Vietnam.

Jerry and Marcy Clausen of Windsor, Calif., 50 miles north of San Francisco, are typical of that special breed known as adoptive parents—salt-of-the-earth types who believe in families and are proud of their ability to give children happy, loving homes. They take vacations in Disneyland for the kids; they go camping and

Please Turn to Page 4, Col. 5

Los Angeles Times
Opinion

Interpretation

Background

Editorials

PART V

MONDAY, MAY 9, 1976

L.A. Times
May 76

THE DENVER POST Thurs July 31
OVER-THE-COUNTER SECURITIES

OPERATION BABYLIFT ISSUE
Viet Adoption 'Discovery Suit'
Deplored by FCVN Attorney
The confidentiality of adop-country legally, Eklund said. sidering a cross-appeal by the
tions processed by Friends of Named in the suit, filed in federal government that the
Children of Viet Nam (FCVN) San Francisco are several US court doesn't have jurisdiction



KL PERMAN
STATION

Lawyers Contacting Vietnamese Parents

by Keith Ervin

Under the supervision of a San Francisco federal court, lawyers are beginning the process of making contact in Vietnam with the parents of three chil-

Rachel and Rebekah in the suburban home of a certified public accountant in Altoona, Wisconsin. Until last week, the children's lawyers were not permitted to contact their natural parents, who are



Berkeley Barb, July~~30~~ - Aug 5, 1976

THE VIETNAM BABYLIFT

SUSAN ABRAMS

RECEIVED SEP 4

This article
is the worst
yet!



Was it a rescue mission or kidnapping?

"A mother in a burning building throws you her child. When the fire is out and the mother is safe, does one keep running with the child?"

—Attorney Tom Miller,

International Children's Fund

The Vietnam Babylift of April, 1975 was so cruel, so manipulative a public relations stunt that the past sixteen months have only dulled the shock. In many cases taken from parents pressured into signing adoption releases, destined for the homes of relatives, picked out of orphanages where they had been placed temporarily by parents unable to support them, taken from hospitals or even whisked off the streets, the 2242 Babylift children are still with us. Yet it has long been evident that the supposed rescue mission more closely resembled a kidnapping and that at least 1500 of the children are not eligible for adoption.

The concerted efforts of U.S. government officials and adoption agencies alike to save face by blocking a lawsuit designed to determine the children's identities and their parents' wishes are little known. One assumes, perhaps, that the issue has by now been resolved satisfactorily or, on the contrary, that nothing can be done and that Vietnamese parents must learn, as best they're able, to heal yet another wound of so many.

Most media coverage of the issue has been of the all trees/no forest variety, as journalists focus on individual custody struggles between American couples and Vietnamese refugee mothers who have managed to locate their children. Article after article enumerates the advantages each set of parents seems to offer, with the

benefit scale tilting a bit as affluent Americans bring their cars and suburban homes on along with them. "How sad it is," the journalists seem to mean, "that the Babylift should have come to this, that a humanitarian project should end in battles where both sides are so worthy."

Yet the Babylift had to come to this. Supplying a baby market is an ugly business, as are hysterical anti-Communism, some means of assuaging guilt, and above all, the use of children as political pawns. One remembers the explanation of Graham Martin, U.S. Ambassador to Saigon, that the Babylift would "create a shift in American public opinion in favor of the Republic of Vietnam" (then begging funds from a reluctant Congress). Anticipating the great press coverage which would mark the children's arrival in the U.S., Martin commented that the effect "will be tremendous" (as quoted in a letter from Phan Quang Dan, Saigon's Deputy Premier for Social Welfare, from whom Martin had sought permission to evacuate the children, as published in the *New York Times*, April 7, 1975).

Nguyen Da Yen et al. v. Kissinger et al. was filed in U.S. District Court, San Francisco on April 29, 1975 after Muoi McConnell and other Vietnamese-speaking volunteers at San Francisco's Presidio discovered the children had left families behind. Federal officials refused to investigate. The case has been argued by four attorneys whose concern for the children's welfare is exceeded only by their enormous patience (Nancy Stearns, Tom Miller, Mort Cohen, and Neil Gotanda of the Center for Constitutional Rights in New York City and the International Children's Fund in Berkeley). Trotting out old and new variations on the Babylift-era slogans "We saved them from Communism" and "Grow-

SUSAN ABRAMS is a free-lance writer and peace activist living in Cambridge, Massachusetts.

Vietnamese Adoptions Under Cloud

By MARTHA SHIRK
Of the Post-Dispatch Staff

The decision of the Iowa Supreme Court to return a Vietnamese child adopted by an American family to his natural mother has raised new fears among St. Louis area families who have adopted Vietnamese children.

But the attorney for a New York group that has filed court suits in behalf of the Vietnamese children brought to the United States in 1975 says the ruling is a good one because it will make it easier for Vietnamese parents who gave up their children under pressure to regain their parental rights.

The Iowa Supreme Court ruled unanimously last week that Doan Van Binh, 4 years old, must be returned to his mother, Mrs. Doan Thi Hoang Anh, 33. The court conceded that the family that had adopted the child, Mr. and Mrs. John Nelson of Forest City, Ia., had "rendered exceptional service in his behalf. Under this record, someone must be hurt."

The Iowa ruling is the first by a state supreme court on a case involving a Vietnamese mother's attempts to regain her child. Several other cases are pending around the country. Adoptive parents here worry that the Iowa precedent could induce more Vietnamese refugees here to seek the return of children turned over to orphanages in South Vietnam and adopted by American families.

"It's a real fear among them. They're running scared," said Mrs. Pat Adams, a director of the World Children's Fund, Inc., formerly the Vietnamese Children's Fund, Inc. Many of the families that adopted Vietnamese children are members of the fund.

Although many of the 30 St. Louis families with children from Operation Babylift have legal custody of their children — unlike the Iowa family — some of the adoptions have yet to be made final.

At least one St. Louis family has been told that its adopted son has Vietnamese relatives in the United States, Mrs. Adams said.

Other families that are unsure of whether their adopted child has relatives have shunned publicity totally. Mrs. Adams said one mother recently became very upset when a television crew singled her child out of a group and attempted to interview him and identify him on a news program.

Ms Anna Forder, a St. Louis lawyer who has handled many of the adoptions, says many adoptive parents — even those who adopt American children — feel some uneasiness until they get legal custody of their children. In Missouri, they can be granted legal custody about 18 months after filing adoption papers. The Vietnamese children brought here under Operation Babylift — the controversial, last-minute airlift — of hundreds of Vietnamese children — have been here about 17 months.

A major lawsuit is pending in the Ninth Circuit Court of Appeals in San Francisco concerning the rights of Vietnamese children brought here on the airlift. The Center for Constitutional Rights in New York is among the plaintiffs in the suit, which seeks a halt to the adoptions of all Babylift children, the appointment of special guardians, and an extensive search by adoption

9-23-76

Ben

Congress Passes Up Pay Raise
Bill Goes to Ford: Page 8, Front Section

Newborns Who
Mysterious Disorder: P

Viet Refugee Mother Wins Battle for Return of Son

Denver Post 9-23-76

Vol. 85

DE

DES MOINES, Iowa —(AP)— A Vietnamese mother who left her seven children in an orphanage while the Communists advanced on Saigon says, "I am so happy I don't know what word you can use" over a court decision returning one child to her.

Falls, fled Vietnam and entered the United States as a refugee on Aug. 5, 1975. She said she never gave the orphanage permission to have her children adopted. When they arrived in the United States, she traced them through the Denver office of the orphanage.

The Voice of the Rocky Mountains

Denver Post
10/18/76

LEAVING ADOPTIVE PARENTS

Mother Reclaiming Vietnamese Son, 4

FOREST CITY, Iowa — (AP) — Doan Van Binh, 4-year-old centerpiece of an emotional legal battle, is going home with his Vietnamese mother, 18 months after the John Nelson family thought they had adopted him.



10 11

7

11-19-76

This is the best copy I could get

an exchange of views **The Vietnamese Babylift**

Boulder, Colo.
To the Editors: We feel Susan Abrams' article, "The Vietnamese Babylift" (Sept. 24) is heavily biased, poorly researched, slanderous, and libelous. We are surprised to find such an unscholarly article in *Commonweal* and strongly request that you print our response to her innuendos and accusations in its entirety.

Basic to any educated understanding of the evacuation of children from Vietnam in April, 1975, would be the knowledge of the orphanage system for at least the ten years prior to the fall of the Saigon regime. A cursory review of the numerous articles published in American newspapers and magazines on this subject during those years reveals a surprising unanimity of conclusions despite the wide variety of backgrounds, political persuasions, and abilities of the writers. These writers found that Vietnamese orphanages were overcrowded, understaffed (often one adult per 15-50 children), lacking in the most elementary medical care (no soap, no nurses, no measles vaccines, etc.), and without the funds and supplies to adequately feed the children. The results were physical, mental, and emotional deprivation and retardation, malnutrition (often severe), and death rates of over fifty percent.

Despite the Vietnamese tradition that the extended family would care for an orphan, the fact remains that the overall orphanage population continued to increase, despite the death rate, as a result of the high abandonment rate. Indeed, there were children in orphanages who had living, identifiable parents who had expressed their hope or intention of returning for their children when possible. The Catholic Sisters with whom we worked indignately never released such children for adoption. These women remained in Vietnam after the evacuation. With

them they kept those children who were known to have any extended family or whose parents had said they would reclaim them.

Beyond those children, however, the fact remains that over one thousand newborn infants were abandoned each month without a shred of identity in maternity clinics, at orphanage gates, on the street, and in garbage dumps. We know about abandonment in Viet Nam from long and close relationships with the nuns who ran the orphanages and our staff who lived there for years and retrieved many of those discarded waifs.

Our program in Vietnam was carried out by women who dedicated years of their lives to loving and caring for these children. We had four half-way houses (accommodating around five hundred children) which offered intensive care to newborns, physical therapy to the handicapped, schooling to the older children, and good nutrition and love to all. Although the houses were staffed with volunteer nurses and nuns from several countries, we trained and employed several hundred Vietnamese women as child care workers. In addition we offered counseling to unwed mothers and made every possible effort to help them find a viable way to keep their children. Beyond that we financially supported several orphanages in outlying provinces, delivered powdered milk and medical supplies to them, and conducted many vaccination programs.

The attorneys for the plaintiffs in the case in the U.S. District Court in San Francisco seem mesmerized by the theory that the bulk of the airlift children were either relinquished by panicked mothers just prior to the fall of Saigon, were cleared en-masse from orphanages where they had been stored pending a parent's return, or were "whisked off the streets," as Ms.

Abrams states. We will swear to the fact that of the 575 children we transported on the airlift, fewer than 10 were relinquished after March 15, 1975, by mothers. The rest of the large number of FFAC children that the plaintiff's attorneys question were released to our agency by orphanages, not mothers. The fact is that we sent away a constant stream of parents who begged us to take their children in the final days. We refused them to the end.

The statement that at least 1500 airlift children are ineligible for adoption is false. The court-appointed masters have not been able to accurately determine eligibility due to incomplete paperwork. Although much of our documentation was lost in the crash of the C-5A and some paperwork was not completed in the few days prior to the fall of the government, every child we brought to this country had been released for adoption. No agency was allowed to transport children with the intent of being reunited with parents.

Of the 575 children we transported in the airlift, approximately 180 children were being adopted privately (not through an agency) by European families who had made arrangements directly with an orphanage. At that time FFAC had approximately 550 children in its care (500 was the normal number reported on our rolls every month and 50 was an average number of new arrivals each month). This means that approximately 155 children were left behind. That group consisted of those who were retarded, those who were too sick to travel, and those who were to be returned to orphanages and/or parents since we had only agreed to obtain medical care for them. Can Ms. Abrams logically explain why we would kidnap children from parents when we were not able to bring all of those children who were legally abandoned