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Orphans Of The War

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By James Reston

WASHINGTON, Feb. 27—The American troops in Vietnam are now down to about 11,000 and the prisoners, despite some delays, are coming home; but nothing has yet been done about the orphans of the storm, and particularly about the children fathered and then abandoned in Vietnam by American servicemen.

This is one of the continuing tragedies of the war. The State and Defense Departments say they have no official figures on the number of illegitimate children left behind by the departing G.I.'s, and no way of getting accurate information on the problem, but private estimates range from 15,000 to over 100,000.

Even in the case of an American soldier wanting to bring his own illegitimate child back to the United States, the problem of doing so is very complicated.

An illegitimate child born in this country naturally acquires all the rights of a citizen because of the place of its birth, but one born overseas must be "legitimate" or face an almost impossible set of legal complications before being allowed to enter the United States.

Also, the law insists that the father of the child must have lived in the United States for ten years before the birth of the child, and five years after the age of 14, before the child can be considered for entry into this country.

Harry J. Hennessy of the Bronx, New York, raises a moral question about this situation: "The progeny of our military personnel and Vietnamese girls," he writes, "are often branded

WASHINGTON

as outcasts or half-breeds in Vietnamese society. Yet by virtue of blood, these children have as much right to be citizens of the United States as of Vietnam. Don't we Americans have responsibilities, morally compelling ones, to these children? To me they are the most pathetic of all the victims of the war."

This, of course, is a highly controversial question within both the executive and the legislative branches, but it is at least timely. For the Nixon Administration is now in the process of drafting legislation to provide economic aid to both North and South Vietnam, and unless the issue is now brought directly to the attention of the public, it could easily be overlooked among all the other more dramatic arguments over aid to Vietnam.

Among the issues to be considered are the following:

¶Should the U.S. Government not insist that part of the economic aid be set aside specifically to assist the abandoned children of G.I.'s in South Vietnam?

¶Should the military regulations and laws be amended to simplify the procedures for a soldier who wishes to bring his legal wife and children back to this country?

¶Same for a serviceman who wants to take responsibility for raising his own illegitimate child?

¶At a time when more Americans are seeking to adopt children than there are children for adoption, should the immigration laws and adoption regulations be changed to deal with this specific problem of the abandoned Vietnam children?

Senator Harrison Williams Jr. of New Jersey has introduced a bill, now buried in the Senate Foreign Relations Committee, to create a temporary Vietnam child care agency to help particularly those children fathered by U. S. servicemen.

The South Vietnamese Government, however, places strict barriers against permitting children of G.I.'s to leave the country, and also objects to special aid for the half-American children if it is not also available to Vietnamese children whose parents were killed in the war.

Nevertheless, there is a precedent for dealing generously with the problem. After the French forces were driven out of Vietnam in 1954, the French Government offered citizenship and educational assistance to the illegitimate children of French soldiers.

The U.S. Embassy in Saigon, which is closer to the problem of the abandoned children than officials here, has been urging the South Vietnamese Government to pass a modern adoption law that would allow Vietnamese children born out of wedlock to be adopted by American families, "while protecting the rights of the children."

But even if this were done, the laws of the United States, passed in 1952 to deal with normal situations, are not relevant to the special conditions of the war and its human consequences.

Accordingly, the immediate problem here is to raise the question to the level of official and public attention. People will agree and disagree over Pearl Buck's conclusion that "We Americans must take up our responsibility because we helped bring these children into the world," but at least the question should be faced and debated.