

# Probe of Viet Orphans' files

The U.S. Court of Appeals in San Francisco ordered that there be a judicial review of the records of all of the several thousand Vietnamese orphan children brought to the United States at the end of the Vietnam War.

The court acted in a lawsuit being financed by an ad hoc Committee to Protect the Rights of Vietnamese Children.

The group has contended through several months of litigation in the federal courts that many of the children who were brought to the United States are not true orphans, but have relatives in Vietnam to whom they should be returned.

Under the appeals court ruling yesterday, experts appointed by the U.S. District Court will review all the records and attorneys for the children will be permitted to see all the files.

The two persons who will review the cases are Oakland attorney Mas Yonemura and Vietnamese legal scholar and lawyer Ta Van Tai of the East Asian Legal Studies Department at Harvard Law School.

U.S. District Judge Spencer Williams will decide at a November 20 hearing what further legal steps to take in the case.

At a press conference yesterday, Morton Cohen, one of the attorneys representing the children, stressed that even if a child is found not to be an eligible orphan it does not necessarily mean he would be returned immediately to Vietnam.

"We want any repatriation to be accomplished in a responsible manner, with the best interests of the child kept foremost in mind," Cohen said.

"Before any child returns home we want to make certain there is a home waiting, and this will be accomplished by a tracing procedure established through a responsible international agency in cooperation with the South Vietnamese government."

Cohen said promises of cooperation and support have already been obtained from the International Union for Child Welfare, the Central Tracing Agency of the International Red Cross and the United Nations High Commissioner for Refugees.

Cohen said that in some cases children who had been in child day care centers in Vietnam were simply scooped up and flown to the United States although they had parents who came for them daily.