

The Value of Dust:  
Policy, Citizenship and Vietnam's Amerasian Children

by

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## ABSTRACT

This project examines the decision of American policymakers to deny the Amerasians of Vietnam—the offspring of American fathers and Vietnamese mothers born as a result of the Vietnam War—American citizenship in the 1982 Amerasian Immigration Act and the 1987 Amerasian Homecoming Act. It investigates why policymakers deemed a population unfit for the responsibilities of American society, despite the fact that they had American fathers.

The examination draws upon numerous archival collections of the key policymakers, humanitarians and non-governmental organizations involved in each piece of legislation. Additionally, archival and published documents from the U.S. government and military, popular media, and veteran's organizations, are important. Since many of those involved in the legislation are still living, oral history interviews are also a critical piece of the methodology.

The dissertation argues that the exclusion of citizenship was a component of bigger issues: international relationships in a Cold War era, America's defeat in the Vietnam War, and a history in the United States of racialized exclusionary immigration and citizenship policies against people of Asian descent. It exposes the contradictory approach of policymakers unable to reconcile the Amerasian mixture of race and nation with US law. Consequently, policymakers simultaneously employed an inclusionary discourse that deemed the Amerasians worthy of American attention, guidance and humanitarian aid, and implemented exclusionary policies that designated them unfit for the responsibilities of American citizenship.

## ACKNOWLEDGEMENTS

Six years ago feels like a lifetime. I held much uncertainty and a bit of naiveté about the path before me when I packed up my car, grabbed my cat and drove to Arizona to begin this journey. My classmates were younger and brighter and employed much more sophisticated words and so as the begrudged “non-traditional” student, I held tight to my Thesaurus and wondered when I would see the “trees for the forest.”

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## PREFACE

*“They’re called ‘bui doi,’ the dust of life.  
Conceived in hell, and born in strife...the living reminders of all the good we failed to do...  
We know deep in our hearts, they’re all our children too.” – Madame Butterfly*

During the winter of 2014-15, ISIS (The Islamic State of Iraq and Syria) continued to wreak havoc on the people of Syria. US agencies and numerous humanitarian organizations braced for the impending flood of refugees into neighboring countries from the war-torn region. Simultaneously, debate raged in America over the growing numbers of illegal immigrants and refugees from Latin America. At that time, Assistant Secretary for the Bureau of Population, Refugees, and Migration, Anne C. Richard, took a moment to address the issue of stateless children at the United Nations High Commission for Refugees (UNHCR) event, “Out of the Shadows.” She sought to promote US support for the UNHCR’s mandate to prevent and reduce statelessness and protect those persons.

In her speech, Richard condemned the twenty-seven countries in the world that continue to confer nationality upon people born within their borders only through legitimation of the father. She framed it as a gender issue that empowered men to control the reproduction of citizens, thus often creating stateless children.<sup>1</sup>

War heightened the issue in Syria, Richard insisted, where it continued to destroy families and forced all children to face “unspeakable violence and instability.”<sup>2</sup> In explaining the long-term consequences, Richard pointed to the Bidoon—a stateless and therefore marginalized population of over 100,000 in Kuwait. It is a population that is

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<sup>1</sup> Anne C. Richard, *Remarks at the UNHCR Event: Out of the Shadows: Ending Statelessness in the Americas*, The Newseum, Washington, D.C., November 18, 2014.

<sup>2</sup> *Ibid.*

problematic, Richard explained, because its statelessness makes it a “vulnerable group that faces huge barriers to becoming self-sufficient.”<sup>3</sup>

Richard underscored American values of democracy, equality, and humanitarianism in describing US support for the UNHCR program. Statelessness contradicted these fundamental American beliefs, specifically in the case of children punished by gendered citizenship laws. Americans, Richard explained, cannot accept “seeing individuals stripped of rights and protections, branded as outcasts, and not recognized as equal in dignity.”<sup>4</sup>

Although a noble and inarguably humanitarian statement, Richard failed to acknowledge America’s own experience with “stateless” children of war and the nation’s own history of gendered citizenship laws. After the last American helicopter lifted off the top of the US Embassy building in Saigon on April 30, 1975, to escape the communists entering the city, America left behind its own marginalized population of “stateless” children.<sup>5</sup> Vietnam’s “dirty little secret” labeled *con lai*, half breed, *my lai*, American child, or *bui doi*, “the dust of life,” were the progeny of American servicemen and Vietnamese women conceived during the Vietnam War.<sup>6</sup> Evidence of the mothers’ betrayal of her country, the Amerasian children would continue to serve as a constant reminder to the Vietnamese of the American “enemy,” while most Americans ignored them, including their fathers.

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<sup>3</sup> Ibid.

<sup>4</sup> Ibid. Throughout her remarks Richard used the term “nationality” and “citizenship” interchangeably although in many countries they are not equal.

<sup>5</sup> Although the Amerasians were not officially stateless, having automatically acquired Vietnamese citizenship, the author implies a similarity between statelessness and the second or third tier citizenship the Amerasians experienced as a result of their paternity.

<sup>6</sup> There is much disagreement about the label that best refers to Amerasians. While *bui doi* is a general term that refers to street children in Vietnam, a category that did include many Amerasians after the war, *my lai* and *con lai* refer specifically to the Amerasians themselves.

Even though the Amerasians inherited Vietnamese citizenship from their mothers, Vietnam like Japan and South Korea, was a patrilineal society dependent upon paternal legitimacy.<sup>7</sup> While the faces and other features of the Amerasians displayed the presence of their American fathers—making denial of paternity difficult—their fatherlessness dictated their marginalized status within Vietnamese society and the shaming many encountered from their families and peers.<sup>8</sup>

In the immediate aftermath of the war, fears of a government-executed Amerasian bloodbath and mass sterilizations caused many mothers and family members to rid themselves of “evidence” that they had collaborated with the American enemy.<sup>9</sup> Mothers destroyed birth certificates, pictures, and paperwork proving that their Amerasian child or its American father had ever existed. Many abandoned their Amerasian children to orphanages or to the streets.<sup>10</sup> Some mothers who chose to raise their Amerasian children reconciled their situation through the physical and emotional abuse of their own children.<sup>11</sup>

While the Vietnamese victors never sponsored mass government violence against Amerasians, the destruction of the evidence of their existence effectively erased any

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<sup>7</sup> Bongsoo Park, “Intimate Encounters: Racial Frontiers: Stateless GI Babies in South Korea and the United States, 1953-1965,” (PhD diss., University of Minnesota, 2010), 4, accessed July 1, 2014, ProQuest Dissertations & Theses.

<sup>8</sup> According to Charli R. Carpenter, children of war are most at risk when their origins are visibly marked on their features. Charli R. Carpenter, “Gender, Ethnicity, and Children’s Human Rights: Theorizing Babies Born of Wartime Rape and Sexual Exploitation,” in *Born of War: Protecting Children of Sexual Violence Survivors in Conflict Zones*, ed. Charli Carpenter (Bloomfield, CT: Kumarian Press, Inc., 2007), 5.

<sup>9</sup> The Pearl S Buck Foundation reported that Amerasians in Korea and Vietnam had faced both murder and sterilization because of their American paternity. According to John Shade, sterilization and emasculation specifically served to ensure that they did not “intrude further” into Asian society. Although the communist victory did result in the destruction of orphanages and the abandonment of nuns and an estimated 300,000 children to the streets, there is no corroborating evidence for Shade’s claims of murder and sterilization. John A. Shade Jr., “The Forgotten Child—The Amerasian in Indochina,” Conference for the National Organizations Advisory Council, Los Angeles, CA. May 8, 1980, Amerasians 1978-1984 folder, Box Vietnam; “PSBF Assistance to Vietnam,” General Info PSBF Vietnam #1 folder, Box Vietnam Operation Babylift, Archives of the Pearl S. Buck House, Pearl S. Buck International.

<sup>10</sup> Ibid., and Joyce Anis “Psychosocial Adjustment of Vietnamese Amerasians” (master’s thesis, University of Minnesota. 1996), accessed May 15, 2011, ProQuest Dissertations & Theses, 48.

<sup>11</sup> Ibid.



documented proof of American paternity and claim to legitimacy.<sup>12</sup> Illegitimate and ostracized because of their American paternity, the Amerasians of Vietnam, like the Bidoon of Kuwait, were outcasts within society. As a result, they experienced abuse and exploitation, were victims of economic and social discrimination and government persecution, and were effectively stateless. They became the lowest element of life in Vietnam, and no more valuable than dust.

Many Amerasians looked to the land of their fathers for the acceptance and belonging missing from their lives in Vietnam. Unable to acquire recognition from their individual fathers, most Amerasians hoped for legal recognition—a gesture of national paternal responsibility—through citizenship, something not so easy to attain. One of the biggest misconceptions in America is the belief that all children born to an American citizen whether at home or abroad are automatically American citizens. American citizenship law in fact, is far more convoluted and inherently gendered.

Children born abroad to American citizen mothers and foreign fathers are automatically US citizens. However children born to American fathers and foreign mothers are only US citizens if a father recognizes them. Thus, in 2008 when the birther movement attacked the US citizenship of Presidential candidate Barack Obama because of his alleged birth in Kenya and his Kenyan born father, missing was a simple understanding of US citizenship law. Obama's Kansas born mother was an American citizen and thus, according to US law, Obama was legally a US citizen.

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<sup>12</sup> According to the Pearl S. Buck Foundation the city of Ban Me Thout reported that after the Viet Cong entered the city, they killed younger Amerasians and placed the older ones into slave labor. There is no evidence in the American record to corroborate this report however it did contribute to the fears of those associated with the Amerasians that the North Vietnamese would target them for retribution. "Agencies licensed by the Republic of Vietnam to facilitate inter-country adoptions (prior to and during Babylift)," General Info PSBF Vietnam #1 folder, Box Vietnam Operation Babylift, Archives of the Pearl S. Buck House, Pearl S. Buck International.

Had Obama's mother been Kenyan however and his father American, as in the case of the Amerasians, the birthers would have had a case. In that scenario, Obama would have automatically assumed the nationality of his mother and any claim to US citizenship would have been fully reliant upon the choice of his father to legitimate him. Thus, in the case of the Amerasians, because US citizenship law for persons born abroad is a system of "natural mothers and legal fathers," Amerasians whose fathers did not claim them, could not secure US citizenship.<sup>13</sup>

Between 1970 and 1979, there were numerous legislative proposals to grant US citizenship to the Amerasians. Humanitarian organizations saw citizenship as a way to create more flexible international adoption laws in efforts to bring large numbers of Amerasians to the United States. However, adoption affected only a small number of the tens of thousands of Amerasians in Vietnam and often failed to benefit the black Amerasians—the progeny of African American fathers—who social service workers found difficult to place within white middle-class American families.<sup>14</sup> In each case, Congress failed to advance a single proposal. As the situation of the Amerasians became increasingly dire by the end of President Jimmy Carter's administration, evident in the growing numbers of Amerasian street children, Congress faced increasing pressure to do something.

During the Presidential administration of Ronald Reagan, Congress enacted two bills to deal with the Amerasians in Vietnam, the 1982 Amerasian Immigration Act

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<sup>13</sup> For further analysis see Kristin A. Collins, "Illegitimate Borders: *Jus Sanguinis* Citizenship and the Legal Construction of Family, Race, and Nation," *The Yale Law Journal* 123 no. 2134 (2014).

<sup>14</sup> The additional discrimination faced by black Amerasians is discussed in more detail throughout the dissertation. For further information see, Robert McKelvey, *The Dust of Life: America's Children Abandoned in Vietnam*, (Seattle: University of Washington, 1999).

(AIA) and the 1987 Amerasian Homecoming Act (AHA). Policymakers employed a discourse of inclusion when discussing both bills, offering the Amerasians cultural and social acceptance by describing them as children of American citizens. Such a discourse reinforced the expectations of the Amerasians that they would find acceptance and belonging in the United States.

However, both acts failed to provide birth-right citizenship, forcing those Amerasians who lacked paternal legitimacy to acquire citizenship through the same naturalization process as foreign immigrants. The exclusion of citizenship effectively categorized the Amerasians as foreigners whose legal status in the United States coincided not with their American paternity, but with their ability to transform from Vietnamese immigrants into American citizens.<sup>15</sup> Thus, in practice, acceptance and belonging did not come naturally in America; the Amerasians had to earn it.

The majority of the approximately 30-50,000 Amerasians in Vietnam after the war, were illegitimate.<sup>16</sup> Most did not know their American fathers or lacked the necessary documentation to claim American citizenship. The failure of policymakers to turn their inclusionary rhetoric into acts of inclusion via citizenship negatively affected the Amerasians who often arrived in the United States without friends, family, or fathers. Rejected in Vietnam because they were biologically and physically “American” but

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<sup>15</sup> Diana H. Yoon, “Reproducing Citizens Through U.S. Militarism: Amerasians and Descent Based Membership” (PhD diss., New York University, 2010), 153.

<sup>16</sup> There is no accurate accounting of the number of Amerasians in Vietnam. US government officials and humanitarian organizations varied greatly in their reports depending on the location and resources utilized. The most accurate accounts have resulted from a combination of orphanages in South Vietnam, venereal disease clinics that treated the mothers of Amerasians, and chaplains. By the passage of the AHA in 1987, the range of 30,000-50,000 became the most consistent accounting. For more information on accounting methods see, John A. Shade, Jr., “A Progress Report on Caring for the Amerasian: A Difficult Task.” The Pearl S. Buck Foundation, 1978, Amerasians 1978-1984 folder, Box Vietnam, Archives of the Pearl S. Buck House, Pearl S. Buck International.

marginalized within America because they were culturally and legally Vietnamese, many Amerasians faced an unresolved sense of self and significant obstacles to assimilation.<sup>17</sup>

### Questions of Citizenship

On the surface, the answer to the question of why policymakers excluded citizenship from the AIA and the AHA appears obvious. Per U.S. law, the Amerasians—illegitimate children of American fathers born abroad—were not citizens. However, exclusion was more deeply rooted. Despite the law, in the debates and discussions surrounding both the AIA and the AHA, policymakers often utilized an inclusionary discourse that posited the Amerasians as the children of American fathers and considered citizenship a “benefit of their [American] birthright.”<sup>18</sup> Furthermore, Congress did amend US law on behalf of the Amerasians. Both acts changed US immigration law which followed the tenets of US citizenship law regarding children born abroad to American fathers, in order to provide the Amerasians preferential immigration status as “children of United States Citizens.”<sup>19</sup> The result was an approach that both engaged the Amerasians as potentially American children but excluded them legally from claiming full rights as citizens.

Thus the question of citizenship in this case is not just about the law because the answer to that is clear. Rather, the question is in the discourse of identification and

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<sup>17</sup> Fred Bemak and Rita Chi-Ying Chung, “Vietnamese Amerasians: Psychosocial Adjustment and Psychotherapy,” *Journal of Multicultural Counseling & Development* 25 (Jan 1997): 79-88. Bemak and Chi-Ying Chung use the term “internalized oppression” to describe the unresolved sense of self within Amerasians. They suggest that because the Vietnamese culture has negative associations with fatherlessness, physical differences, U.S. culture, and soldiers who were the biological fathers of the Amerasians, internalized oppression may be more prevalent. The devaluation of differences may complicate and confirm the experience of not belonging. They reference studies by Kich (1992) who stated that the devaluation of self, results from a self-regulation fostered by the internalization of experiences of discrepancy, ambiguity and rejection--what has come to be called "internalization of racism" (Pinderhughes, 1989) and "internalized oppression" (Root, 1992).

<sup>18</sup> Statement of Senator Jeremiah Denton, *Hearing Before the Subcommittee on Immigration and Refugee Policy*, S, 1698, Amerasian Immigration Act of 1982, 97<sup>th</sup> Cong., 2<sup>nd</sup> sess., June 21, 1982, 13.

<sup>19</sup> Amerasian Immigration Act of 1982, Public Law 359, 97<sup>th</sup> Cong., 2<sup>nd</sup> sess. (Oct. 22, 1982).

immigration and the conflict and the confusion of policymakers struggling to reconcile the Amerasian mixture with their own notions of race and nation in the shadow of a military defeat. Such confusion framed the contradictory approach of policymakers who consistently saw American children, but legislated for Asian immigrants and refugees. The questions therefore become why did policymakers employ an inclusionary discourse about persons who, by law, were not US citizens? Why did Congress change US law to allow the Amerasians to immigrate to the United States as the children of American fathers, but never changed laws to allow them to legally claim American citizenship?

The answers are inherently complicated. I argue that the uneven application of US immigration and citizenship law and the contradictory use of inclusionary discourse and exclusionary citizenship policies reveal deeper issues of race, nation, and the war in America. The exclusion of citizenship was deliberate, although the discrimination facing the Amerasian in Vietnam was real, as was the concern for them by congressional lawmakers who authored the legislation. However, the fate of the Amerasians fell victim to larger geopolitical issues: international relationships in a Cold War era, America's defeat in the Vietnam War, and a racialized history of exclusionary immigration and citizenship policies directed against people of Asian descent.

In the decade following the Vietnam War, President Ronald Reagan saw his foreign policy as rectifying America's image as a military and humanitarian superpower and as securing the superiority of American democracy in the Cold War battle against Soviet communism. The Reagan doctrine shaped his neoconservative Cold War foreign policy formula—anti-Soviet and anti-communist. Framed within the Cold War conflict,

the Amerasians became convenient and effective tools of Cold War propaganda that posed the “evils” of communism—evident in their stateless existence in Vietnam—against the “goodness” of American democracy and humanitarianism as depicted in the legislation.

American sympathy for the Amerasian issue centered on their racial mixtures. Children of war were not a new phenomenon for the United States and by 1980 refugee migrations had become much more commonplace. But the Amerasians were unique. Like their predecessors from Korea and Japan, their physical difference stood out in the largely homogenous Vietnamese society. Americans who saw the photographs of the Amerasians of Vietnam scattered across newspapers during the decade experienced the conflict, the bewilderment, the confusion of the mixtures, and they saw the faces of the soldiers who fathered them.

The Vietnam War evoked tremendous guilt and shame for many Americans as it cost America 58,000 lives and a deep-rooted pain for those whose loved ones never came home. For these Americans, the Amerasians represented the faces that American mothers and wives, sisters and brothers who lost someone in the war, recognized. These were the faces that challenged the pragmatism of policymakers who saw American children but legislated for Vietnamese immigrants and refugees. These were the faces that made the Amerasians valuable propaganda for Reagan’s Cold War battles, because while the Amerasians’ stories were sad, they were, more importantly, effective in garnering the sympathy of the American public and reinforcing the Reagan administration’s anti-

communist agenda. In some ways the marginalization and the discrimination they faced in Vietnam served American national interests.

Yet, the guilt from the Vietnam War and the physical characteristics that marked the Amerasians as children of American fathers, did not warrant citizenship. Regardless of the abuse they faced or their hair color, eye shape, or freckles, policymakers could not reconcile their American looks with citizenship. Ultimately, they perceived the Amerasians to be Asian rather than American. Following the tradition of America's history of exclusionary policies against people of Asian descent, they effectively excluded them from American citizenship.<sup>20</sup>

### **Historiographical Debate**

Considerable literature exists on the Amerasians across several disciplines. The vast majority of this literature focuses on the individual stories of the Amerasians, providing a bottom-up, victim-centered approach to the narrative. Collections of oral histories reveal both stories of success and failure from Amerasians who came to America through adoption, evacuation, or immigration, as well as those left behind in Vietnam.<sup>21</sup> Examinations of the refugee experience have given voice to those children lost in the refugee camps after the war and have exposed the failures in the refugee departure system.<sup>22</sup> Studies on the Amerasians specifically tend to focus on the

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<sup>20</sup> Between 1875 and 1965 US policies including the 1875 Page Act, 1882 Chinese Exclusion Act, 1907 Gentleman's Agreement, 1924 Walter-Reed Act, 1952 McCarran-Walter Act effectively excluded different groups of Asians from immigration to the United States and American citizenship. For further discussion see Chapter One.

<sup>21</sup> Thomas A. Bass, *Vietnam: The War Comes Home* (New York: Soho Press, 1996); Trin Yarborough, *Surviving Twice: Amerasian Children of the Vietnam War* (Washington, D.C.: Potomac Books, Inc., 2005) and Steven DeBonis, *Children of the Enemy: Oral Histories of Vietnamese Amerasians and Their Mothers* (Jefferson, North Carolina: McFarland and Company, Inc., 1995) can be considered pioneers in the area of Amerasian studies. Each author uses oral history to depict the injustices faced by the Amerasian children as a result of their mixed-blood.

<sup>22</sup> James M. Freeman and Nguyen Dinh Huu, *Voices from the Camps: Vietnamese Children Seeking Asylum*, (Seattle: University of Washington Press, 2003).

Amerasian Homecoming Act, addressing the effects of American humanitarian efforts and policy on the Amerasians themselves and the failures of American resettlement services.

Political scientists have also highlighted the injustice of American immigration policy as applied to the Amerasians, acknowledging the connection between humanitarian efforts and policy, while condemning America's treatment of the Amerasians.<sup>23</sup> Although much of this scholarship denounces the policies themselves, there is little analysis of the actual policy-making process or consideration of the factors that influenced that process. In its discussion of American responsibility for the Amerasians, this literature has benefitted from the work of gender and feminist scholars on militarism not often associated with political science.

The groundbreaking work of scholar Cynthia Enloe critically analyzes US military policies that endorse and therefore encourage the immoral (prostitution) and irresponsible actions (US policy) of American soldiers abroad.<sup>24</sup> Newer works have expanded the gendered framework of *militarized intimacies*, viewing relationships between military men and foreign women abroad and the military policies that police these relationships as an extension of imperialism and colonialism.<sup>25</sup> While such scholarship provides a theoretical analysis of how American imperialist and/or racial

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<sup>23</sup> Sue-Je Lee Gage, "The Amerasian Problem : Blood, Duty, and Race," *International Relations* 21 (2007), and Marykim DeMonaco, "Disorderly Departure: An Analysis of the United States Policy Toward Amerasian Immigration," *Brooklyn Journal of International Law* 15 (1989). Gage focuses on the challenges that Amerasians posed to politics of identity and citizenship focusing on the concept of "humanness," who humanitarian groups deemed worthy of citizenship and protection. DeMonaco concentrates on the politics of the ODP in the AHA revealing the politicization of the Amerasians by Vietnam and America.

<sup>24</sup> Cynthia Enloe, *Bananas, Beaches and Bases: Making Feminist Sense of International Politics* (Berkeley and Los Angeles: The University of California Press, 1990). and *Maneuvers: The International Politics of Militarizing Women's Lives* (Berkeley, University of California Press, 2000); Katherine H.S. Moon, *Sex Among Allies: Military Prostitution in US-Korea Relations* (New York: Columbia, 1997).

<sup>25</sup> Setsu Shigematsu and Keith L. Camacho, eds., *Militarized Currents: Toward a Decolonized Future in Asia and the Pacific* (Minneapolis, University of Minnesota Press, 2010).



ideology contributed to military policies regarding women and children in camptowns, missing is an analysis that extends to US immigration policy regarding children born from these relationships or specific to the Amerasians.<sup>26</sup>

Psychologists have contributed greatly to the literature on the Amerasians; however they have limited their studies to the psychological damage and issues of racial identity that resulted from resettlement. Consequently this scholarship deals strictly with race, identity, assimilation, and acceptance and often highlights the psychological harm resulting from the AIA and AHA. As bottom-up analyses, such studies tend to focus not on the intention of the legislation but rather its consequences and often specifically on the failures of the Philippine Refugee Processing Center and American Resettlement Services.<sup>27</sup> Although valid and valuable, these scholars fail to analyze the fundamental forces that created the issues their work studies.

Also well documented are the humanitarian efforts towards the Amerasians during and after the Vietnam War. Much of the literature focuses on stories of abandonment and adoption, and specifically the debates surrounding the 1975 Operation

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<sup>26</sup> American scholar Cythia Enloe, (*Maneuvers*) has led the charge of both gender studies and the militarization of foreign women specifically through military endorsed prostitution. While Enloe has built upon the works of other scholars like Pearl S. Buck, and David Tarr, "The Military Abroad," *The ANNALS of the American Academy of Political and Social Science* 31 (1966) the works of whom recognized fraternization and prostitution by U.S. military abroad, Enloe has inspired more recent works by Ann Scales "Soft on Defense: The Failure to Confront Militarism." *Berkeley Journal of Gender, Law & Justice*, (2005): 369-393, and Katherine H.S. Moon "Resurrecting Prostitutes and Overturning Treaties: Gender Politics in the 'Anti-American' Movement in South Korea." *The Journal of Asian Studies* 66, no. 1 (February 2007): 129-157. By concentrating on gender, such works have failed to address the connection between militarization, race, and nation with gender as tools of power and hierarchy.

<sup>27</sup> McKelvey (*The Dust of Life*), had led the field in psychological analysis of race and identity and the Amerasians from Vietnam. McKelvey studies the effects that the AHA and the immigration process had on Amerasians whose mixtures of race and nation resulted in their failure to attain an identity of acceptance either through lineage or belonging to a nation or place. McKelvey has contributed numerous psychological studies to scholarship on race and identity specifically in regards to Black-Amerasians, rejected in Vietnam for their racial inferiority and rejected by African Americans in America for their cultural differences. McKelvey's more recent works have centered on the emotional dysfunctions and psychological disorders of Amerasians who have resettled in America as a result of the AHA. While the Philippines Refugee Processing Center and America Resettlement Services existed before the AHA in addressing the needs of refugees, the AHA mandated both for Amerasians who left Vietnam through the program.

Babylift.<sup>28</sup> Although adoption and evacuation efforts included Vietnamese and Amerasian children, this scholarship remains tightly tied to the narrative of American humanitarianism and the moral responsibility to “save” the Amerasian orphans.

Abandonment scholarship is also prevalent within the literature of the Amerasians. Numerous memoirs, reports and letters of humanitarian workers and military chaplains describe the vast numbers of abandoned Amerasians in Vietnam.<sup>29</sup> During the war Catholic nuns and aid workers were the first Western “saviors” of the Amerasians who often disproportionately filled Catholic orphanages. Dramatic efforts to save the Amerasian orphans consumed many aid workers and adoption organizations and helped cast all Amerasians in Vietnam as “orphans.”<sup>30</sup> Some coerced Vietnamese mothers to give up their Amerasian children to the orphanages convincing them that their children would have better lives through adoption to the United States.<sup>31</sup> Recent scholarship has finally begun to address such injustice and the destruction of families.<sup>32</sup> There is little consideration however, of the particular condition of the Amerasians for whom abandonment and adoption reflected issues of rejection and paternal responsibility.

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<sup>28</sup> Dana Sachs, *The Life We Were Given: Operation Babylift, International Adoption, and the Children of War in Vietnam* (Boston: Beacon Press, 2010).

<sup>29</sup> Rosemary Taylor in collaboration with Wende Grant, *Orphans of War: Work with the Abandoned Children of Vietnam 1967-1975*, (London and Sydney: Collins, 1988); John O’Conner, *A Chaplain Looks at Vietnam* (Cleveland: The World Publishing Company, 1968).

<sup>30</sup> Numerous adoption agencies emerged to assist with international and transracial adoptions of Amerasian children during the period including the Pearl S. Buck Foundation and Holt International.

<sup>31</sup> There are many reports of humanitarian workers who convinced mothers of Vietnamese children and specifically Amerasians to give up their children for a “better” life in America. Such efforts coincided with the US withdrawal and the fall of South Vietnam to the Communist forces and to the 1974 allocation by USAID of \$7.2 million to facilitate the adoption of war orphans by US citizens. In 1975 such efforts faced the federal court system in the court case of *Tuyen v. Schlesinger* a lawsuit brought against the US government by Vietnamese mothers claiming the United States evacuated and adopted their children without their permission. For specific discussions and examples see, Taylor and Grant, *Orphans of War*; Debonis, *Children of the Enemy*; and Yarborough, *Surviving Twice*. For further information on the lawsuit see “Findings of Fact and Conclusions of Law and Order” In the United States District Court for the Northern District of California. Nguyen Da Yen, Nguyen Da Vuong and Nguyen Da Tuyen v. James Schlesinger, Secretary of Defense, et al. June 30 1975, Legal Information 1975 folder, Box Vietnam Operation Babylift, Archives of the Pearl S. Buck House, Pearl S. Buck International.

<sup>32</sup> Catherin Choy, *Global Families: A History of Asian International Adoption in America* (New York: New York University Press, 2013); Laura Briggs, *Somebody’s Children: The Politics of Transracial and Transnational Adoption* (Durham: Duke University Press, 2012); Jane Jeong Trenka et al (eds), *Outsiders Within: Writing on Transracial Adoption* (Cambridge: South End Press, 2006).

Race fundamentally shaped most of the adoption literature on Amerasian adoptees, noting it often posed as a barrier to overcome or an identity to erase to achieve successful assimilation into America. Presumably, national identity was not a legal concern for the adopted Amerasian; rather this scholarship contends that racial assimilation into America was the key to national belonging.<sup>33</sup> Documentaries like the *Daughter of Danang* and Andrea Warren’s popular and compelling narrative *Escape from Saigon* highlight issues of race and identity as experienced by Amerasians adopted by white families in both urban and rural communities.<sup>34</sup>

Here exists a critical gap in the Amerasian historiography. The conflation of racial assimilation and national belonging assumes that Amerasians who could racially and culturally assimilate into white America or black America *became* American. Absent is any consideration of citizenship as evidence of American identity. Even Heidi, the Amerasian profiled in *Daughter of Danang* who became a U.S. citizen through the adoption process, admitted that her white adoptive mother “permed her hair curly” and directed Heidi to tell people she was born in South Carolina—“doing everything she could to make me as American as possible.”<sup>35</sup>

For black Amerasians, racial assimilation as proof of belonging proved even more challenging. The documentary *Amerasians* reveals the futile attempts of young black Amerasian men who immigrated under the AHA to find acceptance in America by

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<sup>33</sup> The film *Amerasian* is the exception as it deals specifically with the issues of racial and cultural assimilation facing those Amerasians who entered the United States as young adults. *Amerasian*, directed by Gandini Multifilm (The Cinema Guild, Inc, 1998), Videocassette.

<sup>34</sup> Overall, little scholarship exists on Amerasians adopted by non-white American families and this remains an area for future research. *Daughter From Danang* directed by Vincent Franco and Gail Dolgin (Interfaze Educational Productions, Inc., 2003), DVD; Andrea Warren, *Escape from Saigon: How a Vietnam War Orphan Became an American Boy* (New York: Square Fish, 2008).

<sup>35</sup> *Daughter From Danang*, DVD.

racially assimilating as African Americans, many joining black street gangs to relate.<sup>36</sup>

While the focus in the film is on race, there is no discussion of how acquiring citizenship could legalize their belonging in America.<sup>37</sup>

Finally, there are the memoirs of the Amerasians themselves and the increasing number of fictional tales and novels that take a victim-centered approach. These too, are powerful stories of persecution and isolation.<sup>38</sup> Specifically in the novels, the Amerasian is often a tragic figure, the product of the streets who struggles with abuse, discrimination and identity or, in the case of Donald Zlotnik's recent work, *The Amerasian*, who imposes violence against the United States in retribution for his abandonment by his American father.<sup>39</sup> In each case the victimization of the Amerasian occurs at the hands of the Vietnamese government and people. Even Zlotnik's character commits his atrocities after being brainwashed by a manipulative Vietnamese military officer. This literature reinforces the Cold War narrative of the period which posed the "good" America against

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<sup>36</sup> *Amerasian*, Videocassette.

<sup>37</sup> Although very little scholarship exists to address these issues of race, citizenship and identity for the Amerasians, there is a large historiography regarding the same concerns for the thousands of Germany's brown babies—the progeny of African American soldiers and German women—after World War II. Historians continue to examine the relationship between race, citizenship and identity regarding the brown babies and specifically work to deconstruct assumptions of transnational kinship with African Americans. While analyzing how Germany and the United States constructed the racial and national identities of the brown babies largely through the promotion of racial kinship with African Americans, this literature also points to the importance of German citizenship which secured the brown babies a national identity and confirmed Germany's commitment of national responsibility. A similar analysis is absent regarding the black Amerasians. Heide Fehrenbach, *Race After Hitler: Black Occupation Children in Postwar Germany and America* (Princeton and Oxford: Princeton University Press, 2005); Tina Campt, *Other Germans: Black Germans and the Politics of Race, Gender, and Memory in the Third Reich* (Ann Arbor: University of Michigan Press, 2004); Maria L. Diedrich, Maria I. and Jurgen Heinrichs eds., *From Black to Schwarz: Cultural Crossovers Between African America and Germany* (East Lansing: Michigan State University Press, 2011). While each author agrees that the expectation for racial kinship between African Americans and the brown babies existed, promoted initially by both the U.S. and German governments, military authorities and the general public, there is much argument against this kinship in the literature. While the African American community stressed the racial kinship with the brown babies viewing Germany's social integration of the brown babies into German society beneficial to the African American push for civil rights during the 1950s and 1960s, Campt, Diedrich and Fehrenbach all assert that such kinship did not exist. Rather, they stress the different historical, cultural, and linguistic roots to situate the brown babies outside of what is commonly referred to as the racial and diasporic kinship of the "Black Atlantic." For a more detailed and comparative analysis of transnational racial kinship regarding the brown babies and the black Amerasians see: Sabrina Thomas, "The Soul of Blood and Water" submitted for review Summer 2015.

<sup>38</sup> Kien, Nguyen, *The Unwanted: A Memoir* (Boston and London; Little, Brown and Company, 2001).

<sup>39</sup> Donald E. Zlotnik, *The AmerAsians* (Seraphim & Angel LLC, 2013). Additional novels and works of fiction include: Carol Zanetti, *Legacy of Guilt* (Lulu.com, 2007); Heinz Insu Fenkl, *Memories of My Ghost Brother: A Novel* (Dutton Adult, 1996) and David L. Meth, *A Hint of Light* (Writer's Production, 2010).

the “bad” Vietnam. In each story, the Amerasian looks to America as the symbol of hope, vindication, and identity.

Hence, for all its strengths, existing scholarship on the Amerasians in Vietnam has a limited bottom-up victim centered approach with analyses of the systematic and human consequences of the Amerasian legislation, the humanitarianism of rescue and adoption, and the sympathetic stories of discrimination and abuse by an unjust communist government. Not a single work considers the point at which all of these factors intersect—the policymaking process. This process combines the decisions of leaders with the lives of the Amerasians, the opinions of the American public with the stories of American media, the foreign policies of two Cold War foes with the geopolitical environment of the Cold War, and the deliberate framing of the Amerasians as sympathetic victims but unworthy citizens with the colonial undertones of Asian exclusion in America. These points of intersection reveal the intent behind the policy that shaped the lives and the plight of the Amerasians. It is this gap that I seek to fill.

### **Organization of the Dissertation**

To get to the heart of the policymaking process, my research focuses on the US leaders who created, contributed to and opposed Amerasian legislation, the debates and discussions surrounding the bills, and the policies themselves. The dissertation flows chronologically in an effort to trace the evolution of the Amerasian legislation from the Orderly Departure Program (ODP) to the AHA.

Chapter One begins the project by examining US citizenship and immigration laws for children born abroad. Specifically, it explores the sex-based distinction

embedded in the interpretation and the application of the *jus-sanguinis* law and the problematic implications that the distinction has for children born abroad specifically to American servicemen. This chapter considers the history of laws and practices regarding mixed-race populations in America that racialized white-non-white mixtures into the racial category of their non-white parent. American imperialists at the end of the nineteenth-century extended the non-white classification to the darker skinned populations from Pacific and Caribbean nations. Such colonial perceptions stretched into the twentieth-century to shape the way American policymakers approached and perceived the people of Vietnam. It is the intersection of these factors and US foreign policy in which the plight of the Amerasian exists.

Chapter Two examines the 1979 ODP and the social, economic, political and international context in which it emerged in the post-Vietnam War era. It begins with an analysis of the French colonial experience in Indochina and how France chose to address its own mixed-race population of French-Vietnamese *metis*. This chapter also introduces the plight of the Amerasian children as recognized by policymakers under the presidential administrations of Richard Nixon, Gerald Ford and Jimmy Carter and the political pressures extended by international adoption agencies, journalists, humanitarians, non-governmental organizations and activists to address the Amerasian issue. The classification of the Amerasians as refugees framed the perception that like all of the Vietnamese “boat people,” the Amerasians were distant, different, and distinct and contributed to the inability of policymakers to fully embrace them as American children or to recognize them as American citizens.

Chapter Three focuses on the debates and discussions surrounding the passage of the AIA and examines the intentions of the various political and non-political actors involved in the efforts. Specifically it highlights the collaboration of US political leaders, humanitarians and religious leaders in pushing Congress to pass the AIA and in framing the Amerasians as “American” children through an inclusionary discourse. It is the intentions of those advocating for the AIA and the eventual realities of the bill that are vital to understanding the critical contradictions between inclusionary rhetoric and exclusionary policy.

Chapter Four fills the gap between the passage of the AIA in 1982 and the AHA in 1987. It highlights the domestic, political and international contexts which reveal the limitations of the AIA, the manipulation of the Amerasian issue for Cold War propaganda, and the extent to which domestic debates over illegal immigration intertwined with policy decisions regarding legal immigrants and refugees.

Chapter Five tells the story of Le Van Minh, the Amerasian teenager whose photograph inspired the AHA. It considers the unlikely events at Huntington High School which led to the creation of the AHA, the decision of policymakers to exclude citizenship and a policy that designated the Amerasians as the children of American fathers but failed to grant them American citizenship. The story exposes the intentions behind the decision to bring Minh to America and to pass the AHA into law as well as his life and its outcome.

Chapter Six examines the implementation of the AHA and its real effects on the Amerasians of Vietnam. The process of determining which Amerasians qualified for the AHA based on their physical appearance, forced American authorities in Vietnam to

racially categorize the Amerasians into their own subjective concept of an American appearance. Still, while selected Amerasians entered the United States having met the standards of American physical identity, the exclusion of citizenship remained a barrier to legal acceptance.

The heart of my research is the policy and the intention of policymakers in these two pieces of legislation. This research significantly broadens the notion and changes the idea of US foreign policy of issues of race, class and gender. While criticism of diplomatic history or policy studies often center on the top-down approach to history, my work shows that while policy is top-down, its effects come from the bottom up – the points at which policy intersects with lives. The intentions behind the creation or changing of policies are important and reflect the social, economic, political and global environment of the period. Policies have direct implications, benefits and consequences and this project makes that relationship clear. In the case of the Amerasians, it helps to determine “the value of dust.”



## CHAPTER 1

### MIXING A NATION

“‘All waters and women look the same under the light of the moon,’ but all nations do not appear the same in the light of civilization. The West speaks of the ‘heathen’ East, and the East with equal contempt calls the Westerner a barbarian. Each complains that the other is uncivilized.”<sup>40</sup>

The presence of mixed-race persons in the United States has always been problematic, especially products of one white and one non-white parent.<sup>41</sup> The progeny of these interactions have always existed as evidence of the ever-illicit, interracial sex, which simultaneously challenged the gendered and racialized constructs of white male superiority, the sanctity of white womanhood, and racial purity.<sup>42</sup> In order to protect the racial hierarchy that placed whiteness above all others, the American legal system even criminalized interracial sex through anti-miscegenation laws and marriage restrictions that effectively coded such acts as unnatural.<sup>43</sup> However, initial laws failed to prepare for the challenges wrought by the existence of mixed-race children who blurred the clear cut

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<sup>40</sup> “Every-Day Life in Japan” *Harper’s Weekly*, October 20, 1904 as referenced in Onoto Watanna, *“A Half Caste” and Other Writings*, ed. Linda Trinh Moser and Elizabeth Rooney (Urbana and Chicago: University of Illinois Press, 2003), 165.

<sup>41</sup> Susan Koshy posits that in the history of anti-miscegenation laws and mixed race children in the United States, white-Native American and white-Mexican miscegenation differed from black-white and later, white-Asian miscegenation. There was, she argues, an assumption of some degree of social assimilation for the mixed-race offspring produced by those specific mixtures providing restricted access to the privileges of whiteness. Susan Koshy, *Sexual Naturalization: Asian Americans and Miscegenation* (Stanford: Stanford University Press, 2004), 6.

<sup>42</sup> Peggy Pascoe, *What Comes Naturally: Miscegenation Law and the Making of Race in America* (Oxford: Oxford University Press, 2010); Martha Hodes, *White Women Black Men: Illicit Sex in the 19<sup>th</sup>-Century South* (New Haven: Yale University Press, 1999).

<sup>43</sup> Susan Koshy argues that anti-miscegenation laws for Asian Americans reaffirmed their status as perpetual foreigners and racial and sexual aliens and differs from other forms of anti-miscegenation in the United States because it was produced in both a territorial and extraterritorial frame that incorporated US domestic, immigration and naturalization laws. While sexual relations between white men and Asian women overseas emerged “in the context of the sexual license and power” that accompanied men in ports, military bases or as occupying forces in Asia, US immigration law required a legitimate marital union in order for such relationship to continue in the United States. Koshy, *Asian American Miscegenation*, 1-17. For more information on Eurasian children see Emma Teng, *Eurasian: Mixed Identities in the United States, China, and Hong Kong, 1842-1943* (Berkeley: University of California Press, 2013). For a discussion on intermarriages between Chinese immigrant men and black and Native American women in the American South and East, during the period see Robert G. Lee, *Orientalism: Asian Americans in Popular Culture* (Philadelphia: Temple University Press, 1999). For additional scholarship on mixed-race populations in America see: Pascoe, *What Comes Naturally*, 1-5. For more on miscegenation in the United States see Martha Hodes, ed., *Sex, Love, Race: Crossing Boundaries in North American History* (New York: New York University Press, 1999); Paul R. Spickard, *Mixed Blood: Intermarriage and Ethnic Identity in Twentieth-Century America* (Madison: The University of Wisconsin Press, 1989).

racial lines upon which the social order and white superiority depended, inciting a racial “identity crisis” in America by the end of the nineteenth-century.<sup>44</sup>

To resolve the “crisis,” U.S. laws defined racial identity by measuring blood or *blood quantum*, the “enduring fiction of miscegenation law.”<sup>45</sup> Efforts to protect whiteness required restricting access of mixed-race individuals to marry, inherit property, vote, and sometimes become citizens.<sup>46</sup> Consequently, mixed-race persons faced the same restrictions to power and the privileges of whiteness as their racially non-white parent. Thus, legally identified as non-white through assumptions of blood quantum and systematically excluded from white privilege, mixed race persons in America became racially “othered.”<sup>47</sup>

The racialization of mixed-race persons in America into “other,” non-white racial categories, was vital to a *racial moment*—“the critical juncture in relationships between people when they come to see each other, and are seen by outsiders, as fundamentally, essentially immutably different from one another.”<sup>48</sup> For racially distinct populations like African Americans and Asians in America, race obviously marked differences. Skin tone,

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<sup>44</sup> Maria P.P. Root, “Within, Between and Beyond Race,” in *Racially Mixed People in America*, ed. Maria P.P. Root (Newbury Park, California: Sage, 1992), 3.

<sup>45</sup> Pascoe, *What Comes Naturally*, 8. Lisa Funderburg posits that America’s one-drop rule has successfully defined race for blacks and whites and black-white mixtures in America, while ensuring that the black community absorbs the offspring of miscegenation, thereby identifying them as black. Maria Root suggests that race mixing is considered most dangerous when it threatens the border between “White and non-White” and involves groups most distant socially and culturally—black/white, Japanese/black, Japanese/white—and involves groups most wedded to preserving the “purity” of the race, which she identifies as whites and Asians. Lise Funderburg, *Black, White, Other: Biracial Americans Talk about Race and Identity* (New York: William Morrow, 1994-1994), 13. Root, “Within, Between and Beyond Race” in Root, 6.

<sup>46</sup> Such concerns emerged most notably after the emancipation of African American slaves in 1865 and the passage of the Fourteenth Amendment which granted African Americans American citizenship. Both acts raised national anxieties concerning race relations and the threat posed to the racial hierarchy in America and coincided with the racialization of Asian migrants as coolies and challenging systems of race, labor and citizenship for American racial minorities and Asian immigrants. For further discussion see Helen Heran Jun, *Race for Citizenship: Black Orientalism and Asian Uplift from Pre-Emancipation to Neoliberal America* (New York: New York University Press, 2011), and Martha Hodes, *White Women Black Men: Illicit Sex in the 19<sup>th</sup>-Century South* (New Haven: Yale University Press, 1999). For laws regarding marriage, inheritance, citizenship and voting see: California Supreme Court *Perez v. Sharp* (Oct. 1, 1948) 32 Cal.2d 711, 198 P.2d 17 and US Supreme Court, *Loving v. Virginia* (1967) 388 U.S. 1 (1967)

<sup>47</sup> Edward Said describes this practice through the concept of *Orientalism*, “a collective notion identifying ‘us’ Europeans as against all ‘those’ non –Europeans,” reinforcing ideas of superiority and inferiority based on progress and modernity, Selections from *Orientalism* in Williams and Chrisman, *Colonial Discourse and Post-Colonial Theory: A Reader* (Columbia University Press, 1994).

<sup>48</sup> Paul Spickard, “Race and Nation, Identity and Power: Thinking Comparatively about Ethnic Systems,” in *Race and Nation: Ethnic Systems in the Modern World* ed. Paul Spickard (New York and London: Routledge, 2005), 8.

hair texture, eye shape and features, became clear indicators of natural biological difference and to some, racial inferiority. Mixed-race individuals “othered” into these racial categories faced the same restrictions, similarly identified by physical characteristics, markers of their non-white parent.<sup>49</sup> Such categorization became increasingly complicated when placed within the emerging push in the second-half of the nineteenth century, for citizenship rights for non-whites.

### **The Benefits of Blood**

In America, birth-right citizenship, defined by *jus soli* (land) and *jus sanguini* (blood), not only provides legal membership and national identity, but typically dictates access to the constitutional rights and privileges of the nation. It is a tool of inclusion and exclusion structured in terms of ethnic, racial, and gender hierarchies, which reflect America’s imperialistic and racialized history.<sup>50</sup> Since its founding, America has used citizenship to undermine the inclusive nature of *blood* and *land* in order to control the membership of the American national community, a racialized process that justified excluding African Americans and Native Americans from citizenship until 1868 and 1924 respectively.<sup>51</sup>

During the nineteenth-century however, Asians in America faced a different citizenship challenge than other non-whites. Shaping the social and legal exclusions that mark the “‘American’ experience” of Asians in America, regardless of citizenship or

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<sup>49</sup> Pascoe, *What Comes Naturally*; Paul R. Spickard, *Mixed Blood*; Cynthia L. Nakashima, “Servants of Culture: The Symbolic Role of Mixed-Race Asians in American Discourse” in *The Sum of Our Parts: Mixed-Heritage Asian Americans*, Teresa Williams-Leon and Cynthia L. Nakashima eds (Philadelphia: Temple University Press, 2001).

<sup>50</sup> Diana H. Yoon, “Reproducing Citizens Through U.S. Militarism: Amerasians and Descent Based Membership” (Ph.D. diss., New York University, 2010),8.

<sup>51</sup> Spickard, “Race and Nation, Identity and Power,” in Spickard,17. According to Spickard, citizenship for Native Americans was predicated on contingencies of land ownership and cultural assimilation

generation, remain questions of whether Asians could become Americans or if Asian Americans were Americans.<sup>52</sup> The first Asians in America entered as immigrants, who found their efforts to attain naturalized citizenship by mid-century limited by the phrase “free white persons” in the 1790 Naturalization Law and the nativist backlash and racist vitriol from white American workers concerned about the economic threat posed by Asian labor.<sup>53</sup> In fact the failure of Republican Massachusetts Senator Charles Sumner in 1869 to convince Congress to abandon the principle of a racial qualification for citizenship and remove the word “white” from the 1790 law occurred because of Western delegates in Congress who adamantly opposed immigration from Asia because of the economic threat to white labor.<sup>54</sup>

Between 1875 and 1952, economic concerns and racism framed American immigration policies that effectively excluded Asian immigrants from American citizenship. Additionally, the need to police the sexuality of the primarily male Asian immigrant work force and to impede their incorporation into America through marriage or reproduction of American-born citizens, shaped anti-miscegenation laws aimed at

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<sup>52</sup> Theresa Williams-Leon and Cynthia L. Nakashima, “Reconfiguring Race, Rearticulating Ethnicity,” *The Sum of Our Parts: Mixed-Heritage Asian Americans*, eds. Teresa Williams-Leon and Cynthia L. Nakashima (Philadelphia: Temple University Press, 2001), 7.

<sup>53</sup> The first mass immigration from Asia came from China as Chinese laborers entered to work on the railroads and the mines of the American western frontier. The first official record of Japanese coming to America was in 1861. The economic competition wrought by the “coolie” labor of Chinese workers in the West united the European immigrant working class in opposition. Matthew Jacobson argues that the process of “becoming Caucasian” was a crucial part of the politico-cultural saga of European migration and settlement. The perceived differences among white “others” declined during the 1920s as immigration restrictions and black migration redrew racial lines along white, black and other casting all white Europeans into the general category of “white.” Spickard, *Mixed Blood*, 25.

<sup>54</sup> Western delegates from California and Oregon understood the value of cheap Chinese labor for their states however they did not believe the Chinese deserved political rights, although some Western delegates like Oregon Republican Cornelius Cole and Nevada Senator William Stewart argued that because they were better educated and more industrious, the Chinese would make better citizens than African Americans. Cornelius Cole, *Memoirs of Cornelius Cole, Ex-Senator of the United States from California* (New York: McLoughlin Brothers, 1908), 285-87. In 1870, 78 % of the nation’s Chinese population lived in California, the majority laboring in the mining industry, as merchants and cheap labor for the transcontinental railroad and in agriculture. In 1855 California initiated efforts to ban Chinese immigration levying an immigration tax on “persons who cannot become citizens,” and in 1862 a police tax on every Chinese to “protect free white labor” from “competition with Chinese coolie labor.” The opposition to Sumner’s proposal led by Western delegates, sought to prevent the granting of US citizenship and citizenship rights to the Chinese and to deny them the vote thus allowing them to continue economic sanctions like the 1852 Foreign Miners Tax which reduced the earnings of immigrant workers and anti-alien laws that prevented property ownership, equal pay and protection from the law. The US Congress ratified the Fifteenth Amendment in 1870 extending suffrage to African Americans but denying it to Chinese immigrants. Out of concern that the law could open suffrage to Chinese immigrants, California and Oregon did not ratify the law until 1962 and 1959 respectively. Sucheng Chan, *Asian Americans: An Interpretive History* (Boston, Twayne, 1991), 28-42, 54; Lee, *Orientalism*, 85.

Asian Americans.<sup>55</sup> Such policies failed to distinguish between nationalities, grouping all Asians into one big “Oriental” category.<sup>56</sup> The 1875 Page Act, 1882 Chinese Exclusion Act, 1892 Geary Act and the 1907 Gentleman’s Agreement barred specific Asians—women and workers— from immigration and citizenship.<sup>57</sup> But in 1917 and 1924, Congress legally excluded all Asians from immigration and citizenship. The 1917 Asiatic Barred Zone Act denied “criminals, persons who failed to meet certain moral standards; persons with various diseases; paupers; assorted radicals; and illiterates” and Asians, admission to the United States; while the 1924 Johnson-Reed Act, instituted the national-origins quota system that excluded Asians from American citizenship until 1952.<sup>58</sup>

Race undergirded these laws. In 1922, the Supreme Court Case of *Ozawa v. United States* declared that the 1790 Naturalization law was an inclusionary policy meant to open American borders to white persons ““from the Caucasian race.””<sup>59</sup> The exclusion of non-white Asian immigrants, the Court insisted, was simply an unintended yet legal

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<sup>55</sup> Koshy, *Asian American Miscegenation*, 7.

<sup>56</sup> According to Matthaei and Amott, American federal and state government instituted approximately fifty laws aimed at restricting and subordinating Asian immigrants. While Asians were classified in the U.S. Census by nationality—Chinese and Japanese, Black and Latin Americans were classified by race. Latin Americans were categorized as white, mulatto, or racially distinct, and whites by country of birth. Native Americans were largely omitted from this process. Julie Matthaei and Teresa Amott, “Race, Gender, Work: the History of Asian and Asian-American Women,” *Race and Class*, 31 (1990), 61. For further discussion of American exclusionary immigration policies against Asians see: *Cahe Chan Ping v. United States* (May 13, 1889) in Michael LeMay and Elliott Robert Barkan, eds. *U.S. Immigration and Naturalization Laws and Issues* (Westport, CT: Greenwood, 1999), 64; Roger Daniels, *Coming to America: A History of Immigration and Ethnicity in American Life* 2d ed. (New York: Harper Perennial, 2002), 278-279.

<sup>57</sup> The 1875 Page Act targeted the transportation into the United States of Chinese women for the purpose of prostitution. The Chinese Exclusion Act stopped the immigration of Chinese laborers for ten years before being extended in 1892 by the Geary Act and made permanent in 1902. The 1907 Gentleman’s Agreement provided that the Japanese Government would restrict the immigration of Japanese laborers to the U.S., an exclusionary policy reinforced with the Alien Land Act of 1913 that barred Japanese in America from owning or leasing land for more than three years. For an analysis of the history of exclusion against Asian women and sexuality, see Koshy, *Asian American Miscegenation*.

<sup>58</sup> The 1924 Act limited the number of immigrants into the United States to two-percent of the total number of people of each nationality present in the country per the 1890 census. However Asians were excluded from the quotas and from immigration to America. In 1952, while preserving the national-origins quota system established by the Johnson-Reed Act, the McCarran-Walter Act, awarded a miniscule immigration quota of 100 visas per year to each country from the Asian-Pacific Triangle with a maximum annual quota for the region of 2000. The quotas were based on a rate of one-sixth of one percent of each nationality’s population in the United States in 1920 and were consequentially highly restrictive for people from Asia since Asian immigration by 1920 had largely been halted. The Asian-Pacific Triangle consisted of 19 countries including: India, Japan, Pacific islands north of Australia and New Zealand. The Triangle did not include China, as US immigration policy changed in 1943 to account for Chinese immigration, establishing a separate annual quota for China of 105 that would be in place until 1965. LeMay and Barkan, 109. Bill Ong Hing *Making and Remaking Asian American through Immigration Policy: 1850-1990* (Stanford: Stanford University Press, 1993), 38.

<sup>59</sup> The Supreme Court upheld the *Ozawa v. US*, 260 US 178 (1922) decision in the *United States v. Bhagat Singh Thind*, 261 U.S. 204 (1923) which was also reinforced by the exclusionary policies of the 1924 Johnson Reed Immigration Act.

consequence of the law.<sup>60</sup> One year later, in the *United States v. Bhagat Singh Thind*, the Supreme Court ruled that the term “free white persons” specifically referred only to those persons “who appeared and would be commonly viewed as ‘white.’”<sup>61</sup> The argument, the Court asserted, was not a question of racial superiority or inferiority, but rather racial differences. Because Asians did not “look white,” they were therefore ineligible for citizenship.<sup>62</sup>

Even the 1952 McCarran-Walter Act, which opened the door for Asian immigration and citizenship, lauded by some as a progressive U.S. immigration policy that “removed all racial, gender, and nationality barriers to citizenship,” racialized the process. For Asian applicants, race not nationality defined the quotas awarded to Asian countries.<sup>63</sup> Regardless of the place of their birth or their citizenship, any child born to one or more Asian parent counted against the quota for the specific Asian nation of their “race”—Japanese, Korean, Vietnamese, etc, or the general quota for the Asian-Pacific Triangle.<sup>64</sup> For the Amerasians born as a result of US military presence in Japan (World War II) and Korea (Korean War), this had major implications for immigration and citizenship. In his statement vetoing the legislation, President Harry Truman was critical of its hypocritically discriminatory policies against people from Asia and its inherently racist implications.<sup>65</sup>

The countries of Asia are told in one breath that they shall have quotas for their nationals, and in the next, that the nationals of other countries, if their

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<sup>60</sup> *Ozawa v. US*, 260 US 178 (1922).

<sup>61</sup> Lemay and Barkan, *U.S. Immigration and Naturalization Laws and Issues*, 138; *United States v. Bhagat Singh Thind*, 261 U.S. 204 (1923).

<sup>62</sup> Lemay and Barkan, *U.S. Immigration and Naturalization Laws and Issues*, 140.

<sup>63</sup> *Ibid.*, xxxv.

<sup>64</sup> The Immigration and Nationality Act of 1952, Office of the Historian. Accessed, January 7<sup>th</sup>, 2014, <http://history.state.gov/milestones/1945-1952/immigration-act>; For debates regarding this law see, *Hearings before the President's Commission on Immigration and Naturalization*, 82<sup>nd</sup> Cong., 2<sup>nd</sup> sess., House, October 29, 1952, Thirteenth Session, H1719-1800; H1216-1217.

<sup>65</sup> LeMay and Barkan, eds. *U.S. Immigration and Naturalization Laws and Issues*, xxxv.

ancestry is as much as 50 percent Asian, shall be charged to these quotas. It is only with respect to persons of oriental ancestry that this invidious discrimination applies.... These provisions are without justification.<sup>66</sup>

Yet, Truman's words fell on deaf ears. It was not until 1965 that the Hart-Cellar Immigration Act expanded quotas and preferences— based on family relationships and reunification and labor needs—finally replaced the national-origins quota system.<sup>67</sup> The resulting massive and unexpected influx of Asian immigrants to America however rekindled the nineteenth-century racialized fears of many Americans that the invading yellow horde, the yellow peril would take American jobs.<sup>68</sup> Underlying such anxieties and contributing to the exclusionary policies to which America had subjected Asians for almost a century, was the racial classification of Asians as non-white “others” and the perceptions that they were innately foreign and thus, inferior.<sup>69</sup>

Even though the 1965 Act removed the quota system and the classification of persons with one Asian parent as Asian, the practice persisted. Although both the AIA and the AHA labeled the Amerasians as immigrants, they continued to count against the annual allowance of refugees from Vietnam. Their categorization as Asians continued.

### **The Persistence of Colonialism**

*Orientalism* is the colonial practice described by Edward Said of dividing the world into two opposing parts—the developed, civilized, racially superior occident

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<sup>66</sup> Ibid., 228.

<sup>67</sup> After the passage of the 1965 Immigration Act, 75% of immigrants to the U.S. were from Asia, Africa and Central or South America. Gabriel Chin, “The Civil Rights Revolution Comes to Immigration Law: A New Look at the Immigration and Nationality Act of 1965,” *North Carolina Law Review* 75 (1996): 273. 1996. Hing, *Making and Remaking Asian America Through Immigration Policy*, 40.

<sup>68</sup> During the last half of the twentieth-century Asians in America became models of both success and poverty— model minority and refugee. In each case some Americans perceived them an economic threat, either by taking high-level American jobs and buying American land and companies or by a dependency on social services and welfare. For further discussion see Nadia Y. Kim, *Imperial Citizens: Koreans and Race from Seoul to LA* (Stanford: Stanford University Press, 2008); Lee, *Orientalism*; Jun, *Race for Citizenship*; Chan, *Asian Americans*.

<sup>69</sup> Susan Koshy argues that the exclusionary domestic policies (anti-miscegenation) combined with immigration and naturalization policies throughout US history to continuously reaffirm the status of Asians in America and of Asian Americans as “perpetual foreigners” and “racial and sexual aliens.” Koshy, *Asian American Miscegenation*, 1.

(West) and the lesser developed, uncivilized, racially inferior orient (East); “a collective notion identifying ‘us’ Europeans as against all ‘those’ non –Europeans.”<sup>70</sup> While critics of Said often point to the overzealousness of his framework, the East-West binary gives credence to assumptions of Asian foreignness that have continued to shape the Asian experience in America.<sup>71</sup> Specifically, it reinforces the power relationship between the West and Asia, juxtaposing the Occident and the Orient as cultural polarities defined by a real or imagined geographic distance and racial difference.<sup>72</sup>

Historians and others have studied how imperialism had colonial policies that reinforced domestic American laws regarding racial mixing, interracial marriage and blood quantum and fears of miscegenation, blood contamination and racial degeneracy.<sup>73</sup> In the eyes of American imperialists, mixed-race populations contested race and nationality and represented the paramount danger to racial purity and national identity.<sup>74</sup>

As an example, in 1898, the American experience in the Philippines depicted the human consequences of combining fears of racial mixing—blood contamination and racial degeneracy— with concern of geographic degeneration—a product of the

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<sup>70</sup> Said, Selections from *Orientalism* in Williams and Chrisman, 134. Also see, Henry Yu, *Thinking Orientals: Migration, Contact, and Exoticism in Modern America* (Oxford and New York: Oxford University Press, 2001), 106.

<sup>71</sup> Others, like Historian Ann Laura Stoler have extended Said’s framework. They have posited that by contesting racial categories, sexual morality, cultural competence and national identity, the *metis* challenged the construction of colonial categories and national identities. Attempting to expose the relationship between what she terms, “inclusionary impulses” –discourses of inclusion, humanitarianism, and equality that informed colonial policy—and “exclusionary practices” that were reactive to, coexistent with, and inherent within those policies—Stoler considers how the *metis* of French Indochina were legally handled, culturally inscribed, and politically treated. Ann Laura Stoler, *Carnal Knowledge and Imperial Power: Race and the Intimate in Colonial Rule* (Berkeley: University of California, 2002), 79.

<sup>72</sup> Robert Lee makes this explicit argument in his discussion of Chinese immigration to the United States in the 19<sup>th</sup> century which he posits “undermined the definition of Oriental difference” from distance to race. Immigration replaced the distant and exotic with a construction of racial difference as both present and threatening. Lee, *Orientalism*, 28. For further discussion of the development in western popular culture of the “feminine” East, see Yoko Kawaguchi, *Butterfly’s Sisters: The Geisha in Western Culture* (New Haven: Yale University Press, 2010).

<sup>73</sup> Ann McClintock extends Stoler’s examination of the *metis* from European to American imperialism Anne McClintock, *Imperial Leather: Race, Gender and Sexuality in the Colonial Contest* (New York and London: Routledge, 1995), 47.

<sup>74</sup> *Ibid.*, 48.



distancing, foreignness, and exoticism embedded in Orientalism and war.<sup>75</sup> The savagery of the war and the ferocity of the fighting became a template for American wars in Asia throughout the twentieth-century, the result, according to historian John Dower, of a “four-hundred year intellectual development of European concepts of the colored other as ‘savages, children, madmen, and beasts.’”<sup>76</sup>

The Philippines also set the precedent for the response of American policymakers to the 18,000 mixed-race offspring, primarily the result of relationships between US soldiers and Filipina women.<sup>77</sup> As occurred in Vietnam half a century later, the US government officially recognized this new population of half-American, half-Asian children as the “Mestizo problem.”<sup>78</sup> In 1920, US officials provided a formal accounting of the *mestizos* while reporting the horrendous conditions in which they lived and the rejection and abandonment they faced because of their racial mixture.<sup>79</sup> In line with American laws and practices regarding miscegenation and racially mixed populations during the period, Americans viewed the Filipino *mestizos* as products of blood contamination and racial degeneracy. As such, they existed in direct contrast to the racial purity and desired racial reproduction of whiteness.<sup>80</sup>

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<sup>75</sup> Simply by being in the Philippines, many Americans believed, white American men and women would degenerate into a decivilized and savage state. Kramer. *The Blood of Government: Race, Empire, the United States, and the Philippines* (Chapel Hill: University of North Carolina Press, 2006), 23.

<sup>76</sup> John Dower, *War Without Mercy: Race and Power in the Pacific War* (New York: Pantheon Books, 1986), 149.

<sup>77</sup> John A. Shade, Jr., “A Progress Report on Caring for the Amerasian: A Difficult Task,” 1978, Amerasians, 1978-1984 folder, Box Vietnam, Archives of the Pearl S. Buck House, Pearl S. Buck International. According to Paul Kramer, gender and race defined U.S. imperialism in the Philippines. Cubans and Filipinos were declared racially inferior and as a result determined to be “unfit for self-rule,” a designation which justified a continued American policy of patriarchal dominance and paternal “guidance” that would remain in both countries through the first half of the twentieth-century. Kramer, *The Blood of Government*.

<sup>78</sup> The use of the term “mestizo” to refer to half-American, half-Filipino children was an extension of the term from Spanish colonial mixtures—Indian mothers and Spanish fathers. The term Amerasian applied to the children of America and Filipino parents after Philippine independence in 1946.

<sup>79</sup> John A. Shade, Jr., “A Progress Report on Caring for the Amerasian: A Difficult Task.” The Pearl S. Buck Foundation, Inc. Philadelphia, 1978, Box: Vietnam, Folder: Amerasian, 1978-1984, Archives of the Pearl S. Buck Foundation, Pearl S. Buck International.

<sup>80</sup> Two conflicting notions of racial mixing emerged in American society during the early twentieth-century: eugenics and the melting pot theory. The justification of racial hierarchies through science facilitated the emergence of Eugenic during the mid-nineteenth century with Joseph Gobineau’s *The Inequality of Human Races* which arranged the races of the world along a strict hierarchy of intellect, ability and morality. In the United States policymakers utilized eugenics to justify immigration restrictions to prevent the

Categorized into the white-non-white binary, the *mestizos* too, assumed the race and status of their Filipina mothers. Often illegitimate and Filipino, the *mestizos* faced the same immigration and citizenship laws as their Filipino peers, considered US Nationals until 1934.<sup>81</sup> However, the installation of US military bases in the Philippines after the signing of the 1947 Military Bases Agreement ensured the permanent presence of prostitution and American fathered children.<sup>82</sup>

The actions of American leaders regarding the *mestizos* set the precedent for how the United States would treat all of its succeeding Amerasian offspring leading up to Vietnam—that is, to recognize them as children of American fathers, report on the challenges they faced because of their paternity, relegate them to the racialized and colonial status of their Asian mothers, and ultimately do little to alleviate their suffering, and take no national responsibility for them.

### **Colonial Wars and the French Precedent**

Other countries provided different examples to the US experience in the Philippines. During French colonialism in Southeast Asia in the nineteenth and twentieth centuries, the *metis* –French Asian offspring— became racialized subjects in Indochina

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“breeding” by people deemed inferior. Henry Yu argues that the melting pot ideal was the lens through which most Americans understood society. The emphasis on assimilation and the disappearance of difference also shared an emphasis on the importance of boundaries or difference. However, Yu claims there was an increasing fascination with people who were racially different and sexual relations and reproduction represented the most intimate of social relations that equated with the most profound lack of physical and social distance between two races. Such curiosities remained framed within assumptions of Asian inferiority now backed by racial “science” reinforced fears that while Asians were more fertile than whites, they remained intellectually and physically inferior. Henry Yu, “Mixing Bodies and Cultures: The Meaning of America’s Fascination with Sex Between ‘Orientals’ and ‘Whites,’” in *Sex, Love, Race: Crossing Boundaries in North American History*, ed. Martha Hodes (New York and London: New York University Press, 1999), 444-447; Paul Spickard, *Almost All Aliens: Immigration, Race, and Colonialism in American History and Identity* (New York and London: Routledge, 2007), 269-270.

<sup>81</sup> In 1934 and in preparation for the impending independence of the Philippines in 1946, the Tydings-McDuffie Act stripped Filipinos of their status as U.S. Nationals, and secured their racialized position as the Asian “other” by reclassifying them as “aliens.” The Philippine Independence Act (Tydings-McDuffie Act), PL 73-127(1934).

<sup>82</sup> There is a vast and growing scholarship regarding the specific plight of the Amerasians in the Philippines due to the sheer numbers produced and the continued refusal of American policymakers to admit responsibility. Because neither the AIA nor the AHA incorporates the Philippines into their legislation, I too exclude them. For more information on the Military Bases Agreement see: Stephen R. Shalom, “Securing the US-Philippine Military Bases Agreement of 1947,” *Bulletin of Concerned Asian Scholars* 22, no. 4 (October-December 1990).

created by French colonial policies and practices to sustain the distinction between French colonizers and colonial subjects.<sup>83</sup> Because the *metis* blurred lines of distinction in racial and colonial categories, they confused national identities leaving French colonial administrators to view them as subversive threats to whiteness and French national identity.<sup>84</sup>

To allay these threats, colonial authorities incorporated those *metis* deemed worthy of inclusion, into the French empire, awarding them French citizenship.<sup>85</sup> Such inclusionary policies and practices of empire reveal the underlying colonial motivation for France to take national responsibility for its Eurasian children. Following its defeat in the First Indochina War, French authorities transported 25,000 Eurasian children to France, awarded them French citizenship and provided financial support.<sup>86</sup> While critics of America's response to the Amerasians in Vietnam often pointed to the French efforts as a model, a broader understanding of the French plan would have silenced these voices as this was an imperial decision.

The US response later in Vietnam was also an imperial one and shaped by racial factors. In the early Cold War era, US foreign policy faced international pressure to justify the racial discrimination of African Americans in the country while promoting democratic ideals abroad. US policymakers viewed the world in "race-conscious terms" and made foreign policy decisions on the "basis of racial assumptions."<sup>87</sup> The apparent

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<sup>83</sup> Stoler, *Carnal Knowledge and Imperial Power*, 15, 79-11.

<sup>84</sup> *Ibid.*

<sup>85</sup> *Ibid.*, 82-83; Emmanuelle Saada, *Empire's Children: Race, Filiation, and Citizenship in the French Colonies*, trans. Arthur Goldhammer (Chicago: University of Chicago Press, 2012).

<sup>86</sup> Eric T. Jennings, *Imperial Heights: Dalat and the Making and Undoing of French Indochina* (Berkeley: University of California Press, 2011); Yarborough, *Surviving Twice*, 9.

<sup>87</sup> There exists a rich scholarship on American race relations and US foreign policy during the period which I do not wish to replicate but rather extend. Thomas Borstelmann, *The Cold War and the Color Line* (Cambridge: Harvard, 2001), 8 (quotation); Mary Dudziak,

solidarity between black, brown, and yellow people across the world against colonialism, oppression and racial discrimination concerned US leaders ideologically committed to self-determination but practically anxious of losing the new nations to communism.<sup>88</sup>

Vietnam's victory over its French colonizer in 1954 appeared to conclude a history of struggle against foreign invaders by the Vietnamese while further inspiring other decolonization movements. US support of the French in the war undermined America's rhetoric of a commitment to global democracy and provided the framework within which US leaders would approach the second Indochina war. Diplomatic historians position America's anticolonial hypocrisy and eventual military intervention in Vietnam within an overzealous commitment to containment that caused two decades of paranoia over the possibility of "losing" the tiny Southeast Asian country to communism.<sup>89</sup>

The Vietnamese tended to view the American War as a continuation of centuries of anti-colonial struggle, this time a war against US imperialism.<sup>90</sup> Despite their anti-colonial rhetoric, US leaders approached the war with clearly misguided colonial assumptions about the intellectual, physical, and racial characteristics of the

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*Cold War Civil Rights: Race and the Image of American Democracy* (Princeton: Princeton University Press, 2000); Brenda Gayle Plummer, *A Rising Wind: Black Americans and US Foreign Affairs, 1935-1960* (Chapel Hill: University of North Carolina Press, 1996); Marc Gallicchio, *The African American Encounter with Japan and China: Black Internationalism in Asia, 1895-1945* (Chapel Hill: University of North Carolina Press, 2000); and Carol Anderson, *Eyes Off the Prize: The United Nations and the African American Struggle for Human Rights, 1944-1955* (New York: Cambridge University Press, 2003).

<sup>88</sup> Sudarshan Kapur, *Raising Up a Prophet: The African-American Encounter with Gandhi* (Boston: Beacon Press, 1992); Nikhil Pal Singh, *Black is a Country: Race and the Unfinished Struggle for Democracy* (Cambridge: Harvard University Press, 2005).

<sup>89</sup> Jodi Kim places American intervention within a neocolonial framework that triangulates the Cold War rivalry between the United States and the Soviet Union into Asia. Jodi Kim, *Ends of Empire: Asian American Critique and the Cold War* (Minneapolis: University of Minnesota Press, 2010), 4; George Herring, *America's Longest War: The United States and Vietnam, 1950-1975* (New York: McGraw-Hill, 2002); William J. Duiker, *Sacred War: Nationalism and Revolution in a Divided Vietnam* (Boston: McGraw Hill, 1995).

<sup>90</sup> In Vietnam, what is known as the Vietnam War in America is termed the American War.

Vietnamese.<sup>91</sup> The Truman administration's decision to support French re-colonization of Vietnam related to the unfavorable perceptions of the Vietnamese capacity for self-government. Racialized within the colonial terms that America had previously imposed on Hawaiians, Filipinos, Cubans and Puerto Ricans in its own conquests, U.S. leaders saw the Vietnamese in particular as intellectually incapable of government—"attractive and even loveable...but 'essentially childish.'"<sup>92</sup>

America had had very little prior interest in Vietnam and therefore few reference points or personal knowledge in assessing the capabilities of the Vietnamese people before World War II. In fact by the end of the French Indochina War, the majority of American intelligence about the country came from French colonial authorities.<sup>93</sup> Thus, a colonial discourse shaped and guided the perceptions of American leaders regarding the ability of the Vietnamese for self-government and their capabilities for war. Such notions framed how US leaders viewed the Vietnamese people as the United States prepared for its own war in Vietnam.

Prior to Vietnam, American soldiers had faced Asian opponents in the Philippines, China, Japan, and in Korea.<sup>94</sup> In each case, the battles proved incredibly savage; revealing the underlying racialized colonial notions that Asians were inherently

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<sup>91</sup> Luu Doan Huynh reveals the distinction among Vietnamese between the war as a victory of US Imperialism and the war as a military defeat of America. Luu Doan Huynh, "The American War in Vietnamese Memory," in *The Vietnam War: Vietnamese and American Perspectives*, eds. Jane S. Werner and Luu Doan Huynh (New York: M.E. Sharpe, 1993), 243-257.

<sup>92</sup> William C. Bullitt, the American ambassador to the Soviet Union and France during the 1930s used this description in conversation with the US State Department Division of Philippine and Southeast Asian Affairs in 1947 to explain his suspicions about Vietnamese communism. Bullitt's view reiterated previous reports by the American consult to Saigon, Charles S. Reed who noted that the Vietnamese were not "particularly industrious" nor were they known for their "honesty, loyalty or veracity." Mark Bradley, "An Improbable Opportunity: America and the Democratic Republic of Vietnam's 1947 Initiative," in *The Vietnam War: Vietnamese and American Perspectives*, eds. Jane S. Werner and Luu Doan Huynh (New York: M.E. Sharpe, 1993), 12-14. For further discussion of US imperialism in Hawaii see Laura Basson, *White Enough to be Americans?: Race Mixing, Indigenous People, and the Boundaries of State and Nation* (Chapel Hill: University of North Carolina, 2008).

<sup>93</sup> Bradley, "An Improbable Opportunity," in Werner and Huynh, Herring, *America's Longest War*; Anne L. Foster, *Projections of Power: The United States and Europe in Colonial Southeast Asia, 1919-1941* (Duke University Press, 2010).

<sup>94</sup> See, the Spanish-American War, the Boxer Rebellion, World War II, and the Korean War.

inferior.<sup>95</sup> Central to the ferocity of war in Asia was rage. America's war in the Philippines (1899-1902) was a race war in which Americans understood the Filipinos and the fighting in racial terms.<sup>96</sup> The staunch opposition of the non-white Filipinos to American efforts to control the Philippines stunned American imperialists. They interpreted such resistance as a clear violation of the natural order and justified a US war strategy of extreme savagery and "exterminism" against Filipino fighters.<sup>97</sup>

The racial discourse contributed to the savagery of America's war against Japan in World War II.<sup>98</sup> American misperceptions about the Japanese race and culture framed in the European colonial context of the colored "other" justified the brutality of American soldiers and shaped the perception that the Japanese were "savages, children, madmen, and beasts."<sup>99</sup> In the post-war occupation, US leaders retained their racist views now shrouded in an "enlightened paternalism" that saw the Japanese as capable of developing a freer society with the help of the United States.<sup>100</sup> Yet, even then, Secretary of State John Foster Dulles expressed concerns that because of their race, the Japanese, like all other Asians, were untrustworthy. "The Oriental mind," Dulles explained, "was always more devious than the Occidental mind."<sup>101</sup>

The racial discourse and the east-west binary accompanied the onset of the Cold War, as US leaders committed to preventing the spread of communism sent American

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<sup>95</sup> John Dower, *War Without Mercy: Race & Power in the Pacific* (New York: Pantheon, 1986); Kramer, *The Blood of Government*.

<sup>96</sup> Kramer, *The Blood of Government*.

<sup>97</sup> Kramer, *The Blood of Government*, 158.

<sup>98</sup> Dower, *War Without Mercy*.

<sup>99</sup> Koshiro argues that the United States and Japan both had mutually racist sentiment against each other as both countries competed for world control. The US depicted the war as a battle for the preservation of Anglo-Saxon civilization against Japanese aggression, depicting the Japanese as inferior imitators of white races while the Japan claimed to be the sole champion of civilization in Asia and railed against white supremacy. Koshiro asserts that the mutual racism of both countries defined the savagery and aggression of the war in the Pacific. Dower, *War Without Mercy*, 149; Yukio Koshiro, *Trans-Pacific Racisms and the U.S. Occupation of Japan* (New York: Columbia University Press, 1999), 1.

<sup>100</sup> Dower, *War Without Mercy*, 310.

<sup>101</sup> *Ibid.*

troops back to Asia. The “loss” of China to communism in 1949 bolstered the anti-communist fears of American leaders, including Dulles, that the Chinese “Yellow Peril” and the Russian “Red Peril” were inseparable and presumptions that the Russians were really Asiatic and the true evil in the East.<sup>102</sup>

In Korea, US fighting and occupation forces placed 40,000 troops below the 38<sup>th</sup> parallel. As in the Philippines, Japan and China, colonial notions of racial inferiority persisted in the discourse of war and the relationships between US soldiers and South Korean women. As in previous wars in Asia, American soldiers revived the term “gook” to describe the North Koreans.<sup>103</sup> American media reports also consistently dehumanized them. One report by the *Los Angeles Times*, described the North Koreans as “droves of cattle,” and in another relaying the victory of US forces in battle, “it was like scraping ants off with a stick.”<sup>104</sup>

Racial assumptions and notions of racial hierarchy also shaped how the US military regulated relationships with its South Korean allies; and specifically military-civilian relations.<sup>105</sup> In accord with the expectations of colonized women of color during American expansion in the nineteenth and early twentieth centuries, US soldiers sensing their own racial and cultural superiority anticipated Korean women were also readily and sexually available.<sup>106</sup> Thus, the emergence of a massive military-oriented prostitution

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<sup>102</sup> Ibid., 309.

<sup>103</sup> “Soldier’s Revive ‘Gook’ as Name for Korea Reds,” *Los Angeles Times*, August 6, 1950.

<sup>104</sup> Robert Bennyhoff, “Reds Kept Coming Like Drovers of Cattle, U.S. Officer Reports: Disconnected Assaults in Groups,” *Los Angeles Times* (1923-Current File); July 26, 1950; Peter Kalischer, “‘Like Scraping Off Ants’: Unit Defending Bridge Slaughters 250 Reds,” *Los Angeles Times* (1923-Current File); August 4, 1950.

<sup>105</sup> Maria Hohn and Seungsook Moon, “The politics of Gender, Sexuality, Race, and Class in the US Military Empire” in *Over There: Living with the U.S. Military Empire from World War Two to the Present*, eds., Hohn, Maria and Seungsook Moon (Durham, NC: Duke University Press, 2010), 21.

<sup>106</sup> Ibid., 2, 21.

industry defined in gendered, racialized and colonial terms, by the sexual domination of Korean women by American men.<sup>107</sup>

Framed within a colonial context and discourse, US leaders extended many beliefs of Asian inferiority into the Vietnam War.<sup>108</sup> As in the Philippines, the reliance upon body counts in Vietnam as the standard for military victories pushed an idea of the Vietnamese as subhuman.<sup>109</sup> First used to degrade Filipinos, the term “gook,” one fraught with historical, racial and colonial connotations, became the most common racial epithet used to describe the Vietnamese, and a term that intentionally failed to distinguish between enemies and allies.<sup>110</sup> Upon entering boot camp, American soldiers trained to “kill, kill, kill the gook” and “If it’s dead and Vietnamese, it’s VC,” learned to view all Vietnamese as inferior.<sup>111</sup>

The dehumanization of all Vietnamese as “gooks” accompanied American perceptions of Vietnamese women. The history of U.S. militarism in Asia has a history of U.S. military prostitution. Americans have always objectified or “Orientalized” Asian women into the stereotypical image of being compliant, demure, and exotic.<sup>112</sup> Perceived in tandem to the Orient—a geographically distant woman in a foreign land of devious cultural practices waiting to be discovered and experienced. Americans saw Asian

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<sup>107</sup> Moon, *Sex Among Allies*, 8. For further discussion of the American military-endorsed sex industry and service economy in South Korea see: Cynthia Enloe, *Maneuvers*; Shigematsu and Camacho, *Militarized Currents*; and Jin-Kyung Lee, *Service Economies: Militarism, Sex Work, and Migrant Labor in South Korea* (Minneapolis: University of Minnesota Press, 2010).

<sup>108</sup> Mark Bradley asserts the importance of incorporating the Orientalist and racist discourse that framed American perceptions of Vietnam prior to the war is essential when considering US Cold War foreign policy in the region. According to Bradley, “Americans continued to classify and define the Vietnamese in a way that signaled American power and superiority.” Mark Bradley, “Slouching toward Bethlehem: Culture, Diplomacy, and the Origins of the Cold War in Vietnam,” in *Cold War Constructions: The Political Culture of United States Imperialism*, ed. Christian G. Appy (Amherst: University of Massachusetts Press, 2000).

<sup>109</sup> Paul Spickard argues that the racism directed toward the Vietnamese throughout the war specifically in the terms “gooks” and “slopes” returned to the United States with the soldiers after the war contributing to the tendency in America to continue to view all Asians in these terms. Spickard, *Almost All Aliens*, 400. Also see, Kyle Longley, *Grunts: The American Combat Soldier in Vietnam* (New York: M.E. Sharpe, 2008), 62-64; Herring, *America’s Longest War*, 186-187.

<sup>110</sup> Michael Bilton and Kevin Sim, *Four Hours in My Lai: A War Crime and Its Aftermath* (London and New York: Viking, 1992), 365-369; Lee, *Orientalism*, 190.

<sup>111</sup> Longley, *Grunts*, 63. Philip Caputo, *Rumor of War* (New York: Holt, 1996), xx.

<sup>112</sup> Aki Uchida, “The Orientalization of Asian Women in America,” *Women’s Studies International Forum*, 21 (1998): 161-1174.



women too, like their male counterparts as deviant, inferior and awaiting proper subjugation, supervision, and moral uplift.<sup>113</sup>

These stereotypes often derived from nineteenth-century American encounters with Asian women in the ports of Japan where prostitution was legal, and the influx of Chinese immigrant women often associated with prostitution, especially in the West.<sup>114</sup> During World War II, the siren-voices of the mythical “Tokyo Rose” further exoticized the image of the seductive and sexual Japanese woman, the Orientalized Asian, who allowed American soldiers to simultaneously “transfer their racial fantasies and hostilities.”<sup>115</sup> In the post-war occupation of Japan, military-endorsed prostitution gave American servicemen the opportunity to act out the visceral fantasies and images on the bodies of real Asian women— the Japanese geisha, the Korean comfort woman, and the Vietnamese bar girl— contributing to lucrative sex and service industries in each country.<sup>116</sup>

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<sup>113</sup> Ibid., 161.

<sup>114</sup> Driven by the rice shortage, the Taiping Rebellion and gold, Chinese immigration to America during the 1840s was viewed positively, providing a cheap labor source for the opening of the American frontier. In 1868, the Burlingame Treaty opened immigration to the U.S. from China further fueling growing anti-Chinese sentiment largely centered around labor competition. To meet the sexual needs of the growing male Chinese immigrant labor force, Chinese prostitutes came to America through immigration or importation, reinforcing the image of the sinister Oriental seductress and resulting in the 1875 Page Act which barred the importation of Chinese women for “immoral” purposes. When U.S. Commodore Matthew Perry opened Japan’s doors to foreign trade in 1854, he also opened the eyes of American men to the Japanese Geisha and the Japanese prostitute. Uchida, “The Orientalization of Asian Women in America.” Hing, *Making and Remaking Asian America Through Immigration Policy*. For further reading on interracial sexual relations in the ports of Japan and China see Koshy, *Asian American Miscegenation*.

<sup>115</sup> Tokyo Rose was the general name U.S. soldiers gave to the female, English speaking Japanese voices that broadcast English-language programs on Japanese radio. Unbeknownst to American soldiers these women were American. For the real life story of Tokyo Rose see, Uchida, “The Orientalization of Asian Women,”166; Masayo Duus, *Tokyo Rose: Orphan of the Pacific* (Kodansha Amer Inc, 1979).

<sup>116</sup> Katherine Moon posits that camptowns were places of self-exile for Korean women who had already lost their social status due to divorce, rape, sex, illegitimate pregnancies and a way for economic survival. Moon, *Sex Among Allies*, 3. On September 9, 1945, Japan’s Interior Ministry ordered the enlistment of four Tokyo brothels—staffed largely by Korean, Filipina and other non-Japanese Asian women-- to specifically service American soldiers. Although, in 1945 American military authorities prohibited the selling of Japanese women into overseas prostitution, according to Cynthia Enloe, American authorities took steps to hide evidence of the Japanese imperial military’s prostitution program and accepted the new prostitution program that the Japanese government redesigned to better serve “sex-starved” U.S. male soldiers. Enloe, *Maneuvers*, 85. Sarah Kovner argues that the U.S. occupation in Japan transformed the landscape of Japan’s sex industry by abolishing licensed and legal prostitution to comply with U.S. regulations against commercialized sex which forced sex workers underground making them less visible and more vulnerable to abuses. Sarah Kovner, *Occupying Power: Sex Workers and Servicemen in Postwar Japan* (Stanford: Stanford University Press, 2012).

But the majority of Asian women were not prostitutes.<sup>117</sup> The post-World War II era brought forth the “Americanization of the Asian war bride.”<sup>118</sup> Increasingly *Orientalized* and objectified as the paragon of domestic virtue—submissive, docile, sexually subservient to the needs of her man—the Asian war bride became a progressively common occurrence on U.S. military bases.<sup>119</sup> However, this was not often the case in Vietnam where Americans increasingly racialized, dehumanized and militarized Vietnamese women. They were the Vietnamese “gook,” and the seductive and sinister Vietnamese prostitute whose exotic Asian beauty and feminine docility would seduce an American serviceman into her bedroom before viciously cutting his throat.<sup>120</sup>

U.S. military policy encouraged such perceptions of Vietnamese women in their efforts to discourage the same Asian war bride infatuation that had occurred in Japan and Korea. Not only did many US military authorities consider Vietnamese women racially inferior, they were also potential Communist subversives. In addition to the extensive security and background checks required for potential Vietnamese spouses, military officials used paperwork, red tape, and the high cost of immigration as obstacles to prevent soldier marriages.<sup>121</sup>

For example, U.S. serviceman Michael Schado endured two years of red tape to secure a marriage certificate from the U.S. Embassy to marry his Vietnamese wife in 1970. Schado, however, failed to acquire an exit visa for his legitimated Amerasian child

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<sup>117</sup> Robert Lee asserts that the perception of Asian women of prostitutes contradicts the reality for many. Lee, *Orientalism*.

<sup>118</sup> *Ibid.*, 162.

<sup>119</sup> The “Americanization of the Asian war bride” domesticated Orientalism by promoting the Cold War narrative of ethnic assimilation and domesticity that could restore credibility to the inclusive narrative of America through the reconstruction of the American family as “modern, universal, multi-ethnic,” and multi-racial. Lee, *Orientalism*, 162. In 1964 the *New York Times* reported that 1,265 American servicemen married Korean wives and 771 had married by October 1965. “Marriage by G.I.’s Problem in Korea: One Soldier in 40, the Army Finds, Weds a Korean,” *The New York Times*, Oct 24, 1965.

<sup>120</sup> Lee, *Orientalism*, 180.

<sup>121</sup> Susan Zeiger, *Entangling Alliances: Foreign War Brides and American Soldiers in the Twentieth Century* (New York: New York, 2010), 244. 1966 MACV Directive 608-1, Spickard, *Mixed Blood*, 133.

until 1985.<sup>122</sup> Emmanuel J. Holloman, a U.S. Army interpreter stationed in Vietnam from 1966-1971, believed commanders made the process so challenging because “A few blacks, but mostly whites, felt that the Vietnamese weren’t equal to us. So they made it real difficult to marry one.”<sup>123</sup>

Others echoed Holloman’s claim, even some Asian American soldiers in Vietnam. After requesting permission to marry his Vietnamese girlfriend, the military superior of one Asian American soldier stated, ““Man you don’t want to marry one of these ‘gooks’ over there. They’re not civilized, and if you take her back home with you, people won’t be able to handle her cause she’s not civilized and you wouldn’t be able to trust her once you got back to the States.””<sup>124</sup> The commander added, ““once you get back, you’ll see all those blonds and stuff, and you’ll look at your wife and she’ll be this old farmer chick—this gook—and you’ll want to get rid of her. You’ll be embarrassed when you get back because she’s Vietnamese.””<sup>125</sup>

Even as the US withdrew, the U.S Ambassador to Vietnam, Graham Martin, excluded common-law Vietnamese wives and their children as legitimate dependents of U.S. servicemen.<sup>126</sup> Author A.J. Langguth described Martin as a “strange man who made many poor decisions in the final weeks of the war,” and who was ““very rigid in defining which Vietnamese qualified as legitimate dependents”” of Americans.<sup>127</sup> Each of these policies had dire consequences for the children produced from the sexual liaisons,

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<sup>122</sup> Bass, *Vietnamerica*, 36.

<sup>123</sup> Wallace Terry, *Bloods: An Oral history of the Vietnam War by Black Veterans* (New York: Ballantine, 1984), 88.

<sup>124</sup> Spickard, *Mixed Race*, 134.

<sup>125</sup> *Ibid.*

<sup>126</sup> Martin’s decision was likely the result of efforts to evacuate only US personnel and American citizens. The refusal of the US government to recognize common-law wives as legitimate dependents extended to couples married in Buddhist ceremonies as well. In either case when American servicemen were killed or returned to the United States, the wife and any children were abandoned without military benefits awarded to legitimate wives and children. Spickard, *Mixed Blood*, 135. Carpenter, *Born of War*, 36.

<sup>127</sup> A.J. Langguth is the author of *Our Vietnam War: The War, 1954-1975* (Simon & Schuster, 2002). Yarborough, *Surviving Twice*. 36.

romantic relationships and failed marital unions between American servicemen and Vietnamese women.

### *A Note on Citizenship*

Products of American and Vietnamese liaisons, the Amerasians posed a fundamental challenge to American conceptions of race and nation, and therefore to citizenship, as had many racially mixed populations before them. Their American paternity and physical appearance destabilized the boundaries of both. While viewed as a source of social disorder in Vietnam, the Amerasians constituted a symbol of categorical confusion for many Americans.<sup>128</sup> Their physical appearance blurred clean cut delineations of race, nation and family and combined with the added complication of the guilt of war.

Historians have noted that mixed-race populations in America have always disrupted the official appearance of both nation and state by contesting the image of Americans as a homogenous racially pure white citizenry.<sup>129</sup> Such notions appeared to underscore discussions among policymakers whose affinity for the Amerasians frequently revolved around their “whiteness,” but ignored the many complexities and nuances of the race. Congressman Ronald Mazzoli (D-KY), an influential political figure on immigration during the Reagan era, often described the Amerasians as, “the mixed Asian and Caucasian children,” carelessly disregarding those Amerasians fathered by non-white Americans.<sup>130</sup>

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<sup>128</sup> Cynthia Nakashima argues that mixed race individuals, people who do not fit into clearly defined racial categories, threaten the psychological, sociological foundations of the “we” and “they” mentality. Such a challenge to the racial hierarchy necessitates racial distancing in order to maintain the distinction. Cynthia L. Nakashima, “An Invisible Monster: The Creation and Denial of Mixed Race People in America,” *Racially Mixed People in America*, ed. Maria P.P. Root (Newbury Park, California: Sage, 1992), 164-177.

<sup>129</sup> Basson, *White Enough to Be American?*, 5.

<sup>130</sup> While reports indicate that black Amerasians composed thirty-percent of the Amerasian population in Vietnam, there are no reliable accounts of Amerasians fathered by other American racial minorities whose physical appearances were less racially distinct.

Yet even their “whiteness” was not enough for citizenship. While US laws forced previous mixed-race populations into “clear” pre-existing racial categories—black, Native American, Asian—preventing threats to membership and the social order, the Amerasian mixture proved much more problematic.<sup>131</sup> Many policymakers seemed incapable of reconciling the Amerasians’ biological familiarity and claims of paternity with their geographic and cultural foreignness shaped by assumptions of Asian inferiority.<sup>132</sup> America’s history of racialized exclusion and subordination of people of Asian descent, rooted in assumptions of Asians as an “alien presence” in the United States and reinforced by US immigration and nationality laws, clashed with the physical evidence of American paternity.<sup>133</sup> It simply was not clear where the Amerasians belonged.<sup>134</sup>

Thus, policymakers employed a contradictory approach of inclusionary rhetoric and exclusionary policies that offered the Amerasians a place to belong but marginalized them. The rhetoric shaped an informal offer of membership because of a biological filiation between Amerasians and American fathers. Yet, policymakers simultaneously excluded them from formal membership in the nation via citizenship, denying legal claim

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*Hearings before the Subcommittee on Immigration, Refugees, International Law*, HR 3405 and HR 808, Miscellaneous Immigration Reform Bills, 97<sup>th</sup> Cong., 1<sup>st</sup> sess., November, 17, 1981, 891; McKelvey, *The Dust of Life*.

<sup>131</sup> Basson, *White Enough to Be American?*.

<sup>132</sup> Cynthia Nakashima argues that historically in America, mixed-race populations that did not fit into clearly defined racial categories were shaped to fit into what she terms the “American system” of race to avoid the threat to the psychological and sociological foundations of the “we” and “they” mentality. Perceptions of mixed-race individuals adopted assumptions either of hybrid degeneracy or hybrid vigor. Nakashima, “An Invisible Monster,” in Root, 164.

<sup>133</sup> Asians in America embodied “alien difference” from the earliest arrivals of the Chinese in the 19<sup>th</sup> century. Fears and condemnations of this “difference” manifested the legal exclusionary and restrictive immigration and naturalization policies in place in the United States through the mid-20<sup>th</sup> century. The post-civil rights era redefined the “difference” of Asians in America and Asian Americans into a neoliberal discourse on race in which the production of Asians as “idealized subjects of a neoliberal world order” served to pathologize the racialized black poor and reproduced a neoliberal episteme that, Jun claims, “has devastated the global South since decolonization.” Jun, *Race for Citizenship*, 6-10. Lee, *Orientalism*, xi. For more on the exclusionary US laws against Asians in America see Lemay and Barkan, *U.S. Immigration and Naturalization Laws and Issues*.

<sup>134</sup> Brubaker argues that the question of who belongs to a nation-state is framed in a politics of belonging, a contested, politicized approach to citizenship that determines if an individual belongs **in** a nation-state—formal state membership--or **to** a nation-state, an informal membership administered socially by ordinary people with an understanding of who belongs and who does not. Rogers Brubaker, “Migration, Membership, Modern Nation-State: Internal and External Dimension of the Politics of Belonging,” *Journal of Interdisciplinary History*, XLI:1 (Summer 2010), 63.

to that filiation.<sup>135</sup> Regardless of their familiar faces and the welcoming words of advocates and supporters, the Amerasians faced many obstacles to citizenship.

Central to the question of citizenship was the racially exclusive and gendered nature of US citizenship and immigration law. Blood ties—*jus sanguine*—determined citizenship for children born abroad. Yet, consideration of blood for membership outside the institution of marriage, as was the case for the majority of Amerasians in Vietnam, was and is an intentionally gendered process. Although marriage has been a powerful tool of racial exclusion and racial reproduction, by dictating who could marry and which citizens' children received citizenship, for children of unwed parents, the tool became the citizenship law.<sup>136</sup>

Some have argued that gender and racial exclusion have always worked in tandem as a core component of American nationality law.<sup>137</sup> For illegitimate children of one American and a foreign parent born abroad, US law has consistently declared that American mothers automatically transmit citizenship to their illegitimate children but American fathers do not. The 1854 *Guyer v. Smith* case established the precedent by declaring that foreign born illegitimate children were not citizens, even with fathers who held citizenship.<sup>138</sup> In 1952, Section 309 of the Immigration and Nationality Act (INA) reinforced the *Guyer* precedent by declaring that a child born abroad out of wedlock,

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<sup>135</sup> According to Rogers Brubaker, the imposition of informal membership on a population reflects and reinforces distinctions between “us” and “them” through methods of inclusion and exclusion. Brubaker, “Migration, Membership, Modern Nation-State,” 63.

<sup>136</sup> In 1967 the case of *Loving v. Virginia* the Supreme Court ruled state bans on interracial marriage unconstitutional. According to Pascoe, the approval of a marriage license was the most common way to prevent interracial marriage domestically and would combine with US immigration law to regulate international unions. Pascoe, *What Comes Naturally*, 9-12. Domestic relations law through the 19<sup>th</sup> century prevented illegitimate children from patrilineal inheritance specifically as states tended to allow nonmarital children to inherit from their mothers. Kristin A. Collins, “Illegitimate Borders: Just Sanguinis Citizenship and the Legal Construction of Family, Race, and Nation,” *The Yale Law Journal* 123, no. 2134 (2014), 2150. For more information on interracial marriages between whites and Japanese see Spickard, *Mixed Blood*.

<sup>137</sup> Collins, “Illegitimate Borders,” 2134.

<sup>138</sup> Collins argues that the 1854 case *Guyer v. Smith* established the precedent for matrilineal descent in the case of illegitimate foreign born children. The case declared that the benefit of the 1802 federal statute that awarded citizenship to foreign born children of American citizens parents, did not apply to illegitimate children. This decision, according to Collins, has persisted as a tool of racial exclusion in the application of *jus sanguine* citizenship. Collins, “Illegitimate Borders,” 2139 – 249.

“shall have acquired at birth the nationality status of his mother.”<sup>139</sup> The child received citizenship only if the father claimed his child.

In practice, the unequal and gendered application of the law assumes a role of parental responsibility and legal filiation between child and mother and an absence of both between child and father. American men faced no legal obligation for the children of their foreign girlfriends or lovers and their children had no legal grounds for citizenship. Placed into the context of the large US military presence abroad in the nineteenth and twentieth-centuries especially in developing countries with racially distinct populations, the precedent set by *Guyer* and reinforced in the 1952 INA exposed racially exclusionary implications.

As Americans expanded into the Pacific and the Caribbean at the end of the nineteenth-century efforts to protect the physical and racial borders of the nation intensified.<sup>140</sup> From 1885 to 1905 a “transformative period” evolved that changed boundaries of the nation and the state, and the people and places included in them.<sup>141</sup> Such changes confirmed and strengthened the importance of certain ascribed characteristics like race in defining an American.<sup>142</sup>

In imperial terms, the meaning of being American was “white” and “civilized.” Therefore, policymakers debated the status of the people in their newly acquired territories and citizenship was a “highly contested political institution.”<sup>143</sup> After the

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<sup>139</sup> The Immigration and Nationality Act of 1952 (Pub.L. 82–414, 66 Stat. 163, enacted June 27, 1952).

<sup>140</sup> Basson posits that by the end of the 19<sup>th</sup> century, the US citizenry had become less white, largely the result of the end of the slavery and the fourteenth amendment in addition to European immigration. Basson, *White Enough to Be American*, 55. For a strong analysis on “whiteness” during the period, see Matthew Frye Jacobson, *Whiteness of a Different Color: European Immigrants and the Alchemy of Race* (Cambridge: Harvard University Press, 1999).

<sup>141</sup> Basson, *White Enough to Be American*, 4

<sup>142</sup> *Ibid.*

<sup>143</sup> According to Jun, in the mid-nineteenth century, citizenship became a contentious battleground for debates over the “place of” Native Americans, blacks, Chinese and white ethnic immigrants that often incorporated discussions of race and labor. Jun, *Race for Citizenship*, 13.

annexation of Hawaii in 1898, concerns of unrestricted immigration from the island of Hawaiians, Japanese and Chinese led to challenges that the citizenship of the United States “shall not be contaminated and debased by the unrestricted importation of this class of people.”<sup>144</sup> In Puerto Rico, annexation exposed racially charged fears that absorbing the island into the nation would result in racial mixing and the accompanying degeneracy of the American citizenry.

Thus, Supreme Court Justice Edward White worried that “if the Constitution automatically granted citizenship to Puerto Ricans, then American citizenship might be dismantled and the people of the United States enslaved...the language of physical degradation suggests a moral and racial tainting thereby rendering the body of the American citizen incapable of citizenship.”<sup>145</sup> American imperialists imposed a similar discourse on the Philippines, where perceptions of the racial inferiority of the Filipinos marked them as permanently unassimilable, unfit for self-government and therefore, unqualified for citizenship.<sup>146</sup>

However, neither the discourse nor the justification for exclusion considered the possibility of mixed-race children born abroad. American men in Hawaii, Puerto Rico and the Philippines fathered children with native women as they would do in Western Europe, Japan, Korea, and Vietnam throughout the 20<sup>th</sup> century. Rather than passing laws

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<sup>144</sup> The United States annexed Hawaii in 1898, it became a US territory in 1900 and the 50<sup>th</sup> US state in 1959. Basson, *White Enough to Be American*, 24.

<sup>145</sup> Amy Kaplan posits that such reasoning justified the legal jurisdiction of Puerto Rico as an unincorporated territory of the United States which excluded its inhabitants from citizenship, and also justified American imperialism. Amy Kaplan *The Anarchy of Empire in the Making of U.S. Culture* (Cambridge: Harvard University Press, 2002), 9. See also, Laura Briggs, *Reproducing Empire: Race, Sex, Science, and U.S. Imperialism in Puerto Rico* (Berkeley: University of California, 2002).

<sup>146</sup> The term “fitness for self-government” emerged as a “key conceptual mechanism” during American expansion and imperialism to reconcile the democratic promise of equality for all citizens and assumed human inequalities. Imperialists rooted the concept in determinations of whether or not a population possessed specific ascriptive characteristics that suggested the ability or competence of a people to participate in a democratic government. These traits, according to Laura Basson, deemed a population capable of governing as well as of being governed. Basson, *White Enough to be American*, ” 21-23. According to Paul Kramer, more than three years of imperial conquest structured the racialized perception by US leaders that the Filipinos were incapable of self-government and justified American imperialism and intervention in the islands. Kramer, *The Blood of Government*, 1-12.



that prohibited mixed-race children born abroad from citizenship, policymakers once again pointed to the *Guyer* precedent. Simply by extending the racialized domestic marriage policies against miscegenation and interracial marriage overseas, policymakers could ensure the illegitimacy of such children who, without the father's claim, could not attain citizenship.

Additionally, in the twentieth-century, policymakers who worried specifically about large numbers of Amerasian children and Asian mothers immigrating to the country and claiming citizenship, could rely on US immigration law that prevented Asians from entering the United States or becoming citizens.<sup>147</sup> In either case, the *Guyer* precedent and the 1952 INA had major implications for the offspring born as a result of the foreign US military presence and the relationships between large numbers of American men and foreign women.

### **The Filiation of *Fiallo v. Bell***

Even after the end of the Vietnam War, debates continued and shaped the Amerasian question in the 1980s. In 1977, the US Supreme Court issued its ruling in the case of *Fiallo v. Bell*, upholding the 1952 INA and the sex-based distinction embedded in US immigration law based on *jus-sanguini* citizenship.<sup>148</sup> Per the 1952 law, unwed American mothers automatically transmitted US birth-right citizenship and therefore immigration preferences to children born abroad with foreign fathers while unwed American fathers did not.<sup>149</sup>

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<sup>147</sup> *Fiallo v. Bell*, 430 U.S. 787, 97 S. Ct. 1473, 52 L. Ed. 2d 50 (1977).

<sup>148</sup> *Ibid.*

<sup>149</sup> Section 309 (c) nationality and Sections 101 (b)(1)(D) and 101 (b)(2) of the 1952 Immigration and Nationality Act, exclude the relationship between an illegitimate child and its natural father from the special immigration status.

In this case, three unwed American fathers and their illegitimate children challenged the sex-based distinction of the law arguing that it violated equal protection and due process by excluding unwed fathers from the definition of “parent” and their children born outside of marriage from the definition of “child.”<sup>150</sup> In its ruling upholding the sex-based distinctions, the Court pointed to the intention of US immigration law which appeared clear to the Court as the law reflected the specific concern of Congress to protect the relationship between the illegitimate child and its natural mother.<sup>151</sup>

A similar consideration of a relationship between child and father was more difficult, the majority argued, because of the perceived absence of family ties and the “lurking problems” of proving paternity.<sup>152</sup> Thus the law reflected “an intentional choice not to provide preferential immigration status by virtue of the relationship between an illegitimate child and his or her natural father.”<sup>153</sup> Citing Congress’s plenary power to regulate immigration the Court argued that the sex-based distinction was rational and no different than any other requirements such as age or residency for citizenship.<sup>154</sup>

The cases all failed on the basis of proving paternity. Cleophus Werner, a naturalized US citizen had petitioned for his illegitimate son Serge born to a foreign mother in the French West Indies. The other two families included Trevor and Earl

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<sup>150</sup> *Fiallo v. Bell*, 430 U.S. 787, 97 S. Ct. 1473, 52 L. Ed. 2d 50 (1977)

<sup>151</sup> Justice Powell delivered the opinion of the Court, joined by Justices Burger, Stewart, Blackmun, Rehnquist and Stevens. Justice White filed the dissenting statement and Justices Marshall filed a dissenting opinion joined by Justices Brennan and White. “FIALLO v. BELL,” The Oyez Project at IIT Chicago-Kent College of Law, accessed March 11, 2015, [http://www.oyez.org/cases/1970-1979/1976/1976\\_75\\_6297](http://www.oyez.org/cases/1970-1979/1976/1976_75_6297).

<sup>152</sup> Albertina Antognini, “From Citizenship to Custody: Unwed Fathers Abroad and at Home,” *Harvard Journal of Law & Gender* 36 (August 6, 2013), 414.

<sup>153</sup> This statement also referenced the 1957 amendment which reflected again, the intentional choice on the matter.

<sup>154</sup> Plenary power refers to the absolute power of Congress over immigration. The opinion of the Court was that Congress had the power to prefer unwed mothers over unwed fathers and that the sex-based distinction was a political question not a judicial one. For further discussion see Brian G. Slocum, “Canons, the Plenary Power Doctrine and Immigration Law,” *Florida State University Law Review*, Vol 34 (nd): 363-411.

Wilson, permanent resident aliens of the United States who had petitioned for their father Arthur, a citizen of Jamaica to immigrate. Finally, Ramon Martin Fiallo Jr., a U.S citizen by birth and the illegitimate son of Ramon Fiallo-Sone, a citizen of the Dominican Republic, had petitioned for immigration preference as the “parent” of a US citizen. Problems arose for Warner as the Court denied his appeal on the grounds that no supporting evidence existed for his claim of paternity. The Court denied the Wilson brothers’ petition on the grounds that there was no evidence that either Trevor or Earl were the legitimate children of Arthur. Finally, the Court rejected the petition of Ramon Fiallo Jr., to bring his father to the United States also on the grounds that he was not a legitimate child.<sup>155</sup>

While the effects of *Fiallo v. Bell* tragically affected the plaintiffs, the ruling itself created problems for the Amerasians of Vietnam. The decision upheld the sex-based distinction in US immigration law that corresponded with US citizenship rulings. It ensured that the majority of the 50,000 illegitimate sons and daughters of American men living in Vietnam after the war had no claim to American paternity, citizenship, or preferential immigration status. More importantly, when placed into the context of the large US military presence abroad, the ruling continued to protect American servicemen from parental accountability from liaisons with foreign women.

As before in Asia, the military highly discouraged soldier marriages between servicemen and Vietnamese women, but encouraged sexual relationships as a way to boost soldier morale, provide comfort, and reinforce the masculinity necessary to “keep

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<sup>155</sup> *Fiallo v. Bell*, 430 U.S. 787, 97 S. Ct. 1473, 52 L. Ed. 2d 50 (1977)

soldiers fighting like men.”<sup>156</sup> Many of these relationships were consensual, long-standing and loving; while others were relationships of convenience for the soldier.

Still others took the violent and racialized form of the war itself. “When men are men, slugging it out among themselves, conquering new land, subjugating new people, driving toward victory, *unquestionably* there shall be some raping,” one person observed.<sup>157</sup> Racialized perceptions of the Vietnamese as inferior and inhuman, justified sexual assault for some servicemen. When asked about the rape of Vietnamese women during the war, Sergeant Scott Camil, a Marine responded, ““It wasn’t like they were humans....They were a gook or a Commie and it was okay.””<sup>158</sup>

The emergence of South Vietnam’s “entertainment” industry fully equipped with massage parlors and brothels, coincided with the increasing numbers of US servicemen in the country between 1965 and 1973.<sup>159</sup> Thousands of Vietnamese women flocked to US bases for employment as laundresses, maids, and cooks. Others, came as “mama-sans and hooch-girls” and prostitutes.<sup>160</sup> Military endorsed brothels sprouted up on Army bases with names inviting play and frivolity—Sin City, Disneyland, Boom Boom Parlors. Many were built under the directive of military leaders—division commanders, two-star

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<sup>156</sup> War Department directive, Circular 179 declared that all military personnel stationed in foreign countries must gain approval of the commanding officer to marry at least two months in advance, a letter from a civil or ecclesiastical authority that would conduct the marriage and an interview of the bride. Enloe, *Maneuvers*, 44. Prior to 1952, military leaders actively discouraged marriages with Asian women on the grounds that US law excluded Asian nationals from immigration and citizenship. Elfrieda Berthiaume Shukert and Barbara Smith Scibetta, *War Brides of World War Two* (Novato, CA: Presidio Pr, 1988), 20; File 291.1, 1949, Box 643-Ajutant General’s Section Operations Division Mail and Records Branch Decimal File 1949-50 290/10/27/4 Allied Operational and Occupation Headquarters, WWII, Supreme Commander for the Allied Powers (SCAP)NA 486331, Container ID 8496, NARA RG331.

<sup>157</sup> Susan Brownmiller, *Against our Will: Men, Women, and Rape* (New York: Bantam, 1976),31.

<sup>158</sup> Sergeant Camil served in Vietnam from March 1966 to November 1967. Brownmiller, *Against our Will*, 109.

<sup>159</sup> As quoted by one Vietnam Veteran, Enloe, *Maneuvers*, 66. Susan Brownmiller discusses prostitution during the First Indochina War in which she claims the French Army imported Algerian girls to travel with mobile field brothels to satisfy the sexual needs of French soldiers. The US did not continue the tradition of importing sex largely because the post-war economic devastation drove many Vietnamese women to prostitution as the only viable way to make money. Brownmiller, *Against Our Will*, 93.

<sup>160</sup> Enloe, *Maneuvers*, 66.

generals, and colonels— to whom Washington had given “considerable discretion” in regulating prostitution.<sup>161</sup>

Some military leaders believed prostitution an unnecessary evil that “interfered” with soldier effectiveness, while others saw it as a necessary component of normalizing the lives of soldiers in very abnormal conditions.<sup>162</sup> Regardless of the specific scenario however— marriage, rape, prostitution— the conscious and deliberate calculations made by US leaders about the sexual needs of male soldiers and about “how Vietnamese women could best meet those needs,” exposes the fallacy, when applied to military presence abroad, behind the sex-based distinction in US law.<sup>163</sup>

The military’s suggested support of sex with foreign women and protection against responsibility for the children produced changed little from the Philippines to Vietnam.<sup>164</sup> Rather, some military leaders viewed the responsibility of paternity as counterproductive to the maintenance of a well-oiled fighting machine by “depriving combat of some of its appeal.”<sup>165</sup> They feared forcing American men to take responsibility for illegitimate children and worried it would encourage foreign women to seduce American men and have their babies to get a free ride to the United States.<sup>166</sup>

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<sup>161</sup> Ibid., 65-68; Brownmiller, *Against Our Will*, 93.

<sup>162</sup> Enloe discusses the warm welcome that prostitutes received on some US bases where they entered as “local national guests,” and the army colonel who banned prostitutes from his base and prohibited the hiring of Vietnamese women as personal maids. Enloe, *Maneuvers*, 66.

<sup>163</sup> This argument is taken directly from Enloe, *Maneuvers*, 67.

<sup>164</sup> In response to questions by Senator Alan Simpson regarding a possible long-term solution to the Amerasian problem, Father Alfred Keane insisted that American soldiers had to stop telling Asian women that they loved them. If potential American fathers instead said ““I don’t want you and I don’t want the baby,”” in ninety-percent of the cases, the woman has an abortion. The most effective solution, Keane claimed was for the US government to convince its soldiers to stop promising love and promising to take care of Asian women. *Hearing before the Subcommittee on Immigration and Refugee Policy*, Amerasian Immigration Act of 1982, SB 1698, 97<sup>th</sup> Cong., 2<sup>nd</sup> sess., June 21, 1982, 80-82.

<sup>165</sup> Enloe, *Maneuvers*, x, and Ann Scales, “Soft on Defense: The Failure to Confront Militarism.” *Berkeley Journal of Gender, Law & Justice*, (2005): 379.

<sup>166</sup> *Memorandum No. 96 “Establishment of Paternity” from the Office of the Political Adviser for Germany American Consulate General, to All Consular Offices, Germany, June 17, 1947.* Records of United States Occupation Headquarters, WWII. OMGUS for Germany. Records of the Civil Administration Division: General Records of Public Welfare and Displaced Persons, Bavaria, 1946-50. RG260, Box 37. For more information on soldier marriages and military policies see, Zeiger, *Entangling Alliances; Shukert and Scibetta, War Brides of World War.*

Subjecting soldiers to paternity suits, child support payments, and the responsibilities of fathering could undermine the appeal of combat. According to one observer, it would “miss the existential and deeply gendered point of mayhem.”<sup>167</sup>

Thus, US citizenship and immigration law and military policy worked in tandem to ensure that many of the relationships between servicemen and foreign women occurred outside of marriage. Consequently such policies and the preservation of the sex-based distinction facilitated the production of tens of thousands of illegitimate GI babies.

However unlike many of the GI children born from European mothers who often shared a racial kinship that masked questions of paternity, shielded mothers from accusations of prostitution and infidelity, and enabled the children to blend into European society, the markers of racial difference that signified illegitimacy and American paternity for the Amerasians resulted in discrimination and abuse.<sup>168</sup> For mothers of the Amerasians, the racial mixture of their children highlighted their own sexual immorality and promiscuity. They also faced rejection and persecution for their role in creating half-American and illegitimate children.<sup>169</sup>

In Europe, there was one powerful corresponding example however. Like the Amerasians, the racial differences of the “brown babies,”— the offspring of African American servicemen and European women—often exposed them to abuse, persecution, and violence.<sup>170</sup> While comparisons exist between the Amerasians and the brown babies

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<sup>167</sup> Scales, “Soft on Defense,” 379.

<sup>168</sup> Carpenter, *Born of War*.

<sup>169</sup> For further information on the experiences of militarized women and mothers in Asia see: Enloe, *Maneuvers*, Moon, *Sex Among Allies*, Hohn and Moon, *Over There*, and Lee, *Service Economies*. Letter to Romano L. Mazzo, from R. Dean Tice, Lieutenant General, Jan. 11, 1982, HR 3405 and HR 808, *Hearing*; 871.

<sup>170</sup> Fears that the brown babies were targets for persecution and discrimination were largely unfounded and rooted in concerns that post-Nazi Germany specifically would abuse the children because of engrained assumptions of racial inferiority. However, in post-war era, the children became public examples of Germany’s racial progress and evidence of its redemption from the horrors of the war. Letter from Thomasina Norford to Walter White, July 7, 1950. Papers of the NAACP, General Office File, 1940-1950 “Brown Babies

in terms of military conception, racial distinction, suffering, and illegitimacy, critical differences also existed. African American servicemen who married their white European girlfriends, thus legitimating their racially mixed children, were legally permitted to bring their wives and children to the United States as citizens.<sup>171</sup> Until 1952, US law prevented the Asian wives and children of US servicemen from immigration or naturalization.<sup>172</sup>

Furthermore, a national campaign by the African American community promoting adoption by African American families in America through assertions of a transnational racial kinship emerged to address the issue of illegitimate “brown babies.”<sup>173</sup> Such efforts never surfaced on behalf of the Amerasians from any racially or ethnically distinct community in America. African American soldiers composed only ten-percent of US military forces in Europe during World War II and produced a small number of children. Although reports of brown babies in England reached 10,000, officials ultimately documented only 1,700 and the brown babies composed only 3,000 of the 90,000 GI

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in Europe” File 2, 1950-55, Part II Box A642; Tina Camp, *Other Germans: Black Germans and the Politics of Race, Gender, and Memory in the Third Reich* (Ann Arbor: University of Michigan Press, 2004.), 224.

<sup>171</sup> Yukiko Koshiro and Susan Zeiger agree that the different perceptions of German and Japanese women during the post-WWII occupation is evident in the unequal application of military fraternization and marriage policy and the reliance on prostitution in Asia. The nonfraternization policy in Germany lasted only five months while in Japan it remained in effect for four years. The majority of wives (85000/114000) admitted to the United States under the War Brides Act of 1945 were white, European and English-speaking. Petra Goedde argues that contributing to the acceptance of German women as wives was the rapid improvement in US-German relations after the war which she contends emerged from a cultural affinity with the German people and the cultural feminization of Germany that shifted perceptions of Germans as masculine wartime enemies responsible for Nazi crimes to victims of war that needed protection. Yukiko Koshiro, “Race as International Identity: ‘Miscegenation’ in the U.S. Occupation of Japan and Beyond,” *Amerikastudien/American Studies* 8, no.1 (2003): 61-77; Zeiger, *Entangling Alliances*, Petra Goedde, *GIs and Germans: Culture, Gender and Foreign Relations, 1945-1949* (New Haven: Yale University Press, 2003) Shukert and Scibetta, *War Brides of World War Two*.

<sup>172</sup> In 1947 Congress passed the Alien Brides Act which allowed entrance to the U.S. of ‘alien spouses’ otherwise considered ‘inadmissible because of race’ and gave permission to couples who applied for and were wed within 30 days of the laws enactment – a provision that proved unreasonable and impossible for most. This exception was reintroduced in P.L. 717 from 1950-1952 to coincide with the marriage requests resulting from the Korean War. Zeiger, *Entangling Alliances*, 6. According to the article in 1964, 1,265 American servicemen married Korean wives with an additional 771 married by October 1965. “Marriage by G.I.’s Problem in Korea: One Soldier in 40, the Army Finds, Weds a Korean,” *The New York Times*, Oct 24, 1965.

<sup>173</sup> in 1952 Mabel Grammer, a writer for the African American Newspaper the Baltimore *Afro-American*, assisted Mr. and Mrs. Edward F. Cardwell to adopt three-year old Annaliese Gehring and five-year old Eduard Schmitt, officially kicking off the “Brown Baby Plan,” a two-year campaign to save Germany’s brown babies through adoption into African-American families. The campaign was largely a response to fears by African Americans that the race of the brown babies in post-Nazi Germany placed them at risk for physical harm. The plan ended in 1954 when Grammer official retired. “First Brown Babies Here for Adoption,” *Baltimore Afro-American*, January 13, 1953. Mabel Grammer, “Is This the End of the Brown Baby Plan?” *The Afro-American*, August 7, 1954. *Chicago Defender*, October 10, 1951. *Baltimore Afro-American*, January 13, 1953; As stated in Sabrina Thomas, “The Soul of Blood and Water: Transnationalism and Race Across the Oceans,” submitted for review, summer 2015.

babies born in Germany.<sup>174</sup> In contrast, the Amerasian children were the offspring of black and white fathers and numbered in the tens of thousands creating a much larger population whose claims of paternity were less easily ignored in a war most Americans sought to forget.<sup>175</sup>

Finally the shared political, cultural and racial ideologies of democracy, capitalism, technological advancement, and racial superiority that defined America's Occidental relationship with Western Europe did not exist with Asia. There, colonial notions of racial inferiority and a well-established history of exclusionary policies against people of Asian descent shaped US-Asian relations. Unlike in World War II, Cold War politics and fears of communism framed American intervention in Vietnam. Despite the misguided presumptions of US leaders about the colonial character of the Vietnamese and the paranoid efforts of four US Presidents, America **did** "lose" Vietnam. The defeat shattered America's confidence in its military superiority and exposed the reprehensible actions of American soldiers in the war, damaging American humanitarian and ideological credibility. In the process of losing the war, some posit that America had lost its identity which led to a collective amnesia regarding its effects and a search over many years for a new one.

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<sup>174</sup> Heide Fehrenbach, "Of German Mothers and 'Negermischlingskinder': Race, Sex and the Postwar Nation" in *The Miracle years: A Cultural History of West Germany*, ed. Hanna Schissler, (Princeton: Princeton University Press, 2001), 164. According to Fehrenbach, by 1950 only 3000/90,000 estimated population of GI babies in Germany were brown babies. "Illegitimate Children Born in Britain of English Mothers and Coloured Americans; Report of a Survey." Made by Miss Sylvia McNeill. London: The League of Coloured Peoples. 1945. Papers of the Official report and survey sent to the British officials. Papers of the NAACP, General Office File, 1940-1950 "Brown Babies in Europe" File 1945-1949, Part II Box A642. "Ship Tan-Yank Babies to U.S." *Chicago Defender*, April 12, 1947; "British Families Adopt Brown Babies: Illegitimate Tots Left Behind by Negro GIs Finally Find Homes," *Ebony*, March 1949. Official studies later found the numbers of brown babies in England to be greatly inflated

<sup>175</sup> Although Amerasians were also fathered by non-white and non-black Americans, policymakers, US media reports and photographs and social service and humanitarian organizations consistently categorized them as the children only of either white or black fathers. It was simply more difficult to determine paternity for Amerasians fathered by Latin Americans, Hawaiian Americans or Asian Americans. This issue is addressed further in Chapter Three and Chapter Six.



Thus, the exclusion of citizenship for the Amerasians of Vietnam was not a new phenomenon, and it had the legal rationale of US immigration and citizenship law now reinforced by the Supreme Court ruling in *Fiallo v. Bell*. However it is the legal justification that calls into question the intentions behind the attention given to the Amerasian issue by policymakers in the post-Vietnam War era. The Amerasian mixture of race, nation and war challenged the legacy of exclusion that permeated America's military tradition of ignoring the illegitimate children born to unwed American fathers abroad. While the militarized conditions that created Amerasian children in Vietnam mirrored those in other countries, America's military defeat in the Vietnam War compounded the issues of citizenship and illegitimacy. The dynamics of this war shifted the discourse regarding citizenship and responsibility.<sup>176</sup>

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<sup>176</sup> Yoon, "Reproducing Citizens," 28.

## CHAPTER 2

### NATIONAL PATERNAL RESPONSIBILITY AND THE ORDERLY DEPARTURE PROGRAM

*“We, who are homeless” - Nietzsche*

In 1954, the French defeat in the First Indochina War brought France not only the problem of global humiliation but also tens of thousands of legitimate and illegitimate French-Vietnamese Eurasian children. Rather than viewing the children as the problem of individual French fathers, French leaders enacted a policy of national paternal responsibility.

After the war, France evacuated 25,000 Eurasian children from Vietnam to France, granting them French citizenship and uniting or reuniting them with their French relatives. Those Eurasians who remained in Vietnam with their Vietnamese mothers, received financial support from the French government and French citizenship until the age of eighteen, when they could choose to adopt Vietnamese citizenship.<sup>177</sup>

The enactment of such paternal policies proved vital for the Eurasians in Vietnam where the role of the father is critical. In Vietnamese culture the father validates the very existence of the child by linking him to past, present, and future family members. The emphasis on the family as a whole unit rather than on its individual members means that the illegitimate child stigmatizes the immediate family, the extended family and all the ancestors and future family members, including the unborn.<sup>178</sup> By legitimizing the

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<sup>177</sup> Jennings, *Imperial Heights*; Yarborough, *Surviving Twice*, 9. For more on French Nationality Law and the Code of 1945 which extended French citizenship see Richard Plender, “The New French Nationality Law,” *The International and Comparative Law Quarterly* 23, no. 4 (October 1974): 709-747.

<sup>178</sup> A 1987 Country Study by the US Government reported that the basic social institution in Vietnam is the patriarchal family. Vietnam societal norms are rooted in Confucian values, framed in terms of the duties and obligation of a family to its father. Individual family members are less independent beings than members of a family group that includes the living members of the family, dead ancestors, and those yet born. Ronald J. Cima, ed., *Vietnam: A Country Study* (Washington: GPO for the Library of

Eurasians through policies of national paternity, France protected them from the stigma of illegitimacy and ensured their acceptance into Vietnamese society.<sup>179</sup>

French colonialism and citizenship law contributed to the implementation of national paternal responsibility.<sup>180</sup> Since 1883 when all of Vietnam became subject to French colonial rule, the fathering and abandonment of Eurasian children by French men agitated the colonial administrators, who viewed the Eurasians as a source of anguish and a threat to the colonial order. The *métis*—mixed race individual—proved problematic for European colonizers because it called into question the criteria by which “Europeanness could be identified, citizenship accorded and nationality assigned.”<sup>181</sup> The existence of

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Congress, 1987). Numerous humanitarian organizations and Amerasian advocates who worked with the Amerasians in Asia described the familial and societal issues that arose from fatherlessness. According to the Pearl S. Buck Foundation and Father Alfred Keane of the St. Vincent’s Home for Amerasian Children in South Korea, in Asia, it is both custom and tradition for the identity of a child to come from the father. In 1982, John Shade (PSBF) testified to the US Senate that in Asia, the father is the key to “birth registration, legitimacy, citizenship, education, employment and marriage.” His absence results in societal problems that Amerasians cannot overcome. In addition to fatherlessness. Testimony of John Shade, Jr., SB 1698, *Hearing*, 70. Kieu Linh Caroline Valverde posits that the stigma of the Vietnam War contributes to the shame associated with the Amerasian child in Vietnam. The term “Amerasian” is a loaded and militarized term that assumes the mothers are prostitutes and the children, the offspring of the American enemy. Kieu Linh Caroline Valverde, “Doing the Mixed-Race Dance: Negotiating Social Spaces Within the Multiracial Vietnamese American Class Typology,” in *The Sum of Our Parts: Mixed-Heritage Asian Americans*, eds. Teresa Williams-Leon and Cynthia L. Nakashima (Philadelphia: Temple University Press, 2001); Yarborough, *Surviving Twice*, 12.

<sup>179</sup> The benefits of French national paternity did not extend equally to those children fathered by French African colonial soldiers. Assumptions of racial inferiority dictated their existence in Vietnam where dark skin is considered a negative and inferior attribute. The history of racism against darker skinned people in Asia is extensive and evident in the discrimination faced by the children of African colonial soldiers and the black Amerasians born to African American soldiers. Within Vietnam’s ethnically diverse population, skin color has always been evidence of class—darker skin associated with peasantry and laboring in the sun, while lighter skin represented the elite. Kieu Linh Caroline Valverde, “Doing the Mixed-Race Dance” in Williams-Leon Nakashima; Rotem Kowener and Walter Demel, eds., *Race and Racism in Modern East Asia: Western and Eastern Constructions* (Leiden, Netherlands: BRILL, 2012). For studies of Black Amerasians from Vietnam, treatment and racial identity see, Maria P.P. Root, “Factors Influencing the Variation in Racial and Ethnic Identity of Mixed-Heritage Persons of Asian Ancestry” in Williams-Leon and Nakashima. For further discussion of the history and historiography concerning the influence of racism in western civilization on Japan see, John Russell, “Race and Reflexivity: The Black Other in Contemporary Japanese Mass Culture” *Cultural Anthropology* 6, no. 1 (Feb, 1991). For a deeper discussion of race and Japanese Amerasians and how white Amerasians were deemed attractive while black Amerasians were considered primitive, animalistic and inferior, see Hiroshi Wagatsuma, “Identity Problems of Black Japanese Youth,” in *The Mixing of Peoples: Problems of Identity and Ethnicity*, ed., Robert I. Rotberg (Stamford: Greylock Publishers, 1978).

<sup>180</sup> For more on the French colonization of Vietnam, its civilizing mission and the Vietnamese response to French imperialism, including the role of collaborators see: David G. Marr, *Vietnamese Anticolonialism 1885-1925* (Berkeley, Los Angeles and London: University of California Press, 1971).

<sup>181</sup> A distinction existed between the “Eurasian” and the “*métis*.” The term Eurasian applied to a legitimate child of French and Vietnamese parents and who was, therefore, a French citizen. The term *métis* applied to the illegitimate child of French and Vietnamese parents. Due to its illegitimacy and the abandonment by the father the *métis* was not a French citizen but a French colonial subject. In her examination of the making of colonial categories and the colonial order in the nineteenth and twentieth centuries, Ann Laura Stoler asserts that racial thinking to the class-based logic that differentiated between native and European. Stoler, *Carnal Knowledge and Imperial Power*, 13, 80. For a discussion of French policies and practices towards the *métis* in French colonial West Africa see Rachel Jean-Baptiste, “‘Miss Eurafrica’: Men, Women’s Sexuality and *Métis* Identity in late Colonial French Africa, 1945-1960,” *Journal of the History of Sexuality* 20, No. 3 (September 2011): 568-593. According to Jean-Baptiste in French colonial West Africa, the racial mixtures of the *métis* posed a danger to French colonial society and French discourses discouraged interracial sex between French men and West African women due to the fear that reproducing children with women of color threatened the “maintenance of whiteness.” The *métis* identity, as in Vietnam, blurred the colonial categories of white citizen and black colonial subject.

the *métis* complicated colonial categories of “us” and “them” by forcing colonizers to consider how to deal with a racially mixed, culturally different population that lacked a national identity.<sup>182</sup>

However, some French authorities believed that the transnational roots of the Eurasians made them valuable collaborators in the French colonial cause, worthy of inclusion in the national community without full membership.<sup>183</sup> The *métis* were especially valuable, as their inherent transnational qualities allowed them to exist simultaneously among the Vietnamese masses and French colonizers.<sup>184</sup> Numerous plans emerged to utilize the *métis* as agents of agricultural or industrial colonization resulting in the establishment in 1907 of an agricultural school for *métis* in Tonkin.<sup>185</sup> In 1938 the Governor-General of French West Africa, Jules Brevie proposed using the *métis* in Indochina to colonize the Darlac Plateau.<sup>186</sup>

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<sup>182</sup> Questions of national identity were central to the anguish of French colonial administrators regarding the *métis* in French Indochina and all of the French colonial Empire. Emmanuelle Saada explains that the majority of the *métis* were unrecognized and abandoned by their fathers leaving them a “hybrid and a bastard” population that threatened the order of colonial society and causing French colonial administrators to reconsider issues of “race” (French or native) and nation (citizen or subject). Until 1946, natives were considered French nationals but without the rights of French citizenship. Nationality was an unstable status in the colonies interpreted on varying degrees of difference and distance from “Frenchness,” but always absent of citizenship for natives. The determination by a 1928 decree that *métis* considered of the French “race” were eligible for French citizenship—determined by social status, and familiarity with French culture rather than biology—became the template for how other French colonies handled the “*métis* problem.” Saada, *Empire’s Children*, 2-4, 97-104. According to Rachel Jean-Baptiste in her study of colonial West Africa, throughout the French Empire, colonial rule depended upon ridged racial categories of difference that regulated both social and legal status. While some non-white persons able to demonstrate significant assimilation had access to nationality, it remained primarily reserved for whites only. The majority of non-whites were colonial subjects controlled by “native law” and subject to repressive colonial regulations. Much of the conversation by French colonial administrators in West Africa regarded whether or not *métis* was a racial and legal category—were they native colonial subjects, or French citizens? Rachel Jean-Baptiste Rachel Jean-Baptiste, ““Miss Eurafica,”” 574-575.

<sup>183</sup> David Marr, *Vietnamese Anti-colonialism, 1885-1925 (Berkeley and Los Angeles: University of California, 1971)*. Marr posits that French colonial success in Vietnam was dependent upon Vietnamese collaborators. According to Jennings, French colonial administrators began recruiting Eurasians to the town of Dalat where they would lose their Vietnamese roots and learn French ones at the *Écoles des Enfants de Troupe Eurasians de Dalat*, a boarding school to prepare Eurasians for the French army. Jennings, *Imperial Heights*, 187-189. See also: Milton E. Osborne, *The French Presence in Cochinchina and Cambodia: Rule and Response (1859-1905)* (Ithaca and London: Cornell University Press, 1969); Mark W. McLeod, *The Vietnamese Response to French Intervention, 1862-1874* (New York and London: Praeger Press, 1991).

<sup>184</sup> Perhaps a product of start racial differences, Emmanuelle Saada and Rachel Jean-Baptiste agree that the notion of the *métis* as potential collaborators did not extend to French colonial Africa. Additionally even those *métis* who graduated from the French education, language and cultural training programs successfully stripped of their “exotic and foreign elements” remained classified in France through 1928 remained officially classified as *métis*. Saada, *Empire’s Children*, 70-74 and 87, Jean-Baptiste, ““Miss Eurafica.””

<sup>185</sup> Saada, *Empire’s Children*, 70-71. According to Saada, the project ended after some of the students caused a disturbance.

<sup>186</sup> *Ibid.*, 71. Brevie’s proposal was never enacted.

Motivating such efforts was a belief that the *métis* could transform into “Frenchmen in soul and character” with the proper environmental influences and education while remaining native subjects.<sup>187</sup> Orphanages like the *Orphenlinat des enfants franco-indochinois abandonnés*, philanthropic societies like *Société d’assistance des enfants métis abandonnés*, and boarding schools such as the *Écoles dé Enfants de Troupe Eurasians de Dalat*, emerged to provide *métis* children French education, language and culture training in efforts to teach some “how” to be French.<sup>188</sup>

It was precisely because of their transnational makeup and ability to act as a population in transition that French authorities commonly viewed the *métis* as the “fruit of colonial sin.”<sup>189</sup> Even amidst such controversial reasoning, the notion by the French that Eurasians were an extension of the French empire and therefore a national responsibility shaped colonial and post-colonial policies.<sup>190</sup> Still, the actions of the French government to transport its *metis* population to France and award citizenship and financial support, depicted a national obligation to the *métis* that in many cases replaced the expectation of responsibility by individual French fathers.<sup>191</sup> Furthermore, by granting the *métis* French citizenship, French leaders legitimated a political and social identity for

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<sup>187</sup> Ibid., 85. The status of the *métis*—illegitimate and unrecognized by their French fathers—kept them classified as native subjects rather than French citizens. The inability of French administrators to reconcile the French paternity of the *métis* with their illegitimacy and native attributes was at the heart of discussions regarding the colonial classification of the *métis* in terms of race and nation.

<sup>188</sup> Ibid., 34-65. According to Emmanuelle Saada, the “*métis* problem” applied primarily to those illegitimate and abandoned offspring whose race and nationality remained in question as a result of racial mixture and fatherlessness. French colonial authorities concerned with the potential for crime, poverty and subversion within the population sought to “make them” French as a solution.

<sup>189</sup> Jennings, *Imperial Heights*, 187.

<sup>190</sup> Ibid., 239. In 1945 French law guaranteed French citizenship to the Eurasians although the law was largely based on military service to the French government and excluded the majority of Afro-Asians—the children of French Moroccan colonial soldiers—on the basis of both their Moroccan nationality and race.

<sup>191</sup> Saada, *Empire’s Children*, 24-25. The roots of the French decision to evacuate large numbers of *métis*, award French nationality and reclassify them as French citizens are complicated. According to Saada the first attempt to legally resolve the *métis* problem occurred in 1926 by the Governor-General Alexandre Varenne. The issue reemerged after the First Indochina War when discussions of the *métis* preceded the Geneva accords and in 1955 the French-Vietnamese nationality agreement addressed the issue extensively. Such legal actions combined, according to Saada, with the nature of French colonial settlement that encouraged the production of mixed race children who were then abandoned when colonial officials were transferred to other colonies or returned home; and the negative attitudes of the Vietnamese toward the children whose abandonment by foreign fathers made life difficult in a patrilineal society.

them that ensured they had a homeland. Perhaps due to France's favorable response to the children and its willingness to accept a national paternal responsibility, the Eurasians, did not face the same abuse and discrimination as would the Amerasian children twenty years later.<sup>192</sup>

The irony in the very different approach by the United States to its Amerasian children lies within the similarities of French and American citizenship. French and American citizenship have an expansive and assimilationist ideology in which membership, or nationality, originate through both *jus sanguinis* (blood) and *jus soli* (land).<sup>193</sup>

Both nations term membership and national identity from an Enlightenment ideology that defines the national narratives of openness and accessibility.<sup>194</sup> However, this narrative changed when considering the different approaches taken to address the Eurasian and the Amerasian. The French policy of national paternal responsibility reinforced the French narrative of assimilation and expansive citizenship, through empire. In contrast, America's approach of an inclusionary discourse and exclusionary policy,

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<sup>192</sup> Although the *métis* did face similar forms of discrimination within Indochina as a result of their paternity and bastardy, many *métis* also elevated their status in society through French schooling and efforts at French cultural assimilation. Orphanages, boarding schools and philanthropic organizations assisted with such efforts. Additionally those mixed-race Eurasian children whose French fathers legitimated them via marriage or claim were considered French citizens and benefitted accordingly within society. Unlike the Amerasians whose social and legal identity was more rigidly defined by abandonment, illegitimacy and foreign paternity, the social and legal identity of the *métis* was more porous. Saada, *Empire's Children*; Yoon, "Reproducing Citizens Through U.S. Militarism," 9-11. The children of French African colonial soldiers did face discrimination and abuse in the post-colonial era, however American sources on this subject are lacking. This is an area in need of more historical research that also encourages comparative research between the black Eurasians and the black Amerasians.

<sup>193</sup> French citizenship is ascribed at birth to those born in France, its territories and colonies, with at least one French citizen parent; it is acquired automatically at age eighteen by all children born in France to foreign parents. Rogers Brubaker, *Citizenship and Nationhood in France and Germany* (Cambridge: Harvard University Press, 1992); Plender, "The New French Nationality Law," 709-747.

<sup>194</sup> Rob Kroes, *Them and Us: Questions of Citizenship in a Globalizing World* (Urbana and Chicago: University of Illinois Press, 2000), 76.

reflected the contradictions in the American narrative of open borders and inclusion with a history of conquest and exclusion against the racial “other.”<sup>195</sup>

France accepted its role as a colonizing nation with the purpose of expanding the French empire through territorial acquisition and the conquest and inclusion of its racially “inferior” colonial subjects. In contrast, the United States has always been uncomfortable “owning” its colonialism as it directly undermines American democracy. American leaders have consistently denied the assertion that military efforts against Native Americans, Filipinos, Puerto Ricans, or Haitians were imperialist. The result is a contradiction that has framed American conquest abroad not as colonial, but as paternally benevolent and necessary.<sup>196</sup>

In each case, American imperialism did not result in the formal incorporation of colonial populations into an American empire. Native Americans and Puerto Ricans did not receive American citizenship until 1924 and 1917 respectively while Filipinos never did.<sup>197</sup> By not awarding citizenship to its “non-colonial subjects” American leaders could

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<sup>195</sup> Please note that the argument made here is specific to the policies regarding the Eurasian and Amerasian populations in Vietnam only. The author recognizes that the discussion of the legal status of the *métis* incorporated ever-shifting lines of inclusionary discourses and exclusionary policies based primarily on ascriptive characteristics that determined whether a mixed-race person was “French.”

<sup>196</sup> In asserting that the native populations affected by American expansion into the Pacific and Caribbean were “unfit for self-government” and “hopeless heathens” in need of the United States’ benevolent guidance in government and spirituality and civilization, American imperialists justified military occupation and annexation of Hawaii, the Philippines and Puerto Rico. For further information on US imperialism and race regarding the annexation of Hawaii and the Philippines see Spickard, *Almost All Aliens*; Lee, *Orientalism* and Basson, *White Enough to be American*. Paul Kramer argues that framing American intervention in the Philippines in 1898 was a discourse of paternalism via the “White Man’s Burden,” the creation of Empire necessitated race-making to secure Anglo-Saxon superiority by imposing colonial hierarchies on the indigenous population perceived to be the “‘children’ of benevolent or disciplinarian ‘fathers.’” Kramer, *The Blood of Government*, 23. In Puerto Rico Laura Briggs asserts that America “worked out its attitudes towards expansionism” through the racialization and sexualization of Puerto Rican women. Briggs, *Reproducing Empire*, 2. Finally, In Haiti, occupied by U.S. forces from 1915-1940, American leaders again imposed a policy of paternalism. Viewing the Haitians as racially and sexually inferior and therefore unfit for self-government, American leaders felt obliged to evoke the paternal image of America as father figure and the intention of U.S. policy to protect, educate and discipline its Haitian child. Mary Renda, *Taking Haiti: Military Occupation and the Culture of U.S. Imperialism* (Chapel Hill: The University of North Carolina Press, 2001), 25.

<sup>197</sup> Jones-Shafroth Act, Public Law 175, 64<sup>th</sup> Cong., 2d sess. (June 2, 1924), authorized the Secretary of the Interior to issue certificates of citizenship to Indians.” June 2, 1924; Enrolled Acts and Resolutions of Congress, 1789-1996; General Records of the US Government, RG 11; National Archives; Puerto Ricans and Filipinos became U.S. nationals rather than U.S. citizens until 1917 and 1946 respectively. As nationals they could come to America but could not benefit from the rights and protections of citizenship. The Insular Cases [(*Downes v. Bidwell* (182 U.S. 244, 1901), *Dorr v. United States* (195 U.S. 138, 1904), *Balzac v. Porto Rico* (258 U.S. 298, 1922), and *Rasmussen v. United States* (197 U.S. 516, 1925) ] were a series of Supreme Court rulings from 1901-1922 and established that the U.S. Constitution did not extend to unincorporated territories of the United States and thus the territories as a result

deny accusations of empire and maintain the narrative that the intentions of American conquest were not exploitative but rather humanitarian. It was the same narrative that President Dwight Eisenhower evoked in 1954 to criticize the misguided and futile French effort to perpetuate colonialism in Vietnam and to justify America's own neocolonial intervention: "we must work with these people [Vietnamese], and then they themselves will soon find out that we are their friends and that they can't live without us."<sup>198</sup>

### **The "People Problems"**

The United States had been "officially" involved in military action against North Vietnam for almost a decade when humanitarian organizations like the Pearl S. Buck Foundation began to pressure policymakers to address the issue of the growing Amerasian population.<sup>199</sup> Additionally, media sources began to point to America's own failure to take responsibility for the "people problems" created as a result of U.S. presence during the war.<sup>200</sup> American soldiers also contributed to growing awareness. According to Sister Rosemary Taylor of Catholic Relief Services, the emerging

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of the 1898 Spanish-American War belonged to the United States but were not part of the United States. The result of the rulings created two kinds of territorial categories. Incorporated territories included everything acquired prior to the Spanish-American war and reflected an intent to turn such territories into states (Hawaii). Unincorporated territories included everything acquired during and after including Puerto Rico, Guam, the Virgin Islands and the Philippines. There was no intention of statehood however the Tydings-McDuffie Act of 1934 granted the Philippines independence in 1946. Between the passing of the Act in 1934 and independence, Filipinos lost their status as US nationals and became "aliens," ineligible for US citizenship like all other Asians, per the 1924 Immigration and Nationality Act. Puerto Ricans gained U.S. citizenship in 1917 but in 1922 *Balzac v. Porto* ruled that citizenship only applied to those Puerto Ricans residing on the mainland.

<sup>198</sup> Record of telephone conversation, Eisenhower and Dulles, July 20, 1954, Eisenhower Papers, Diary Series, Box 4.

<sup>199</sup> The Buck Foundation became officially active in Vietnam providing humanitarian assistance and international adoption services in 1971. Holt International signed an agreement with the government of South Vietnam in 1973 for the same services. On June 12, 1973, the Vietnamese Amerasian Children's Fund, the Ministry of Social welfare, and the Pearl S. Buck Foundation's Welcome House established an official agreement of support. "W.H.A.P.G to Work Alongside VACF," *The Welcomer*, November 1973, Welcomer 1973 folder, Box Welcome House, Archives of the Pearl S. Buck House, Pearl S. Buck International.

<sup>200</sup> According to Sue-Je Lee Gage, numerous organizations existed prior to the Vietnam War to assist the Amerasians of Korea and Japan including the Pearl S. Buck Foundation's Welcome House (1949), the Holt Adoption Agency (1956) and International Social Services (1957). Gage argues that little attention was given to these NGOs until the Vietnam War when the intersection of the War and the Civil Rights Movement's focus on civil liberties created a cultural shift that linked civil societies, international organizations, government and media to help create policy change. Sue-Je Lee Gage, "Pure Mixed Blood: The Multiple Identities of Amerasians in South Korea," (Ph.D diss., Indiana University, 2007), 99.



consciousness of the Amerasians in Vietnam resulted from the stories of servicemen who returned to America and related their experiences of the orphanages.<sup>201</sup>

However, the administration of President Richard Nixon had little interest in the Amerasians. Rather than accepting responsibility for the actions of its soldiers abroad, the Department of Defense (DoD) released a statement in 1970 that, “The care and welfare of these unfortunate children...has never been and is not now considered an area of Government responsibility nor an appropriate mission for the Department of Defense to assume.”<sup>202</sup> In 1971 journalist Tom Tiede reported that the United States did not officially recognize the existence of the Amerasians. According to Tiede, White House aides said “‘It’s a Defense Department matter.’ The Defense Departments says: ‘It’s a State Department matter.’ And the State Department, through an official of the Agency of International Development says: ‘We have no program for the children, and none is contemplated.’”<sup>203</sup>

Still, advocates for the Amerasians remained adamant that the US take responsibility by granting citizenship. The Pearl S. Buck Foundation insisted that the Amerasians were American children who deserved both the fruits of American responsibility and American citizenship. Adoption organizations like Holt International also advocated citizenship for these soon-to-be American children as a way to make the international adoption process easier.

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<sup>201</sup> Taylor, *Orphans of War*, 35. For more information on the experience of servicemen in the US Navy in Vietnamese orphanages see, Memorandum from Lt. Nathan O. LOESCH, CHC, USNR 662347/4105, Chaplain, River Assault Flotilla One (Alpha Group), FPO 96601 to Commander in Chief, U.S. Pacific Fleet (Attn: Fleet Chaplain) Narrative report for the month of August, 1968, Sept. 7<sup>th</sup> 1968. For information on US civic action programs in Vietnam that included humanitarian work in Catholic orphanages and hospitals see, John O’Conner, *A Chaplain Looks at Vietnam* and US Department of the Navy, Bureau of Navy Personnel News Kit, January 7, 1970.

<sup>202</sup> Bass, *Vietnamerica*, 34; Adoption and Vietnam, SB 2497, 92<sup>nd</sup> Cong., 1<sup>st</sup> sess., *Congressional Record*, daily ed. (September 8, 1971), S13857.

<sup>203</sup> Tom Tiede, “U.S. Passes Buck on GI Babies” printed in Adoption and Vietnam, SB 2497, S13856.

However more politicized humanitarian organizations like International Social Service and Church World Service insisted that despite their apparent American paternity, the Amerasians were Vietnamese children.<sup>204</sup> Both organizations stressed that the Amerasians were no different than other Vietnamese child war victims. Thus, according to Reverend John Shower of the Church World Service, US citizenship was not the answer for the Amerasians because they “are not Americans.”<sup>205</sup> In 1971, the *New York Times* reported that US officials agreed with Shower’s assessment and did not consider the Amerasians an American issue because they were not American citizens.<sup>206</sup>

Part of the resistance to responsibility by the Nixon administration was the unwillingness to admit to the sexual indiscretions or consensual interracial relationships of American soldiers with Vietnamese women. American mothers, according to Don Luce, the Head of International Voluntary Service in Vietnam, “would be upset to know their sons were sleeping with Vietnamese girls.”<sup>207</sup> Pearl S. Buck asserted that for many Americans, “the very idea of American servicemen fathering babies overseas is unthinkable, therefore the children, do not exist.”<sup>208</sup>

Rather, the DoD defended its soldiers and US military policy explaining that it did not condone the “irresponsible and immoral behavior” of American servicemen. To address the issues of loneliness that arose from family separation and placement in a foreign environment, the DoD pointed to the variety of wholesome activities,

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<sup>204</sup> International Social Service and World Church Service were two organizations contracted by the US government to address the issue of child victims of war. After the war they were two of nine voluntary agencies (volags) contracted by the US government for refugee assistance and resettlement. Chan, *Asian Americans*, 156.

<sup>205</sup> Tom Tiede, “U.S. Passes Buck on GI Babies” printed in *Adoption and Vietnam*, SB 2497, S13857.

<sup>206</sup> “Another Way the United States Has Left Its Mark on Vietnam,” *New York Times*, printed in *Adoption and Vietnam*, SB 2497, S13855.

<sup>207</sup> Don Luce, “Amer-Asian Children in Viet Nam,” printed in *Adoption and Vietnam*, SB 2497, S13854.

<sup>208</sup> Michael Kernan, “Children With No Country: A Champion in Pearl Buck,” printed in *Adoption and Vietnam*, SB 2497, S13853.

entertainment options and strict rules that prevent such immoral behaviors.<sup>209</sup> As in previous wars, one Korean War Veteran explained, the general belief is that ““Our men don’t do that (make babies), they play volleyball for relaxation.””<sup>210</sup>

Instead of recognizing the Amerasians as an American concern, the DoD pointed to the emotion and compassion associated with the issue, asserting a distortion of the magnitude of the problem. Rather than addressing the behavior of its misbehaving soldiers or the ineffective policies that failed to deter it, the DoD reminded Americans of the generosity of the American soldier abroad who provided orphanages with food, medicine and toys, that led to the adoption of ““many of these alien children.””<sup>211</sup>

Ironically however, while the US government resisted accepting national responsibility for the Amerasians, increasing concerns by the American public for all of the child victims of the Vietnam War—the orphaned, fatherless, maimed, and hungry—helped bring them to the attention of American policymakers. Between 1971 and 1975 policymakers unsuccessfully introduced numerous bills regarding the Amerasians.

In May of 1971, Representatives Patsy Takemoto Mink (D-HA) and Donald M. Fraser (D-MN) co-sponsored H.R 8462 a bill to issue special immigrant visas for the Amerasians in Vietnam.<sup>212</sup> Fraser criticized the US government for its record of ignoring the Amerasian problem, referencing the thousands of Amerasians in Japan and Korea who preceded the Amerasians of Vietnam and who Fraser asserted also grew up ostracized in a society that swept them under the rug. “The US Government,” he

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<sup>209</sup> Bass, *Vietnamerica*, 34; “Department of Defense Position Regarding Children Born Out of Wedlock in Foreign Countries Where US Armed Forces are Assigned,” *Adoption and Vietnam*, SB 2497, S13857.

<sup>210</sup> Tom Tiede, “U.S. Passes Buck on GI Babies,” *Adoption and Vietnam*, SB 2497, S13586.

<sup>211</sup> *Adoption and Vietnam*, SB 2497, *Congressional Record*, S13857; Taylor, *Orphans of War*, 10.

<sup>212</sup> The bill awarded special immigrant visas to individuals residing in Vietnam who are determined to have one alien and one US citizens parent and determined to be orphans because of the abandonment of the alien or citizen parent or both. Representative Donald M. Fraser, speaking in support of Vietnam War Babies, on December 7, 1971, 93d Cong., 1<sup>st</sup> sess., *Cong. Rec.* E45243.

exclaimed, “had a hand on the broom.”<sup>213</sup> Posing as an opportunity for the United States to fix its track record on Amerasians, the bill received very little support and died in the Judiciary Committee.

Less than a year later, in April 1972, Congressmen Mark Hatfield (D-OR), Harrison Williams (D-NJ) and Harold Hughes (D-IA) presented S.B. 2497 to the Foreign Relations Committee. The bill would establish the Vietnam Children’s Care Agency and authorized the President to collaborate with the government of South Vietnam to provide welfare assistance and adoption for all child victims of the war, but specifically for the growing Amerasian population.<sup>214</sup> It too, never made it out of committee.<sup>215</sup>

In 1973, the Agency for International Development (AID) and the Department of State reviewed the request to modify U.S. Immigration and Nationality law to allow Amerasians in Vietnam to obtain American citizenship, primarily for the purpose of making their adoption by American families, easier and as a show of responsibility.<sup>216</sup> That same year Congressman William Steiger (R-WI ) and Howard Robison (R-NY) proposed H.R. 8381 to confer U.S. citizenship on the Amerasians for the purposes of

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<sup>213</sup> Representative Donald M. Fraser, Vietnam War Babies, *Cong Rec.* H45243.

<sup>214</sup> Under increasing criticism by 1971 from American media outlets for its hands-off approach to the growing Amerasian issue in Vietnam, estimates ranged from 15,000 to 400,000. Adoption and Vietnam, SB 2497, S13850-57.

<sup>215</sup> Even with the Democratic Party controlling the 92<sup>nd</sup> and 93<sup>rd</sup> US Congress, SB 2497 met staunch opposition as the concerns of policymakers from both parties to sending an additional \$5 million proposed by the bill into Vietnam took precedence of any humanitarian needs. Many feared that investing more American money into South Vietnam, even for humanitarian purposes, would only prolong American involvement in the war. Still sponsors of the bill insisted that end of the war would require more American dollars for humanitarian assistance and stressed cooperation with the United Nations to alleviate some of the concern. Initially proposed in the House as HR 13050 with 10 co-sponsors, Hatfield, Hughes and Williams presented it to the Foreign Relations Committee, chaired by William Fulbright, (D-AK) on April 5, 1972 and the Senate on April 10. The bill did not succeed from committee. It resurfaced in the House five times between January 3, 1973 and May 31, 1973 with the same results. For more on the opposition argument see, “Children Orphaned and Wounded in Vietnam War,” 92<sup>nd</sup> Cong., 2<sup>nd</sup> sess., *Cong. Rec.*, April 10, 1972, 11928-32.

<sup>216</sup> In 1973 NBC released the documentary “Sins of the Fathers,” examining the problem of Amerasians in Vietnam abandoned by their American fathers. Concerns by the Nixon administration regarding the potential reaction by the American public combined with increasing Congressional and public pressure to address the child welfare issues emerging in Vietnam incited a new focus within the administration to easing adoption restrictions for children from Vietnam but specifically the Amerasians. USAID criticized increasing the number of adoptions to meet the political and public pressure without addressing the broader humanitarian child welfare issues. USAID asked the Judiciary Committee to consider modifying US immigration and nationality laws to allow Amerasians to obtain American citizenship. *Hearing before the Subcommittee to Investigate Problems Connected with Refugees and Escapees, Relief and Rehabilitation of War Victims in Indochina Part II: Orphans and Child Welfare*, 93<sup>rd</sup> Cong., 1<sup>st</sup> sess., May 11, 1973, 90-94.

easing the adoption process and expediting their adoption to America.<sup>217</sup> In presenting the bill to the House, Steiger explained that “by bestowing US citizenship on these children, we will clearly indicate to the South Vietnamese that we are willing to accept our responsibilities and that we want to provide them [Amerasians] all the care, rights, and privileges that we grant all American citizens.”<sup>218</sup> Proposed nine times in 1973 to the House, this bill never passed the Judiciary Committee.<sup>219</sup>

Finally, on March 19, 1975, Representative Paul Tsongas (D-MA) introduced yet another bill that failed to pass the Committee. Tsongas’ bill, H.R. 5187, would confer U.S. citizenship upon the Amerasian orphans adopted by Americans. Citizenship was necessary, according to Tsongas, not simply for the purpose of expediting the adoption process, but because, “the United States bears a special responsibility to these children.”<sup>220</sup>

The number of bills proposed in both the House and Senate on the issue reflected the growing bi-partisan awareness of the Amerasian problem by the end of the war. As U.S. forces withdrew from Vietnam in 1973, a flood of concern arose from American politicians worried about the post-war consequences for the people of Vietnam. Senator Edward Kennedy (D-MA) led this charge and placed the issue of the Amerasians into the context of an ending war when he proposed three amendments to the Foreign Assistance

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<sup>217</sup> The bill proposed to make eligible for citizenship any Vietnamese Amerasian born in the Republic of Vietnam before January 1, 1974, no more than twelve years of age and placed with a family through a properly accredited adoption agency.” In March 1975 the bill was reintroduced in the House as HR 4810 where it once again failed to move past the Judiciary Committee. “Adoption of Vietnamese-American Orphans and Resettlement of Refugees,” 93<sup>rd</sup> Cong., 1<sup>st</sup> sess., *Congressional Record*, (June 5, 1973): H18167-18169.

<sup>218</sup> *Ibid.*

<sup>219</sup> In addition to Steiger, the bi-partisan effort to get the same version of the bill through committee in the House included Edward Roybal (D-CA), John Zwach (R-MINN), Ancher Nelsen (R-MINN), Edward Winn Jr. (R-KS), and George O’Brien (R-ILL). Peter Rodino (D-NJ), a decorated World War II veteran who served in North Africa and Italy chaired the House Judiciary Committee in 1973 and 1974. The record is unclear as to why these bills did not advance out of committee, however, the investigation and trial surrounding President Richard Nixon and Watergate arguably occupied much of the attention of the committee during the period.

<sup>220</sup> Tsongas proposed HR 5187 in the House which had 24 co-sponsors including Patsy Mink and Romano Mazzoli. House, *Congressional Record*, “A Bill to Confer U.S. Citizenship Upon Certain Orphans,” *Congressional Record*, (March 18, 1975): H7082.

Authorization Act. Although Kennedy expressed relief with ending the war, he urged the Nixon Administration and Congress to remember that America's primary responsibility in Indochina, "is to the people who live there."<sup>221</sup>

The focus of Kennedy's amendments was the "people problems" created by the war. Fundamentally humanitarian, the amendments authorized five-million dollars to provide assistance to South Vietnamese children disadvantaged by the war and to aid in their adoption to the United States. In his effort to gain political support Kennedy described the refugees and orphans, the crippled and maimed, and the twenty to thirty-thousand Amerasian children he deemed "a special concern," long "neglected by Saigon and Washington."<sup>222</sup> According to Kennedy, the United States had to share in the humanitarian burden it helped create in Southeast Asia. It was time for Americans, he said, "to pause and open our eyes to the plight of the children in Indochina." Addressing their plight and that of the Amerasian children was vital to "healing the wounds of war."<sup>223</sup> Although the Senate Foreign Relations Committee issued a report recommending further action on the bill, it too died before any action could occur.<sup>224</sup>

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<sup>221</sup> Amendments 13, 14 and 15 affirmed the willingness of the United States to share the burden of humanitarian relief, rehabilitation and reconstruction in Indochina with the United Nations, earmarked \$70 million to provide humanitarian assistance in South Vietnam and \$2 million in Cambodia. "Foreign Assistance Authorization Act—Amendments," 93<sup>rd</sup> Cong., 1<sup>st</sup> sess., *Congressional Record*, (February 20, 1973): 4632-4634.

<sup>222</sup> The Congressional Subcommittee on Children Youth voiced its concerns about the future of Vietnam's child war victims, their medical treatment, prospects for adoption and secure family lives. Senator Walter Mondale, speaking of the child victims of war, "The Children of Vietnam" on May 29, 1973, 93<sup>rd</sup> Cong., 1<sup>st</sup> sess., *Cong Rec.* S17088-17089. Kennedy proposed three amendments the first affirming the willingness of the U.S. to share the burden of humanitarian relief, rehabilitation and reconstruction of the people and nations of Indochina; the second earmarked \$70 million for humanitarian assistance to refugees, civilian war casualties, war orphans, and other persons disadvantaged by the war; and the third earmarking \$2million for the same purposes in Cambodia. "Foreign Assistance Authorization Act—Amendments," 93<sup>rd</sup> Cong., 1<sup>st</sup> sess., *Congressional Record*, (February 20, 1973): 4632-4634.

<sup>223</sup> "Foreign Assistance Authorization Act—Amendments," 93<sup>rd</sup> Cong., 1<sup>st</sup> sess., *Congressional Record*, (February 20, 1973): 4632-4634.

<sup>224</sup> Edward Kennedy was critical of the Nixon administration's refusal to address the "people problems" in South Vietnam. Specifically he pointed to the efforts of the State Department and higher officials in the US Mission to undermine "legitimate efforts" by some American officials to address the humanitarian needs of the children of Vietnam. Concerns of many policymakers within the administration and within Congress persisted regarding American financial assistance and a continuation of US involvement in the war. Relief and Rehabilitation of War Victims in Indochina Part II: Orphans and Child Welfare, *Hearing*, 90-94.

### Adopting US National Security

While Kennedy and other policymakers framed the Amerasians as a humanitarian responsibility, some viewed them as a population critical to U.S. national security. In the era of Cold War politics, increasing anxiety among some American policymakers that half-American and “stateless” children born abroad might become purveyors of anti-Americanism dictated the push for international adoptions.<sup>225</sup> Certainly, they implied, Amerasians could receive the proper guidance necessary to alleviate such threats through humanitarian efforts and adoption into primarily white middle-class American families.<sup>226</sup>

Others outside the government also emphasized this need. Pearl Buck argued that international and interracial adoptions could facilitate positive relations between the United States and Asia. Buck utilized the framework of *containment* to advocate for the adoption of the Amerasian children as the key to preventing further losses of Asian nations to communism.<sup>227</sup> In a 1971 interview with the *Washington Post*, Buck explained, ““These children who have no country are going to be a menace. They’re angry. They’re very angry. And our men have been abroad so long that some children are now 20 years old. I’m afraid there’s a danger the Amerasians will go over to the Communists.””<sup>228</sup>

Although Buck seemed resigned to the reality that, for the Amerasians, international adoption “could never be more than a ‘selective medication’ and certainly

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<sup>225</sup> Extension of Remarks of Hon. John R. Dellenback, “Tribute to the Holt Adoption Agency,” on August 24, 1967, 90<sup>th</sup> Cong., 1<sup>st</sup> sess., Cong. Rec. In 1967 the Oregon State legislature described the Amerasian as “a stateless person, one without country, and, hence, a special kind of orphan, condemned to anger and bitterness.”

<sup>226</sup> Christina Klein, *Cold War Orientalism: Asia in the Middlebrow Imagination, 1945-1961* (Berkeley: University of California Press, 2003), 144-150.

<sup>227</sup> In 1952 Pearl S. Buck made such statements in an article in the *Saturday Review* suggesting, that “hybrid Asian and American families created through adoption could eventually facilitate better political relations between the U.S. and Asia,” believing that previous U.S. policy had failed to create a level of understanding between the two. Klein, *Cold War Orientalism*, 144.

<sup>228</sup> Michael Kernan, “Children with No Country: A Champion in Pearl Buck,” *Washington Post*, 7 August, 1971.

not a ‘universal remedy,’” politicizing the issue as vital to U.S. national security found success in gaining sympathetic humanitarian support for the Amerasians.<sup>229</sup> American popular media presented the white, middle-class suburban family as a foundation of postwar national identity, “an emblem of a prosperous and secure America that reinforced identification through contrast with communist nations—bent on destroying the family and replacing it with the state.”<sup>230</sup>

### **The Politics of Race**

U.S. social service organizations, adoption experts, and politicians continued to gain public sympathy and support for the Amerasians by emphasizing the injustice they faced in Vietnam where their American heritage marked them physically different. Many believed their American blood caused a moral degeneracy that turned Amerasians into cultural misfits, incapable of adhering to the norms of Vietnamese society. In her psychological study of the psychosocial and adaptational issues facing the Amerasians of Vietnam, Joyce Anis discovered that many Amerasians internalized the stigma of being seen as wild, criminal, homeless, and bad by their Vietnamese family members and peers. According to one Amerasian, ““a lot of older people think that Amerasian kids are hard to raise because we have a mixture of blood, Vietnamese blood and American blood, and we are hard headed, hard to raise, don’t listen and they pretty much categorize us as bad kids.””<sup>231</sup>

The notion of race factored in even more for the estimated 15,000 black Amerasians whom American social service and adoption experts agreed faced a dire

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<sup>229</sup> John A. Shade Jr., “A Progress Report on Caring for the Amerasian: A Difficult Task,” 1978, Amerasian 1978-1984 folder, Box Vietnam, Archives of the Pearl S. Buck House, Pearl S. Buck International.

<sup>230</sup> Klein, *Cold War Orientalism*, 147.

<sup>231</sup> Anis, “Psychosocial Adjustment of Vietnamese Amerasians,” 45.



situation in Vietnam.<sup>232</sup> In 1972, the Holt International Adoption Agency reported that black Amerasians faced abandonment to orphanages or the streets in Vietnam at a ratio seven-to-three over white Amerasians.<sup>233</sup> While many Amerasian babies and children grew into their American features—nose shape, hair color, height— throughout their childhood, black Amerasians—unable to escape their skin— felt the sting from birth. Like America, Vietnam had a history of racial hierarchy that characterized “whiteness” as good and “blackness” as bad.<sup>234</sup>

As a result, many black Amerasians experienced childhoods hidden away, shunned and ridiculed by parents, neighbors, and classmates. On average, black Amerasians were more likely to have been in fights than white Amerasians and 33% of black Amerasians had no schooling in Vietnam compared to 13% of white.<sup>235</sup> Twenty-six

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<sup>232</sup> *Hearing before the Committee on Foreign Relations*, SB 2497, Vietnam Children’s Care Agency, 92<sup>nd</sup> Cong., 2<sup>nd</sup> sess., April 5, 1972:46-55. Although Wells Klein, Director of the American branch of International Social Services, recognized the racial discrimination facing the black Amerasians, he was adamant that the U.S. avoid passing provisions for large-scale adoptions by U.S. parents, concerned that a mass exodus would bring language and orientation difficulties. Additionally Klein insisted that the United States also avoid establishing an aid program providing special care for the black Amerasians, arguing that it would alienate them further from “normal” children. Klein’s assessment of the additionally discriminatory environment facing black Amerasians joined those of other humanitarian and social service organizations by referencing the problematic condition of the now adult children of French-Senegalese troops conceived during the French Indochina War. The estimated number of black Amerasians aligns with estimates that black Amerasians composed 30% of all Amerasians in Vietnam and is the number reported by Victor Srinivasen a humanitarian worker employed in 1972 by Juanita Williams and the Martin Luther King Home for Children and later by the Pearl S. Buck Foundation to assist with the black Amerasians in Vietnam. Gloria Emerson, “Part Vietnamese, Part Black—and Orphans,” *New York Times*, February 7, 1972. David Detweller, “Fatherless Children: GI Babies in Vietnam,” *Parade Magazine*, printed in *Cong Rec*, 92<sup>nd</sup> Cong., 1<sup>st</sup> sess., Sept. 8 1971, S13854.

<sup>233</sup> SB2497, *Hearing*, 46, 109-110.

<sup>234</sup> Because of its long history with people of various ethnicities, the value of racial purity that exists in other Asian countries like Japan is somewhat absent in Vietnam. However, as in other Asian countries, skin color in Vietnam revealed deeply rooted concepts of beauty that considered white skin as “beautiful” and black skin as “ugly.” Such racial conceptions arguably preceded the imposition of racialized French colonial categories in the nineteenth-century, evidenced by assumptions of superiority and inferiority of Vietnamese to Khmers and Cham and to other mountain tribes. Additionally, in Vietnam dark skin is associated with class, representing the peasantry and laboring in the sun while light skin represents the wealthy. The racial hierarchy that accompanied French colonization further embedded notions of racial difference specifically regarding black skin. For the Amerasians this meant that white-Amerasians, were often valued for their beauty while black were noted for being physically unattractive. Valverde, “Doing the Mixed-Race Dance,” in Williams-Leon and Nakashima (Eds), 140; Kowener and Demel, *Race and Racism in Modern East Asia*; Russell, “Race and Reflexivity”: Hiroshi Wagatsuma, “The Social Perception of Skin Color in Japan,” in *Color and Race*, ed. John Hope Franklin (Boston: Houghton Mifflin, 1968). For studies of Black Amerasians from Vietnam, treatment and racial identity see, Maria P.P. Root, “Factors Influencing the Variation in Racial and Ethnic Identity of Mixed-Heritage Persons of Asian Ancestry” in Williams-Leon, and Nakashima. For further examination of the mutual exclusion of mixed-race Japanese Amerasians see Koshiro, “Race as International Identity?”.

<sup>235</sup> Donald A. Ranard and Douglas F. Gilzow, “The Amerasians,” *America Perspectives on Refugee Resettlement*, No.4, June 1989, Folder 1, Box 1 Folder 1 Amerasian Resettlement Reports, 1988-1989. Van le files on Southeast Asian refugees. MS-SEA012. Special Collections and Archives, The UC Irvine Libraries, Irvine, California.

year old black Amerasian Luong Hung and two others describe their own feelings of race in Vietnam:

I feel ashamed that my mother was with a black man, and now I have to carry that.<sup>236</sup>

When I go to store and they saw me come, some the people [sic] they throwing things at me... They say I am black, or something.<sup>237</sup>

I don't know how they would treat someone who has lighter skin, but for me having dark skin, they did not like. Those who have dark skin they think are ugly—we don't look good with dark skin.<sup>238</sup>

Due to the racist and classist ideology in Vietnam that associated dark skin with poverty and white skin with wealth, European features were more desirable than African features.<sup>239</sup> In his interviews with Amerasians from Vietnam, child psychiatrist and Vietnam Veteran Robert McKelvey discovered that whiteness equated to physical attractiveness in Vietnamese society while blackness did not.<sup>240</sup> As a result of their dark skin, black Amerasians faced intense discrimination and “more than their share of difficulties.”<sup>241</sup>

Since dark skin brought shame to the Vietnamese family, many mothers abandoned their black Amerasian children at hospitals and orphanages.<sup>242</sup> In 1971 although they composed an estimated ten-percent of the Amerasians in Vietnam, black

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<sup>236</sup> *New York Times*, November 16, 1992.

<sup>237</sup> Anis, “Psychosocial Adjustment of Vietnamese Amerasians,” 42-44.

<sup>238</sup> *Ibid.*

<sup>239</sup> According to Valverde another advantage to whiteness for white Amerasians was that they could also “pass” as Eurasians in Vietnamese society in which high regard was awarded French culture and little regard given American culture. Similar advantages did not extend to black Amerasians because of their skin color and the association with class. Valverde, “Doing the Mixed Race Dance” and Maria Root, “Factors Influencing the Variation in Racial and Ethnic Identity of Mixed-Heritage Persons of Asian Ancestry” in Williams-Leon and Nakashima, 140.

<sup>240</sup> McKelvey, *The Dust of Life*, 47.

<sup>241</sup> *Ibid.* McKelvey also posits that racism against the black Amerasians stemmed from past experiences with French colonial African troops and lessons learned from America about race during the war. Steven DeBonis and Kieu-Linh Valverde claim the Vietnamese associated blackness with both the colonial experience and the brutality of the French Army's North African troops and with American stereotypes of African Americans—poor, uneducated, and criminal. DeBonis, *Children of the Enemy*; Valverde, “Doing the Mixed Race Dance,” in Williams-Leon and Nakashima, 140.

<sup>242</sup> In addition to the shame associated with assumptions that mothers of Amerasians were sexually immoral and prostitutes, the evidence of the mother's sexual relationship with a black man as evidenced by the dark skin color of a black Amerasian child was equally disgraceful. Consequently the stigma of racial inferiority posed additional challenges for the black-Amerasian. American authorities noted that as a result of the racial discrimination many of the black Eurasians girls fathered by French African troops worked as bar girls and prostitutes which brought additional shame to their Vietnamese families. SB 2497, *Hearing*, 6, 55.

Amerasians made up fifty-two percent of those in orphanages.<sup>243</sup> According to Sister Francoise, head of the Caritas Orphanage in Saigon, the Vietnamese viewed such abandonment as “good for the family but sad for the child.”<sup>244</sup>

Additionally, Amerasians in Vietnam lacked other references to racial or ethnic identity. Because there was no black community in Vietnam, the International Social Services (ISS) explained, the black Amerasian will “grow up and live in social isolation.”<sup>245</sup> In 1971, Vo Thi Nen, the grandmother and caretaker of her black Amerasian grandson explained that her grandchild was “too different from the other children in our community. I think he would be better off in the United States.”<sup>246</sup>

Those expressing initial concerns for the black Amerasian framed the issue as the responsibility of the African American community. In June 1971 the US Embassy expressed its specific concerns for the black Amerasian, noting the “black child may have a more difficult time growing up in Vietnam than other children.”<sup>247</sup> The ISS reported that because of its colonial history, Vietnam accepted the Caucasian-Vietnamese children, allowing them to blend into Vietnamese society.<sup>248</sup> In Vietnam Wells Klein, the General Director of ISS, claimed, “‘white is beautiful’ and light-skinned infants are

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<sup>243</sup> Wells Klein, “The Special Needs of Vietnamese Children,” International Social Service, American Branch, New York, September 1971.

<sup>244</sup> “Another Way the United States Has Left its Mark on Vietnam,” *New York Times*, printed in *Adoption and Vietnam*, SB 2497, S13855.

<sup>245</sup> Wells Klein, “The Special Needs of Vietnamese Children.”

<sup>246</sup> Much of the concern expressed by American social service and humanitarian organizations for the black Amerasians centered on the lack of a black community in Vietnam into which they could be absorbed. However the Vietnamese too, expressed similar concerns that they could not assimilate into Vietnamese society because of race. “Summary of Study mission Recommendations Currently Under Review by the Agency for International Development and the Department of State,” *Relief and Rehabilitation of War Victims in Indochina Part II: Orphans and Child Welfare, Hearing*, 90-94.

<sup>247</sup> Tad Szulc “Embassy in Saigon Calls Babies of GIs a ‘Serious Concern,’” printed in the *Congressional Record*, 92<sup>nd</sup> Cong., 1<sup>st</sup> sess., September 8, 1971, S13853.

<sup>248</sup> Klein’s statement reflected an accepted interpretation of race in Vietnam described by Steven DeBonis who suggests that racism in Vietnam against blacks “stems from the French colonial period,” and the African colonial troops. The Vietnamese associated Africans and brutality with dark skin. Valverde, “Doing the Mixed-Race Dance: Negotiating Social Spaces Within the Multiracial Vietnamese American Class Typology,” in Williams-Leon and Nakashima, 140.

considered the most attractive.<sup>249</sup> While Klein advocated keeping the “white” Amerasians in Vietnam and treating them the same as all Vietnamese children, the black Amerasians he insisted, must come to America where they could find racial kinship amongst the African American community.<sup>250</sup>

In February, 1972 Gloria Emerson’s article “Part Vietnamese, Part Black and Orphan” in the *New York Times*, brought to the attention of the American public the problematic existence of the black Amerasian in Vietnam: illegitimate, black and foreign. According to Emerson, “Any child who grows up without a family which is the focus of Vietnamese life, and is also black, confronts obstacles that a Westerner cannot easily imagine.”<sup>251</sup>

Within the black community, Juanita Williams, wife of civil rights leader Hosea Williams, of the Southern Christian Leadership Conference (SCLC), led on the black Amerasian issue. During a 1971 trip to South Vietnam, the number of mixed-race black babies in the Vietnamese orphanages had proved shocking.<sup>252</sup> Upon returning, Williams set in motion plans to build an orphanage for the black Amerasians in Vietnam.<sup>253</sup> She also hoped to get Catholic, African American couples in America to adopt the black Amerasian children.<sup>254</sup>

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<sup>249</sup> According to Klein the difficulties that Caucasian Amerasians faced in Vietnam were less about racial difference and more about illegitimacy and assumptions that their mothers were prostitutes. Subsequent reports and research showed that as they matured, all Amerasians faced societal discrimination and challenges due to racial mixture. Wells Klein, “The Special Needs of Vietnamese Children.”

<sup>250</sup> Similar efforts to characterize the problem of GI babies after World War II as the responsibility of the African American community incited a national campaign during the period by the African American press to take racial responsibility for the 3000 brown babies in Germany. Wells Klein, “The Special Needs of Vietnamese Children.”

<sup>251</sup> Gloria Emerson, “Part Vietnamese, Part Black—And Orphans,” *New York Times*, 7 February 1972.

<sup>252</sup> There were an estimated 500 orphanages existing in Vietnam by 1972 with 126 legally registered with the Vietnamese government which provided financial support through the Ministry of Social Welfare to 120 of the approved orphanages. Gloria Emerson, “Part Vietnamese, Part Black—and Orphans,” *New York Times*, February 7, 1972; *Hearing before the Committee on Foreign Relations, S 2497, Vietnam Children’s Care Agency, 92<sup>nd</sup> Cong., 2<sup>nd</sup> sess., April 5, 1972:19.*

<sup>253</sup> Juanita Williams, audio interview, 1972, Martin Luther King Speaks Subseries, Series 19, Emory University Archives, Manuscript, Archives and Rare Book Library, Emory University

<sup>254</sup> The focus on black Catholic families was critical to the Williams’ efforts to work with orphanages and with the Government of South Vietnam to bring black Amerasians to the United States. The Government of South Vietnam would not allow a mass-exodus but

But the lack of coverage from the black press, aside from one article in *Ebony Magazine* by Era Bell Thompson, “The Plight of Black Babies in Vietnam,” in December 1972, reflected a lack of interest by the African American community in the issue.<sup>255</sup> More concerned with the disproportionate number of black men dying in Vietnam and protecting the gains made during the civil rights movement, there was no mass response by the African American community on behalf of the Amerasians.<sup>256</sup> By December of 1972, the Williams had officially terminated the program, having failed to adopt out even a single black Amerasian child.<sup>257</sup>

### **Operation Babylift**

While serving as Richard Nixon’s Vice President, Gerald Ford proved sympathetic to the plight of the Amerasians. In 1973 he praised the way France had handled its Eurasians as the “most humane and generous” approach.<sup>258</sup> In April 1975, President Ford made available two-million dollars to Operation Babylift, an emergency

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was willing to allow groups of five to ten black Amerasians adoption to the United States if the Williamses found appropriate families. While Juanita Williams hoped to find black Catholic families, any effort to do so in the United States is an area for further research. Memorandum from Juanita Williams to Stoney Cooks, January 1, 1972, Collection 1083, Box 209, Folder 22, item 1, Manuscript, Archives, and Rare Book Library, Emory University. Additionally Catholic orphanages insisted that adoptive parents be Catholic and Buddhist orphanages did not traditionally place children for adoption. Adoption of the Amerasians was a tenuous venture and the Catholic Government of South Vietnam worked in conjunction with Catholic Relief Services which advised the Ministry of Social Welfare of the Government of Vietnam in developing professional programs in child welfare and in upgrading its children’s institutions. While Catholic Relief Services reported that less than 30% of the orphan population was Catholic, the Catholic Church operated 90% of the orphanages. Vietnam Children’s Care Agency, S 2497, *Hearing*, 65-68.

<sup>255</sup> Thompson, “The Plight of Black Babies in Vietnam,” *Ebony*, December 1972.

<sup>256</sup> According to Kyle Longley racial inequities in draft boards, selective enrollment in the National Guard and the reserves that catered to sons of politicians, the wealthy and professional athletes ensured that the grunts were composed primarily of poor, less educated, less privileged and black men. The death rates for black soldiers consistently exceeded the proportion of the black population throughout the conflict. By 1975 African Americans composed 11 percent of the American population but 13.1 percent of the deaths. Kyle Longley, *Grunts*, 9-11, 30. For more information see Sabrina Thomas, *The Soul of Blood and Water*; Lawrence Eldridge, *Chronicles of a Two-Front War: Civil Rights and Vietnam in the African American Press* (Columbia, MO: University of Missouri Press, 2012).

<sup>257</sup> In January 1972, SCLC hired Victor Srinivasan to head the SCLC “Viet-American Children’s Program” in Saigon, with an annual salary of \$5000. However increasingly agitated and unanswered letters from Srinivasan to Juanita Williams and Stoney Cooks reveal that by June 1972 SCLC failed to file the proper paperwork with the South Vietnam Government or pay Srinivasan. In August 1972 Srinivasan, now responsible for the full care of ten black Amerasians under the auspices of SCLC, wrote, “I am very disappointed (but not angry) at the present situation I am in...you haven’t paid my salaries for over two months...the offensive is getting closer to Saigon...I tried to call Juanita and she refused to accept the call.” On December 31, 1972, SCLC notified Srinivasan that SCLC had discontinued the program. Letter to Stoney Cooks from Juanita Williams, June 21, 1972; Letter to Mrs. Juanita Williams from Victor Srinivasan, July 23, 1972, Letter to Stoney Cooks from Victor Srinivasan, August 19, 1972; Letter to Victor Srinivasan from Bernard S. Lee, December 31, 1972. Stoney Cook Files, 1965-1972, Manuscript, Archives, and Rare Book Library, Emory University.

<sup>258</sup> Pamphlet, “The Amerasians: A Human Rights Issue and U.S. Foreign Policy Question,” Pearl S. Buck Foundation, c1980, Pearl Q-Z folder, WHCF, Name File, Jimmy Carter Presidential Library.

evacuation of two-thousand Vietnamese and Amerasian orphans from Vietnam for adoption before the fall of Saigon.<sup>259</sup> There was mayhem in Saigon in the days leading up to the communist victory. Fears that the communists would take vengeance on anyone associated with the United States ran rampant. There were specific concerns that a special kind of vengeance awaited the Amerasians. Consequentially, many mothers abandoned their children on the streets and in orphanages and hospitals.<sup>260</sup> They destroyed any evidence including birth certificates, pictures, and paperwork that proved that their Amerasian child or its American father had ever existed, erasing any claim to legitimacy rights.

The Buck Foundation reported that in the last days, Vietnamese mothers began “throwing their kids over the wall of orphanages” in the hopes that they would be taken to the United States.<sup>261</sup> According to Trin Yarborough, the day that Saigon fell, “dozens of abandoned children, some as young as two years old, with half-Vietnamese, half American faces...had been pushed frantically into the streets or left at orphanages by terrified Vietnamese mothers or other family members convinced the Communists would murder anyone ever connected to the American enemy.”<sup>262</sup>

President Ford announced Operation Babylift on April 3, 1975. On April 4<sup>th</sup> hopeful Americans watched in horror as emergency personnel removed the tiny and lifeless bodies of seventy-eight Vietnamese and Amerasian orphans from the Vietnam

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<sup>259</sup> Statement by the President, April 3, 1975, Office of the White House Press Secretary. Box 9, White House Press Releases at the Gerald R. Ford Presidential Library.

<sup>260</sup> In his 1980 report, John Shade referenced Amerasians who were murdered because of their American paternity in both Korea in 1954 and Vietnam in 1975. According to Shade, “these children have been sterilized and emasculated so as not to intrude further [into Asian society], culturally.” John A. Shade, Jr., “The Forgotten Child—The Amerasian in Indochina,” Conference for the National Organizations Advisory Council, Los Angeles, CA. May 8, 1980, Amerasian folder, 1978-84, Box Vietnam, Archives of the Pearl S. Buck House, Pearl S. Buck International.

<sup>261</sup> “Agencies licensed by the Republic of Vietnam to facilitate inter-country adoptions (prior to and during Babylift), General info PSBF Vietnam #1 folder, Box Vietnam Operation Babylift, Archives of the Pearl S. Buck House, Pearl S. Buck International.

<sup>262</sup> Yarborough, *Surviving Twice*, x.

field in which their military rescue plane had crashed just minutes after take-off.<sup>263</sup> Sheila Weidenfeld, the press secretary for First Lady Betty Ford, described the crash as “the ultimate disaster in a country of endless disasters—a cruel attack on the most innocent victims of war, and when they were so close to safety and comfort and familial love.”<sup>264</sup> The images of the crash, the dramatic rescue and accounts of numerous journalists and social welfare workers ignited the guilt of many Americans now more determined to help the children of Vietnam through adoption.

However, America’s minority communities were not as taken by the call for patriotic adoption. In 1975, *Ebony Magazine* reported that African-Americans were upset about the federal government’s role in Operation Babylift. Declining numbers of white American babies available for adoption countered a crisis regarding the number of African American and mixed-race American children available for adoption. The needs of these 40,000 “hard to place” American children had been forgotten with the plight of foreign children.<sup>265</sup> Ursula Gallagher of the U.S. Department of Health, Education and Welfare questioned why American families that traditionally wanted to adopt healthy white infants were now willing to take “older, handicapped Vietnamese children” instead.<sup>266</sup>

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<sup>263</sup> “Agencies licensed by the Republic of Vietnam to facilitate inter-country adoptions (prior to and during Babylift), General info PSBF Vietnam #1 folder, Box Vietnam Operation Babylift, Archives of the Pearl S. Buck House, Pearl S. Buck International; *The Sun*, 27 April 2000.

<sup>264</sup> Sheila Weidenfeld, *First Lady’s Lady: With the Fords at the White House* (New York: G.P. Putnam’s Sons, 1979), 112-113.

<sup>265</sup> In 1975, 40,000 of the 100,000 American children awaiting adoption in the United States, were, African American. The push by domestic adoption agencies for African American couples and single black women to adopt black babies failed to meet the demand of the growing numbers of available black children resulting in greater acceptance of interracial adoptions. Social services classified black, Indian, Puerto Rican and handicapped as “Hard to place” children. “And Now a Domestic Babylift?” *Ebony Magazine*, 30, June 1975, 134-135; “Confusion, Controversy Cloud Viet War Orphans,” *Jet* 15 May 1975: 24-25. Helen H. King, “It’s Easier to Adopt Today,” *Ebony Magazine*, December 1970, 120-128; Kathy Begley, “Orphans: Too Little, Too Late,” *The Philadelphia Inquirer*, 13 April 1975, Operation Babylift folder, The Archives of the Pearl S. Buck House, Pearl S. Buck International.

<sup>266</sup> Kathy Begley. “Orphans: Too Little, Too Late,” *The Philadelphia Inquirer*, 13 April 1975.

Such concerns seemed justified when the predicted “blood bath” of Amerasians after the fall of Saigon never occurred and when two months after the Babylift, reports emerged that some of the “rescued” orphans were, in fact, not orphans at all.<sup>267</sup> However the efforts to rescue Vietnam’s children and the humanitarian discourse surrounding them became part of a bigger movement to redefine the American experience in Vietnam. Unable to glorify American military heroism or triumph after the war, the focus on rescuing Vietnamese children from the dangerous clutches of an “uncaring” Vietnamese communist government enabled some Americans to begin to reconstitute their defeat in Vietnam as a humanitarian victory.<sup>268</sup>

### **Victims of War**

The perception that American policymakers and social service organizations placed the needs of foreign children over those of American children persisted after the war, as did the insistence that although Amerasians were the children of American fathers, they were no different than other Vietnamese child war victims.<sup>269</sup> The Amerasians were not unique, all the children in Vietnam were in need of rescue. Still, by conflating the conditions facing the Amerasians in Vietnam with those facing all Vietnamese child war victims—poverty, persecution, abandonment—policymakers effectively framed the Amerasians as Vietnamese children, therefore removing any

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<sup>267</sup> “Findings of Fact and Conclusions of Law and Order” in the United States District Court for the Northern District of California. *Nguyen Da Yen, Nguyen Da Vuong and Nguyen Da Tuyen v. James Schlesinger, Secretary of Defense, et al.* June 30 1975, Legal Information folder, Box Vietnam Operation Babylift, Archives of the Pearl S. Buck House, Pearl S. Buck International.

<sup>268</sup> According to Christina Klein advocates of Asian adoption in the United States used a similar rescue narrative after World War II, promoting the notion that while Americans could not protect America from the atomic bomb, they could “save Asia or save a child from communism” through adoption. Christina Klein, “Family Ties and Political Obligation: The Discourse of Adoption and the Cold War Commitment to Asia” in Christian G. Appy, ed., *Cold War Constructions: The Political Culture of United States Imperialism* (Amherst: University of Massachusetts Press, 2000), 46.

<sup>269</sup> The constant reporting in American newspapers like the *New York Times* and the *Washington Post* about Vietnamese orphans and the need for American families to adopt Vietnamese children contributed to the perception of many Americans that the US government cared more about foreign children than orphaned American children. This was particularly prevalent in black newspapers as forty-percent of the 100,000 children in US foster care by 1975, were African American. “And Now a Domestic Babylift?” *Ebony*, June 1975; “Confusion, Controversy Cloud Viet War Orphans,” *Jet*, May 15, 1975.



assumptions that their plight was significant to America or that the Amerasians were American children.<sup>270</sup>

Social service organizations did attempt to establish a connection of racial kinship between the black Amerasians and African Americans, as had Juanita Williams, hoping to alleviate their specific racialized suffering. However besides the assumption of a transnational racial kinship that these organizations assumed would provide a communal connection in America for the black Amerasians, there was no further consideration of the Amerasians as American.

Symptomatic of the view that the Amerasians were not American but Asian, was the purposeful avoidance of any acknowledgement of paternal responsibility. An acknowledgement of paternity would surely have brought forth additional calls for U.S. citizenship, forcing policymakers to consider making an exception to US nationality law. Citizenship could resolve many of the issues the Amerasians faced. As U.S. citizens the Amerasians would be immediately eligible for immigration to the United States under preference category two and four – wed and unwed sons and daughters of U.S. citizens. Additionally, citizenship would require the United States government to address the discrimination, poor living conditions, and alleged persecution of the Amerasians in Vietnam and provide the constitutional justification necessary to act abroad. However, in the tradition of the precedent set in previous cases of GI babies and US nationality law, neither acknowledgement nor citizenship occurred.

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<sup>270</sup> As a result of Vietnam's victory in the war, no US politician was willing to do anything, including bringing the Amerasians to the United States for fear of the political repercussions and that it might appear "to be aiding and abetting the enemy." The US government had little interest in the Amerasians because they were "Vietnam's responsibility." Such a position reinforces the notion that American policymakers viewed the Amerasians as Asian children rather than American offspring. McKelvey, *The Dust of Life*, 11.

In 1978, Senator Edward Kennedy revived the Amerasian issue when he presented his case to Congress to establish a \$2 million dollar fund to assist the disadvantaged children and orphans of Asia. Especially important were those children, Kennedy asserted, “fathered by U.S. citizens.”<sup>271</sup> While the bill provided needed humanitarian and financial assistance to establish—orphanages, day care centers, nutrition, health and education—Kennedy missed an opportunity to address the specific condition of the Amerasians and instead focused his bill on improving their lives in Asia.<sup>272</sup>

### **The United States-Asian Immigration Act**

Historian Thomas Bass describes 1978 as the year that Vietnam “began hemorrhaging boat people.” International humanitarian attention focused on the dire situation in Vietnam as its inhabitants risked the dangers and violence of the seas.<sup>273</sup> The massive influx of refugees arriving in first asylum countries began outpacing those leaving for permanent resettlement. This trend posed difficulties for Southeast Asian nations now faced with the prospect of permanently absorbing large refugee populations. The United States responded by increasing its number of Indochina refugee admissions from 25,000 to 53,000 per year and extending the Indochinese Refugee Assistance Act through 1978.<sup>274</sup>

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<sup>271</sup> The \$2 million fund was approved by October 1978. To Provide Assistance to Disadvantaged Children and Orphans in Asia, S. Amend 2452, 95<sup>th</sup> Cong., 2<sup>nd</sup> sess., *Congressional Record*, (June 26 1978): S18946-18947.

<sup>272</sup> *Ibid.*, S189479. While Kennedy’s bill did address the basic needs of the Amerasians he failed to deal with the issues surrounding their American paternity—immigration and nationality.

<sup>273</sup> Bass, *Vietnamerica*, 37.

<sup>274</sup> According to SOS Cyrus Vance between April 1978 and June 1978 the refugee crisis exploded with 160,000 arriving at UN sponsored camps in Southeast Asia and only 27,500 resettled. Additional problems arose with the increasing numbers of refugees fleeing into Thailand as a result of the Vietnamese invasion and occupation of Kampuchea, Cambodia. *Hearing before the Committee on the Judiciary, Senate, The Refugee Crisis in Southeast Asia*, 96<sup>th</sup> Cong., 1<sup>st</sup> sess., July 26, 1979, 8.

That same year, “Rosie,” a Vietnamese woman and mother of an Amerasian child, garnered the interest of the American public for the Amerasian cause as she began proposing to foreign journalists that the U.S. government follow in the tradition of the French government and begin airlifting its children home.<sup>275</sup> American media outlets too, publicized the plight of the Amerasians to a mass American audience. On December 31, 1979, the popular television show M.A.S.H. aired the episode “Yessir, That’s our Baby,” in which the staff of the fictional 4077<sup>th</sup> find an abandoned Amerasian baby. The show immediately evoked notions of transnational kinship. Unlike the abandoning mother whom the doctors describe in the racialized terms of the “sneaky Asian,” as “too cagey, slipping in and out without nobody seeing her,” the child is immediately pronounced a “good baby,” “strong, beautiful,” able to bring out the maternal instincts of “Auntie” Margaret.<sup>276</sup>

The episode had two clear messages: the Amerasians faced lives of misery and discrimination in their homelands where Amerasian boys are “emasculated” and girls “killed,” and neither the mother of the Amerasian, the local community nor the U.S. military wanted to take responsibility for the baby. In a heated interaction in which a U.S. military official declared that the child was “not an army matter” and that the army was not responsible for “what happens when a soldier gets lonely,” an angry Hawkeye responded, “Not an army matter? You jackass! Where do you think that child came from?”

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<sup>275</sup> According to Thomas Bass, the Amerasian issue disappeared after Operation Babylift, resurfacing with the media attention given to “Rosie.” Following the passage of the ODP, Rosie sent letters of support to the U.S. government and collected the names of numerous Amerasian children and their Vietnamese mothers in an effort to get them accepted by the new program. Bass, *Vietnamerica*.

<sup>276</sup> M.A.S.H. season 8, episode 15, “Yessir That’s Our Baby,” directed by Alan Alda, aired December 31, 1979, on CBS (20<sup>th</sup> Century Fox TV). The portrayal of the Amerasian in the episode as good, strong and beautiful promoted notions of hybrid vigor discussed by Nakashima, “An Invisible Monster: The Creation and Denial of Mixed Race People in America,” in Root. The insinuation that the abandoning mother was a “sneaky Asian” reinforces Robert Lee’s argument that in the post-war era Americans continued to view the Vietnamese as “gooks,” a silent and secretive alien threat to the United States. Lee, *Orientalism*, 190-191.

You've got people in American soldier suits running around out there making babies and then making tracks. Don't you think it's about time it became an army matter?"<sup>277</sup>

The show also exposed the hypocrisy of American inaction on the issue. As a South Korean government official explained to Hawkeye and Colonel Sherman Potter, that while France, Great Britain and the Netherlands had taken responsibility of their military babies by offering them support and citizenship, "the United States, where all men are created equal refuses to do this."<sup>278</sup> In the end the 4077<sup>th</sup> re-abandon the baby to a local monastery, concerned about its future but unable or unwilling to be responsible.

The Buck Foundation acted as a consultant on the episode and some of the criticism of U.S. military inaction seemed to come directly from Buck Foundation material. Although the episode was uncharacteristically grim for the television show, it brought awareness and public attention to the issue by broadcasting the problem into the living rooms of American viewers.<sup>279</sup>

Still, neither Rosie's pleas nor did the M.A.S.H. episode spur the massive airlifts that many had hoped for. Instead, the DoD released its most current policy regarding GI babies, Directive 1344.3, which restated the official US policy that had been in place since World War II: in cases of paternity claims against American and allied personnel, "no individual in the military service will be required or requested to admit paternity."<sup>280</sup>

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<sup>277</sup> M.A.S.H., "Yessir That's Our Baby."

<sup>278</sup> Ibid.

<sup>279</sup> Pamphlet, "The Amerasians: A Human Rights Issue and U.S. Foreign Policy Question," Pearl S. Buck Foundation, c1980, Pearl Q-Z folder, WHCF, Name File, Jimmy Carter Presidential Library. Despite ranking in the Top Twenty television programs in ten of its eleven seasons (1972-1983), including the Top Fifteen in season eight, "Yessir, That's Our Baby" was one of only two episodes that season to drop out of the Top Twenty. "Ratings and Rankings," MASH4077TV.com, accessed, February 1, 2015, <http://www.mash4077tv.com/episodes/ratings/>.

<sup>280</sup> Paternity Claims by Non-Nationals, Circular No. 157, Headquarters European Command, February 15, 1949; Records of the Civil Administration Division: General Records of Public Welfare and Displaced Persons, Bavaria, 1946-50; Records of United States Occupation Headquarters, WWII, OMGUS Germany, Record Group 250 Box 25; NACB. "Policy Governing Certain Marital Status of Officers, Warrant Officers or Enlisted Men," War department Memo, June 29, 1944; Adjutant Generals Section Operations Division Mail & Records Branch Decimal File, 1945-46, File 291-1 #1 SCAP Allied Operational and Occupational Headquarters, WWII, Supreme Commander for the Allied Powers; Record Group 33, Box 433; NACB.

Furthermore, the DoD considered complaints by foreign mothers against a member of the military for child support to be unfounded unless legitimated by the judgment of a court of record in the United States.<sup>281</sup> Such policy had proved an effective barrier against paternity claims by foreign women, protecting American servicemen from any responsibility for fathering “foreign” children and excluding those children from any claim to U.S. citizenship.<sup>282</sup>

Elected to Congress in 1971, Representative Stewart McKinney (R-CT) quickly established himself as a moderate Republican and a committed champion of urban aid and social welfare programs.<sup>283</sup> Considered at the time to be the wealthiest member of Congress, the Ivy League graduate and Air Force veteran possessed an undeniable commitment to social issues and social justice.<sup>284</sup> His efforts to pass legislation for the immigration and naturalization of the Amerasians at the end of the decade reflected his reputation as a humanitarian and an advocate for society’s forgotten and invisible populations.

By 1978 Representative McKinney had become a political advocate for the Amerasians. He heard “Rosie’s” pleas and understood the consequences of current DoD

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<sup>281</sup> Paternity Claims by Non-Nationals, 15 Feb 1949; RG 250; NACP. Request for Procedure of Establishing Paternity of Child, Chief Legal Section, April 5, 1948; Decimal File 1945-52, Marriages, Parentage, Nationality File 291.1; Box 1260 Legal Section, Administrative Division, Allied Operational and Occupation Headquarters, WWII, SCAP, Record Group 331; NACP.

<sup>282</sup> Section 309 states that illegitimate children born abroad acquired the nationality of the mother and could only obtain the nationality of the father through official legitimation. McCarran-Walter Act of 1952, Public Law 82-414, 82<sup>nd</sup> Cong., 2<sup>nd</sup> sess., (June 27, 1952).

<sup>283</sup> McKinney was well known for his legislation in support of America’s homeless population and specifically, the McKinney-Vento Homeless Assistance Act. In 1987 McKinney joined other Congressmen and some celebrities in sleeping outside on the U.S. Capitol on a grate on a frigid winter night in Washington D.C., to bring attention to the issue. As a result of this action, McKinney, already suffering from AIDS contracted pneumonia. He died two months later, on May 7, 1987. Carol Lundin, “Stewart B. McKinney: The Man,” accessed, May 24, 2014, <http://education.wm.edu/centers/hope/resources/documents/bios.pdf>.

<sup>284</sup> McKinney was an anomaly in the Republican Party. A self-proclaimed “liberal Republican” he won reelection eight times in Connecticut’s 4<sup>th</sup> District where Democrats greatly outnumbered Republicans. Upon entering office in 1970, he felt in immediate moral obligation to help the child victims of Vietnam and the Vietnam refugees after the war. In 1973 McKinney wrote one concerned constituent, “I share your deep concern over the tragedy of the orphaned and abandoned children left in the wake of the Vietnam War.” In 1975, he told another, “to ignore our moral obligation to the refugees would further discredit us.” Stewart McKinney to Sophie Stevens, May 8, 1975, Legislative Correspondence: S-V, 1975, Viet-Refugees folder, Box 26; Stewart McKinney to Paul S. Nakian, August 3, 1973, Legislative Correspondence: 1973, Foreign Affairs-Vietnam folder, Box 13, Stewart B. McKinney Papers. Archives and Special Collections at the Thomas J. Dodd Research Center, University of Connecticut Libraries.

policies for the Amerasians. On April 4, 1979 McKinney introduced H.R. 3439 the United States-Asian Immigration Act, to the House. The plight of the Amerasians, McKinney believed, lay in the deliberate practice of “othering” the Amerasians into Asians. It was an approach reflected in what he considered a flawed U.S. immigration system that forced them to apply to immigrate to America through the non-preference category.<sup>285</sup>

Under U.S. immigration law, the Amerasians were already “othered” as outsiders and excluded from family reunification. Amerasians who qualified for permanent immigrant visas did so *not* in preference class (1) unmarried sons and daughters of United States citizens, or preference class (4) married sons and daughters of U.S. citizens, but under the lowest preference class (8), “other qualified immigrants.”<sup>286</sup>

The “othering” of the Amerasians in U.S. immigration policy was an inadequate solution to the Amerasian situation according to McKinney, who asserted that because the non-preference category attracted a number of applications which exceed the total quota limit, “the children of American citizens have little or no chance of entering the United States.”<sup>287</sup> By excluding the Amerasians from the categories of family reunification, American law dictated that very few Amerasians would have the chance to immigrate to America.

McKinney believed the Amerasians to be just as much American as they were Asian and his bill would amend the admissions provisions of the Immigration and

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<sup>285</sup> HR3439 proposed to allow illegitimate Amerasians in Korea, Vietnam, Thailand and Laos to immigrate to the United States under the first and fourth immigration preference –unmarried and married sons and daughters of U.S. citizens. The act also proposed the establishment of a board to determine U.S. paternity via various documents and, required a U.S. citizen sponsor to designate the Amerasian a legal alien. Many of these provisions would resurface in the AIA.

<sup>286</sup> Hart Cellar Act of 1965, Public Law 89-236, 89<sup>th</sup> Cong., 1<sup>st</sup> sess., (October 3, 1965).

<sup>287</sup> McKinney’s unsuccessful United States-Asian Immigration Act proposed to the House on April 4, 1979 to allow preferential treatment in the admissions of Amerasians, would become the framework for the 1982 Amerasian Immigration Act. United States-Asian Immigration Act, H.Res. 3439, 96<sup>th</sup> Cong., 1<sup>st</sup> sess., *Congressional Record*, (April 4, 1979): H7258.

Nationality Act to provide them preferential treatment. In promoting the bill, McKinney appealed to American humanitarianism, the inclusionary character of American democratic ideology and American paternal responsibility. He emphasized the importance of non-governmental organizations (NGOs) like the Buck Foundation in providing the Amerasians opportunities to live in the “more tolerant culture” of the United States; securing “a better future for these sons and daughters of U.S. citizens.”<sup>288</sup> He also pointed to the inability of the Amerasians to assimilate into Asian society, as he explained, most of their countrymen considered them to “exist outside the mainstream of that society.”<sup>289</sup> As second-class citizens, McKinney continued, the Amerasians faced limited opportunities for education or employment and, therefore, a bleak future.

In the post-civil rights era, American policymakers were all too familiar with the challenges that second-class citizenship posed to an American ideology that espoused that “all men are created equal.” Perhaps, this was McKinney’s justification for concluding this reference with a call for American humanitarian and paternal responsibility for these children of American citizens. It is because of the U.S. presence in Asia, he asserted, that the Amerasians exist, and due to U.S. immigration laws that categorize them as “other” applicants, that they continue to live in such dire circumstances.<sup>290</sup>

In his passionate support of the bill, McKinney invoked the notion of family unification and reunification. After all, McKinney reasoned, as the sons and daughters of American men, the Amerasians were American citizens. However, U.S. law only granted

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<sup>288</sup> Ibid.

<sup>289</sup> Ibid.

<sup>290</sup> Ibid.

American citizenship to the legitimate children of U.S. fathers born abroad and that required a recognized marital union or documented acknowledgement of paternity.<sup>291</sup> Since most Amerasians did not know their American fathers outside of perhaps, a first name, photograph or place of birth, obtaining an acknowledgement of paternity proved almost impossible.

McKinney's bill attempted, therefore, to address the weaknesses of US law and Directive 1344.3 by placing the United States in the role of national surrogate father, mirroring the previous response of the French for their Eurasian children. In Vietnam alone, an estimated ten-thousand "fatherless" Amerasians existed with no way to identify or locate their specific American father.<sup>292</sup> Furthermore, in many instances, the American father did not even know that he had fathered a child or denied such allegations.<sup>293</sup>

The problem, McKinney argued, was not the plight of the Amerasian whose father already had or wanted to legitimize his child. Rather this bill addressed the needs

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<sup>291</sup> The process of legitimating Amerasian children through marriage was complicated by bureaucratic red tape and resistance by U.S. military officials to approve soldier marriages to Vietnamese women. As a result many American military men lived in common-law family units. In 1975, the U.S. Ambassador to Vietnam, Graham Martin excluded common-law wives and their children from the definition of "legitimate" family members who could leave Vietnam for the United States at the end of war. Yarborough, *Surviving Twice*, 36.

<sup>292</sup> John Shade Jr., "Developing Programs for Amerasians in Three Countries," A Project Proposal by The Pearl S. Buck Foundation, 1979, Amerasian Program 1979-83 folder, no box, Archives of the Pearl S. Buck House, Pearl S. Buck International. Estimates leading up to the 1979 Orderly Departure program varied from a few thousand to twenty-five thousand depending on the source. In 1979 the Buck Foundation released the following estimates of Amerasians: Japan-3500, Korea-6500, Philippines-9300, Thailand-4800, Vietnam-11,000, Taiwan-1200. There was never any systematic accounting of the Amerasians in Vietnam and estimates continued to rise through the end of the Amerasian Homecoming Act in 1994. More accurate accountings of Amerasians in Korea and Thailand did eventually occur. The Buck Foundation reported that the most common methods of locating and accounting for Amerasian children were through Venereal Disease Clinics that provided care to some mothers and chaplains often responsible for counseling American fathers on their relationships with Asian women. John A. Shade, Jr., "A Progress Report on Caring for the Amerasian: A Difficult Task," The Pearl S. Buck Foundation, Inc., 1978, Amerasian 1978-1984 folder, Box Vietnam, Archives of the Pearl S. Buck House, Pearl S. Buck International.

<sup>293</sup> For many American men, their love affair or long-term romance with Vietnamese women often ended with the end of the tour, a transfer, the denial of his marriage request, or death. According to Trin Yarborough, U.S. policy during the Vietnam War required military members to spend twelve to thirteen months in Vietnam. As more troops were rotated home, more Amerasian babies were left fatherless, Yarborough, *Surviving Twice*, 11. Diana Yoon argues that Vietnamese women were categorically viewed by U.S. military officers as acceptable sexual partners but unsuitable spouses for military personnel and thus it established barriers to marriage that ensured the illegitimacy of many Amerasian children. Yoon, "Reproducing Citizens Through U.S. Militarism: Amerasians and Descent Based Membership," 43. Shade insisted that U.S. military policies and practices were to blame for the illegitimacy of Amerasians. He argued that the practice of the U.S. military "birth control" included discouraging marriages between American GIs and Asian women and shipping home those GIs who did not adhere to this policy. John A. Shade, Jr., "A Progress Report on Caring for the Amerasian," The Archives of the Pearl S. Buck Foundation, Pearl S. Buck International.



of the illegitimate Amerasians, children who, in some cases never knew their American fathers or had no way to find them. Regardless of the specific circumstances, current U.S. policy ensured that biological American fathers had no formal responsibility to children they did not claim. McKinney hoped his bill would alleviate such issues.

By October 1979 the Carter Administration's Department of Health, Education and Welfare, the Department of State and the Department of Justice had reviewed and opposed McKinney's bill.<sup>294</sup> Specifically the Department of State and Justice were critical in their comments, denying that the immigration of Amerasians to the United States—as married and unmarried sons and daughters of American citizens—qualified for “family unification.”<sup>295</sup> A troubling disconnect seemed to exist among some American leaders who, on one hand agreed with the assumed American paternity of the Amerasians and acknowledged the discrimination and abuse the Amerasians faced in Vietnam as a result, but insisted that this in itself did not make them children of American citizens.

US immigration and nationality law supported such a stance by policymakers who could simply point to both the gender-based distinction in the law that defined the Amerasians as illegitimate, and the critical inability of the Amerasians to provide evidentiary proof of American paternity. Reinforcing the legal argument for policymakers was the perception that there was no distinction between Amerasians and other Vietnamese children in post-War Vietnam. The Amerasians were Asian children rather than American children. The combination of the legal rationale and the perceptions disregarded the clear biological filiation with American fathers and excluded the

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<sup>294</sup> U.S. Congress, House, H.R. 3439, 96<sup>th</sup> Cong., 1<sup>st</sup> sess., April 4, 1979.

<sup>295</sup> United States-Asian Immigration Act,” Oct. 9, 1979, 96<sup>th</sup> Cong., 2<sup>nd</sup> sess., *Cong Rec.* 27567-27568.

Amerasians from American borders and citizenship in the tradition of America's history of exclusionary policies against people of Asian descent.

Unwilling or perhaps unable to acknowledge such racialized exclusion, the administration based the majority of its criticism of the bill on two specific issues—the determination of American paternity and the potential economic burden on American taxpayers. In each case, McKinney struck back. Regarding paternity, the bill proposed the creation of a review board to determine claims of paternity using non-traditional documentation—government documents, photographs, letters and/or proof of past financial support from the assumed American father. To address fears that the Amerasians would become economic burdens, the bill required an American financial sponsor for each Amerasian applicant. This requirement, McKinney claimed, would prevent the Amerasians from becoming public charges.<sup>296</sup>

But the administration was steadfast in its rejection of the bill.<sup>297</sup> Rather than viewing it as an opportunity to address the plight of half-American children in Asia or to give credence to McKinney's insistence of U.S. responsibility, the administration dismissed the bill as a measure that would unnecessarily increase the workload for INS officials and place an economic burden on American taxpayers.

The Carter administration's rejection of the bill incited McKinney's ire.<sup>298</sup> McKinney asserted that the administration used bureaucratic rather than humanitarian

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<sup>296</sup> According to the bill, the American sponsor was financially responsible for the Amerasian for a period of five years. *Cong. Rec.*, House, H.R. 3439, 96<sup>th</sup> Cong., 1<sup>st</sup> sess., April 4, 1979.

<sup>297</sup> Although Jimmy Carter was known as the "human rights President" his inaction on behalf of the Amerasians is symptomatic of the bigger geopolitical concerns during the period. By 1979 Carter faced increasing tensions with Vietnam over the invasion of Cambodia and US-China relations, the failure to normalize relations, and increasing pressure regarding American MIAs and domestically rising concerns over immigration and refugee admissions. The Carter administration supported the ODP as a solution to the Amerasian issue. Jimmy Carter Presidential Library, RAC Project Number NLC16-118-3-42-5; 16-13-2-22-4; 16-27-1-49-1.

<sup>298</sup> In April 1979 the House referred the bill to the House Judiciary Committee where members discussed the bill. It failed to move out of committee and therefore died in October 1979.

eyes in its blatant dismissal of the bill. It was a clear contradiction of America's fundamental inclusionary core that framed the American immigration narrative of open shores and shelter for the plight of the less fortunate. Overlooking such an important piece of the American fabric was especially problematic in this case, according to McKinney because, while the United States has not *always* caused the plight of the less fortunate, the situation of the Amerasian was "a problem caused by citizens of our Nation."<sup>299</sup>

The Buck Foundation also criticized the administration for its inaction on the Amerasian issue. Between 1979 and 1981, Executive Director John Shade sent numerous requests to President Carter inviting him to visit the Buck House in Perkasio, Pennsylvania and to live up to his reputation as a humanitarian and a Christian by becoming the first president to publically acknowledge the Amerasian issue.<sup>300</sup> Carter did not accept Shade's invitations. Shade also requested that the DoD show the M.A.S.H. episode to all new US military arrivals to Asian posts, informing American soldiers of the potential consequences of their actions. This request too, never materialized. By October 1980, H.R. 3439 was dead.<sup>301</sup>

### ***The Orderly Departure Program***

The apprehension of the Carter Administration towards McKinney's bill reflected the changing geopolitical environment by the end of the decade and increasing concerns about immigrants and refugees. In response to Vietnam's invasion of Cambodia in 1978

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<sup>299</sup> House, United States-Asian Immigration Act, 96<sup>th</sup> Cong., 2<sup>nd</sup> sess., Oct. 9, 1979.

<sup>300</sup> Letter, John Shade Jr. to Jimmy Carter, 7/16/79. White House Central File, Name Files, Pearl, Q-Z folder, WHCF-Pearl, Jimmy Carter Library.

<sup>301</sup> H.R. 3439 spent much of 1980 in the Subcommittee on Immigration, Refugees and International Law of the Judiciary Committee. John Shade blamed its ultimate failure on bad timing and the 1980 Presidential campaign. Letter to Jimmy Carter from John Shade, May 16, 1980, Pearl Q-Z folder, WHCF-Pearl, Jimmy Carter Library.

the Carter administration immediately ceased efforts to normalize relations.<sup>302</sup> At the same time, the U.S. government faced constant pressure from policymakers, media and the American public to address the growing problem of immigrants and refugees from Latin America, the Caribbean and Southeast Asia.<sup>303</sup>

Policymakers framed the impending debates over immigrants and refugees in Cold War terms. Senator Samuel I. Hayakawa (R-CA) called for expanded immigration laws to meet the needs of Southeast Asian refugees, reminding Americans that Asians were “good” immigrants who were ambitious and did not abuse welfare. Assisting these refugees and immigrants, he insisted was the “charitable and humane” way to attain a moral victory from the Vietnam War and to expose Vietnam’s communist government as “the totalitarian, racist tyranny that it is.”<sup>304</sup>

There was an international call to action for the ‘boat people’ of Vietnam which led to the creation of the Orderly Departure Program (ODP).<sup>305</sup> Established in 1979 as a Memorandum of Understanding between the United Nations High Commissioner for Refugees and the government of Vietnam, the ODP provided a safe, orderly, predictable and legal means for people to leave Vietnam.<sup>306</sup> Senator Kennedy praised the ODP as the

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<sup>302</sup> Jimmy Carter Presidential Library, RAC Project Number NLC-16-118-3-42-5.

<sup>303</sup> After 1965 the largest number of immigrants came from Mexico with the next four countries being the Philippines, Korea, China and Vietnam. Chan, *Asian Americans*, 145.

<sup>304</sup> Mark Stevens, “US Should ‘Lift Lid’ on Immigration—Hayakawa,” *The Christian Science Monitor*, 7/9/79, [Refugees] Children/Unaccompanied Minors 2/79-7/79 folder, Box 34, Stephen Aiello Ethnic Group Files, Jimmy Carter Library.

<sup>305</sup> Mary McGrory, “Refugees from Haiti May Become the ‘Right’ Kind of Boat People,” *The Washington Star*, 11/13/79, Immigration & Naturalization Service folder, Box 11, Civil Rights and Justice, White, Jimmy Carter Library.

<sup>306</sup> Judith Kumin argues that in addition to helping manage the mass exodus of boat people from Vietnam, the ODP also allowed Western countries a vehicle for family reunification and to bring back to the US specifically, people left behind after the war: former employees, inmates of reeducation camps and Amerasians. In addition she posits that the ODP also enabled the United States to engage with Vietnam through the UNHCR in a non-political manner, as the ODP was intertwined with issues of US-China-Vietnam relations stemming from Vietnam’s dealings with its ethnic Chinese population. Judith Kumin, “Orderly Departure from Vietnam: Cold War Anomaly or Humanitarian Innovation?” *Refugee Survey Quarterly* 27, No 1, (2008).

proper humanitarian response to the “urgent plight of the ‘boat people’ floundering throughout Southeast Asia.”<sup>307</sup>

The agreement allowed immigrants and refugees from Vietnam to depart for family reunification and humanitarian reasons.<sup>308</sup> The ODP relieved the flow of refugees to first asylum countries like the United States while saving the Vietnamese government any embarrassment caused by the disorderly and illegal exodus of thousands of its citizens by boat.<sup>309</sup> The ODP also took the pressure off of the United States regarding Vietnam’s boat people by internationalizing the issue. As Secretary of State Cyrus Vance explained, the boat people were a “world problem which forces us to fashion a world solution.”<sup>310</sup> The program opened U.S. borders to Vietnamese citizens designated either as immigrants or as one of three categories of refugees: I) family members of United States citizens, II) former employees of the U.S. government, or III) other persons closely associated or identified with the U.S. presence in Vietnam before 1975.<sup>311</sup>

The issue of family reunification was critical both for the UNHCR, which considered reunification to be one of its basic functions, and for the United States, trying to rectify its humanitarian image gravely damaged by the Vietnam War.<sup>312</sup> Although the

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<sup>307</sup> Secretary of State Cyrus Vance estimated that the number of boat people fatalities were in the “tens and tens of thousands.” The exodus according to Vance was largely the result of the Vietnamese government pushing out ethnic Chinese who composed two-thirds of those leaving by boat, economic hardships in postwar Vietnam, and from refugees created by Vietnam’s intervention of Cambodia. Opening statement of Senator Edward Kennedy, *The Refugee Crisis in Southeast Asia, Hearing*, 7.

<sup>308</sup> According to the report, 375,000 refugees from Vietnam lived in refugee camps in Southeast Asia by 1979. Subcommittee on Immigration, Refugees, and International Law, Committee on the Judiciary, *The Orderly Departure Program from Vietnam*, 101<sup>st</sup> Cong., 2<sup>nd</sup> sess., 1990, Government Accounting Office.

<sup>309</sup> *Ibid.*

<sup>310</sup> On November 12, 1979, the UNHCR and the Philippines agreed to construct a Refugee Processing center to accommodate the massive numbers of refugees from Southeast Asia and alleviate the burden on first-asylum countries like Thailand and Malaysia that had started to turn refugees back to sea. The Philippines Refugee Processing Center opened on January 21, 1980 with a holding capacity of 17,200 persons. Statement of Hon. Cyrus Vance, *The Refugee Crisis in Southeast Asia, Hearing*, 4; “Refugee Processing Center: Bataan, the Philippines,” Report to Peter W. Rodino, Jr., February 6, 1981.

<sup>311</sup> According to Kumin, the *prima facie* recognition of Vietnamese boat people as refugees and their automatic resettlement lasted until 1989 when the UNHCR launched its Comprehensive Plan of Action (CPA) on Indochinese Refugees which replaced resettlement with individual status determination and the compulsory return of non-refugees. Kumin, “Orderly Departure from Vietnam,” 116-117; Subcommittee, *The Orderly Departure Program from Vietnam*.

<sup>312</sup> Kumin, 111

ODP officially identified Vietnam's Amerasians as the children of American servicemen fathers, it failed to include them in category I of the program: family members of United States citizens. Rather, the Amerasians qualified for the program only in category III: *other persons* associated or identified with the U.S. presence in Vietnam. The Amerasians were refugees, not relatives of American citizens. This distinction reinforced the understanding, already embedded in US immigration policy, that Amerasians were not American children but Asian, and served to validate and justify the exclusion of birth-right citizenship over the next decade.

### **Winning the Vietnam War**

America's refugee policy has historically reflected the American narrative of humanitarianism toward the displaced, persecuted or threatened.<sup>313</sup> The repeal of the national origin quota system in the 1965 Immigration and Naturalization Act was still rather new to Americans in 1979 as were the increasing numbers of Asian and Latin American immigrants and refugees. For American policymakers and an American public yet to recover from America's military failure in Vietnam, the refugees from Southeast Asia were especially troubling.

In the six months after the Communists took South Vietnam in April 1975, 125,000 Vietnamese refugees entered the United States. By 1979, America welcomed 14,000 refugees from Southeast Asia each month.<sup>314</sup> The Southeast Asian "land people"

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<sup>313</sup> The author recognizes that the numerous examples throughout US history in which American humanitarianism towards refugees did not prevail complicates the narrative. Two of the more horrific examples being the failure of the US Congress in 1939 to pass a bill allowing 20,000 Jewish children to immigrate to the United States to escape Nazi Germany and the refusal of US President Franklin Roosevelt that same year to admit the 630 Jewish passengers aboard the German ship the *St. Louis* to enter the United States to escape persecution. Roosevelt's decision forced the passengers to return to Europe where 254 died in the Holocaust. The 1948 Displaced Persons Act opened American shores to 400,000 refugees from Europe and the 1953 Refugee Relief Act accepted 200,000 including a number of refugees from the Chinese Revolution and some Amerasian children from Japan and Korea. The 1965 INA established the first permanent statutory basis for refugee admissions to the United States specifically targeting refugees fleeing Communist countries. Hing, *Making and Remaking Asian America*, 125.

<sup>314</sup> *Ibid.*, 126. This number includes all of Southeast Asia: Laos, Cambodia, Thailand.

and “boat people” composed the ““largest nonwhite, non-Western, non-English speaking group of people ever to enter the country at one time.””<sup>315</sup>

While educated, often English speaking, skilled, urban and middle class Vietnamese families composed most of the initial post-War wave of Vietnamese refugees resettled across America, the second wave brought a very different demographic.<sup>316</sup> Not only was the second wave composed of increasing numbers of ethnic Chinese, Cambodians and Laotians, but this wave of Southeast Asian refugees was also filled largely with poor, single men, women and children, uneducated and unskilled.<sup>317</sup> Unlike the first wave, these new refugees required government assistance upon their arrival, making them competitors for housing, jobs and welfare with lower and working class Americans.<sup>318</sup>

Yet some policymakers saw the refugee crisis as an opportunity to resurrect American humanitarianism and redeem its failures in Vietnam. Supporters of U.S. refugee policy stressed the symbolism of achieving some success in Vietnam, even if it was humanitarian rather than military. In 1979, California Congressman, Democrat Henry A. Waxman, referenced an article in the *Los Angeles Times* explaining that the humanitarian efforts of the United States on behalf of the Vietnamese refugees was an opportunity for all Americans, and particularly the young, to regain the pride that existed prior to the Vietnam War. According to Prager, “The saving of Vietnamese and

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<sup>315</sup> Ibid., 130-135.

<sup>316</sup> On April 18, 1975 President Ford established the Interagency Task Force to coordinate the resettlement of the first wave of Vietnamese refugees, the majority of whom entered the United States between 1975 and 1980 through the parole authority of the US Attorney General. The 1952 INA awarded such authority to “parole” into the United States any alien and it was used to allow over 400,000 refugees from Southeast Asia to enter the country. Hing, *Making and Remaking American Immigration Policy*, 124-135.

<sup>317</sup> Ibid., 135.

<sup>318</sup> Ibid., 130-135.

Cambodian lives can help reverse some of the terrible consequences of that war.”<sup>319</sup> In the Senate, Strom Thurmond reminded policymakers of American humanitarian greatness by declaring that as the “flow of refugees from Southeast Asia has become a torrent of suffering, death, and human disaster,” America “has been at the forefront” of the global response and that “this was and is proper.”<sup>320</sup>

In reminding Congressional leaders of America’s tradition of global humanitarian leadership, Vice President Walter Mondale evoked the fatal memories of Adolf Hitler’s unsuccessful challenge to the world in 1938 to, “save” the ill-fated Jews of Germany and Austria. The world did not listen then, he exclaimed, but America would lead now in Indochina, fulfilling its role as the “Mother of Exiles,” welcoming the Indochinese refugees whose talents and energies will enrich the nation.<sup>321</sup>

While Thurmond and Mondale reinforced America’s image of global humanitarianism and narrative of immigration, opponents questioned the role of race. The new wave of legal and illegal immigrants and refugees who were racially, culturally, and linguistically different from mainstream America exposed the vulnerability of America’s borders to many Americans.<sup>322</sup> House Republican C.W. Young (FL) explained his concerns with continuing to assist the Indochinese refugees considering the difficulty he was having assisting a constituent trying to bring a friend from Ireland to the United States.<sup>323</sup> Likewise African American leaders questioned the racist undertone of US

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<sup>319</sup> Representative Henry A. Waxman of California speaking in support of American assistance for Indochinese refugees, on June 26, 1979, 96<sup>th</sup> Cong., 1<sup>st</sup> sess. *Cong. Rec.* 125: 16774-16776.

<sup>320</sup> The Refugee Crisis in Southeast Asia, *Hearing*, 4.

<sup>321</sup> *Ibid.*, 69.

<sup>322</sup> During the decade, 4.5 million legal immigrants, the majority from Latin American entered the United States. Daniel J. Tichenor, *Dividing Lines: The Politics of Immigration Control in America* (Princeton: Princeton University Press, 2002) 238.

<sup>323</sup> The Irish were one group particularly affected by the 1965 INA as the relative absence of close family ties in the United States and job skills necessary for immigration preference resulted in a declining immigrant numbers from Ireland and the rest of Western Europe. *Hearing before a Subcommittee of the Committee of Appropriations, Foreign Assistance and Related Agencies*



policies committed to assisting the “boat people” of Southeast Asia while discriminating against the black “boat people” fleeing Haiti.<sup>324</sup>

The wave of new immigrants coupled with the economic recession facing the country by 1979 led to growing support for more restrictive immigration policies, employer sanctions to protect American workers and the establishment of the Select Commission on Immigration and Refugee Policy (SCIRP) to make recommendations on immigration and refugee policy reform.

*Washington Post* journalist William Raspberry challenged America’s motives regarding the refugees from Southeast Asia, criticizing America’s commitment to causes outside its borders while American citizens faced tremendous domestic economic challenges. For Raspberry, America’s motive was a direct result of the guilt growing out of the Vietnam War, a guilt which, he argued, should be directed toward alleviating economic inequality at home.<sup>325</sup> Some policymakers shared Raspberry’s sentiment. Chairman of the Subcommittee on Foreign Operations and Related Agencies in the House, Clarence D. Long (MD) exclaimed in his concerns over American assistance to the Southeast Asian refugees, “I think Americans are getting awfully tired of the cost of this Vietnam War. It is the most expensive war we ever lost.”<sup>326</sup>

In his 1958 book, *A Nation of Immigrants*, future President John F. Kennedy wrote, “This was the secret of America: a nation of people with the fresh memory of old traditions who dared to explore new frontiers, people eager to build lives for themselves

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Appropriations, 95<sup>th</sup> Cong., 1<sup>st</sup> sess., September 15, 1977. Congress amended the 1965 INA in 1976 to allow a 20,000 annual limit for each country in the Western Hemisphere. Tichenor, *Dividing Lines*, 235.

<sup>324</sup> For more information see Collection MS2070: General files 1960-1990, Walter E. Fauntroy Papers, Special Collections Research Center, The George Washington University.

<sup>325</sup> Senator Walter Huddleston of Kentucky speaking on the high cost of refugee resettlement, on July 12, 1979, 96<sup>th</sup> Cong., 1<sup>st</sup> sess., *Cong Rec.* 125: 18285-18287.

<sup>326</sup> Foreign Assistance and Related Agencies Appropriations, Hearing.

in a spacious society that did not restrict their freedom of choice and action.”<sup>327</sup> American history has continuously highlighted the journeys and contributions of the immigrant—those individuals and groups who came to America of their own free will to settle, work and contribute.

Yet there are critical differences in American lore between the immigrant and the refugee. While the immigrant wants to come to America and therefore willingly assumes the responsibility of assimilation, the refugee needs to come. Americans perceive the immigrant as a potential *real* American who will become US citizens, while viewing the refugee as a temporary guest, a victim of the evils of the world abroad.<sup>328</sup> While the goal of the immigrant is to *become* an American, the purpose of the refugee is simply to *survive*.

The ODP provided perhaps the perfect compromise for policymakers unable to accept the Amerasians as *real* American children but feeling the humanitarian pressure or guilt from the war, to take some kind of action on their behalf. By categorizing them as *other* refugees, the ODP evoked Said’s *orientalism* framing the Amerasians in the East-West binary that distinguished between the American “us” and the Asian “them.”<sup>329</sup> Thus, the ODP reinforced the perception that the Amerasians were foreign children, victims of persecution spurred by the intolerance of both a communist regime and a Vietnamese society intolerant of difference, rather than Americans.

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<sup>327</sup> John F. Kennedy, *A Nation of Immigrants* (1964;repr., Harper Perennial, 2008)

<sup>328</sup> Prior to the passage of the Refugee Act of 1980, the term “refugee” in American policy applied specifically to those persons facing persecution from a communist government. The 1980 Act expanded the definition to align with that of the United Nations—any person with “a well-founded fear of being persecuted.” The United States continued to favor refugees from countries with communist governments—Southeast Asia, Cuba, and Jews from the Soviet Union. Refugee Act of 1980, Public Law 96-212, 96<sup>th</sup> Cong., 2<sup>nd</sup> sess. (March 17, 1980); for more information see Chan, *Asian Americans*, 164.

<sup>329</sup> Said, Selections from *Orientalism* in Williams and Chrisman.

As the first official policy enacted recognizing the American paternity of the Amerasians, the designation as “other persons” in the ODP reflects the complicated relationship that American policymakers would maintain with Vietnam’s Amerasians over the next decade.<sup>330</sup> In essence, policymakers were confused and conflicted by the transnational makeup of the Amerasians. Products of war and mixtures of race and nation, the Amerasians stood in opposition to the perceived order of modern society that rested upon clean cut delineations of black and white, Asian and non, American and foreign, us and them. Categorical distinctions had evolved out of a colonial ideology and a history of racialized policies that deemed non-white populations inferior, and that had excluded people of Asian descent from American citizenship. Policymakers, unable to “fit” the Amerasian “mix” into an American category, acknowledged that Amerasians were the progeny of American fathers, but could not recognize them as real American citizens.

### ***The Shifting Tide***

In 1980, Journalist Bill Kurtis published, “The Plight of the Children Abandoned in Vietnam” in the *New York Times*. Kurtis revealed to the American public, the chilling reality that when America left Vietnam in 1975, it also left on the streets of Saigon, thousands of Amerasian children, “the living reminders of the war.”<sup>331</sup> In an era defined by increasing social and economic conservatism and anticommunist nationalism, the six to eight million immigrants and 166,000 refugees living in the United States by 1980

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<sup>330</sup> The ODP remained in effect until January 1, 1986 when Vietnam suspended the interviewing and processing of applicants for resettlement in the United States after a backlog and growing tensions with the United States over the MIA/POW issue. On July 15, 1986 the U.S. Congress passed a concurrent resolution requesting the government of Vietnam to reinstitute the program and specifically to permit the departure of re-education camp prisoners, Amerasian children and other persons of special humanitarian concerns to the United States. Senator Solarz Fascell on the Sense of the Congress on Resumption of U.N. High Commissioner for Refugees Orderly Departure Program for Vietnam, on July 15, 1986 to the Senate, 99<sup>th</sup> Cong., 2<sup>nd</sup> sess., *Cong. Rec.* 132, E3366.

<sup>331</sup> Bill Kurtis, “The Plight of the Children Abandoned in Vietnam,” *The New York Times*, 2 March 1980.

placed a large strain on the U.S. economy with its seven million unemployed Americans and an unemployment rate hovering at 7.1%.<sup>332</sup> To many Americans, it seemed that the nation's immigration problem was out of control. More people demanded a restrictive immigration policy.<sup>333</sup>

The challenge for the newly elected Reagan administration was to honor the American tradition of providing a beacon of hope to the world's oppressed, hopeless and poor while meeting the demands of the conservative political environment.<sup>334</sup> President Ronald Reagan addressed this challenge in his 1981 statement on U.S. Immigration and Refugee Policy by evoking the American "myth of universalism." This myth portrayed the nation as inclusive and open to outsiders: "We shall continue America's tradition as a land that welcomes peoples from other countries....At the same time, we must ensure adequate legal authority...to enable us, when sudden influxes of foreigners occur, to decide to whom we grant the status of refugee or asylee."<sup>335</sup>

Among the "influxes of foreigners" to America by 1981, were the Vietnamese. For many Americans with personal connections to the Vietnam War, it was difficult to

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<sup>332</sup> According to the Department of Labor the unemployment rate in America for people over 16 years of age was 7.1% in 1980, 7.6% 1981, 9.7% 1982 and 9.6% 1983. (the annual refugee arrivals in 1988 was 166,700). U.S. Department of Labor, Bureau of Labor Statistics. Accessed July 6, 2014. [http://data.bls.gov/timeseries/LNU04000000?years\\_option=all\\_years&periods\\_option=specific\\_periods&periods=Annual+Data](http://data.bls.gov/timeseries/LNU04000000?years_option=all_years&periods_option=specific_periods&periods=Annual+Data). William Raspberry, "Bill solves some of Immigration Puzzles," *The Washington Post*, 28 May 1980. According to Tichenor, after World War II immigration policy was dictated by the demise of eugenics, the Cold War, the Great Society and the 1960 rights revolution gave illegal immigrants in America access to rights, thus eliminating the need to obtain actual citizenship. Current concerns over illegal immigration are the direct results of the elimination of citizenship incentives. Tichenor touches on the quandary of a U.S. public in favor of restriction and in contention with a U.S. policy of expansion. Tichenor, *Dividing Lines*. See also, Chan, *Asian Americans*, 161

<sup>333</sup> In June 1980, the Senate approved a "sense of Congress" resolution which depicted the growing concerns of the overwhelming numbers of immigrants entering the United States and urging strict limitation of 100,000 immigrants and refugees allowed into the country from June to September of that year. "Curbs on Immigration Urged by the Senate," *The Los Angeles Times*, June 19, 1980.

<sup>334</sup> The McCarran-Walter Act of 1952 is arguably America's first expansionist immigration policy. Although its intent was to continue to restrict immigration by retaining the national origins quota established in the 1924 Immigration and Nationality Act, it did expand immigration to peoples formerly excluded including Asians. A more expansive policy was enacted with the 1965 INA which abolished the national origins system but maintained a numerical ceiling on immigration and recognized the new category of "refugee." Michael Schaller and George Rising, *The Republican Ascendancy: American Politics, 1968-2001* (Wheeling, IL: Harlan Davidson, Inc., 2002), xi.

<sup>335</sup> "President Ronald Reagan's Statement on U.S. Immigration and Refugee Policy, July 30, -1981" in LeMay and Barkan, *U.S. Immigration and Naturalization Laws and Issues*, 276.

disassociate these new immigrants from the “enemy.” Even half a decade removed from the war, many Americans still associated Asians with the “gook,” the Viet Cong enemy, an alien, a foreigner, and a threat.<sup>336</sup> Unlike the initial post-war wave of Vietnamese immigrants who, as collaborators or supporters of the U.S. war effort, often arrived in America as highly educated, English-speaking, skilled, literate and middle-class family units, Vietnam’s “boat people,” were mostly uneducated and illiterate single men, women, and parentless children.<sup>337</sup> Their perceived foreignness, association with the Vietnam War, and immediate dependence on American social welfare services awakened colonialized notions of Asia, Asians and Asian-Americans as foreign and dangerous. Historian Paul Spickard describes the Vietnam War as the “nexus between racism, colonialism, and migration” in which terms like “gook” and “slope” jaded the ways in which Americans interpreted the post-war immigration.<sup>338</sup> To many Americans the Vietnamese refugee once again represented the dreaded “yellow peril” threatening to destroy America by economically sucking the nation dry.<sup>339</sup>

Many American policymakers extended the perception of the dangerous Asian foreigner to the Amerasians who they viewed to be Asians, not Americans. Although McKinney’s bill had failed to garner enough political support in 1979, it did create the foundation for the 1982 Amerasian Immigration Act (AIA) and the 1987 Amerasian Homecoming Act (AHA). In order for either bill to pass however, McKinney and his

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<sup>336</sup> Lee, *Oriental*, 190-191.

<sup>337</sup> According to Ronald Takaki, in 1964 only 603 Vietnamese lived in the United States mainly students, teachers and diplomats. In 1975, the first wave 130,000 Vietnamese migrants arrived in the United States. In 1977 the second wave began composed largely of “boat people.” By 1985 643,200 Vietnamese lived in the United States. Ronald Takaki, *Strangers from a Different Shore: A History of Asian Americans* (Boston and New York: Little, Brown and Company, 1989), 449-451. According to Robert Lee, the Cold War Americanization of the “Oriental” from exotic to acceptable created the myth of the model minority—the successfully assimilated and financially self-sufficient ethnic minority whose perceived success was less the result of reality than the perceived failure of African Americans during the period. Lee, *Oriental*, 145.

<sup>338</sup> Spickard, *Almost All Aliens*, 347.

<sup>339</sup> Lee, *Oriental*, 187.

supporters would have to successfully change the perception that the Amerasians were Asian children. Policymakers and the American people had to accept the notion that the Amerasians were American children and that America had a parental and paternal responsibility for them. This shift would occur through the use of inclusionary rhetoric that would redefine the Amerasians as an American problem.

## CHAPTER 3

### BLOOD POLITICS: THE AMERASIAN IMMIGRATION ACT

On November 17, 1981, members of the House of Representatives Subcommittee on Immigration, Refugees, and International Law began discussing the proposed Amerasian Immigration Act (AIA) and Representative Barney Frank's H.R. 3405. Each bill addressed the immigration rights of illegitimate children fathered by American citizens abroad. Among those in attendance were the young, but outspoken Massachusetts Democrat, Barney Frank and the first female Congressional Representative from Colorado, Democrat Pat Schroeder.<sup>340</sup>

Frank's bill challenged existing U.S. immigration law and the sex-based distinction that required illegitimate children tied to the status of their mother "to acquire or transmit certain immigration benefits by reason of its relationship with its natural father."<sup>341</sup> The AIA, also challenged the sex-based distinction addressing those children without legitimacy from their father by providing Amerasians admission to the United States as "sons and daughters" of American citizens.

Finally, after over a decade of refusing to formally recognize the plight of the Amerasians, and the failure of McKinney's H.R. 3439 only a couple of years earlier, Congress accepted the challenge. It did so, however, while grappling with the issues of race and nation in its perceptions of the Amerasians and framing the issue in a discourse of *blood politics*.

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<sup>340</sup> Schroeder was elected to the House in 1972 as an anti-Vietnam War candidate. Raised in a military family and very active on military issues during her Congressional tenure, Schroeder was the first woman on the Armed Services Committee and dedicated her efforts to improving and protecting the lives of military spouses and families.

<sup>341</sup> Although exclusive to children whose father's would legitimate them, Frank's bill posed a direct challenge to the U.S. policy at the heart of the Amerasian issue, Section 309 of the 1952 INA. HR 3405 and HR 808, *Hearings*, 858.

By 1980, increasing media coverage for Vietnam's Amerasians, led some American policymakers to view the Amerasians as unique. This resulted not only from their racial differences and assumed American paternity, but because of the opportunity for Americans to finally come to terms with America's military defeat. American journalists and non-governmental organizations such as the Buck Foundation flooded the American media with images of freckle faced and curly haired "American" children, victims of the war, calling on America to take responsibility for its war babies, and "give our children the right to come home."<sup>342</sup>

For Representative McKinney, co-sponsor of the AIA in the House, and Amerasian supporters and advocates like the Buck Foundation, as well as Fathers Alfred Keane and Alfred Carroll, both of whom worked with the Amerasians in Korea, responsibility meant citizenship. In his 1980 testimony before Congress, Father Keane—a Maryknoll Missionary and the Head of the St. Vincent's Home for Amerasian Children in South Korea—depicted the injustice of the Amerasians in Korea.<sup>343</sup> Without Korean or American citizenship, these children, he claimed, were stateless. As the children of American citizen fathers, Father Keane carefully explained, U.S. law should grant the Amerasians U.S. citizenship which would facilitate an American identity.<sup>344</sup>

In his speech to the House in January 1981, Representative McKinney reminded American policymakers of the actions of other Western countries regarding their mixed-race war babies. McKinney, as had many before him, pointed to the French, British and

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<sup>342</sup> Ibid., Testimony of Father Alfred Keane, 901.

<sup>343</sup> By 1981 Father Keane had arranged an estimated 900 adoptions of Amerasians to American families. St. Vincent's Children's Home supported 17 Korean Amerasian students in the United States, most at Gonzaga University. The funding for the home came from private donations and from Americans for International Aid. Bill Webb to Kate De Losso, October 1, 1981. Other Agency Info folder, no Box, Archives of the Pearl S. Buck House, Pearl S. Buck International.

<sup>344</sup> Select Commission on Immigration and Refugee Policy, Semiannual Report to Congress, 96<sup>th</sup> Cong., 2<sup>nd</sup> sess., March 1, 1980, H55.



the Dutch who had granted “no-fault” citizenship to their Eurasian children while criticizing the United States for ignoring its “bastard sons and daughters.”<sup>345</sup>

Those in opposition to the bill expressed concerns about needlessly implicating individual American soldiers as fathers who had most likely moved on with their American lives. Although there was no official political stance on the AIA from any specific Veterans organization, many Vietnam veterans, according to Greg Kane of the Vietnam Veterans of America, feared the passage of the bill. Veterans were petrified, according to Kane, “that they were gonna have some Amerasian kid knock on their door and they were gonna have their family all around them.”<sup>346</sup> In fact proponents advertised that the “AIA does not make any attempt to identify individual fathers or reunite them with children,” in order to garner support.<sup>347</sup>

Political opponents also feared that such legislation would open a “backdoor” to fraud and more illegal immigration. U.S. government agencies like the Immigration and Naturalization Service (INS), spoke out against the legislation expressing concerns with changing U.S. laws. In response to Father Keane’s request for citizenship for the Amerasians, Leonel J. Castillo, the former Commissioner for the INS explained that three basic principles structured current immigration law—family unification, labor needs, and political asylum. Father Keane’s argument regarding the Amerasians, did not fit into any of these principles.”<sup>348</sup>

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<sup>345</sup> The Warriors Children, Representative Stewart McKinney Extension of Remarks, HR 808, 97<sup>th</sup> Cong., 1<sup>st</sup> sess., January 29, 1981, H1327-28.

<sup>346</sup> According to Bobby Muller and Greg Kane of the Vietnam Veterans Association, the VVA did not have an official position on the Amerasian issue or the AIA specifically. While the VVA did discuss the Amerasian issue with Vietnam officials in 1981 and 1982, recognizing them as a shameful legacy of the war, the majority of veterans focused on issues considered to be more pressing like Agent Orange and MIA/POWs. Greg Kane, interview by author, telephone, October 21, 2013; Bobby Muller, interview by author, telephone, December 7, 2013.

<sup>347</sup> “The Children We Left Behind,” Americans for International Aid, nd.c1982, 50-35, *Gary Hart Papers*, Archives, University of Colorado Boulder.

<sup>348</sup> Select Commission on Immigration and Refugee Policy, Semiannual Report, H55.

In opposition to both amendments, the Reagan administration, as had the Carter administration, pointed to evidentiary problems inherent in verifying paternity for the Amerasians who lacked the documentation to prove paternity by blood.<sup>349</sup> The administration argued that proof of paternity for the Amerasians was rational, “based on a valid governmental interest in limiting fraudulent alien entry into the United States on the basis of questionable blood relationships.”<sup>350</sup>

Consequently, regarding Frank’s bill, opponents worried that it would allow unacceptable foreigners to sneak into the United States by persuading an unrelated American male citizen to claim paternity. The State and Justice Departments also opposed the AIA, again pointing to the possibility of fraud inherent in the bill, the lack of probative evidence, and the reality that there was, no “natural father asserting paternity.”<sup>351</sup>

Thus, Frank’s bill concerned policymakers who believed that foreigners would exploit American men as fake fathers. While policymakers feared that with the AIA no father existed, or at least there was no evidence to prove one existed. Consequently there was no way in the AIA to legitimize any claim to paternity.

Representatives Frank and Schroeder quickly criticized the administration’s opposition. Both argued that neither bill opened a backdoor to immigration since the Amerasians would be included among the numbers of all immigrants from their specific homeland. In addition, they condemned the irresponsibility of the administration which

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<sup>349</sup> Evidentiary proof varied in each Asian country. Usually, the father’s absence meant there was no formal evidence that the Amerasian existed. The mothers and families of Amerasians in Vietnam destroyed documents: birth certificates, letters, photographs etc that proved paternity out of fear that they and/or their children would be killed for having had relationships with Americans during the war.

<sup>350</sup> Regarding H.R. 3405, the State Department referenced the 1977 Supreme Court decision in *Fiallo vs. Bell* which upheld the sex-based distinction between the rights of an illegitimate child derived through its natural father as opposed to its natural mother. HR 3405 and HR 808, *Hearing*, 858.

<sup>351</sup> *Ibid.*

they claimed was endorsing the proliferation of military babies.<sup>352</sup> However, the administration remained adamant in its position that without scientific evidence, there could be no absolute proof that the fathers of the Amerasians were in fact American. Therefore, they argued, both bills simply encouraged illegal immigration.<sup>353</sup>

The insistence on scientific evidence for the AIA seemed odd to many supporters, especially in light of the physical and undeniable proof visible on the very bodies of the population in question. In addition to the photographs that appeared in reputable media sources, like *The New York Times*, the administration's acknowledgement of the large military presence in Vietnam during the war and its own recognition that the Amerasians faced discrimination due to their American paternity seemed to undermine its argument regarding their questionable paternity.<sup>354</sup>

Clearly troubled by the administration's position, Schroeder reminded the committee that no such problem of proof existed in Asia, where their ability to identify the Amerasians as American, had resulted in their subjection to tremendous discrimination.<sup>355</sup> Testimony from John Shade, Father Keane and former State Department and Americans for International Aid employees reaffirmed Schroeder's claim: "There is no problem in identifying the Amerasian; for example their hair, eyes, color of skin, facial features and other characteristics are evident."<sup>356</sup> It was nonsensical in the eyes of Frank and Schroeder, for the administration to acknowledge that the

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<sup>352</sup> Ibid., Statements of Representative Pat Schroeder, 876.

<sup>353</sup> Ibid.

<sup>354</sup> By 1981 the media coverage of the Amerasian issue intensified as a result of the massive amounts of Amerasian children surrounding American journalists who traveled to Ho Chi Minh City after the war. *The New York Times* published numerous photographs and stories including a number by journalists Bill Kurtis, Gloria Emerson, and Bernard Weinraub. Weinraub traveled to Vietnam with the Vietnam Veterans of America in December 1981. There was also increasing television coverage from the major television stations, NBC, ABC and CBS, including Mike Wallace's September 19, 1982 *60 Minutes* report, "Honor Thy Children."

<sup>355</sup> Statement of Representative Pat Schroeder, HR 3405 and HR 808, *Hearing*, 876.

<sup>356</sup> Ibid., Testimony of Mr. Henry Sandri, 909.

discrimination suffered by the Amerasians in the countries of their birth was a direct result of their American looks, while denying that such evidence proved American paternity.

Frank aggressively challenged the requirement of scientific evidence asserting that the heart of the problem for the administration was one of race and race mixture. The administration's real concern, he said, was clearly not that children fathered by non-American European or Australian men would sneak into the country illegally, but rather that children mothered by Asians would.<sup>357</sup> In other words, while insisting that the physical characteristics of the Amerasians made them American, Frank seemed to suggest, that because of their maternity, the administration had deemed the Amerasians, as Asian and thus non-American. Such a designation extended the historical practice in America of relegating the bi-racial child to the status of its non-white parent, to the bi-national child, assigned the status of its non-American parent.

Yet, race and race mixture were also problematic for Frank and Schroeder. While both criticized the administration for its apparent racialization of the Amerasians as Asian because of their maternal filiation, Frank and Schroeder also employed a racial rationale that deemed the Amerasians to be American because of how they looked. Fundamentally, such assumptions, although well intentioned in this case, were also troubling as they depended upon subjective, preconceived and racialized notions of what an American and what a non-American actually "looked like." In this case, the "American" looked black or white and the "non-American" looked Asian.

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<sup>357</sup> Ibid., 879.

Almost a decade earlier, Dr. James R. Dumpson, Dean of the School of Social Service at Fordham University and a member of the Edward Kennedy Study Mission to South Vietnam discussed the rationale behind assumptions of race and nationality for the Amerasians. Considering the composition of US military forces in Vietnam during the war, it was logical to assume, according to Dumpson, that white or black Americans fathered the majority of Amerasians.<sup>358</sup> However, Dumpson also pointed to the limitations of American racial categories explaining, “I think we are so accustomed in our country to say white and black, that we forget that we have other ethnic groups too. I am sure some of those children [Amerasians] were fathered by Puerto Ricans or Asian Americans. When we say black, we mean nonwhite.”<sup>359</sup>

Americans were not just black or white however and many issues exist in grouping all non-whites as black and conflating race with nationality. Considering the heterogeneity of the United States population, the limits of such racial rationale inevitably excluded Amerasians who had Latin American or Asian American fathers and whose “American” looks were more difficult to identify. Consequently, the arguments of both Frank and Schroeder and the administration shared a racial rationale used simultaneously as both evidence of filiation and difference.

Under increasing pressure by Representative Frank to produce a solution for the evidentiary problem, and quick to deny his assertions of racism, the administration introduced the blood test. Known today as DNA, the test was in its infant stages in 1981. Yet the administration claimed that it could determine, by examining the antigens in the

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<sup>358</sup> Relief and Rehabilitation of War Victims in Indochina Part II: Orphans and Child Welfare, *Hearing*, 19.

<sup>359</sup> *Ibid.*

blood, whether or not the blood of an individual was *American blood*.<sup>360</sup> Not only would such a test be useful in scientifically determining the individual father, the administration argued, but more importantly, in cases where there was no father to test, the blood of the child could determine in which part of the world the child originated.<sup>361</sup>

According to Cornelius Scully, the Director of the Office of Legislation, Regulations and Advisory Assistance in the Bureau of Consular Affairs, the test could tell if “an individual who now lives in Seoul was fathered by an American rather than by a Frenchman or rather than by a Moroccan, or rather than by somebody else.”<sup>362</sup> The test, they posited was so specific that it “may be able to differentiate between a Kentuckian and a New Jerseyite.”<sup>363</sup> Documents later submitted by the Center for Disease and Control (CDC) quickly disproved the claims of the administration that a blood test could determine whether or not someone was *American*.<sup>364</sup>

However the nature of the assertion, the impending debate surrounding it, and the shocking failure of Frank and Schroeder to question the validity of such a blood test, reeked of an outdated and troubling colonial and racial ideology. The underlying assumption that people have different kinds of blood and the assertion that blood can determine nationality was extraordinarily misguided and reflected the arguments of early 20<sup>th</sup> century eugenicists against racial degeneracy implicit in miscegenation.<sup>365</sup>

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<sup>360</sup> Testimony of Mr. Scully, HR 3405 and HR 808. *Hearings*, 877.

<sup>361</sup> *Ibid.*, 881. Argument made by Cornelius Scully, Director of the Office of Legislation, Regulations and Advisory Assistance in the Bureau of Consular Affairs. As part of the State Department Scully’s office oversaw the training of consular officers and visas. *Ibid.*

<sup>362</sup> *Ibid.*, Statement of Representative Ronald Mazzoli. Mr. Scully confirmed the statement made in quotes by Chairman Romano Mazzoli regarding the efficiency of the blood test.

<sup>363</sup> *Ibid.*

<sup>364</sup> *Ibid.*, 884-889.

<sup>365</sup> Susan Koshy argues that anti-miscegenation laws in U.S. history turned sex acts into race acts and that Asian-White miscegenation was unique because it was produced within both a territorial and extraterritorial frame. Koshy, *Sexual Naturalization*, 13.

### *The Priest and the Missionary*

From his office at Gonzaga University in Spokane, Washington, Father Alfred Carroll, the head of the Korean Amerasian Program, initiated a massive Congressional letter writing campaign in efforts to gain political support for the AIA.<sup>366</sup> In each case, including his plea of support to President Reagan, Carroll appealed to notions of nation and family. “I beg of you” Carroll implored, “to support this legislation which will allow these youngsters the rights of their paternal heritage. These youngsters who...have the virtues to become good Americans.”<sup>367</sup>

Thirty-four years later, sitting in the cafeteria at Gonzaga University’s Jesuit House in 2013, the life and light in Father Carroll’s big brown eyes remained vibrant as he discussed the beloved program he developed in 1979. Carroll’s wide mischievous smile deceived the lines of age and wisdom that danced across his face and the frail body that frustrated him with the unavoidable limitations of its 84 year old frame. “Inspired by God” while watching Saigon fall to the Communists in April 1975, Father Carroll first initiated the Vietnamese Refugee Program. The program provided Vietnamese refugees filling the refugee camps in Washington State with scholarships to Gonzaga University.<sup>368</sup>

In 1979, Father Carroll turned his attention and mission to the Korean Amerasians after psychology professor and counselor Joseph Moisan asked for his

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<sup>366</sup> Father Alfred Carroll, interview by author, Spokane, Washington, May 24, 2013.

<sup>367</sup> Among his political targets was Representative Walter E. Fauntroy, a founding member and Chairman of the Congressional Black Caucus. To Fauntroy, Father Carroll invoked a message of transnational racial kinship explaining the necessity of his support and the support of the Congressional Black Caucus for the Amerasians, because in “many cases these were black children.” Father Alfred Carroll to President Ronald Reagan, Amerasian Program folder, Box 3B.2.1, *Jesuit Oregon Province Archives. Spokane, Washington.*

<sup>368</sup> The program established in May 1975 offered to aid Vietnamese refugees through a special program of scholarships through which Gonzaga University pledged to assist with financial means to attain educational goals—learn English and have the opportunity of an American college education. Twenty-three Vietnamese refugees joined the GU student body in September, 1975. Carroll, interview; Form Acceptance Letter to Gonzaga University, nd. Amerasian Program folder, Box 3b.2.2, *Jesuit Oregon Province Archives. Spokane, Washington.*

assistance in obtaining a scholarship for a Korean Amerasian student his family planned to host. According to Carroll, Moisan explained that coming to America and attending school was the only way this young Amerasian man “could be in contact with his father’s heritage, learn English, [and] gain a superior education.”<sup>369</sup>

Father Carroll agreed to pray about Moisan’s request and “the misery of Amerasians, the moral responsibility of Americans and the need to cooperate with the goodness of Mr. Moisan.”<sup>370</sup> By 1980, Father Carroll had become a champion of the Amerasian cause. He paired with Father Alfred Keane, to bring other Korean Amerasian “sons and daughters” of American citizens “home.”<sup>371</sup> Keane, the Director for Amerasian Affairs for Americans for International Aid, was a leading figure in the push for transnational adoptions believing it was the best solution, specifically for the younger Amerasians. Keane lobbied relentlessly for McKinney’s H.R. 3439, calling on over twenty-five congressmen to support the bill.<sup>372</sup> The fundamental belief of both priests, that the Amerasians were in fact American citizens and therefore should have the “right to come home,” remained the driving force behind their activism.<sup>373</sup>

American citizenship was the initial focus of these efforts, according to Father Carroll. It only made sense that the children of American citizen fathers would in fact be

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<sup>369</sup> “Homecoming for Sons and Daughters of Americans,” Sept. 3, 1984; “A Model Program for Implementing the Forgotten Americans Act: Proposal Presented to the Sisters of the Franciscan Order of Philadelphia,” March 4, 1983. Amerasian Program folder, Box 3b.2.2, *Jesuit Oregon Province Archives. Spokane, Washington*.

<sup>370</sup> Carroll, interview; “Homecoming for Sons and Daughters of Americans,” Sept. 3, 1984. A Model Program for Implementing the Forgotten Americans Act: Proposal Presented to the Sisters of the Franciscan Order of Philadelphia, March 4, 1983. Proposal to the Franciscan Sisters folder, Box Al Carroll. Amerasian Program 3b.2.2. *Jesuit Oregon Province Archives. Spokane, Washington*.

<sup>371</sup> Fifteen college-age Amerasians arrived at Gonzaga University in 1980 on student-visas establishing Gonzaga University’s Korean American Education Fund for Korean Amerasians, a program still in existence today. “Coming Home to the Land of Their Fathers,” Pamphlet for Korean American Education Fund, Gonzaga University, nd. Private Collection of Father Alfred Carroll; Carroll, interview.

<sup>372</sup> “Father Keane,” The Welcomer, September 1980. Welcomer 1980 folder, Box Welcome House; Nancy M. Fox to Welcome House, September 19, 1979, Misc folders, no Box, Archives of the Pearl S. Buck House, Pearl S. Buck International.

<sup>373</sup> “Background Information on Father Alfred V. Keane, M.M.,” Americans for International Aid, Carroll, J. Alfred, Amerasians: Fr. Keane, MM. No. 1108, B-7 folder, Box 3B.2.1. Al. Carroll, S.J. Amerasian Program, *Jesuit Oregon Province Archives. Spokane, Washington*.



American citizens. However, because of the growing concerns over the flood of foreigners coming to America and about welfare, Congress “wouldn’t have anything to do with it.”<sup>374</sup>

Such concerns were valid for policymakers who often heard the discontent, and sometimes the racism in the opposition to Vietnamese immigrants and refugees after the war. John and Pauline Motay of Greenwich, Connecticut explained to their Congressman Stewart McKinney that the Vietnamese immigrants were not “of the same caliber of the immigrants of the early 1900’s who sought freedom and had pride in themselves to work and provide for themselves. They sought no financial aid—quite a comparison to what these immigrants are demanding today.”<sup>375</sup> Other complaints were more hostile citing the tax burden and unemployment that accompanied refugees, and pointing to their connection to the war, “these people didn’t have the guts to fight for their own country. They are lazy, corrupt and cowardly...we have too many Orientals now. We are losing our national character.”<sup>376</sup>

Father Carroll received a number of letters expressing similar concerns and extending the same kind of vitriol to the Amerasians. “Haven’t you heard of unemployment in this country?” asks one letter, “who is going to support these bastards?”<sup>377</sup> “We’re going to send every Asian brat right back where they came from,

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<sup>374</sup> Carroll, interview.

<sup>375</sup> Pauline and John Motay to Stewart B. McKinney, May 12, 1975, Legislative Correspondence, N-S 1975, Refugees folder, Box 25, Stewart B. McKinney Papers. Archives and Special Collections at the Thomas J. Dodd Research Center, University of Connecticut Libraries.

<sup>376</sup> Clare Booth Luce, “Refugees and Guilt,” *New York Times*, May 11, 1975. Legislative Correspondence, W-Z. A-E 1975, Folder Viet Refugee, Stewart B. McKinney Papers. Archives and Special Collections at the Thomas J. Dodd Research Center, University of Connecticut Libraries.

<sup>377</sup> Anonymous postcard to Alfred Carroll, October 4, 1982, Carroll, J. Alfred, Plight of Amerasians folder, Box A1. Carroll, S. J. Amerasian Program 3B.2.1, *Jesuit Oregon Province Archives. Spokane Washington*.

and you with them” Threatens another letter, “we’re going to rid the country of foreign trash.”<sup>378</sup>

With citizenship off the table, Father Carroll’s efforts focused on amending U.S. immigration law to allow easier access to America for the Amerasians wanting to come. Having had success with the Amerasians from Korea on his campus, he became dedicated to providing that same opportunity for other Amerasians.

In Washington, D.C. Father Keane spent 1980 and 1981 on Capitol Hill lobbying support for the AIA. Having had his own push for citizenship consistently rejected, Father Keane too understood that this was a losing battle. Instead, he focused on amending U.S. immigration law while constantly reminding members of Congress that the Amerasians “are children of U.S. citizens.”<sup>379</sup>

Although he had lived in Asia since 1958, Father Keane’s first introduction to the Amerasians did not occur until Christmas Eve, 1970. After noticing a group of children, described by his parishioners as the “outcasts,” warming themselves at a stove near the back of his chapel, Father Keane took up the cause of Korea’s large Amerasian population.<sup>380</sup>

Father Keane regretted the U.S. government’s failure to accept national paternal responsibility for the illegitimate Amerasian children. As did other Amerasian advocates, Father Keane understood that the patrilineal culture of many Asian countries including

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<sup>378</sup> Ibid.

<sup>379</sup> Statement of Rev. Alfred V. Keane, SB 1968, *Hearing*, 65; Amerasian Program: Correspondence Amerasian Stuff, 1993-1996 Loose folder, Box Carroll #1 General Amerasian, *Gonzaga University Archives, Spokane, Washington*.

<sup>380</sup> “A Model Program for Implementing the Forgotten Americans Act: Proposal Presented to the Sisters of the Franciscan Order of Philadelphia,” March 4, 1983. Amerasian Program folder, Box 3b.2.2, *Jesuit Oregon Province Archives, Spokane, Washington*.

Korea and Vietnam necessitated paternal legitimacy. “In Asia,” Father Keane explained, “children belong to their father.”<sup>381</sup>

In the case of the Amerasian, abandoned by or unknown to the individual American father, the curse of illegitimacy meant the absence of an identity through name, nationality, ancestry, clan, family relationship all of which directly determined access to education, marriage and jobs.<sup>382</sup> In daily life, the illegitimacy of the Amerasians manifested itself in their abuse, harassment, discrimination and ostracism. As in Vietnam—where “American-faced” children were considered the “dust of life,” in Korea, they were *ai-ee-no-koo*, “person who belongs to no one.” At least, Father Keane believed, American citizenship could address the issue of illegitimacy by depicting a formal recognition of national paternal responsibility.<sup>383</sup>

### **The Flight Attendant**

Later in her life, Christian motivational speaker Zig Ziglar described Jodie Darragh as a typical middle-class mother and homemaker: smart, pretty, compassionate, and energetic.<sup>384</sup> A flight attendant for Eastern Airlines during the 1970s, Darragh witnessed the miserable conditions of the Amerasian children in Vietnam while volunteering to chaperone Vietnamese and Amerasian orphans to the U.S. for adoption. As with Fathers Carroll and Keane, faith inspired Darragh to act on behalf of the

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<sup>381</sup> Statement of Father Keane, HR 3405 and HR 808, *Hearings*, 900.

<sup>382</sup> Statement of Father Keane, S. 1698, *Hearings*, 64.

<sup>383</sup> Bill Webb to Kate De Losso, *Welcomer*, October 1, 1981, Other Agency Info folder, Archives of the Pearl S. Buck House, Pearl S. Buck International; Statement of Father Keane, HR 3405 and HR 808, *Hearings*, 900. An example of the possible consequences from illegitimacy and the absence of citizenship occurred in Thailand. On December 31, 1972, the Thai Government passed Announcement 337 which retracted Thai citizenship from the Amerasians born before the date of the act and denied citizenship to future Amerasian children for the purpose of national security. This act left Amerasian children effectively stateless. In February 1978, the Thai Government overturned 337 explaining that the change was due to humanitarian concerns and international agreements and that the government recognized that, in the case of the Amerasians, because the fathers were out of the country, it was the responsibility of the Thai citizen mothers to raise them as Thai citizens. James Steele, The Amerasian Outreach Project, Final Evaluation, September 24, 1982, Archives of the Pearl S. Buck House, Pearl S. Buck International.

<sup>384</sup> Zig Ziglar, *Steps to the Top* (Gretna, Louisiana: Pelican Publishing, 1985), 204.

children. In 1975, she and her husband, Richard “Dick” Darragh, a ticket office manager for Eastern Airlines, founded Americans for International Aid, an international volunteer agency based in Marietta, Georgia.<sup>385</sup>

Through this organization, volunteer flight attendants used their free travel passes to escort children from third world countries, including Vietnam, to adoption agencies, relief missions, hospitals, and American families awaiting the chance to adopt.<sup>386</sup> In 1975, Darragh played a critical and controversial role in the evacuation of Vietnamese and Amerasian orphans during Operation Babylift.<sup>387</sup>

At some point in her efforts, Jodie met Father Keane whom she appointed the Director for Amerasian Affairs for Americans for International Aid in 1978. Passionate about her faith, Jodie believed that rescuing the children was “God’s work.”<sup>388</sup> In 1979, her organization supported McKinney’s United States-Asian Immigration Act and in 1982, Darragh advocated for the AIA by insisting that “Amerasians are humans who

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<sup>385</sup> Prior to founding Americans for International Aid in 1975, the Darraghs worked with Betty Tisdale to escort children to the United States.

<sup>386</sup> According to reports, Americans for International Aid had over 1,000 airline employees who flew mercy missions to transport children from Southeast Asia, South and Central America and India. The majority of the AIA escorts were associated with British Airways, Braniff, Cascade, Delta, Eastern and Northwest Orient airlines. “Suzanne Williams: an eager escort for US-bound orphans,” *The Christian Science Monitor*, 1982. Lawrence Kilman, “Airline Employees Aid Poor Children,” *Sarasota Herald-Tribune*, 16 December 1981. “Inspiring Women,” June 1988, accessed April 30, 2014 <http://www.ascensioncatholic.net/TOPICS/family/InspiringWomen.html>.

<sup>387</sup> By April 1975 the US State Department designated only a few agencies to assist in the evacuation of orphans from Vietnam in Operation Babylift: the Pearl S. Buck Foundation, Holt International, Catholic Relief Services and Friends for All Children. President Gerald Ford gave the blessing of the US Government and \$2 million dollars for the evacuation efforts. The Darraghs credited their interest in the plight of Vietnam’s orphans to Betty Tisdale, the chairman of the board of the An Lac orphanage in Saigon. There was much dissension and concern surrounding Tisdale’s massive evacuation of orphans during Operation Babylift after a lawsuit was filed suggesting that many of the children were not orphans and did not have the proper release from parents/guardians for evacuation or adoption. The lawsuit created much tension between the government approved adoption organizations and the efforts of Tisdale and the Darraghs who even the Buck Foundation criticized for failing to legally evacuate the children. Twenty percent of the orphans evacuated were Amerasians. “More Vietnamese Orphans due in Georgia Tuesday,” *The Tuscaloosa News*, 14 April 1975. “Findings of Fact and Conclusions of Law and Order” in the United States District Court for the Northern District of California, Nguyen Da Yen, Nguyen Da Vuong and Nguyen Da Tueyn v. James Schlesinger, Secretary of Defense, et al. June 30, 1975; Memo to PSBF Board of Directors from M. Daniel Bailey to PSBF Board of Directors, May 23, 1975 and July 22, 1975. Vietnam Refugees— Operation Babylift, 1975-1977 folder; General Info PSBF Vietnam #1 folder; Legal Information 1975 folder, Box Vietnam Operation Babylift, Archives of the Pearl S. Buck House, Pearl S. Buck International.

<sup>388</sup> Ziglar, *Steps to the Top*, 204.

deserve all the rights US citizenship could afford them.”<sup>389</sup> Darragh would remain an important non-political proponent of the Amerasians, testifying before Congress in support of the 1982 AIA and supporting subsequent proposed revisions leading up to the 1987 Amerasian Homecoming Act.<sup>390</sup>

It was Father Keane and the Darraghs who initially brought the plight of the Amerasians to the attention of Senator Jeremiah Denton, McKinney’s co-sponsor of the AIA.<sup>391</sup>

### **The NGO**

Others also joined the fray. Born in 1892 in Hillsboro, West Virginia, Pearl S. Buck, the daughter of Presbyterian missionaries, grew up in China. Buck brought her experiences in China to Americans in her novels for which she won international acclaim.<sup>392</sup> In 1930, Buck coined the term “Amerasian” to describe the half-American half-Asian children that began to surface in China, ““a new group of human beings, a group that Asians do not know how to deal with, illegitimate as well as mixed in race.””<sup>393</sup>

While much of the Western world grappled with debates on racial inequality, blood contamination, racial purity and eugenics, Buck took a more progressive stance on race. Rather than viewing the Amerasians as racially inferior consequences of blood contamination and degeneration, Buck saw them as the perfect blend of race and nation;

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<sup>389</sup> “Sad Eyes, Happy Eyes,” Americans for International Aid newsletter, nd c. 1982. *Gary Hart Papers*, 36-50, Archives, University of Colorado, Boulder; Nancy M. Fox, to Welcome House Board of Directors, America’s Forgotten Children folder. Archives of the Pearl S. Buck House, Pearl S. Buck International.

<sup>390</sup> Public Law 97-359, 97<sup>th</sup> Cong., 96 Stat, 1716, October 22, 1982; Amerasian Children Relief Act of 1985, *Cong. Rec.*, 99<sup>th</sup> Cong., 1<sup>st</sup> sess, 1985, vol. 131, no. 33: H1369; Amerasian Amendments of 1987, *Cong. Rec.*, 100<sup>th</sup> Cong., 1<sup>st</sup> sess., vol. 133, no. 70: E1687.

<sup>391</sup> “Admission of Certain Children of U.S. Armed Forces Personnel,” remarks of Senator Denton on September 28, 1982, S1698, 97<sup>th</sup> Cong., 2<sup>nd</sup> sess., *Cong Rec.* S25338.

<sup>392</sup> Buck published her first novel, *East Wind, West Wind*, in 1930 and won the Pulitzer Prize in 1932 for *The Good Earth*, In 1938, became the first woman to win the Nobel Prize for Literature.

<sup>393</sup> Buck first coined the term in her 1930 novel *East Wind: West Wind*. Gage, “The Amerasian Problem : Blood, Duty, and Race,” 89.

the ethnic culmination of East and West—a mixture that produced superiority rather than inferiority.<sup>394</sup> It was an approach that historian Emma Teng terms the “eugenic experience” in which the racially mixed are assumed a racial improvement.<sup>395</sup> Mixed blood children, according to Buck, overall are “smarter and better looking than full-bloods of either parent’s race. Most certainly they are tougher.”<sup>396</sup>

In 1949, Buck established Welcome House, a permanent foster home for mixed race children that would eventually evolve into the Buck Foundation, an international adoption agency specializing in Amerasians.<sup>397</sup> As U.S. involvement in Vietnam increased under the Johnson Administration, the Buck Foundation began to push for the adoption of Vietnamese and Amerasian orphans affected by the war. In 1967, the first year of inter-country adoptions between the United States and South Vietnam, the Buck Foundation successfully placed thirteen South Vietnamese children in American homes.<sup>398</sup>

That same year Buck implemented Father’s Anonymous, a program designed to collect child support contributions to assist the plight of the Amerasian children in Japan, Korea and Vietnam. Concerned Americans could donate monies anonymously for the care, education and welfare of the Amerasians. Largely ineffective, the program yielded only 151 responses in its short duration, the majority from the wives and mothers of U.S.

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<sup>394</sup> “Statement on the Founding of the Pearl S. Buck Foundation,” *Insight Asia*, Fall 1989. Insight Asia folder, Box Insight Publication, Archives of the Pearl S. Buck House, Pearl S. Buck International. By the mid-twentieth century there were two theories regarding mixed-race populations: hybrid degeneracy theory which posited that racial mixtures resulted in an inferior individual and the theory of hybrid vigor expressed by Buck, that racial mixtures produced a superior individual. For more discussion see Nakashima, “An Invisible Monster,” in Root; Robert E. Park, “Human Migration and the Marginal Man,” *American Journal of Sociology* 33, no. 6 (May, 1928): 881-893; and Yu, *Thinking Orientals*.

<sup>395</sup> Teng, *Eurasian*.

<sup>396</sup> Era Bell Thompson, “Japan’s Rejected: Teenage War Babies Face Bleak Future,” *Ebony*, September 1967.

<sup>397</sup> Buck’s novel *The Hidden Flower*, published in 1952, detailed the transnational love affair of a Japanese woman and an American soldier in post-war Japan and the cultural challenges faced when she births their Amerasian child. Buck published the novel as propaganda for Welcome House. Hilary Spurling, *Pearl Buck in China: Journey to the Good Earth* (New York: Simon & Schuster, 2010), 240. Welcome House was initially supported by James Michener and Oscar Hammerstein.

<sup>398</sup> Judy McCann. “Welcome House Considers S. Vietnamese Adoptions. *The Daily Intelligencer*. 2 April 1973, News Articles 1975-2000 folder, Box Vietnam Operation Babylift, Archives of the Pearl S. Buck House, Pearl S. Buck International.

military personnel and one from a future inductee whose family offered to “pay now and sin later.”<sup>399</sup>

By 1971, as President Nixon’s “peace with honor” failed to materialize in Vietnam, the Buck Foundation found itself publically at odds with the U.S. government over the Amerasian issue.<sup>400</sup> Frustrated with the refusal of the administration to recognize American responsibility on the issue, Buck exclaimed, “In all my years of urging, I’ve never come close to getting the government to do anything. Now I’m convinced that we’ll never get moral about it, but I hope and pray we’ll get practical about it. There is nothing more important, she added, for our nation right now, for our image in Asia, than for our government and people to respond to these helpless babies and say, ‘We recognize our responsibilities.’”<sup>401</sup>

Until her death in 1972 at the age of eighty, Buck adamantly believed that the key to America’s responsibility for the Amerasians was to recognize them as American citizens. By granting the Amerasians citizenship, America could leave no doubt that it accepted its children and acknowledged the actions of its soldiers, while giving the Amerasians a boost in providing legitimacy.

From the headquarters of the Buck Foundation in Perkasio, Pennsylvania, John Shade the Director of the Buck Foundation from 1978 to 1984, classified the Amerasian

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<sup>399</sup> Thompson, “Japan’s Rejected: Teenage War Babies Face Bleak Future,” *Ebony*.

<sup>400</sup> That same year, the Government of South Vietnam passed a decree banning mass adoptions of Vietnamese or Amerasian children forcing the Buck Foundation to halt its work in Vietnam. Judy McCann, “Welcome House Considers S. Vietnamese Adoptions,” *The Daily Intelligencer*, 2 April 1973, News Articles 1975-2000 folder, Box Vietnam Operation Babylift, Archives of the Pearl S. Buck House, Pearl S. Buck International.

<sup>401</sup> Tom Tiede, “U.S. Passes Buck on GI Babies,” *Adoption and Vietnam*, SB 2497, S13857. In addition to the resistance of the US government to recognize the Amerasians, the Buck Foundation confronted numerous obstacles in the international adoption process specifically in working within the laws of the South Vietnam Government and in collaboration with the Vietnamese Ministry of Social Welfare. Testimony of Dr. James R. Dumpson, Relief and Rehabilitation of War Victims in Indochina Part II: Orphans and Child Welfare, *Hearing*.

issue a “human rights violation.”<sup>402</sup> In the vein of Buck herself, Shade publically criticized a history of military irresponsibility regarding GI babies and reminding other Americans, “America cannot continue fathering thousands upon thousands of mixed-race children each year and abandoning them when they see life.”<sup>403</sup> He often pointed to America’s poor historical record of abandoned G.I. children in Asia, beginning with the Filipino mestizos in 1898, as well as the French example of how best to approach the issue.

Critical of what he termed “US military birth control”— non-fraternization policies that overlooked brothels, the military practice of discouraging GIs from marrying Asian women and the quick return home of those American soldiers desirous of legitimating their overseas relationships— Shade accused American officials of refusing to officially recognize ‘the flesh of our flesh and the blood of our blood.’<sup>404</sup> The Amerasians, Shade asserted, were half-Americans and “half-Americans, are Americans.”<sup>405</sup>

For Shade, the issue incorporated fatherlessness, race, and age. The absence of the father was the key to the plight of the Amerasians. Children in Asian societies without fathers, according to Shade, do not legally exist. Race compounded the issue of illegitimacy. Easy to identify as a result of their racial mixtures, the Amerasians disrupt the largely homogenous Asian societies and “represent disorder in an otherwise ordered

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<sup>402</sup> John A. Shade, Jr. “Amerasian Kids: Problem for Congress,” November 1981, Amerasians, 1978-1984 folder, Box Vietnam, Archives of the Pearl S. Buck House, Pearl S. Buck International.

<sup>403</sup> *Ibid.*

<sup>404</sup> *Cong Rec.*, “The Amerasian Children,” 96<sup>th</sup> Cong., 2<sup>nd</sup> sess., June 11, 1980, 14046. John A. Shade, Jr., “A Progress Report on Caring for the Amerasian: A Difficult Task,” 1978, Amerasians 1978-1984 folder, Box Vietnam, Archives of the Pearl S. Buck House, Pearl S. Buck International.

<sup>405</sup> John A. Shade Jr., Executive Director, Pearl S. Buck Foundation, Inc. “The Forgotten Child—The Amerasian in Indochina,” Conference for the National Organizations Advisory Council, May 8, 1980. Amerasians 1978-1984 folder, Box Vietnam, Archives of the Pearl S. Buck House, Pearl S. Buck International.



world.”<sup>406</sup> In Vietnam specifically, Shade claimed, the Amerasians exist as a racial and cultural intrusion as well as “an uncomfortable memory or war.”<sup>407</sup> Thus, the Socialist Republic of Vietnam does not recognize the mixed-race children of its former enemy as citizens. The Amerasians exist as “non-persons,” absent even the basic provisions of life.<sup>408</sup>

The rapidly maturing population also required quicker action on the issue of adoption and American citizenship. The Amerasians who were already reaching adolescence, according to Shade, recognized their stateless existence and the older they became, the more difficult it would be for Americans to accept the notion that these “children” deserved citizenship.

Additionally, most Amerasians became aware of their mixed identities between six and fourteen years of age with a growing awareness of phenotypic differences of skin color, features, and hair along with the absence of their biological fathers.<sup>409</sup> The consequences of illegitimacy, Shade argued, already gripped many Amerasians as they “understand their origins and know that acceptance and integration within their Asian home countries will be slow and hardcoming.”<sup>410</sup>

Many Amerasians realized their “uniqueness” through the harsh words and hard punches of family members and classmates. One Amerasian girl became aware that her eye shape, hair color and skin tone were different from her classmates only after they began to tease her: “Maybe 7 or 8 years old they started calling me half breed, you know,

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<sup>406</sup> John A. Shade Jr., “Problem for Congress: Amerasian Kids,” *Amerasian*, November 1, 1981, Amerasian 1978-84 folder, Box Vietnam, Archives of the Pearl S. Buck Foundation, Pearl S. Buck International.

<sup>407</sup> *Ibid.*

<sup>408</sup> *Ibid.*

<sup>409</sup> Anis, “Psychosocial Adjustment of Vietnamese Amerasians,” 69.

<sup>410</sup> John Shade, Jr., “Developing Programs for Amerasians in Three Countries,” A Project Proposal by The Pearl S. Buck Foundation, 1979, Amerasian Programs 1979, 1983 folder, no box, Archives of the Pearl S. Buck House, Pearl S. Buck International.

and then I realized oh I have a Vietnamese mother and American soldier father. And my face was different, you know, my nose was higher because over there most people have a flatter nose, their eyes are smaller, and I have bigger eyes.”<sup>411</sup>

During his tenure at the Buck Foundation, Shade provided a loud and aggressive non-political voice to the push for the AIA. He characterized America’s failure to take responsibility for the Amerasians through more reasonable adoption policies and easier paths to American citizenship to be a bi-partisan failure of epic proportions. Amidst the contentious debates in America over immigration, Shade reflected Buck’s personal commitment to the Amerasians. He believed it was illogical that the Amerasians should even be in the same discussion with other immigrants or refugees considering they were the children of American fathers. In 1981, Shade explained that because the Amerasians are Americans, they ““have more right to be citizens of this country than Cubans and Haitians.””<sup>412</sup>

In his testimony before Congress regarding the proposed AIA in November, 1981, Shade continued his assertion that the Amerasians were American citizens. By recognizing the Amerasians as children of American fathers and assumedly expediting their departure to the United States, the AIA, Shade claimed, was “in line with the traditional formal US Government position that basic human rights are obligations owed by all governments to its citizens.”<sup>413</sup> Shade’s dedication to the issue on behalf of the Buck Foundation was central to the ultimate passage of the AIA.

### **The Politicians**

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<sup>411</sup> Anis, “Psychosocial Adjustment of Vietnamese Amerasians,” 70.

<sup>412</sup> William Drozdiak, “Strangers in Their Own Land,” *Time*, September 14, 1981.

<sup>413</sup> HR 3405 and HR 808, *Hearings*, 921.

When Stewart McKinney first met the Darraghs and Father Keane in 1978, he was already familiar with the Amerasian issue. In a 1973 letter to a constituent, McKinney expressed his support for the Vietnam Children’s Care Agency proposed by Congressmen Williams, Hatfield and Hughes, and his specific concern for the Amerasians in Vietnam.<sup>414</sup> At the center of his advocacy in 1973 and his failed United States-Asian Immigration Act in 1979 was a personal sense of responsibility for a population which he understood to exist only as the result of U.S. foreign policy. In his 1982 testimony before the Senate Judiciary Committee, McKinney explained “I have a difficult time after all these years even using the word ‘immigration’ in the same sentence with these [Amerasian] children. In essence, these are not immigrants. These are American children.”<sup>415</sup>

By virtue of U.S. parentage, McKinney reasoned, the Amerasians should have the right to immigrate and claim U.S. citizenship. According to McKinney, “There is no argument, including all the ones expounded upon by the administration, for this Nation to deny what has always been its policy, that a child born of an American parent is an American child—either parent, father or mother.”<sup>416</sup> It was this understanding of the issue and perhaps a wishful interpretation of US citizenship law that motivated McKinney to propose the AIA.

McKinney’s Republican colleague in the Senate and future co-sponsor of the AIA, Senator Jeremiah Denton (AL) was a Vietnam veteran who had survived seven

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<sup>414</sup> Stewart McKinney to David Laine, August 3, 1973, Foreign Affairs Vietnam folder, Legislative Correspondence, Box 13, Stewart B. McKinney Papers. Archives and Special Collections at the Thomas J. Dodd Research Center, University of Connecticut Libraries.

<sup>415</sup> SB 1698, *Hearings*, 28.

<sup>416</sup> HR 3405 and HR 808, *Hearings*.

years as a prisoner of war in North Vietnam.<sup>417</sup> A native of Mobile, Alabama, Denton attended the United States Naval Academy and earned a graduate degree from George Washington University in 1964 before deploying to Vietnam. In July 1965, after only one month of flying combat missions in Vietnam, enemy forces shot down his plane, capturing Denton.

After almost a decade as a POW, Denton finally found himself on a flight home in 1973 as part of Operation Homecoming. Fortuitously, Jodi Darragh accompanied him.<sup>418</sup> Perhaps in the midst of friendly conversation, Darragh revealed to Denton her experiences transporting Vietnam War orphans to America and the plight of the Amerasians. Although Denton was primarily concerned at that time with his own reintegration into American society, Darragh and Americans for International Aid, kept him informed over the next decade.<sup>419</sup>

After his election to the US Senate in 1981, the devout Catholic, right wing conservative, and father of seven became the first Republican from Alabama elected to the United States Senate since Reconstruction. Denton gained a reputation in Washington for his passionate commitment to restoring American morality with a specific focus on children, teenage chastity, adoption and the preservation of the nuclear family.<sup>420</sup> Senator

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<sup>417</sup> North Vietnamese forces shot down Denton's plane on July 18, 1965 and held him captive as a POW for seven years during which he endured physical abuse and torture. Considered a war hero for his service and for his interview as a POW broadcast on American televisions on May 17, 1966 in which he blinked to communicate the word "torture" in morse code. He was among the first POWs released in 1973 during Operation Homecoming. In 1980 Alabama voters elected him to the state Senate, Alabama's first Republican senator since Reconstruction. Denton served one term in which he established himself as a staunch conservative. Denton died on March 28, 2014. Robert D. McFadden, "Jeremiah Denton Jr., 89, Dies; With Blinks, Vietnam P.O.W. Told of Torture," *New York Times*, March 28, 2014, accessed May 27, 2014, <http://www.nytimes.com/2014/03/29/us/politics/jeremiah-a-denton-jr-war-hero-and-senator-dies-at-89.html? r=0>.

<sup>418</sup> Mary McGrory remarks on Senator Jeremiah Denton on January 25, 1982, 97<sup>th</sup> Cong., 2<sup>nd</sup> sess., *Cong. Rec.* S7; Joseph P. Duggan, *Jeremiah Denton: A Political Portrait* (Mobile: Traditional Press, 1986), 66-67, Personal Papers of Jeremiah Denton. Auburn University Archives.

<sup>419</sup> Duggan, *Jeremiah Denton*, 67.

<sup>420</sup> Denton was a pro-life proponent committed to promoting adoption rather than abortion among teenage mothers. In 1981, Ronald Reagan signed his legislation, The Adolescent Family Life Act, into law encouraging voluntary and confidential adoption options for pregnant teenagers. He also chaired the Subcommittee on Aging Family and Human Services which held hearings in 1981 on

Denton also remembered the Amerasians. He spoke again to his old acquaintance, Darragh, who introduced him to Father Keane, whose faith-based work on the transnational adoptions of the Amerasians and focus on family she knew would spark Denton's interest.<sup>421</sup>

Consequently, Denton agreed to partner with McKinney and co-sponsor the AIA. As a war veteran, Denton knew that the problem of illegitimately fathered children overseas was real. Like McKinney, Denton vehemently believed in the moral responsibility and obligation of the United States to the Amerasians. It was an issue of morality, family, and faith. According to Denton, the Amerasians "must not be abandoned by this Nation as they were abandoned by their fathers."<sup>422</sup>

However Denton's biggest contribution to the bill itself was his support of the administrations' insistence to amend the language of the bill regarding the fathers. Rather than the House version of the bill which identified the potential father as an active member of the US military Denton suggested a more general definition that would affect a broader population of Amerasians—replacing the military requirement for paternity with the less specific "US citizen."<sup>423</sup> It is probable that the esteemed member of the Veteran's Affairs Committee spoke for many of his military brethren concerned with protecting the individual identities of potential American fathers, and the image of the US

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providing incentives in the adoption process for infant and special needs children—handicapped, age inappropriate and racial minorities. Personal Papers of Jeremiah Denton, Auburn University Archives.

<sup>421</sup> By 1982 Father Keane had arranged over nine-hundred adoptions to the U.S. of Amerasian children from Korea. "Amerasian Children Meeting our Responsibilities," Extension of Remarks, HR 808, 97<sup>th</sup> Cong., 2<sup>nd</sup> sess., *Cong. Rec.* July 23, 1982.

<sup>422</sup> Senator Denton of Alabama speaking in support of S1698, 97<sup>th</sup> Cong., 2<sup>nd</sup> sess., *Cong. Rec.* Oct 1, 1981, JAD Floor Statements 97<sup>th</sup> Congress folder, Box 60, Jeremiah Denton Papers, Auburn University.

<sup>423</sup> The Senate amended the language of the original bill from, "A bill to amend the Immigration and Nationality Act to provide preferential treatment in the admission of certain children of United States Armed Forces Personnel," to "certain children of United States citizens." Sb 1698, *Hearings*, 14; The Amerasian Immigration Act of 1982, Public Law 359, 97<sup>th</sup> Cong., 2d sess. (October 22, 1982).

military and Vietnam veteran's in particular as he reminded the Senate that many of the Amerasians were fathered by non-military and non-Governmental personnel.<sup>424</sup>

Denton's concerns certainly mirrored those of the administration which, having had its evidentiary argument for blood tests debunked, had become less opposed to the AIA by June 1982. Seven months removed from the fiery exchanges in the House, the administration's main concern, according to Ambassador Ascencio was the requirement that the father was a "member of the US Armed Forces at the time of conception."<sup>425</sup> Stewart McKinney's immediate clarification that the AIA did not make any effort to "identify the actual father" but only to establish that the child was the offspring of a US citizen father, had little effect.<sup>426</sup> The administration remained adamant that civilian US citizens fathered "substantial numbers of these children" and that in order for the administration to support the bill, the language must change.<sup>427</sup>

No longer concerned apparently with fraud and immigration, the administration carefully centered its position on the bill around protecting the image of US servicemen abroad and in turn, maintaining a policy of irresponsibility.<sup>428</sup> When asked by Senator Alan Nelson (R-WY) if the administration might consider a long-term solution to the Amerasian problem considering the continued presence of US troops in Asia, Ascencio replied with laughter: "I just can't imagine what that could be" before continuing with the very vague, "I think we would have to take the effects of stationing troops abroad as a given, and adjust accordingly."<sup>429</sup> Nelson did not push for further explanation.

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<sup>424</sup> *Hearings*, S. 1698, 14.

<sup>425</sup> *Ibid.*, 29.

<sup>426</sup> *Ibid.*, 26.

<sup>427</sup> *Ibid.*, 26.

<sup>428</sup> *Ibid.*, 29.

<sup>429</sup> *Ibid.*, 44.

Still, Denton's sponsorship of the bill placed the conservative politician in an unlikely alliance with the liberal media, currently garnering American sympathy for the issue through television documentaries, photographs and stories. Even liberal columnist Mary McGrory, who had blasted the administration for its "shameful treatment" of the Amerasians, commended Denton for his commitment to the issue.<sup>430</sup>

Likely the result of his Southern political roots, however, the conservative politician used the term "citizenship" more cautiously than his political counterpart in the House. Even without specifically stating that the Amerasians deserved US citizenship, Denton advocated their right to live in the country of their fathers where they would have a better life. Denton claimed that the AIA would "give the Amerasian children the same immigration preference enjoyed by other children of American citizens," and provide "these children of Americans the benefit of their birthright."<sup>431</sup> His commitment to the Amerasians reflected a political career dedicated to "caring about the born," and Denton strongly believed that it was time for America to "bring these children home."<sup>432</sup>

### **The Veterans**

One of the most tragic consequences of the Vietnam War was the fate of the Vietnam veteran. They returned home to an unsympathetic public that did not honor them for their sacrifices as had been done with the veterans of World War II, but rather, chose to forget them. Historian George Herring describes this process as "a self-conscious

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<sup>430</sup> Duggan, *Jeremiah Denton*, 66-69; Mary McGrory, "Bring Home Our Children of War" *Washington Post*, 22 Nov. 1981. Amerasians 1978-1984 folder, Box Vietnam, Archives of the Pearl S. Buck House, Pearl S. Buck International.

<sup>431</sup> "Denton's Amerasian Bill Passes Senate," September 29, 1982, 1982- Press Releases folder, Box 83, RG 600, Jeremiah Denton Papers Auburn University Archives.

<sup>432</sup> As a result of his focus on morality and family, Denton supported many policies that were pro-family and focused on "caring about the born" including passage of the Adolescent Family Life Act which encouraged adoption and the Head Start program which he argued must not be affected by the budget cuts of the Reagan era. "National Adoption Week," *Cong. Rec.*, 97<sup>th</sup> Cong., 1<sup>st</sup> sess., Nov 23, 1981: 28837-28838; Duggan, *Jeremiah Denton*, 66-69, Personal Papers of Jeremiah Denton.

collective amnesia.”<sup>433</sup> Men who had experienced horrendous combat and suffered from both physical and psychological consequences from the war faced challenges readjusting and re-assimilating into American society.<sup>434</sup>

In 1978, Vietnam veteran Bobby Muller founded the Vietnam Veterans of America (VVA). Muller, an intelligent, charismatic and tough talking New Yorker had suffered paralysis from the chest down after a bullet severed his spinal cord in combat in 1968.<sup>435</sup> The VVA sought to lobby for congressional legislation to assist veterans and to address the larger meaning of the Vietnam experience.<sup>436</sup> Although a number of other veterans groups would emerge in the post-Vietnam War era, the VVA would become the largest and most politically powerful organization.<sup>437</sup>

In 1981, the VVA had finally gained political leverage for its efforts to assist veterans trying to reconcile the meaning of the war.<sup>438</sup> For Muller this required a return to Vietnam where, despite the absence of diplomatic relations between the two countries, Muller believed a resolution could occur between American and Vietnamese veterans on issues such as the effects of Agent Orange and the MIAs. The purpose, Muller explained was “to relate to the Vietnamese as people instead of relating to them as . . . gooks.”<sup>439</sup> In

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<sup>433</sup> Herring, *America's Longest War*, 347.

<sup>434</sup> Many veterans and the VVA were very critical of the Carter Administration's failure to address the issues facing Vietnam veterans.

<sup>435</sup> Muller, interview.

<sup>436</sup> Wilbur J. Scott, *The Politics of Readjustment: Vietnam Veterans Since the War* (New York: Aldine De Gruyter, 1993), 75; Richard Sisk, “The War Among the Vets,” *Daily News*, May 30, 1982, Statements folder, Box 32, Jeremiah Denton Papers, Auburn University Archives.

<sup>437</sup> Muller initially founded the Vietnam Veterans Coalition with Stuart Feldman an advocacy organization for Vietnam veterans with the purpose of publicizing veteran's issues. By 1979 VVA had begun to mobilize veterans into a political force specifically around the issue of Agent Orange. Scott, *The Politics of Readjustment*, 75.

<sup>438</sup> In 1981 the Veterans Administration officially accredited the VVA as an official veteran's organization giving it the necessary political leverage to address the concerns of Vietnam veterans.

<sup>439</sup> Richard Sisk, “The War Among the Vets,” *Daily News*, May 30, 1982, Statements folder, Box 32, Jeremiah Denton Papers, Auburn University Archives.



December 1981, Muller and three other combat vets flew to Hanoi, accompanied by *New York Times* reporter Bernie Weinraub who wrote a series of articles about the trip.<sup>440</sup>

On December 27, 1981, Weinraub published his fifth report, “Tears as the Past is Remembered,” describing the “swarms of begging half-American children” that surrounded the vets whenever they left their hotel in Ho Chi Minh City.<sup>441</sup> Framed as another tragedy of the war, Weinraub’s story caught the attention of *Times* publisher Arthur Sulzberger, whose interest in the Amerasians led to a series of editorials. The publicity by such a reputable media source increased public awareness and support from the American public to help the half-American kids.<sup>442</sup>

The timing could not have been better. Weinraub’s article appeared a month after the November Hearings in the House on the AIA. While those hearings had exposed greater congressional support for the bill than McKinney had acquired in 1979, the AIA too, seemed destined for failure in light of the Reagan administration’s arguments of paternity, fraud and blood tests.

Bill Kurtis’s 1980 expose, had invoked a wave of public sympathy for the Amerasians by framing the children as victims of communism. Their exclusion from Vietnamese society reflected the injustice of a cruel Communist government. In Kurtis’s portrayal, Americans had not abandoned the Amerasians. Rather, they were children whose fathers the Viet Cong had killed or who Vietnam’s Communist government prevented from retrieving their offspring.<sup>443</sup>

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<sup>440</sup> Bernard Weinraub, “Vietnam Invites 4 U.S. Veterans to Visit Hanoi,” *The New York Times*, December 13, 1981.

<sup>441</sup> Muller interview; Bernard Weinraub, “In Vietnam, Tears as the Past is Remembered,” *The New York Times*, December 27, 1981.

<sup>442</sup> Muller interview.

<sup>443</sup> Bill Kurtis, “The Plight of the Children Abandoned in Vietnam,” *The New York Times*, March 2, 1980.

Weinraub's reports changed the discourse. Rather than depicting the Amerasians as victims of a brutal war that most Americans wanted desperately to forget, Weinraub presented them as one of the unresolved problems from the war, along with the effects of Agent Orange and the twenty-five hundred American MIAs. Thus, while Weinraub's coverage was not "new" reporting in 1981, it differed by directly associating the Amerasians with American veterans

In "Tears as the Past is Remembered," Weinraub included numerous photographs of Amerasian children with the VVA vets. Captions of these photos emphasized the Americanness or the desire to be American. One caption explained how the children touched the arms of the Veterans, "besieged them with photographs and letters, struggled to speak English and gazed at the four with awe."<sup>444</sup>

Weinraub's reports skillfully linked the Amerasians with the unreconciled issues of American veterans; this was one that America could fix. He implied throughout his articles that, like the missing servicemen from the war, the Amerasians too, were American children. It was America's responsibility to bring them home.

Consequently, Weinraub's reports helped refocus the blame for the Amerasians from the evil Communist to the irresponsibility of the American government. It was not, the *New York Times* reported in July 1982, that Vietnam will not let the Amerasians "out" as previously argued, but that "America won't let them in."<sup>445</sup>

The VVA took its second trip of reconciliation to Vietnam in May 1982. This time however, the VVA agenda listed the Amerasians with Agent Orange and MIAs as

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<sup>444</sup> Bernie Weinraub, "In Vietnam, Tears as the Past is Remembered," *The New York Times*, December 27, 1981.

<sup>445</sup> "Bring the Dust Children Home," *The New York Times*, July 13, 1982.

topics to discuss with Vietnamese officials.<sup>446</sup> Joining the VVA trip was CBS news reporter Mike Wallace. Shortly after arriving in Ho Chi Minh City, young Amerasian street kids surrounded Wallace and the VVA members and asked them if they were their fathers. Among the group was ten-year old Le Van Minh, a handsome, freckled faced hazel eyed Amerasian whose physical disfigurement by the effects of polio burned images difficult to forget.<sup>447</sup>

Wallace successfully captured the street life of the Amerasians, many of whom surrounded him that first day, along with an Emmy nomination for his 1982 *Sixty Minutes* documentary, “Honor Thy Children.” His report also garnered sympathy and support for the Amerasian cause at a critical point for the AIA. Building off of Weinraub’s narrative of blame, Wallace focused on the moral necessity of bringing the Amerasians to America.

While depicting the discrimination the Amerasians faced in Vietnam because of their American characteristics, Wallace profiled the frustrated efforts of two American servicemen whose attempts to retrieve their Amerasian children had been ignored by American officials.<sup>448</sup> Throughout his report, Wallace presented evidence that the Amerasians were more American than Vietnamese. One boy, he explained, claimed to be an American, “he felt like an American he said because he had an American father.” American veteran Roger Bott’s frustration with the U.S. government’s unwillingness to

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<sup>446</sup> Kane, interview; “U.S. Veterans’ Group on its Way to Vietnam,” Special to the *New York Times*, 28 May 1982.

<sup>447</sup> Kane, interview. Initial reports of Minh associated his physical disability with the effects of Agent Orange. It was not until Minh was brought to America as the poster child for the 1987 Amerasian Homecoming Act, that polio would be declared the cause of his physical ailment. Minh was reportedly born sometime post-April 1971, the age listed here is an estimate.

<sup>448</sup> “Honor Thy Children,” Mike Wallace, *60 Minutes*, aired September 19, 1982, on CBS.

assist in bringing his Amerasian son home, clearly appeared in his interview as he explained, ‘It seems the older he gets the more...the more American he looks.’”<sup>449</sup>

Bott’s frustration mirrored that of other American veterans who blamed the Reagan administration for deliberately keeping their children in Vietnam. A few months prior to Wallace’s report, veteran Gary Tanous of Washington state sent a handwritten plea to President Reagan to intervene in bringing his Amerasian daughter, Jeanna Mare Tanous, an American citizen, to the United States.<sup>450</sup> Even though Tanous had legitimated his daughter and Jeanna possessed a US passport, Hanoi would not grant her an exit permit.<sup>451</sup> Only a few months later and having never received a response from President Reagan, an exasperated Tanous explained, “‘I have received absolutely no cooperation from American authorities. They don’t want anything to do with a Vietnamese and they keep reminding me that Jean Marie is half Vietnamese.’”<sup>452</sup>

Wallace also interviewed Shade. Shade explained to a captivated American audience that regarding “the children we fathered in wedlock and out of wedlock in Asia, we have had a silent policy of child abandonment, because that’s what it is, it is child abuse in regard to the Amerasian children.”<sup>453</sup>

At the end of his report, amidst an array of photographs of Amerasian children with undeniably “American” features, Wallace explained to his audience the futile situation for the Amerasians in Vietnam. “Only a handful of Amerasian children,”

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<sup>449</sup> Ibid.

<sup>450</sup> Gary Tanous to Ronald Reagan, c1982, ID #070522, IM161533, WHORM: Subject File Amerasian Children, Ronald Reagan Library.

<sup>451</sup> At the time of Jeanna Mare’s birth in 1967, her parents Gary and Mai Tanous were married and resided in Saigon. In 1968 the family moved to Vancouver, Canada where the couple separated and Mai returned to Saigon with their daughter. The couple later divorced. Bob Beck, Quest for Daughter in Vietnam Getting Increasing Futile,” *The Columbian*, nd. ID #070522, IM161533, WHORM: Subject File Amerasian Children, Ronald Reagan Library.

<sup>452</sup> Ibid., The newspaper article provides a different spelling of “Jeanna Mare.”

<sup>453</sup> “Honor Thy Children,” September 19, 1982.

Wallace described, “perhaps a dozen, have been able to immigrate to the United States from Vietnam.” The AIA, Wallace reminded his viewers, was currently under consideration in Congress and Vietnam was willing to release all the Amerasians.<sup>454</sup>

Wallace’s report aired on September 19, 1982. For many Americans in the audience, the report was a powerful visual reminder of the war itself and of America’s responsibility to the Amerasian children. The visual images were undeniable and the sad stories of American veterans who missed their children, difficult to ignore. Thus, through his report, Wallace, as had Weinraub’s coverage, greatly contributed to the growing public pressure to pass the AIA.

One week later Senator Denton reminded his colleagues of the public attention this latest television documentary brought to the issue and its emphasis on passing the AIA in the current congressional session. Denton stated that, “With each day that we delay[the passage of the S1698], the Amerasian children, who are our responsibility because they are half American, are further away from escaping the discrimination that is caused by their mixed heritage.”<sup>455</sup> On September 28, 1982 the AIA unanimously passed the Senate. To ensure its passage in the House Denton urged House members to also consider the *Sixty Minutes* report and the importance for Congress to pass the AIA without delay.<sup>456</sup>

The House did pass the AIA on October 1, but not before amending the Senate version of the bill to insure the safety of the children once in the United States and to

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<sup>454</sup> “Honor Thy Children,” September 19, 1982.

<sup>455</sup> *Cong. Rec.*, 97<sup>th</sup> Cong., 2<sup>nd</sup> sess., September 28, 1982: S25338. The Senate passed S1698 during this session.

<sup>456</sup> “Denton’s Amerasian Bill Passes Senate,” September 29, 1982, 1982 Press Releases folder, Box 83, Jeremiah Denton Papers, Auburn University Archives; “Preferential Treatment in Admission of Certain Children of US Citizens,” 97<sup>th</sup> Cong., 2<sup>nd</sup> sess., *Cong. Rec.* October 1, 1982: H272692-27273. HR 808 passed the House on October 1, 1982.

protect them from exploitation.<sup>457</sup> The amendments, according to Senator Mazzoli, preserved “the spirit of the bill” while eliminating potential problems.<sup>458</sup> The House version of the bill included: safeguards to ensure the legitimacy of the sponsorship process, required the involvement of State child welfare agencies and public and private agencies familiar with intercountry adoption and placements. The bill also directed the Attorney General to file regular reports regarding the bill and its effects specifically on family separation and dislocation.<sup>459</sup> Members of the House lauded the bi-partisan victory and commended the efforts of McKinney whom Hamilton Fish (R-NY) labeled, “the conscience of the Congress,” for bringing the Amerasians to the forefront of public attention.<sup>460</sup>

### ***Their Plight is in Their Name***

On October 22, 1982, the Amerasian Immigration Act became law.<sup>461</sup> The Act gave priority to Amerasian children under the age of twenty-one with guaranteed financial support from an American sponsor to immigrate to America.<sup>462</sup> The rhetoric surrounding its passage was inclusionary, officially recognizing America’s paternal responsibility. Congressman William Lehman of Florida declared that America “must no longer choose to forget our own sons and daughters in Asia.” Congressman James K. Coyne of Pennsylvania affirmed that “some of America’s children are finally coming

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<sup>457</sup> The vote in the Senate on September 28, 1982 and the House on October 1, 1982 was a “voice vote.” There is no record of individual votes as a result. “S. 1698 (97<sup>th</sup>): An Act to Amend the Immigration and Nationality Act to provide preferential treatment in the admission of certain children of United States citizens, <https://www.govtrack.us/congress/bills/97/s1698> (accessed, February 1, 2015).

<sup>458</sup> *Cong. Rec.*, 97<sup>th</sup> Cong., 2<sup>nd</sup> sess., October 1, 1982: H272692-27270.

<sup>459</sup> *Ibid.*

<sup>460</sup> *Ibid.*

<sup>461</sup> The AIA passed the Senate (SB1698) on September 28, 1982 and the House (HR808) on October 1, 1982. President Reagan signed the bill into law on October 22, 1982. The Amerasian Immigration Act of 1982, Public Law 359, 97<sup>th</sup> Cong., 2d sess. (October 22, 1982).

<sup>462</sup> The AIA provided immigration priority for Amerasian children born in Cambodia, Korea, Laos, Thailand, or Vietnam after December 31, 1950 and before October 22, 1982. Qualifying Amerasians received immigration priority via the Orderly Departure Program(ODP). The Amerasian Immigration Act of 1982, Public Law 359, 97<sup>th</sup> Cong., 2d sess. (October 22, 1982).

home.”<sup>463</sup> Benjamin Gilman, Congressman from New York, professed “To these children we say, your fatherland embraces you.”<sup>464</sup> President Reagan deemed the bill a “good and humane law” that “recognizes the rightful claim of Amerasian children to American citizenship.”<sup>465</sup>

However citizenship was not part of the bill. While Congress criticized Vietnam for denying the Amerasians the “dignity and rights of true citizenship,” and for its treatment of the Amerasians as “nonpeople,” members failed even to discuss awarding them American citizenship.<sup>466</sup> Thus the inclusionary rhetoric of the bill that posed the Amerasians as children of American fathers failed to turn the rhetoric into action. Such a hypocritical approach to the Amerasian issue exposed the inability of policymakers to fully reconcile the Amerasian mixture with US law. While the welcoming words recognized that a filiation between the Amerasians and America did exist, it was not enough to amend US citizenship law.

The AIA did allow the Amerasians to immigrate to the United States as the children of American citizens but avoided making the Amerasians themselves American citizens. In his support of the bill, Senator Samuel Ichiye Hayakawa expressed the paradox, “Their very name—Amerasian—tells of their plight. They are not completely American, but not really Asian either. Their Western physical traits, while not enough to

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<sup>463</sup> Representatives William Lehman of Florida speaking on the American responsibility for the Amerasian children, 97<sup>th</sup> Cong., 2<sup>nd</sup> sess., *Congressional Record*, 128 (23 July 1982): H17860-17862. See also the remarks in Congressional Record of Hon. Richard L. Ottinger (12 May 1982) and Hon. James K. Coyne (1 October 1982).

<sup>464</sup> *Cong. Rec.*, 97<sup>th</sup> Cong., 2<sup>nd</sup> sess., October 1, 1982: H272692-27270.

<sup>465</sup> Remarks of the President in the Signing Ceremony for Immigration and Nationality Act Amendment, October 22, 1982, Office of the Press Secretary, Gonzaga University Amerasian Program Congressional Action folder, Box 3B.2. Al. Carroll, SJ, Amerasian Program, *Jesuit Oregon Province Archives, Spokane, Washington*.

<sup>466</sup> Statements of Congressmen Bereuter and Gilman, *Cong. Rec.*, 97<sup>th</sup> Cong., 2<sup>nd</sup> sess., October 1, 1982: H272692-27270,

make them citizens of the United States, are more than enough reason to their Asian countrymen to ostracize and persecute them.”<sup>467</sup>

Evident in Hayakawa’s statement was the inability of policymakers to fit the Amerasians cleanly into a racial and national category within American society. They were *American enough* to garner statements of inclusion, sympathy and immigration preference, but not *enough American* to be citizens. Thus while the AIA did provide the appearance that the United States was finally taking national paternal responsibility for its war babies in Vietnam, the bill failed to resolve an issue American policymakers were not yet fully ready to address.

Additionally, there were other problems with the AIA. Due to the absence of diplomatic relations with Vietnam, the AIA had very little effect on the Amerasians there.<sup>468</sup> Although the Act designated qualifying Amerasians as immigrants, only those who had guaranteed financial support from an American family or private charitable agency were able to take advantage of it. Most Amerasians neither knew a family nor an agency willing to sponsor them, nor did they possess the resources required to make those connections.

Furthermore, in 1982 the majority of Amerasians were still children and the AIA only allowed for the Amerasians themselves to immigrate; it did not include their biological mother or family members. As Michael Nebeker, Thailand director of the Pearl S. Buck Foundation, stated “Congress wrote the bill as if it were saying ‘Let’s make a

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<sup>467</sup> Senator Hayakawa on September 28, 1982, SB 1698, 97<sup>th</sup> Cong., 2<sup>nd</sup> sess.,: S25340.

<sup>468</sup> Sue-Je Lee Gage argues that the immigration status given to Amerasians still denied them citizenship, making the bill a contradiction to previous laws, since in any other situation, regardless of their place of birth, children of U.S. citizens would be recognized as U.S. citizens. Gage, “The Amerasian Problem: Blood, Duty, and Race,” 94.



nice gesture toward the Amerasians—but don't really let the bastards in.”<sup>469</sup> More work remained from citizens and government officials.

Nonetheless, the AIA provided a pathway for the Amerasians of other Asian nations to immigrate to America. Furthermore, it served as formal recognition by the U.S. government of the Amerasians as the offspring of American fathers.

By 1981 American policymakers and the American media shared an understanding of certain key facts regarding the Amerasians. They were the children of American fathers, conceived as a result of US presence in Vietnam during the War. Their American paternity dictated the abuse, discrimination and exclusion that defined their existence in Vietnam. The majority of them did not know their fathers and were therefore illegitimate. They were largely poor, uneducated, undernourished and getting older. They were one of the most shameful consequences of an American military failure that many Americans hoped to forget.

In Vietnam, their “connection” to America ensured their exclusion from society while their “American blood” prevented their acceptance as Vietnamese. Policymakers understood that in Vietnam, “They think of Amerasians as trash...Amerasian is like the left over trash from the U.S....when we have a chance to go...to the US and some of them say, ‘well the trash is finally getting picked up, but slowly, not fast enough to clean the country.’”<sup>470</sup>

This understanding of the sad existence of the Amerasians in Vietnam shaped an evolving discourse among American policymakers of inclusion as discussions over the AIA progressed. Policymakers hoped this discourse would help reconcile America's

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<sup>469</sup> *Los Angeles Times*, 19 December 1982.

<sup>470</sup> Anis, “Psychosocial Adjustment of Vietnamese Amerasians,” 45.

military loss, designating the Amerasians as “our children,” and the “forgotten sons and daughters of U.S. citizens.”<sup>471</sup> The discourse was critical to garnering public attention and political support for the AIA. Advocates like Father Keane knew that in order for America to act, Americans had to view the Amerasians as familiar rather than foreign, American children not Asian.

Understanding that citizenship was not an issue policymakers were willing to address, advocates like Keane, Father Carroll and John Shade, committed to an inclusionary rhetoric to reshape the image of the Amerasians into American children. While lobbying congressmen to support the AIA in 1982, Father Keane stopped using the term “Amerasian,” referring to the children instead as “abandoned Americans left in Asia.”<sup>472</sup> Congressmen McKinney and Denton followed in Keane’s footsteps. In the June 1982 Senate Hearings on the AIA, Senator Denton even explained that, “The word ‘Amerasian,’ of course, derives its first two syllables from ‘America,’” in reinforcing the necessary acceptance of the Amerasians as American children.<sup>473</sup>

The plight of the Amerasians united all parties: priests, missionaries, politicians, flight attendants, NGOs, and veterans. Each advocated the acceptance of the Amerasians as America’s responsibility. They were America’s children through immigration and for citizenship, promoting the belief expressed by the adoptive mother of two Amerasian girls, “America owes these children a chance to become good citizens in the country of their fathers.”<sup>474</sup> Yet, the efforts of Father’s Carroll and Keane, Jodie and Dick Darragh, the Pearl S. Buck Foundation, the VVA and Congressmen McKinney and Denton, to gain

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<sup>471</sup> See remarks in Congressional Record of Hon. Richard L. Ottinger (12 May 1982) and Hon. James K. Coyne (1 October 1982).

<sup>472</sup> “Forgotten Americans in Asia” Americans for International Aid, newsletter, nd., *Gary Hart Papers*, 36-50, Archives, University of Colorado, Archives.

<sup>473</sup> *Hearing*, SB 1698.

<sup>474</sup> *Cong., Rec.*, 97<sup>th</sup> Cong., 2<sup>nd</sup> sess., September 28, 1982: S25339.

national recognition that the Amerasians were American children and therefore America's responsibility were undermined by a policy that, through the exclusion of citizenship, continued to mark them as foreigners.

In his plea to reconfigure the bill, McKinney explained that by establishing a special immigration category for the Amerasians, the bill had failed to "admit that these are our children and establish for them the same rights enjoyed by all other children of U.S. citizens."<sup>475</sup> The resistance of the Reagan administration dictated such an approach. Even in its passage of the Act, the administration remained adamant that without evidentiary proof of their "American blood," the Amerasians were not really American.

Over the next three years, Vietnam's Amerasians would fall victim to increasing diplomatic tensions between the United States and Vietnam. Tensions centered largely on the MIA issue which polarized the nation and prevented a total national reconciliation of the war. Both countries continued to politicize the Amerasians. Vietnam pointed to the failure of the AIA to allow the mothers or other family members of Amerasian children to immigrate with them to the United States and condemned the absence of American citizenship. The United States continued to use the Amerasians' poor treatment in Vietnam as evidence of the evils of Communism and the Vietnamese government.<sup>476</sup>

Through all of the finger-pointing and name calling however, conditions for the Amerasians did not improve in Vietnam, and neither did the opportunity to immigrate to America through the AIA. Thus the few Amerasians from Vietnam, who did come to

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<sup>475</sup> *Hearing*, SB 1698.

<sup>476</sup> Relations between the United States and Vietnam were often strained during the 1980's as a result of discrepancies and miscommunication about American POW's and MIA's said to still be living as well as the remains of those killed in Vietnam and recovered by Vietnam. *Hearing before the Subcommittee on Asian and Pacific Affairs*, American POW/MIA's in Southeast Asia, 97<sup>th</sup> Cong., 2<sup>nd</sup> sess., September 30, 1982. Thomas Bass asserts that the Amerasian issue was simply an opportunistic way for Vietnam to accuse the United States of being hypocritical and untrustworthy. Bass, *Vietnamerica*, 35.

America after 1982, did so as refugees through the ODP rather than the AIA. Over the next four years, the ODP would prove inefficient for the Amerasians and all other refugees from Vietnam. Both governments blamed the other for the program's inefficiency and both ignored the effect on the Amerasian children, victims of the entire process.<sup>477</sup>

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<sup>477</sup> Before 1986 the ODP functioned through an office in Bangkok, Thailand with UN officials acting as processing liaisons in Vietnam. Under this system bureaucratic morass, intensive document requirements and checks, and significant time delays characterized each level of Amerasian processing. When these operational inefficiencies resulted in a significant case backlog, Vietnam installed a unilateral moratorium on processing. DeMonaco, "Disorderly Departure," 644.

## CHAPTER 4

### WINDOW DRESSING

When President Reagan signed the Amerasian Immigration Act into law on October 22, 1982, he described the act as a reflection of American humanitarianism and a commitment to family reunification. Reagan declared the AIA a “major step” in America’s challenge to meet its moral responsibility to children who, “through no fault of their own,” have “frequently lived in the most wretched of circumstances and often have been ostracized in the lands of their birth.”<sup>478</sup> The AIA, he claimed, would reunite “these children with those who will love and care for them.”<sup>479</sup>

Surrounding Reagan at the ceremony were Senator Denton, Representative McKinney, Judy Keane—the sister of Father Alfred Keane, and Keane’s two adopted Amerasian nieces. Others included two Korean Amerasians sent by Father Carroll—Eddie Choi and Jini Choi (unrelated), Jodie and Dick Darragh, and John Shade. Three days after signing the AIA, President Reagan sent congratulatory letters to all of the major political actors involved in passing the bill and to Father Keane. Reagan commended Denton and McKinney for their efforts regarding the children, whom he described as “forgotten by our laws, but not by our people,” reiterating that the AIA was “the first step toward welcoming these children home.”<sup>480</sup>

For the Amerasians of Vietnam, however, the AIA failed to fulfill any humanitarian charge, nor did it enable them to reunite with their American fathers. Much

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<sup>478</sup> Ronald Reagan, Remarks on Signing a Bill Providing for the Immigration of Certain Amerasian Children, October 22, 1982, <http://www.reagan.utexas.edu/archives/speeches/1982/102282c.htm>.

<sup>479</sup> Ronald Reagan, Remarks on Signing a Bill Providing for the Immigration of Certain Amerasian Children, October 22, 1982, <http://www.reagan.utexas.edu/archives/speeches/1982/102282c.htm>.

<sup>480</sup> Letter, Ronald Reagan to Jeremiah Denton, (also sent to: Stewart McKinney, Carl Levin, Alan Simpson, Strom Thurmond, Hamilton Fish, Jr., Romano Mazzoli, and Father Alfred Keane), October 25, 1982 ID # 098216, IM161533, WHORM: Subject File, Amerasian Children, Ronald Reagan Library.

of the discussion and debate within Congress preceding its passage focused on the humanitarian necessity of getting the Amerasians out of Vietnam. However, in the absence of diplomatic relations, the Act provided no practical means to implement the program in that country.

Rather, the AIA had the biggest effect on the Amerasians of Korea who faced much more promising prospects than their Vietnamese counterparts. For a decade, the Korean government had accepted Amerasians as Korean citizens, exempted them from military service, and provided a monthly stipend, school tuition, and assistance with the legal family registries that officially recognized their existence.<sup>481</sup> In contrast, the Amerasians in Vietnam had no such treatment and faced a difficult existence in a society that considered them inferior.<sup>482</sup>

While many applauded the AIA as a positive step toward the recognition of national American paternity, supporters quickly highlighted its limitations and the consequential low numbers who could take advantage of it, even among Korean Amerasians. Its requirements—strict financial and legal commitments for American sponsors, the exclusion of accompanying family members and no American citizenship—ensured that the AIA would benefit very few Amerasians.

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<sup>481</sup> According to the Pearl S. Buck Foundation the Republic of Korea (ROK) granted Amerasians exemption from military service. In the mid-1970s the Ministry of Health and Social Affairs (MHSA) began providing monthly stipends to each registered Amerasian through local government offices. In 1982 the Buck Foundation administered the stipend program and in 1984 the MHSA provided full school tuition for all middle and high school student Amerasians. The ROK also established special procedures to help Amerasians who had errors in family registers and provided free passport services for those immigrating to the United States. James L. Dunnet to Father Alfred Carroll, *Pearl S. Buck Foundation Newsletter*, January 1986, Dunnet folder, Box 3B.2.2 Al Carroll, S.J. Amerasian Program, *Jesuit Oregon Province Archive*. Spokane, Washington.

<sup>482</sup> The perceptions of the Amerasians as racially, culturally and socially inferior in Vietnam depicts an inverted application of the East-West binary central to Edward Said's *Orientalism*. Rejected from society because of their biological connection and assumed cultural connection to America, the physical appearance of many Amerasians prevented them from blending into Vietnamese society or achieving cultural acceptance. Valverde posits that in addition to their physical differences, most Vietnamese assumed Amerasians to be poor and uneducated. Valverde, "Doing the Mixed-Race Dance" in Williams-Leon and Nakashima, 133-134.

Additionally, although the AIA was a piece of federal legislation, by design it depended entirely on private support—American sponsors limited to private charitable organizations and individual American citizens. Thus, there was no federal obligation to assist Amerasians in their emigration. That burden and all of its costs fell entirely upon non-governmental groups and individuals and reflected the continued privatization of public responsibility. Indeed, by 1985, after three years of implementation, only 165 Amerasians had immigrated to the United States under the AIA, 156 from Korea and only four from Vietnam.<sup>483</sup>

The requirement in the AIA that only the Amerasian child could immigrate to the United States contradicted the tenets of American Immigration Policy and American humanitarianism by dividing families and separating children from their birthmothers. In practice, this meant that for children to benefit from the legislation, they had to leave their mothers and move to a foreign country where they did not speak the language or understand American culture. For Vietnamese officials in particular, such a requirement reinforced the perception that American policymakers were not really committed to cooperation on the issue.

Prior to the passage of the AIA, the Vietnam government had voiced concern over this proposed requirement, emphasizing to American officials that Vietnam's cooperation in expediting the departure process for Amerasians depended upon America's willingness to keep families together.<sup>484</sup> Donald Colin, the Head of the U.S. Refugee Program responsible for the departure of Amerasians prior to the passage of the

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<sup>483</sup> "Report on Public Law 97-359," Director Outreach Program INS Central Office, January 6, 1986, appendix to Alfred Carroll Presentation to Senate Judiciary Committee on Immigration and Refugee Policy, Gonzaga University, Amerasian Program Congressional Action folder, Box 3B.2. Al Carroll, S.J. Amerasian Program, *Jesuit Oregon Province Archives. Spokane, Washington.*

<sup>484</sup> Vietnam's Foreign Minister, Nguyen Co Thach voiced the concerns of the Socialist Republic of Vietnam regarding the AIA.

AIA, noted: “Hanoi will not allow Amerasian children to leave alone, ‘they don’t intend to cooperate if the mothers are split from their children.’”<sup>485</sup> Many mothers of Amerasians felt equally as strong that they should be included in the bill. When CBS reporter Mike Wallace asked some mothers if they would let their Amerasian children go to America without them, one mother replied, “No, if they say that, then we keep it, the children, the mother and the children go together.”<sup>486</sup> Another mother gave a more emotional response explaining, while on the verge of tears, “He’s my only son.”<sup>487</sup> After the passage of the AIA, a group of seven mothers wrote US officials explaining that they too, were victims of discrimination and abuse because of their Amerasian children and asked the US government to “save us out of the present miserable living” in Vietnam.<sup>488</sup>

One could question Vietnam’s motives in its insistence that the mothers, women who had betrayed their country by sleeping with the enemy, be included in the legislation. American policymakers, in fact, did. Nonetheless, the humanitarian value of the idea seemed self-evident. The blatant disregard of this request in the AIA hindered any opportunity to form bilateral collaboration between the two governments on the issue, ensuring that the AIA simply, “cannot be made to work in Vietnam.”<sup>489</sup>

In addition to the intentional failure of the bill to address the issue of American troops continuing to father Amerasian children, there was also much concern over its exclusion of American citizenship.<sup>490</sup> In a letter to President Reagan a month after the

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<sup>485</sup> *Los Angeles Times* (1923-Current File), 19 December 1982.

<sup>486</sup> “Honor Thy Children,” September 19, 1982.

<sup>487</sup> *Ibid.*

<sup>488</sup> “Application for Immigration at Refugees an American Halfbreed Children,” SB 1698, *Hearing*, 60.

<sup>489</sup> Letter, John Shade to Ronald Reagan, November 19, 1982, ID # 110551, WE001, WHORM: Subject File, Amerasian Children, Ronald Reagan Library.

<sup>490</sup> Stewart McKinney felt that one of the major weaknesses in the bill was that it ignored the continued fathering of children by American servicemen in Asia and that the bill did not apply to children born after October 22, 1982. William Rasberry, “Bill Solves Some of Immigration Puzzles,” *Spokesman Review*, April 13, 1982.



passage of the AIA, John Shade of the Pearl S. Buck Foundation, commended the bill as a “milestone” and “positive movement.” However, he asserted, one of its most serious flaws was its denial of birthright citizenship to the Amerasians.<sup>491</sup>

The choice to exclude citizenship, Shade acknowledged, likely arose from the bill’s political role as a “humanitarian remedy” to the Amerasian situation. While the bill allowed Amerasian children adopted by American families or sponsored by American citizens an easier path to naturalization, it largely ignored the majority of Amerasians who neither knew a family, nor had an agency willing to sponsor them, nor possessed the resources required to make those connections. Without birthright U.S. citizenship, such a “remedy” failed to consider most Amerasians who, by 1982, were too old for adoption or whose Asian mothers believed them too young to send to America alone.<sup>492</sup> The AIA did nothing, Shade asserted, to assist in these cases.<sup>493</sup>

Underlying Shade’s criticism were concerns that although the AIA officially recognized the Amerasians as children of American citizens, it continued to deny them the rights given to all other children of American citizens.<sup>494</sup> Shade’s accusations challenged the relationship between the notions of belonging expressed in the inclusionary rhetoric of the AIA and the sex-based distinction in US law that legally justified the exclusion of citizenship. Thus, while providing politicized humanitarian

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<sup>491</sup> Letter, John Shade to Ronald Reagan, November 19, 1982, ID #110551, WE001, WHORM: Subject File, Amerasian Children, Ronald Reagan Library.

<sup>492</sup> Adopted Amerasians did not become automatic US citizens, they had to apply for naturalized US citizenship two years after finalizing the adoption. In addition Amerasians older than 14 years of age were not adoptable per US adoption law. “Important memo from Welcome House,” *The Welcomer*, 1980, Welcomer 1970 folder, Box: Welcome House, Archives of the Pearl S. Buck House, Pearl S. Buck International.

<sup>493</sup> Letter, John Shade to Ronald Reagan, November 19, 1982, ID #110551, WE001, WHORM: Subject File, Amerasian Children, Ronald Reagan Library.

<sup>494</sup> Gage, “The Amerasian Problem: Blood, Duty, and Race, 94. [Shade statement]. Shade’s assertion was incorrect regarding children born abroad. The 1952 Immigration and Nationality Act specified that while children born out of wedlock to American citizen mothers were automatically US citizens, American men who fathered children abroad had to legitimate them in order to transmit US citizenship.

*window dressing* for the administration hoping to capitalize on the assertion of its own good deeds, by failing to award citizenship, the AIA continued to exclude the Amerasians from formal membership.

The exclusion of citizenship from the bill revealed the contradiction between American humanitarian values and the legacy of US law. The inclusionary rhetoric evoked images of open borders, inclusion and assimilation, that welcomed and embraced the Amerasians as American children. Yet, situated within the exclusionary nature of the policy, was the complicated relationship within US law between race and nation via citizenship. While the AIA created the legal category of “Amerasian” which formally recognized these individuals as children of US citizens who could come *to* America as a result of their paternity, such recognition did not extend to membership.<sup>495</sup> Consequently, the failure to award citizenship ensured that the Amerasians did not really belong *in* America.<sup>496</sup> In essence, this irony revealed that although US policymakers and US policy determined the Amerasians were “American enough” to be recognized as the children of American fathers, they were not “American enough” to be American citizens.<sup>497</sup>

Under the AIA, Amerasians could only earn American citizenship through the U.S. naturalization process. According to the Buck Foundation, it was “unfair, unethical and morally wrong” for the AIA to demand that an “Amerasian child give up his family to obtain his American citizenship; citizenship not afforded by birthright, but by a

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<sup>495</sup> Specifically, the act states: “To provide preferential treatment in the admission of certain children of United States citizens.” Amerasian Immigration Act, PL 97-359, 97<sup>th</sup> Cong., Oct 22, 1982.

<sup>496</sup> John Higham asserts that the contradiction of such forces is rooted in a history of nativism and racism in America which divide people into insiders who belong to the nation and outsiders who reside in the nation but are not of the nation. John Higham, *Strangers in the Land: Patterns of American Nativism, 1860-1925* (New Brunswick, Rutgers University Press, 2002), 333. Rogers Brubaker describes the politics of belonging a contested and politicized question of who belongs to a nation. He argues that the politics of citizenship—who belongs in a nation-state—is distinct from the politics of belonging, who belongs to the nation-state. Rogers Brubaker, “Migration, Membership, Modern Nation-State.”

<sup>497</sup> Emmanuelle Saada addresses similar concerns of citizenship race and nation in her study of the *métis* in French colonial Indochina. Saada examines how the *métis* as a social question of abandoned children in Vietnam, became a legal question (citizenship) for French authorities. Emmanuelle Saada, *Empire's Children*.

naturalization process.”<sup>498</sup> Such a requirement reinforced the notion that the Amerasians were not American children, because American children would have birth-right American citizenship. Rather, Amerasians joined other foreign immigrants and refugees in earning their citizenship through residency and passing the citizenship test.<sup>499</sup>

As a result of these limitations, the majority of Amerasians immigrated under the Orderly Departure Program, not the AIA. Perhaps understanding the inevitable limitations of the bill prior to its passage, Vietnamese authorities began permitting the regular processing for immigration of Amerasians and their immediate family members through the ODP in September 1982.<sup>500</sup> This would be the first official effort by Vietnam to enable its Amerasians to depart the country en masse. Although between 1982 and 1985 1,983 Amerasians and their family members entered the United States as a result, this effort went underreported by American media and unrecognized by American policymakers. Instead, policymakers continued to criticize Vietnam for the absence of diplomatic relations that they blamed for preventing implementation of the AIA.<sup>501</sup>

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<sup>498</sup> Letter, John Shade to Ronald Reagan, November 19, 1982, ID #110551, WE001, WHORM: Subject File, Amerasian Children, Ronald Reagan Library.

<sup>499</sup> Under Section 209 of the Immigration and Nationality Act amended by the Refugee Act of 1980, refugees were eligible to adjust their immigration status to permanent resident alien after a one year waiting period. After five years from the date of admission to permanent resident alien status applicants could file for naturalization. In fiscal year 1982, the Office of Refugee Resettlement reported that while 62% of eligible refugees from Southeast Asia became permanent resident aliens, the number who filed for citizenship was well below the number eligible (130,000). Office of Refugee Resettlement, Refugee Resettlement Program, January 31, 1983, 98<sup>th</sup> Cong., 1<sup>st</sup> sess, 26-27.

<sup>500</sup> The Government of Vietnam agreed to process Amerasians who qualified as immigrants to the United States under the ODP and to expand the third refugee category of the ODP, “other persons” to specifically include Amerasians and their immediate family members. Immigrant status applied only to those legitimated Amerasians who had proper documentation to prove US citizenship and those adopted by American families thru recognized US international adoption agencies like the Buck Foundation. The expansion of the refugee category resulted from the willingness by both the Vietnam Government and the US State Department to process the Amerasians as refugees specifically through the ODP because no program yet existed to allow the Amerasians direct entry to the United States as immigrants. In previous years, the United States accused the Government of Vietnam of not allowing Amerasians who applied to the ODP to exit the country and Vietnam accused the United States of not allowing them enter the country.

“Amerasian Children in Vietnam,” U.S. Department of State, nd, Adoption Issues 1967-1968 folder, Box Vietnam, Refugee Information, Archives of the Pearl S. Buck House, Pearl S. Buck International; *Hearing before the Subcommittee on Immigration and Refugee Policy of the Committee on the Judiciary*, Refugee Consultation, 97<sup>th</sup> Cong., 2d sess., September 29, 1982, 96; *Hearing before the Subcommittee on Immigration and Refugee Affairs*, Midyear Consultation on Refugee Programs for Fiscal Year 1987, Senate, 100<sup>th</sup> Cong., 1<sup>st</sup> sess, June 30, 1987, 138.

<sup>501</sup> On March 21, 1985 Representative Christopher Smith (R-NJ) introduced the Amerasian Children Relief Act which would amend the AIA to allow mothers or guardians of Amerasians to irrevocably release them for adoption and emigration. The bill sought to address the standing requirement that adoption only applied to orphaned or abandoned Amerasians and thus to expand the teeth of the AIA. The House referred the bill to the House Judiciary Subcommittee on Immigration, Refugees and International Law where it

The Reagan administration understood the limitations of the bill and specifically, its uselessness in Vietnam even prior to its passage. In fact, the Buck Foundation began lobbying policymakers and Vice President George Bush in the weeks leading up to the Senate vote for recognition as a Refugee Resettlement Agency specifically for the purpose of continuing to assist the Amerasians in Vietnam. The AIA, John Shade insisted, did not apply in Vietnam due to the absence of diplomatic relations which left the Amerasians no other option but to immigrate through the ODP as refugees.<sup>502</sup> Among the issues the president was to address in his daily press briefing on September 21, 1982, was the administration's support of the AIA. Included in his briefing memo regarding the legislation was the statement that the AIA, "does not automatically benefit Amerasians in Vietnam."<sup>503</sup> In a 1986 Congressional review of the ODP and the AIA, James Purcell of the Bureau of Refugee Programs, testified that the State Department had communicated to Congress in 1982 that although the AIA would work in some countries, it would not work in Vietnam given the lack of diplomatic or consular relations.<sup>504</sup>

Politically, however, the Amerasians and the AIA served a purpose for the administration. During his first term in office, Reagan's advisors had continuously voiced their concerns about the president's humanitarian image, or lack thereof. In 1982, Reagan's trusted advisor Lyn Nofziger sent a memo to White House staffers explaining the importance of the AIA in convincing the American public that Reagan worried about

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failed to advance. Amerasian Children Relief Act, HR 1684, 99<sup>th</sup> Cong., 1<sup>st</sup> sess., *Congressional Record*, vol. 131, (March 21, 1985): H1369. In fiscal years 1985 and 1986 through May 1, 498 Amerasian children and 2,334 accompanying relatives, and 467 Amerasians and 776 accompanying relatives were admitted through the ODP. By 1986, the ODP backlog and the suspension of the program in January 1986 resulted in the sharp decline. *Hearing Before the Subcommittee on Immigration and Refugee Policy*, Midyear Consultation on US Refugee Programs for Fiscal year 1986, Senate, 99<sup>th</sup> Cong., 2d sess., June 20, 1986, 102.

<sup>502</sup> Donald I. Colin to John A Shade Jr., October 15, 1982, Refugee Resettlement 1982-1985, 1989 folder, Box Vietnam, Refugee Information, Archives of the Pearl S. Buck House, Pearl S. Buck International.

<sup>503</sup> Memo, Richard Childress to William P. Clark, September 21, 1982 ID #091930, IM161533 WHORM: Subject File, Amerasian Children, Ronald Reagan Library.

<sup>504</sup> Midyear Consultation on US Refugee Programs for Fiscal Year 1986, *Hearing*, 103.

human issues, and especially the plight of children and families. “One of the President’s problems,” Nofziger explained, “is that the public thinks he doesn’t care about people.” By supporting the AIA, President Reagan could show the American public that in fact, he “cares a little bit about people.”<sup>505</sup>

### **The Reagan Era**

Reagan had acquired this reputation honestly. The “Great Communicator” had entered office in 1981 riding the rising tide of American conservatism. By the end of the Carter administration, a miserable economy, deindustrialization, divisions in the Democratic party, demographic shifts in the conservative South and Southwest, and increased political participation among evangelicals shifted the political landscape in America.<sup>506</sup> For the first time since 1954 conservatives controlled the Senate and defenders of the Vietnam War, including Senator Jeremiah Denton, replaced its liberal critics in Congress.<sup>507</sup>

With the political power of his party behind him, Reagan, the former New Deal Democrat had a clear mission—to dismantle the social welfare apparatus which he directly associated with Lyndon Johnson’s Great Society to which he pointed as evidence of the problems of big government and the primary cause of the country’s economic struggles.<sup>508</sup> Throughout his administration, Reagan’s efforts to reduce the reach of the federal government through economic and social policies consistently damaged the interests of America’s racial minorities, women and lower classes.

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<sup>505</sup> Memorandum, Lyn Nofziger to Edwin Meese, James Baker, Michael Deaver, William Clark, July 18, 1982, ID #091679, IM161533, WHORM: Subject File, Amerasian Children, Ronald Reagan Library.

<sup>506</sup> Michael J. Allen, *Until the Last Man Comes Home: POWs, MIAs, and the Unending Vietnam War* (Chapel Hill: University of North Carolina Press, 2009), 212-213; Bruce Schulman, *The Seventies The Great Shift In American Culture, Society, And Politics* (2001;repr., Cambridge, Massachusetts: De Capo Press, 2002).

<sup>507</sup> Ibid.

<sup>508</sup> Schaller and Rising, *The Republican Ascendancy*, 88.

His first presidential term, defined by massive tax cuts and increased defense spending, had successfully reduced inflation and increased employment.<sup>509</sup> However, the resulting economic prosperity failed to “trickle down” to the majority of Americans and the economic expansion affected only a select few. In reality, *Reaganomics* had disastrous effects on social service assistance through the reduction of federal aid to programs like Aid to Families with Dependent Children (AFDC) and school lunch programs for low-income children.<sup>510</sup>

By the end of his first term, the growing disparity between America’s rich and poor further alienated specific segments of the population and resulted in the tripling of America’s debt, stagnant wages, and a growing and massive disparity between rich and poor. *Reaganomics* succeeded in creating the perception of a nation divided into what historians Michael Schaller and George Rising term, “tax payers and tax takers.”<sup>511</sup> Among the alleged tax takers were poor women and racial minorities, both vilified by the administration in the image of the “welfare queen,” to mobilize popular support against public assistance.<sup>512</sup> By villainizing this segment of the American population Reagan convinced many American voters that his human concern had a price tag and a color.<sup>513</sup>

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<sup>509</sup> “Domestic Politics,” PBS The American Experience, WGBH Educational Foundation, accessed January 1, 2015, <http://www.pbs.org/wgbh/americanexperience/features/general-article/reagan-domestic/>

<sup>510</sup> Schaller and Rising, *The Republican Ascendancy*.

<sup>511</sup> *Ibid.*, 88. Historian Nikhil Pal Singh argues that Reagan’s presidency was a historical shift from the War on Poverty to the War on Drugs, reinventing and renewing the discredited racial logics of the past by coding racist appeals. Specifically he points to the use of racial imagery of a black underclass of “wild youths and welfare queens” as a right-wing tool to attack tax-supported government services for all of America’s working poor and unemployed. Nikhil Pal Singh, *Black is a Country: Race and the Unfinished Struggle for Democracy* (Cambridge, Harvard University Press, 2004), 9-11.

<sup>512</sup> Helen Heran Jun argues that the Reagan administration’s attack on social welfare programs and publicly funded institutions was an extension of the neoliberal Americanism that emerged under Reagan which emphasized personal responsibility and self-sufficiency. Ignoring the reality that the majority of welfare recipients during the period were white women, the administration produced the “welfare queen” as the image of “black female reproduction as a pathological excess” sustained by welfare. Jun, *Race for Citizenship*, 126. For further discussion of belief during the period that black mothers passed inferior traits and deviancy to their children and the representation of the black mother as the welfare queen who deliberately bred at the expense of the taxpayer, see Dorothy Roberts, *Killing the Black Body: Race, Reproduction, and the Meaning of Liberty* (New York: Pantheon Books, 1997).

<sup>513</sup> In 1976 Reagan used the term “welfare queen” to describe Chicago woman Linda Taylor whom he fictionalized, reporting she had used 80 names, 30 addresses, 15 telephone numbers to fraudulently collect food stamps, social security and veterans benefits for four fake and deceased veteran husbands. Along with her welfare check, Reagan claimed Taylor made a tax-free income of \$150,000 a year. The GOP had previously used the term “welfare queen” to describe Taylor after she bilked the government out of \$8000 using

## *Failed Diplomacy*

Thus, it was important for the Reagan administration to present the AIA as a major political and humanitarian success. However the limitations of the policy proved contradictory to any notion that the administration actually wanted to *solve* the Amerasian problem or normalize relations with Vietnam. Even so, after its passage, the administration continuously reminded the American people that efforts to obtain the release of the Amerasian children were a high priority and that the state had taken the lead in creating innovative legislation to ease the entry of “non-citizen Amerasian children” into the United States.<sup>514</sup>

As a result of such positive coverage of the AIA, between 1982 and 1986, much of the attention previously focused on the Amerasians and the AIA waned. There were of course, those Amerasian advocates who remained committed to the cause after the passage of the bill, increasing their support for American responsibility for its Amerasian children amidst criticism that the AIA excluded the Amerasians of Vietnam. Many became angry once they realized the false advertising of the bill. Small pockets of public criticism emerged, ranging from accusations of American racism to proof of political inhumanity. Concerned citizen Mary Ellen Finnerty Nachbur exclaimed: “I am usually proud to be an American, but when I realize that the racism and close-mindedness of

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four aliases. Reagan used his fictionalized version of Taylor—the lazy, black con artist who abused the system and stole from hardworking Americans—to condemn all of America’s poor as potential thieves and to spread the notion that welfare fraud was a national epidemic. Josh Levin, “The Welfare Queen,” *Slate.com*, Dec. 19, 2013, accessed October 17, 2014., [http://www.slate.com/articles/news\\_and\\_politics/history/2013/12/linda\\_taylor\\_welfare\\_queen\\_ronald\\_reagan\\_made\\_her\\_a\\_notorious\\_american\\_villain.html](http://www.slate.com/articles/news_and_politics/history/2013/12/linda_taylor_welfare_queen_ronald_reagan_made_her_a_notorious_american_villain.html).

<sup>514</sup> Memorandum, Richard Childress to William P. Clark, September 21, 1982, ID #091930, IM161533, WHORM: Subject File, Amerasian Children, Ronald Reagan Library. The role of Nancy Reagan in the Amerasian issue appears absent from the record outside of a 1983 trip to Thailand during which the President and First Lady met Amerasian children at Don Muang Military Airport Terminal where the President spoke about refugees from Indochina. Carter Presidential Library, RAC NLC 131-10-9-4-1 [declassified, June 9, 2008].

overpaid bureaucrats is what is keeping hungry Amerasian children from warm loving homes. I am ashamed to say I am a citizen of the same country.”<sup>515</sup>

However such backlash was too small to be effective or widely publicized and most Americans and policymakers, who had supported the AIA, viewed the bill as a success. Policymakers posited that by recognizing the role of the United States in the Amerasian situation, the AIA permitted America to finally have some closure from the war. Florida Congressman William Lehman (D-FL) argued that the AIA allowed America to “rewrite the last page of the diary chronicling her actions in Asia,” finally empowering Americans to “close the cover with honor.”<sup>516</sup>

Furthermore much of the media coverage during the period reflected the false advertising by the administration that the AIA had solved the issue by constantly crediting it with the immigration of Amerasians that actually occurred under the ODP—a UN program rather than an American one. In April 1984, *The New York Times* reported a significant increase of Amerasian children from Vietnam coming to America since the passage of the AIA.<sup>517</sup> In reality, the AIA did not result in an escalation. The emigration of the nine orphans depicted in the story was no different than the twenty-four American citizen Amerasians who had also immigrated to the United States before the passage of the bill, both groups arriving through the ODP.<sup>518</sup>

The Reagan administration addressed concerns regarding difficulties implementing the AIA in Vietnam by positing that the ODP would provide a sufficient

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<sup>515</sup> Letter, Mary Ellen Finnerty Nachbur to Ronald Reagan, August 11, 1983, ID #178961, WE001-01, WHORM: Subject File, Amerasian Children, Ronald Reagan Library.

<sup>516</sup> Representative William Lehman speaking in favor of Amerasian Immigration Act on July 23, 1982, HR 808, 97<sup>th</sup> Cong., 2<sup>nd</sup> sess. *Cong. Rec.* 128, pt. 25: H17860-17862.

<sup>517</sup> Nan Robertson, “Amerasian War Orphans Come to U.S.” *The New York Times*, April 18, 1984.

<sup>518</sup> Colin Campbell, “24 Children of American Fathers, Happy but Tearful, Leave Vietnam,” *The New York Times*, Oct. 8, 1982.



solution to that specific Amerasian problem.<sup>519</sup> However, for a refugee generating country in the post-Vietnam War era, the ODP in Vietnam was neither sufficient nor a solution. Between 1982 and 1986 only 3,552 Amerasians entered the United States from Vietnam as refugees under the program.<sup>520</sup> Nonetheless, believing that the AIA had taken care of the *bui-doi* “problem,” many Americans turned their attention to other more pressing issues of the decade, specifically immigration, communism, and the 2500 Americans listed as MIA/POW.

### *A Magnet for Millions*

In 1980, *Washington Post* writer Margot Hornblower called the United States “A Magnet for Millions,” drawing millions of immigrants and refugees, an unknown number of whom “will sneak over the Mexican border or fly into Dulles airport as ‘tourists,’ and melt into the economy as illegal aliens.”<sup>521</sup> Although worried Americans accused foreigners of taking jobs from hardworking Americans and exploiting the American welfare system, the real concern, according to Hornblower, was that the “invading” immigrants were from Third World countries—including half a million from Southeast Asia—and therefore posed a more threatening challenge than economic competition or drain.<sup>522</sup> These new immigrants, with their darker skin, foreign languages and inclination

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<sup>519</sup> Letter, Powell A. Moore to Arlen Specter, nd., ID #110551, WE001, WHORM: Subject File, Amerasian Children, Ronald Reagan Library.

<sup>520</sup> Vietnam suspended the interviewing process in Vietnam for those applying to the ODP citing a backlog of over 60,000 applicants created by the slow processing of the United States. American policymakers accused Vietnam of deliberately preventing applicants from leaving Vietnam and called on the SRV to permit the immediate resumption of the ODP specifically to permit the departure of Amerasian children, reeducation camp prisoners and others of special humanitarian concern to the United States. Midyear Consultation on U.S. Refugee Programs for Fiscal Year 1986, *Hearing*, 108.

<sup>521</sup> Margaret Hornblower, “A Magnet For Millions,” *Washington Post*, 1980, reprinted in Grant S. McClellan ed., *Immigrants, Refugees, and U.S. Policy* (New York: The H. Wilson Company, 1981), 16-20.

<sup>522</sup> Congressional reports state that between 1980 and 1984 1.6 million refugees from Southeast Asia fled the country. By the end of FY 1983 660,000 Southeast Asian Refugees, most of them from Vietnam, lived in the United States, 6% having been in the country for less than a year and 37% having entered since the passage of the 1980 Refugee Act. US Department of Health and Human Services, Refugee Resettlement Program, 98<sup>th</sup> Cong., 2d sess., January 31, 1984, iv; *Hearing Before the Subcommittee on Immigration and Refugee Policy*, Annual Refugee Consultation, 98<sup>th</sup> Cong., 1<sup>st</sup> sess., Sept. 26, 1983, 23. One of the programs considered by Congress in 1983 to address such concerns was to ban refugee access to public cash assistance for the first 90 days that they were in the United States. Annual Refugee Consultation, *Hearing*, 49. Between 1981 and 1982 the dependency rates for refugees on public

to “cling” to their culture, tested the racial and cultural tolerance of American society and contributed to the heightened fears of an “immigrant invasion.”<sup>523</sup>

Policymakers in Washington sought to balance such fears with efforts to fulfill America’s humanitarian obligation to provide a haven for the oppressed by initiating a dual approach to immigration. To promote the economic and foreign policy benefits of welcoming certain foreigners through America’s front door, policymakers expanded legal immigration and refugee admissions, while simultaneously shutting the “back door” by cracking down on illegal immigration.<sup>524</sup>

Rather than abating the anxieties of Americans about the newcomers, the Reagan administration encouraged them by juxtaposing the “good” immigrants and refugees from Southeast Asia against the “bad” from Cuba, Haiti and Latin America.<sup>525</sup> Although historically, people of Asian descent in America had often occupied the category of the “bad” immigrant—unassimilable, unskilled, undesirable and racially inferior—a

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assistance declined from 67% to 54%. The reduction may be credited to the April 1982 policy changes which shortened the period of eligibility for special refugee cash and medical assistance during a refugee’s first 18 months in the United States but continued to reimburse States for 36 months for costs incurred under AFDC, Medicaid and other General Assistance programs. The program also applied to Cuban and Haitian entrants on the same basis as to refugees.

<sup>523</sup> Margaret Hornblower, “A Magnet For Millions,” *Washington Post*, 1980, reprinted in McClellan, *Immigrants, Refugees, and U.S. Policy*, 16-20. Similar calls for restrictive immigration policies and an emergence of nativism can be found in Mark Wyman’s study of European re-migrants who challenged the fabric of American society and the narrative of immigration to America by maintaining their ethnic identities, neighborhoods and communities while rejecting efforts to fully assimilate into American culture. Mark Wyman, *Round-Trip to America: The Immigrants Return to Europe, 1880-1930* (Ithaca and London: Cornell University Press, 1993).

<sup>524</sup> In 1978 the Select Commission on Immigration and Refugee Policy (SCIRP) was established to evaluate US immigration policy. In 1981 SCIRP released its final report which shaped US immigration and refugee policies during the decade. Composed of members from diverse racial and ethnic groups including a Cuban American, Japanese American, and Mexican American, the report emphasized the benefits of expansive immigration policies. Specifically members insisted that newcomers from Asia, Latin America and the Caribbean assimilated effectively and made valuable contributions to society. US immigration policies, SCIRP contended, should not discriminate on race, ethnicity or religions. Members suggested expanding visa allotments for legal admissions for family reunification, skill recruitment, and refugees. The economic and social benefits of immigration required pro-immigration policies that would open America’s front door. However the report also described illegal immigration as a serious problem that required policymakers to shut America’s “back door.” SCIRP was concerned that illegal immigration encouraged lawlessness and crime and proposed enhanced border patrol and employer sanctions to address the issue. Tichenor, *Dividing Lines*, 248-252.

<sup>525</sup> *Ibid.*, 218-249. Asian and Latin American admissions composed 80 percent of all new arrivals into the United States during the 1970s and 1980s. The Cuban Adjustment Act of 1966 allowed all Cubans to enter the United States as refugees and earn permanent resident status after one year and one day in America. The negative perception surrounding Cuban immigrants largely emerged from the 125,000 Cubans who immigrated through the Mariel Boatlift between April 1980 and October 1980 at the same time that large numbers of Haitian boat people arrived. Laura Briggs posits that the process of incorporating new nationalities into modern racial categories in the United States assumes a neoconservative narrative of race that deems racialized minorities as “not-very-successful immigrants” and contrasts their failures with the success of late nineteenth and early twentieth century European immigrants. This process, Briggs claims, is fundamentally colonial, suggesting there is something inherently wrong with the members of the racialized group that produces their lack of success as a group. Under Reagan the conflation of this process with the “culture-of-poverty” reflected its neoconservative form. Briggs, *Reproducing Empire*, 2002.

designation reflected in the exclusion laws of the nineteenth and twentieth centuries, the emergence of the Asian as America's "model minority" after World War II *re-racialized* Asians into "good" immigrants.<sup>526</sup> By 1980, the flood of Asian immigrants and refugees onto American soil, including large numbers fleeing Vietnam, found themselves pushed under the model minority umbrella.<sup>527</sup>

Historian Yen Le Espiritu argues that in the effort to reconstruct the Vietnam War as a moral victory for America, it became necessary to recast the Vietnamese refugee into the narrative of "rescue and liberation." Thus the "good refugee" indebted to the "good" American warrior as savior, became the post-war version of the model minority, the "desperate-turned-successful."<sup>528</sup>

Many Americans assumed that the Vietnamese refugee successfully overcame the obstacle of war to achieve economic self-sufficiency—the American Dream—because of the quick assimilation into American cultural values.<sup>529</sup> Yet, Americans lauded the

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<sup>526</sup> Often considered a distinct racial group from their black and brown brethren whose demands for full civil rights proved problematic for American leaders by exposing the hypocrisy of American democracy during the Cold War era, Asian Americans became the model of successful ethnic assimilation. See Jun, *Race for Citizenship*; Chan, *Asian Americans*; Lee, *Orientalism* and Yen le Espiritu, *Body Counts: The Vietnam War and Militarized Refuge (es)* (Berkeley, University of California Press, 2014), 94-97. In 1977 Bob Suzuki published his article, "Education and the Socialization of Asian Americans: A Revisionist analysis of the 'Model Minority,'" in which he challenged the image of the successful, educated, middle-class model minority Asian by contrasting it with the damaging characterizations that had defined Asians in American for over a century. Bob H. Suzuki, "Revisiting the Model Minority Stereotype: Implications for Student Affairs Practice and Higher Education," *New Directions for Student Services*, no. 97, Spring 2002.

<sup>527</sup> The author does recognize that Southeast Asian immigrants and refugees also faced discrimination and violence once in America and stresses that the "good" and "bad" binary is for the sole purpose of comparing the assumed characteristics and preconceived notions and stereotypes associated with the various immigrant groups during the period. It is important to note that by 1982 the number of Southeast Asian refugees continued to dominate refugee arrivals to the U.S. however the number of Vietnamese refugees declined with the increasing numbers of Laotian and Cambodian refugees. In addition the Refugee Act of 1980 and the Refugee Assistance Amendments of 1982 both stressed economic self-sufficiency as the measure of achievement for refugees. U.S. US Department of Health and Human Services, Refugee Resettlement Program, 98<sup>th</sup> Cong., 2d sess., January 31, 1984, 22.

<sup>528</sup> According to Henry Yu the transformation of Asian Americans from an "Oriental Problem" in America to a "model minority," resulted from assumptions that Asian made successful cultural adjustments in America. The academic and economic success of Asian Americans (specifically the Japanese) became examples of assimilation and the "exemplar of American success at work." Yu, *Thinking Orientalism*, 187. See also, Espiritu, *Body Counts*, 94-97

<sup>529</sup> In her examination of race and class in the American Dream, Jennifer Hochschild defines the American dream as "the promise that all Americans have a reasonable chance to achieve success as they define it...through their own efforts." The dream, she argues, is the defining characteristic of American culture and fundamentally intertwined with race. Black Americans and white Americans traditionally view each other as barriers to the dream. Helen Heran Jun extends this analysis to the competition for the dream via citizenship between African Americans and Asian Americans. The "successes" of Asian Americans undermined the legitimacy of black political grievances regarding economic and social opportunities and racial equality. Jennifer L. Hochschild, *Facing Up to the*

“model minority” not as an example of achievement for all Americans, but rather only the template of success for other racial minorities. Particularly juxtaposed against African Americans, the model minority Asian represented the heights to which minority populations could rise with hard work and strong cultural values.<sup>530</sup> While Americans viewed “other” racial minorities and racialized immigrants and refugees as competition for jobs and housing and, pariahs of America’s social welfare system, Asians became the “racial solution.”<sup>531</sup> Americans viewed the achievements of the Vietnamese refugees as the result of a culture of strong work ethic and a focus on education and family values rather than an expectation of social welfare assistance or government aid.<sup>532</sup>

Despite the claims by some Asian American activists and leaders like Harold T. Yee that the “model minority” was a fabrication that failed to reflect the true experience of Asian Americans by ignoring different Asian American groups or cultural factors, the Reagan administration seemed content to continue the narrative.<sup>533</sup> As Asian Americans and Asian immigrants exemplified the achievement of American assimilation, the administration lauded the rehabilitated Vietnamese refugee as the fruit of American humanitarian success.<sup>534</sup> In 1985 the *New York Times* reported on the quick assimilation

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*American Dream: Race, Class, and the Soul of the Nation* (Princeton, NJ: Princeton University Press, 1995), xvii; Jun, *Race for Citizenship*.

<sup>530</sup> Jun argues that the construction of the Asian model minority occurred as a domestic racial discourse and an expression of the neoliberal principles that emerged after the civil rights movement. Jun, *Race for Citizenship*, 128.

<sup>531</sup> Yu, *Thinking Orientals*, 7-8.

<sup>532</sup> Central to the model minority myth were assumptions of an innate Asian American intellectual ability which researchers qualified through studies of educational achievements and intelligence testing like the IQ. Researchers credited hard work, rote memory and good study habits for the academic achievements of Japanese Americans who were consequently cast as intellectually inferior to European Americans but superior to other racial minorities. David K. Yoo, “Testing Assumptions: IQ, Japanese Americans, and the Model Minority Myth in the 1920s and 1930s,” in *Remapping Asian American History*, ed. Sucheng Chan (Walnut Creek: Altamira Press, 2003), 69-86.

<sup>533</sup> Yee was a Chinese American known for his community and political activism in the Asian American community. During the 1970s Yee was a member of the Chinese American Democratic Club which focused on community empowerment, opposition to the Vietnam War and normalization of relations with China. In 1971, he founded ASIAN, Inc., and advocated voter registration and supported Asian American political candidates and issues that affected the Asian American community. Harold T. Yee, “The General Level of Well-Being of Asian Americans,” Asian-American Service Institute for Assistance to Neighborhoods, San Francisco, CA. October 6, 1977. Civil Rights & Justice, Gutierrez folder Asians, Box 3, Domestic Policy Staff Files, Jimmy Carter Library.

<sup>534</sup> *Ibid.* In 1983 the Department of Health and Human Services (HHS) validated Yee’s criticism, reporting that Indochinese refugees had a higher unemployment rate than both the general U.S. population and the Cuban refugee population. In 1982 HHS reported that

and success of Vietnamese refugee children able to overcome the scars of their horrible past and who learned English in three months, earned straight As, “play soccer and go roller-skating with their American friends.”<sup>535</sup>

Only six months into his Presidency, however and in stark contrast to the “good” refugee from Southeast Asia, Reagan identified the two greatest problems facing his administration as “the Haitians and the criminal Cubans.”<sup>536</sup> The Haitian “boat people” epitomized the “bad” immigrant for Reagan. Deemed “economic migrants” rather than refugees from persecution, many Haitians entered America illegally; they arrived—poor, uneducated, low-skilled, and black.<sup>537</sup> Absent any political or Cold War benefit to accept the first Black migrant group into the United States, many Americans deemed the Haitians as unassimilable and potential burdens on the nation.<sup>538</sup>

The 125,266 Cuban refugees, who arrived in the United States in 1980 as part of the Mariel Boatlift, also challenged the tenets of U.S. refugee policy. Cuban leader Fidel Castro’s deliberate “infiltration” of the boatlift with Cuban criminals and other social “undesirables” served to escalate American anxieties over the newcomers.<sup>539</sup> American

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56% of Southeast Asian Refugees were in the labor force and 76% of those were able to find jobs compared with 90% of the general U.S. population. The unemployment rate for Southeast Asian refugees was 25% for men and 23% for women, reportedly lower than the U.S. population, while Cuban refugees reported a higher employment and lower unemployment rate than the general U.S. population. The image of the Vietnamese refugee as the “good” refugee would shift during 1980s as unemployment rates and dependence on social welfare increased, reflecting the changing profile of the second wave of Southeast Asian refugees.

<sup>535</sup> Deirdre Carmody, “Boat Children from Vietnam are Getting A’s in Assimilation,” *New York Times*, May 10, 1985.

<sup>536</sup> Douglas Brinkley, ed., *The Reagan Diaries* (New York: HarperCollins, 2007), 30.

<sup>537</sup> Under Carter and Reagan Haitian immigrants were legally admitted to the United States through parole or asylum. Most Haitians did not qualify for asylum however. Those granted parole were given “entrant” status—temporary refuge—which provided some employment and social welfare benefits. Ruth Ellen Wasem, “U.S. Immigration Policy on Haitian Migrants,” Immigration Policy Domestic Social Policy Division, CRS Report for Congress, January 21, 2005.

<sup>538</sup> To address the massive flow of illegal Haitian immigrants, and in contrast to the U.S. approach to the boat people of Southeast Asia, and in mutual agreement with Duvalier, Reagan instituted a policy of detention—interdiction—and return. Interdiction authorized the U.S. Coast Guard to intercept and search, by force if necessary, Haitian boats suspected of carrying illegals. If discovered, the Coast Guard returned the alien to Haiti. Between 1981 and 1989, the U.S. Coast Guard spent \$30 million annually to intercept and return over 29,000 Haitians to Haiti. Christopher Mitchell ed. *Western Hemisphere Immigration and United States Foreign Policy* (University Park: University of Pennsylvania Press, 1992), 142-145; “Reagan to Stem Illegal Immigration Flow,” *Ellensburg Daily Record*, September 30, 1981. Ruth Ellen Wasem, Specialist in Immigration Policy Domestic Social Policy Division, CRS Report for Congress, “U.S. Immigration Policy on Haitian Migrants,” January 21, 2005.

<sup>539</sup> Despite the fact that the number of violent criminals who entered the United States during the boatlift was small, the negative publicity of the “criminal” Cubans overshadowed the reality of Cuban immigrant success in America, inciting fear about all new Cuban immigrants and all foreign arrivals. Media reports justified American fears by profiling the changing nature of the Cuban

angst regarding the black and brown Haitians and Cubans conflicted with notions of the model minority attributed to Asian immigrants and refugees.

Refugee and social service programs specific to Southeast Asian immigrants and refugees intensified this divide by appearing to make them a “privileged group,” favored specifically for housing, compared to “needy” American citizens, minorities and other immigrant groups.<sup>540</sup> Fissures between these groups now competing for immigration/refugee/resettlement benefits and resources in America often resulted in violence. In Denver, Colorado, tensions erupted when twenty-four Southeast Asian families moved into apartments in a Chicano housing project seemingly bypassing a waiting list of other Latin Americans. While making room for the “good” Southeast Asian occupants, the housing owners announced they would not accept any Cuban applicants.<sup>541</sup>

As Reagan pondered how to send the Cuban criminals he described as “jailbirds and maniacs” back to Cuba, Americans reconsidered the dangers of America’s “open borders,” and the kinds of immigrants and refugees drawn to the United States.<sup>542</sup> The porousness of American borders, the expanded refugee admissions that resulted from the 1980 Refugee Act and the “changing face” of legal immigration incited calls for more

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refugee. Unlike earlier Cuban arrivals who were educated professionals, the new Cuban exiles were poor, rural and uneducated. *US News & World* reported that “At least 5,000 have admitted prison records, and many are avowed homosexuals,” and most of them “probably were misfits in Cuba. Such media coverage reinforced notions that Cubans were dangerous, criminal, and unassimilable. They were not “good” immigrants. The Cuban case scarred the expansive nature of a U.S. Immigration and Refugee policy that had let such “bad elements” into the country and jaded the perception of many Americans regarding which immigrants and refugees were “good” and which were “bad.” William L. Chaze, “Refugees: Stung by Backlash,” *U.S. News & World Report*, October 13, 1980, reprinted in McClellan, 46.

<sup>540</sup> Briefing Paper, “Current Procedures for Refugee Resettlement,” Los Angeles Regional Hearing, February 5, 1980, Immigration Law folder, Box22, Public Affairs File, Records of the Cuban-Haitian task Force, RG220, Jimmy Carter Library.

<sup>541</sup> William L. Chaze, “Refugees: Stung by a Backlash,” *U.S. News & World Report*, October 13, 1980, 60-3, reprinted in McClellan.

<sup>542</sup> Brinkley ed., *The Reagan Diaries*, 72. How to address the problem of the “marielitos,” was a political and humanitarian concern for Reagan. He did not want to lose the political support of the growing Cuban-American population. Reagan received ninety-percent of the Cuban vote in 1980. Additionally, Reagan faced concerns that Cuba would torture and persecute Cubans returned by the administration. Adolfo Leyva de Varona, “The Political Impact of Cuba-Americans in Florida,” in *Cuban Exiles in Florida: Their Presence and Contributions*, ed. Antonio Jorge, Jamie Suchlicki, and Adolfo Leyva de Varona (Coral Gables: University of Miami, 1991), 86.

restrictive immigration policies.<sup>543</sup> Some Americans advocated replacing America's "open door" policy with a "screen door" meant to police entrance into the country by taking into consideration the domestic economic conditions, and the "abilities, attitudes or motives of those seeking admission."<sup>544</sup> Others reverted to more traditional notions of America's "open door," stressing the importance of assimilation.<sup>545</sup> "Unless immigrants 'want to learn to be Americans,'" twenty-one year old Cindy Lane declared, "'they shouldn't be here.'"<sup>546</sup>

For members of the Congressional Black Caucus, assimilation into America carried a racial component.<sup>547</sup> Asserting a racial kinship between African Americans and Haitians, African American leaders like the Chairman of the Congressional Black Caucus, Representative Walter Fauntroy (D-DC) condemned the administration's harsh and discriminatory policies against the Haitian immigrants as an extension of its domestic policies against American racial minorities.<sup>548</sup> Leaders pointed to the difference between the "generous welcome" given to the non-black Southeast Asian "boat people" by the federal government complete with refugee benefits and legal status, and its treatment of the black Haitian "boat people" whom the government "did not wish to admit, as typical

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<sup>543</sup> Tichenor, *Dividing Lines*, 241.

<sup>544</sup> Kathryn Christensen, "Panel of Midwesterners Advocates Selectivity in Taking Newcomers," *Wall Street Journal*, October 14, 1980, reprinted in McClellan, 163. US nationality law already incorporated such an approach. The preference system that replaced the quota system in 1965 emphasized family reunification, and desirable occupation, skills or training. 1965 Immigration and Nationality Act, Public Law 89-236; 79 Stat. 911, 89<sup>th</sup> Cong., October 3, 1965.

<sup>545</sup> For further discussion of nativism and assimilation in America see Daniels, *Coming to America: A History of Immigration and Ethnicity in American Life*; Higham, *Strangers in the Land*; and Tichenor, *Dividing Lines*. All three correlate nativism and expansive or restrictive US immigration policies with the health and security of the American economy.

<sup>546</sup> Kathryn Christensen, "Panel of Midwesterners Advocates Selectivity in Taking Newcomers," *Wall Street Journal*, October 14, 1980, reprinted in McClellan, 166.

<sup>547</sup> It is important to note that the influx of newcomers especially affected African Americans as they competed directly for jobs, housing and resources while simultaneously the brunt of the consequences of Reagan's social and economic policies. In 1982 Black men faced an unemployment rate of nineteen percent and African Americans comprised fifty-three percent of America's prison population. Carolyn Martindale, *The White Press and Black America* (New York: Greenwood Press, 1986), 5.

<sup>548</sup> African American leaders were also critical of the administration's foreign policy of "constructive engagement" in Africa in which the United States maintained its alliance with and supported the pro-apartheid South African government. For more on this relationship see David F. Schmitz, *Brent Scowcroft: Internationalism and Post-Vietnam War American Foreign Policy* (Washington, D.C.: Rowman & Littlefield, 2011); "The Case of the Haitian Refugees, The Immigration Reform and Control Act of 1983," Center for Afro American and African Studies, the University of Michigan, May 20, 1983, MS2070 Series 1, General Files 1960-1990, Walter E. Fauntroy papers, Special Collections Research Center, The George Washington University.

of an administration with racist policies.”<sup>549</sup> In her critique of American refugee policy, journalist Mary McGrory posited that in America there are “the right kind of boat people” who come from Vietnam and for whom Americans raise money, offer asylum and weep, and the “wrong kind” from Haiti who, upon their arrival in America, were sent back to the oppressive fascist regime or thrown in jail.<sup>550</sup>

Yet while African American leaders insinuated that race was at the center of such policy discrepancies, they failed to extend the same racial kinship offered the Haitian refugees to the black Amerasians.<sup>551</sup> Although the race of the assumed fathers of black Amerasians and the harsh treatment and discrimination they faced in Vietnam as a result, were undeniable, no mass social or political action on the part of the black Amerasians ever emerged from African American political leaders.<sup>552</sup> Even the requests of advocates like Father Carroll and John Shade for African American leaders to recognize their racial kinship with the black Amerasians, urging leaders to embrace the black Amerasians as their own, failed to garner a response.<sup>553</sup> Although sixteen of the nineteen African American members of Congress did co-sponsor the AIA, their voices are silent on the issue in the political record.<sup>554</sup>

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<sup>549</sup> Ibid.; Walter Fauntroy Remarks, “NAACP/Committee for the Defense of Haitian Refugees” Washington, DC, Dec. 12, 1981, MS2070 Series 1, General Files 1960-1990, Walter E. Fauntroy papers, Special Collections Research Center, The George Washington University; Paul Lehmann, “The Haitian Struggle for Human Rights,” *Christian Century*, 1908, reprinted in McClellan, 91.

<sup>550</sup> Mary McGrory, “Refugees from Haiti May Become the ‘Right’ Kind of Boat People,” *The Washington Star*, Nov 13, 1979. Immigration & Naturalization Service (I&NS)[2] folder, Box 11, Civil Rights and Justice, White, Jimmy Carter Library.

<sup>551</sup> “The Case of the Haitian Refugees, The Immigration Reform and Control Act of 1983”, Center for Afro American and African Studies, the University of Michigan, May 20, 1983, MS2070 Series 1, General Files 1960-1990, folder 37, Box 1, Walter E. Fauntroy papers, Special Collections Research Center, The George Washington University.

<sup>552</sup> For more information see Thomas, “The Soul of Blood and Water.”

<sup>553</sup> At the 1984 Asian-American conference, Sid Talisman of the American Council of Nationalities Service, a resettlement agency, expressed concern that the State Department had not documented the racial background of Amerasians. Talisman argued that such statistics had important implications for resettlement. Asian-American Conference, American Council of Voluntary Agencies in Foreign Service, New York, October 4-5, 1984, 20.

<sup>554</sup> It is possible to apply the argument made by James Scott in his analysis of the subaltern in considering the silence by African American leaders on the Amerasians as a deliberate method of resistance and non-cooperation on an issue fraught with racial tension under a Presidential administration that many in the African American community deemed hostile. James C. Scott, *Weapons of the Weak: Everyday Forms of Peasant Resistance* (New Haven: Yale University Press, 1987).



Such silence was striking, by 1985, considering the reports that thirty-percent of all Amerasians in Vietnam were black Amerasians.<sup>555</sup> They remained the most visible reminder of the Amerasian issue during the decade, undermining the argument by those who questioned the validity of American paternal responsibility by asserting that Amerasians could be the progeny of other “white” European fathers.<sup>556</sup> Additionally, by mid-decade, resettlement agencies like the United States Catholic Conference began releasing reports regarding the negative mental health and psychosocial effects that resettlement was having on all of the Amerasians but specifically, the black Amerasians. Issues of parental abandonment, poverty and discrimination compounded by racial rejection and confusion over racial identity were common among black Amerasians who suffered more often from depression, distress and psychiatric disorders.<sup>557</sup> Black Amerasians also entered the United States under the ODP alone, as “unaccompanied minors,” at higher rates than other Amerasians. Consequently, many of them ended up in the U.S. foster care system.<sup>558</sup>

Black Amerasians, unlike the Haitian refugees, had actual kinship ties to an African American father, yet there was an absence of collective political or community action on their behalf. Moreover, many of the black Amerasian children found their refuge within a foster care system, already overloaded by disproportionate numbers of

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<sup>555</sup> The State Department admittedly failed to keep racial statistics on the Amerasians. According to John Shade the percentage of black Amerasians in Vietnam directly correlated with the percentage of African American troops associated with the Vietnam War effort. “Q&A: Buck Foundation works for Amerasian Kids Future,” *The Washington Times*, October 12, 1983, Archives of the Pearl S. Buck House, Pearl S. Buck International.

<sup>556</sup> HR3405 and HR808, *Hearings*; This subject is discussed in further in Chapter Three.

<sup>557</sup> Robert McKelvey, “Vietnamese Amerasians and Former Political Prisoners,” *Psychiatric Times*, 25 no. 5 (April 2008): 38-40; Anis, “Psychosocial Adjustment of Vietnamese Amerasians”; Bemak and Chung, “Vietnamese Amerasians: Psychosocial Adjustment and Psychotherapy,” 79-88.

<sup>558</sup> During the decade the Buck Foundation became increasingly active in domestic adoptions of African American children by African American families. An intriguing area for further interest lies within the research of American social services and foster care systems regarding the number of black Amerasians adopted by African American and non-African American families. Kendall Wilson, “Black Children Wait to Welcome Adoptive Parents,” Misc folder, no box, Archives of the Pearl S. Buck House, Pearl S. Buck International.

African American children.<sup>559</sup> Rather, the inaction of African American leaders reflects a paternal and a racial disconnect with the black Amerasians. Leaders did not or could not perceive of the black Amerasians through a shared racial lens. Instead leaders grouped them with all the other Amerasians as part of the bigger Southeast Asian immigrant population that benefitted from the administrations' policies.

Ultimately, the Reagan administration also grouped the Amerasians amongst all Southeast Asian immigrants. Understanding the limitations of the AIA, the administration deferred to the ODP as a path for Amerasian immigration while publicizing the successes under the AIA banner. Even though, Reagan's record on immigration had done little to rehabilitate his humanitarian image, the positive publicity of the AIA could be seen to provide proof, in contrast to other examples of callousness that Reagan did care about people. Furthermore, the issues and debates surrounding US immigration and refugee policy occupied the attention of an American public no longer concerned about the plight of the Amerasians. Thus, while acknowledging their paternity and the discrimination and poverty they faced in Vietnam, the Reagan administration did little to actually address their condition and seemingly had little intention nor faced much political pressure to do so. By keeping the majority of Amerasians in Vietnam, Reagan could appear to care about them without further opening American borders.

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<sup>559</sup> In 1977, the North American Center for Adoption reported that over fifty-percent of children awaiting adoption were Black. "Carter Backs Subsidy for Adopting Unwanted Children, Many of Whom are Black," *Jet*, July 28, 1977. In the May 22, 1980 edition of *Jet Magazine*, University of Michigan Professor Howard V. Brabson reported that "thousands of Black children" awaited adoption because adoption standards favored the white middle-class. Adoption agencies, Brabson claimed, "screened out" black families by requiring high income, education, home ownership, etc. "Middle-Class Standards Keep Blacks from Adopting," *Jet*, May 22, 1980. To meet the needs of African American children in foster care during the 1980s numerous programs emerged to address the issue including numerous independent campaigns by black churches around the nation. The Buck Foundation introduced a new US adoption program aimed specifically at placing "special needs children"—black, biracial, older Caucasian children, large sibling groups, emotionally disturbed, physically handicapped and mentally retarded." The program actively recruited, prepared and supported black families for the adoption of black children. In 1983 PSBF created another branch of the program, the "Black Adoption Program." "Welcome House 1981: New Programs Underway," *The Welcomer*, September 1981, Welcomer 1981 folder; "News...Views and Do's...of Welcome House," *The Welcomer* 2, no. 2 (Summer 1983), Welcomer 1983 folder, Box Welcome House. Archives of the Pearl S. Buck House, Pearl S. Buck International.

The Amerasians were politically beneficial to the administration. As Cold War pawns, their “American” faces were evidence of the injustice of communism. They were also politically advantageous for Reagan, who could counter accusations of his inhumanity by pointing to his efforts to *save* the Amerasians. Thus the Amerasians provided a promising Cold War narrative in which “good guy” Americans could rescue the innocent “American” children from the clutches of “bad guy” Communists. This narrative only worked however, as long as the children needed rescuing.

### **The Evil Empire**

In addition to immigration, American attention during the 1980s again turned to the dangers of communism and the Cold War. Reagan personally contributed to the escalation of the Cold War during the early part of the decade through his aggressive anti-Communist rhetoric and his commitment to increased defense spending to restore America to military dominance. In 1983, in one of his more famous condemnations of communism, Reagan called the Soviet Union the “Evil Empire,” breathing new life into the ideological Cold War conflict between democracy and communism, believed by some Americans to be the battle between good and evil.<sup>560</sup>

Both the United States and Vietnam regarded the Amerasians favorably in terms of international relations and diplomacy. In negotiations over political prisoners and missing or dead American soldiers, the Amerasians represented the human toll. Unlike prisoners or missing soldiers, they lived and breathed, many on the streets of Vietnam’s largest cities. Their stories resonated with the American public which made them convenient tools for negotiation by leaders from both countries. Thus, while relying upon

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<sup>560</sup> Reagan gave his “Evil Empire” speech on March 8, 1983 in an address to the National Association of Evangelicals in Orlando, Florida.

the power of their human element for diplomatic purposes, the United States and Vietnam simultaneously dehumanized the Amerasians and turned them into political pawns used to expose the fissures and falsehoods in their opponents' ideology.

As part of the effort to write an American moral victory into the Vietnam War and to reinforce the Cold War narrative, it was imperative that Americans recognized Amerasians as "America's children." By ascribing an American identity, America could properly "save" them from the evil clutches of Communism.<sup>561</sup> In lobbying efforts for the AIA, policymakers engaged in a campaign of inclusionary rhetoric designed to target the hearts of Americans by evoking notions of transnational kinship. Senator Denton described the bill as an opportunity deserved by the Amerasian children "because they are American children" and, the AIA allowed them to "claim their birthright."<sup>562</sup> Senator Mark Hatfield called the Amerasians an "American tragedy" to which Americans must now respond, while Representative Donnelly described them as "the children of America," and Senator Samuel I. Hayakawa urged the Senate to "bring our children home."<sup>563</sup>

Vietnam also engaged in America's politics of inclusionary rhetoric, insisting that the Amerasians *were* American children. Vietnam officials agreed America had an obligation to remove this population of American offspring from Vietnam and resettle them in the United States.<sup>564</sup> The failure of the Reagan administration to do so met with

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<sup>561</sup> In the conflict between Democracy and Communism during the Cold War era, America presented its position as a fight between good and evil. The Amerasian children provided yet another opportunity to reinforce the Cold War divide and enhance America's humanitarian reputation. Within this context it became essential for Americans to recognize the Amerasians as children of American fathers while pointing to the victimization they faced under Communism.

<sup>562</sup> "Admission of Certain Children of U.S. Armed Forces Personnel," SB 1698, 97<sup>th</sup> Cong., 2d sess., *Cong. Rec.*, September 28, 1982. S25338-25341.

<sup>563</sup> *Ibid.*; "Preferential Treatment in Admission of Certain Children of U.S. Citizens," HR 808, 97<sup>th</sup> Cong., 2d sess., October 1, 1982: H27269-27273.

<sup>564</sup> *The Philadelphia Inquirer*, 9 October 1986.

quick condemnation from American advocates and the Vietnamese government. In his 1986 critique of the failures of the AIA, one journalist, insinuated that the Amerasians were victims of political and economic tensions between the two countries and that, although the AIA was good propaganda, the only reason it passed was because it “cost the government nothing.”<sup>565</sup> Some Americans even accused the U.S. government of deliberately hindering the departure of Amerasians to America, preferring to use them as a way to embarrass the Vietnamese while portraying the evils of Communism.<sup>566</sup>

In its response to accusations by American veteran Gary Tanous, unable to bring his American citizen Amerasian daughter to the United States from Vietnam, that he had received “absolutely no cooperation from American authorities, and that the Reagan administration had “washed its hands” of the Amerasians, the administration blamed Vietnam.<sup>567</sup> John Tucker of the Office of Refugee Admissions disregarded Tanous’ complaint that American authorities would not issue his daughter a US passport unless she was present to sign it—an impossible requirement. Rather, Tucker explained, the blame was on Vietnamese authorities who were responsible for granting exit permits.”<sup>568</sup>

The Reagan administration responded to such accusations by reminding the Vietnamese that their actions were to blame for the lack of diplomatic relations and thus the Amerasian problem. It was Vietnam’s incarceration of political prisoners after the

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<sup>565</sup> Cerquone’s statement was in reference to the requirements of the AIA that private charitable organizations or individual American citizens agree to financially sponsor the Amerasians. Because Amerasians fell under the numbers for refugee admissions, the program essentially cost the US government nothing. Joseph Cerquone, “Vietnam’s American Children: Refugees in a War That Won’t End,” *Commonweal*, April 25, 1986, 239-241. Subject Files, Amerasians folder, Box 132, Stewart B. McKinney Papers. Archives and Special Collections at the Thomas J. Dodd Research Center. University of Connecticut Libraries.

<sup>566</sup> Bass, *Vietnam: The War Comes Home*, 35.

<sup>567</sup> Bob Beck, “Quest for Daughter in Vietnam Getting Increasingly Futile,” *The Columbian*, nd; Letter to Ronald Reagan from Gary Tanous, nd, ID #070522, IM161533, WHORM: Subject File, Amerasian Children, Ronald Reagan Library. At the time of Jeanna Mare’s birth in 1967, her parents Gary and Mai Tanous were married and resided in Saigon. In 1968 the family moved to Vancouver, Canada where the couple separated and Mai returned to Saigon with their daughter. The couple later divorced.

<sup>568</sup> Letter to Mr. Gary D. Tanous, from John W. Tucker, May 19, 1982, ID #070522, IM161533, WHORM: Subject File, Amerasian Children, Ronald Reagan Library.

war, Vietnam's refusal to provide a full accounting of America's missing soldiers, and Vietnam's invasion and occupation of Cambodia that prevented the normalizing of relations. The Amerasian children, American leaders asserted, were victims of Vietnam's inhumanity, not America's.

Still, American actions on behalf of the Amerasians fell far short of American rhetoric. Leaders did very little after the passage of the AIA to move forward with a solution for the Amerasians in Vietnam. Rather, between 1982 and 1986, the Reagan administration continued to justify its failure to fulfill the idealistic promises of its inclusionary rhetoric with real action. Until normalization, the administration was content to allow Amerasians from Vietnam to enter America through the ODP while promoting its commitment to bring all of the Amerasians to the United States, once Vietnam behaved.<sup>569</sup>

As the AIA and the ODP proved largely ineffective in bringing the Amerasians of Vietnam to the United States, by mid-decade, the Reagan administration increased the promotion of its humanitarian and moral commitment to the Amerasians, labeling them as a "special humanitarian concern."<sup>570</sup> On September 11, 1984, Secretary of State George Schultz released the statement that "Because of their undisputed ties to our

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<sup>569</sup> In 1984 Richard D. English, Deputy Assistant Secretary for Refugee Admissions with the Bureau of Refugee Programs, reported that after examining the limitations of the AIA regarding Amerasians from Vietnam, the Department of State determined that both the ODP and refugee status were appropriate for that particular Amerasian population. Asian-American Conference, October 4-5, 1984, American Council of Voluntary Agencies in Foreign Service Committee on Migration and Refugee Affairs, 11, Subject Files, Amerasian folder: Box 132, Stewart B. McKinney Papers. Archives and Special Collections at the Thomas J. Dodd Research Center. University of Connecticut Libraries.

<sup>570</sup> This label applied to both the Amerasians of Vietnam and the political prisoners from the War still confined in Vietnam's reeducation camps. *Hearing before the Subcommittee on Immigration and Refugee Policy*, Annual Refugee Consultation, 99<sup>th</sup> Cong., 1<sup>st</sup> sess, Sept 17, 1985, 6.

country,” over the next three years, the United States will “accept all Asian-American children and their qualifying family members presently in Vietnam.”<sup>571</sup>

That same year, a *New York Times* report challenged the administration’s commitment to resolving the issue. Vietnam, the story claimed, wanted to discuss the problems that had hindered the immigration and resettlement of the Amerasians. Reportedly, U.S. officials rejected the request stating, ““We don’t really see any necessity for talks. The orderly departure program is the only program set up to take Vietnamese refugees, and it is working.””<sup>572</sup>

But the ODP was not working for Amerasians and in response to the demands to “open the doors which should never have been shut,” the Reagan administration introduced two “special initiatives.”<sup>573</sup> The first was the resettlement in the United States of all remaining reeducation camp prisoners, and the other, to fulfill Shultz’s promise, to admit to the United States all of the remaining Amerasians from Vietnam and their family members by 1987.<sup>574</sup>

In the tradition of the AIA however, this too, faced complications posed by an absence of diplomatic relations. Vietnamese authorities agreed to the proposal resulting in the immediate increase of the number of Amerasians approved for the ODP. Yet rather than praising Vietnam for its cooperation, Shultz pointed to its failure to meet the numerical goal of 5000 Amerasians per year set by US officials.<sup>575</sup>

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<sup>571</sup> Asian-American Conference, October 4-5, 1984, American Council of Voluntary Agencies in Foreign Service Committee on Migration and Refugee Affairs, 11, Subject Files, Amerasian folder: Box 132, Stewart B. McKinney Papers. Archives and Special Collections at the Thomas J. Dodd Research Center. University of Connecticut Libraries.

<sup>572</sup> “Vietnam Official Wants Talks on Amerasians,” *The New York Times*, July 31, 1984.

<sup>573</sup> Letter, Mary Ellen Finnerty Nachbur to Ronald Reagan, August 11, 1983, ID #178961, WE001-01, WHORM: Subject File, Amerasian Children, Ronald Reagan Library. [quotation]

<sup>574</sup> Annual Refugee Consultation, *Hearing*, Sept 17, 1985, 6.

<sup>575</sup> Proposed by the United States on September 11, 1984, and successfully presented to Vietnamese authorities in October 1984, Secretary of State Shultz deemed the initiative regarding the Amerasians a success in that it doubled of the number of Amerasians released by Vietnam through the ODP—from 2200 in FY 1984 to 4000 in FY 1985. However it failed to meet the numerical goal.

The official designation of the Amerasians as a special population for consideration in the ODP process did not result in a separate program for admission. Rather, the Amerasians fell under the general admission numbers allotted for the entire program, 8500 per year.<sup>576</sup> Subsequently, the Amerasians became subject to the increasing tension between the United States and Vietnam over the processing of all ODP applicants. Thus, when Vietnam faced an ODP backlog of 60,000 cases, it blamed the United States, suspended the program, and ordered all Westerners to leave.<sup>577</sup> The only path to immigration for the Amerasians in that country had disappeared.

More problematic for the administration committed to resolving the Amerasian problem was increasing pressure to shift the family reunification cases from Indochina from refugee flows (ODP) to immigration channels.<sup>578</sup> While such a shift would require admitted refugees to become American citizens in order to file immigration petitions for their relatives, encouraging naturalization, many humanitarian and resettlement

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Less than fifty-percent of those released, immigrated to the United States—in FY 1984, 937 and in FY 1985 1,498. Between FY 1982 and 1986, 3,552 Amerasians total entered the United States as part of the ODP. The idealistic expectations of US officials that the Vietnamese could locate all of the remaining Amerasians for the program failed to consider the enormous task of disseminating the information and locating Amerasians, specifically those residing in rural areas, within a three year period. Mid-Year Consultation Refugee FY 1986, *Hearing*, 105; U.S. Congress, Senate, Annual Refugee Consultation, *Hearing*, Sept 17, 1985, 6; Asian-American Conference, October 4-5, 1984, American Council of Voluntary Agencies in Foreign Service Committee on Migration and Refugee Affairs, 11, Subject Files, Amerasian folder: Box 132, Stewart B. McKinney Papers. Archives and Special Collections at the Thomas J. Dodd Research Center. University of Connecticut Libraries.[total fiscal year statistics]

<sup>576</sup> During the decade Congress became less tolerant of accepting high numbers of refugees. By 1986 increasing pressure existed to change the family reunification cases from Southeast Asia from refugee flow to immigrant channels. As a result, many policymakers like Alan Simpson advocated for a reduction in the refugee admission numbers. Regarding the ODP there was a push for future applicants to utilize the US immigration channels instead—allowing a relative in the United States to petition for their immigration through the appropriate immigration channels. In FY 1985, 69,000 refugees entered the United States and in FY 1986 62,000, a decline of eight-percent. Southeast Asian refugee arrivals in FY 1985, 49,853 and FY 1986, 45,391, a nine-percent drop reflected in the admissions ceiling that year of 45,500, however the monthly flow of Southeast Asian refugees remained fairly stable throughout the decade. The annual ODP admission ceiling remained at 8500 for FY 1985 through FY 1987. US Department of Health and Human Services, Refugee Resettlement Program, 100<sup>th</sup> Cong., 1<sup>st</sup> sess., January 31, 1987, 7.

<sup>577</sup> Prior to 1986 the ODP functioned through an ODP office in Bangkok, Thailand with UN officials acting as processing liaisons in Vietnam. Under this system bureaucracy, intensive document requirements and checks, and significant time delays characterized each level of Amerasian processing. When these operational inefficiencies resulted in a significant case backlog, Vietnam installed a unilateral moratorium on processing. DeMonaco, “Disorderly Departure,” 644.

<sup>578</sup> The shift was a response to the 1985 Ray Panel report which highlighted the importance in global “burden-sharing” of the refugee problem—allowing other countries to accept more of the burden—in light of impending budget cuts from the 1986 Gramm-Rudman-Hollings bill. Specifically regarding the refugee flow from Southeast Asia the Department of State agreed that it was time to move from a reliance on refugee resettlement to a “more balanced use of refugee and normal immigration mechanisms.” Statement of James N. Purcell, Bureau of Refugee Programs, June 20 1986 Mid-Year Consultation, 7-9. For more on the Ray Panel see “Summary of Findings and Recommendations,” Congressional Record Extension of Remarks, June 26, 1986, 99<sup>th</sup> Cong., 2<sup>nd</sup> sess., Vol 132, No. 89. E2358.



organizations expressed concerns about the time required by such a process.<sup>579</sup> Specifically for the refugees from Indochina, whose “fragile existence” mandated their expedited departure, “it is neither practical nor appropriate for them to be subjected to the normal immigration processing delays.”<sup>580</sup> Yet neither resettlement organizations nor policymakers even considered the opportunity such an approach presented for the Amerasians. Granting citizenship to the Amerasians who had settled in the United States and who still wanted to come, could have allowed policymakers to truly solve the Amerasian dilemma and provide some relief to the refugee flow that by June 1986 had facilitated the immigration of 3,552 Amerasians and 8,618 of their family members.<sup>581</sup> However no such consideration emerged.

Thus even a year after Reagan’s call to action for the Amerasians, there was still little progress. Rather, Vietnam’s Foreign Minister, Nguyen Co Thach again indicated Vietnam’s desire to resolve the issue, this time by declaring a willingness to work with private Americans to speed up the process to bypass the constraints attached to diplomatic situations. Despite its rhetoric, however, the Reagan administration had a bigger matter to resolve with Vietnam. This issue also dealt with the sons and daughters of American citizens—the missing and the dead—and one that would become the main obstacle in normalizing relations by the end of Reagan’s presidency.

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<sup>579</sup> In 1986 a number of humanitarian and resettlement organizations including the Indochina Resource Action Center, the U.S. Catholic Conference Migration and Refugee Service and the World Relief Refugee Services endorsed the “Critique of the Report of the Indochinese Refugee Panel,” and the concerns expressed regarding US refugee policy. “Critique of the Report of the Indochinese Refugee Panel,” Mid-Year Consultation FY 1986, *Hearing*, 61-66.

<sup>580</sup> *Ibid.*

<sup>581</sup> Approximately eighty-percent of all Amerasians who entered the United States through the ODP did so as refugees. Asian-American Conference, October 4-5, 1984, American Council of Voluntary Agencies in Foreign Service Committee on Migration and Refugee Affairs, 11, Subject Files, Amerasian folder: Box 132, Stewart B. McKinney Papers. Archives and Special Collections at the Thomas J. Dodd Research Center. University of Connecticut Libraries; Mid-Year Consultation FY 1986, *Hearing*, 105.

### *Diplomacy of the Dead, MIA and Amerasian*

By Reagan's second term it was clear that at the end of the war, US forces had left behind two groups of Americans in need of rescue: the Amerasians—visible, real, yet largely ignored, and American MIAs—hidden, perhaps deceased, and the subject of much emotion and debate among many Americans. In his 1985 testimony before the Subcommittee on Asian and Pacific Affairs regarding the American MIA/POW issue, former Director of the Defense Intelligence Agency, Lt. General Eugene F. Tighe, Jr., called attention to America's moral obligation from the Vietnam War. Tighe referred not to America's duty to the Amerasians, but to the 2500 American soldiers Missing in Action and reportedly languishing in Vietnamese prisons. He described America's commitment to this cause as “a great tribute to the human concern of the greatest nation on earth.”<sup>582</sup>

Throughout his Presidency, Reagan used the MIA/POW issue as he did the Amerasians—evidence of the evils of Communism and the goodness of America. Reagan considered the resolution of the MIA/POW issue through a full accounting of each and every missing and unaccounted for American, the highest national priority and the major obstacle in normalizing relations with Vietnam.<sup>583</sup> In 1985, Reagan declared that “relations between the Governments of Vietnam and Laos will not improve unless and until this issue is resolved.”<sup>584</sup> Considering the nature of war in general, but the Vietnam War in particular, filled with heavy artillery, bombings, and plane crashes that literally obliterated human remains, such a demand seemed rather idealistic and largely

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<sup>582</sup> *Hearing Before Subcommittee on Asian and Pacific Affairs, Americans Missing in Southeast Asia, 99<sup>th</sup> Cong., 1<sup>st</sup> sess., June 27, 1985, 19.* Tighe also posited that the United States should establish diplomatic relations with Vietnam in order to resolve the MIA/POW issue.

<sup>583</sup> *Ibid.*, 10, 28.

<sup>584</sup> *Ibid.*, 10, 28-38.

unattainable. Thus, as with the Amerasians, Reagan's insistence regarding the MIA/POWs was less about resolution than it was extending the ideological Cold War battle with Vietnam.

In no previous war had America imposed such requirements and in this case, the push seemed driven largely by Cold War politics. In comparison to the 78,000 missing Americans and 8,500 unidentified after World War II, and the 8,000 still missing from the Korean War, the 2500 MIA/POW from Vietnam seemed a rather unimpressive number.<sup>585</sup> Upon his entrance into office, Reagan understood the need of many Americans to reconcile fears that they had abandoned their brethren and feelings of guilt associated with losing the war.<sup>586</sup> Committed to resurrecting American exceptionalism and to rewriting the Vietnam War narrative as an American victory, Reagan conveniently disregarded the findings of previous administrations, including the Woodcock Commission under Carter, that there were no American POWs in Vietnam.<sup>587</sup>

President Carter in fact, had commended Vietnam on its post-war cooperation on the MIA issue and efforts to retrieve the bodies of fallen American soldiers. He viewed Vietnam's efforts as critical to the resolution of the war and to reestablishing diplomatic relations.<sup>588</sup> Unfortunately, such feelings of cooperation soured when Vietnam invaded Cambodia in 1978. The invasion and subsequent occupation placed the United States and

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<sup>585</sup> Michael J. Allen, *Until the Last Man Comes Home*.

<sup>586</sup> Ibid. Allen argues that America's infatuation with the MIA/POW issues and specifically captivity and recovery, was the way Americans addressed the military defeat in the Vietnam War.

<sup>587</sup> Shortly after the fall of Saigon, the Congressional committee on Missing Persons in Southeast Asia held a major investigation of the POW/MIA issue in December 1976, and concluded there were no POWs in Indochina.

<sup>588</sup> Jimmy Carter, Presidential Commission on Americans Missing and Unaccounted for in Southeast Asia, Remarks on the Results of the Commission's Trip to Vietnam and Laos, March 23, 1977. Initial cooperation on the MIA issue is largely credited to the efforts of the Woodcock Commission sent to Vietnam by Jimmy Carter to investigate the MIA issue. The commission returned to the United States with twelve bodies (only eleven proved to be American) ported that all of the POWs had been returned or were deceased.

China at odds with Vietnam and the Soviet Union in a complicated Cold War conflict, halting any chance of relations or any further cooperation on the MIA/POW issue.<sup>589</sup>

Reagan however, forgot Carter's praise of Vietnam's cooperation and the official reports that claimed no American POWs remained in Vietnam, as he, and Hollywood, deliberately wove stories of captive Americans and an uncooperative Vietnamese government back into American memory. Ignoring even his strongest advocates who testified that there were no POWs remaining in Vietnam, Reagan continued to promote unsubstantiated claims and "evidence" that Americans were alive in that "that d- -n Communist sink hole."<sup>590</sup> On Memorial Day in 1985 Reagan reminded a hopeful crowd that the war in Southeast Asia "still haunts" the families of the missing and that it will not end without a full accounting. "Today," Reagan demanded, "a united people call upon Hanoi with one voice: Heal the sorest wound of this conflict. Return our sons to America. End the grief of those who are innocent and undeserving of any retribution."<sup>591</sup> Bobby Muller, the leader of the Vietnam Veterans Association at the time criticized the intense emotion Reagan created over the MIA/POW issue, seeing it as nothing more than the result of political propaganda used to justify the war after the fact by confirming the evilness of the Vietnamese.<sup>592</sup>

In rewriting America's Vietnam War narrative, it was important to many American leaders not just that Americans view communism as evil and the Vietnamese

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<sup>589</sup> Vietnam's invasion of Cambodia reignited Cold War tensions within a new Cold War framework. The invasion resulted in a brief war with China at a time when US-China relations were on the mend. Thus, the US supported China and joined the rest of the international community in condemning Vietnam for its actions. Any opportunity for the United States and Vietnam to establish relations in the post-Vietnam War era disappeared. Thus after 1978, lines of democracy and communism no longer clearly shaped the Cold War battle. Rather, the United States accepted communist China as an ally while strengthening its resolve against Soviet communism and Vietnam.

<sup>590</sup> Brinkley, *The Reagan Diaries*, 128.

<sup>591</sup> Ronald Reagan, "Remarks at Memorial Day Ceremonies Honoring an Unknown Serviceman of the Vietnam Conflict," May 28, 1984, Ronald Reagan Presidential Library <http://www.reagan.utexas.edu/archives/speeches/1984/52884a.htm> (accessed January 1, 2015).

<sup>592</sup> Muller, interview.

as the enemy, but that the American public see its soldiers as heroes and their sacrifices, worthy of attention. Reagan described the war, not as a military failure but as a “noble cause,” and Vietnam veterans not as “baby killers” but as “heroes.”<sup>593</sup> Even Jeremiah Denton in the midst of his campaign for the AIA in July 1982 employed the Cold War rhetoric infused with the emotion of his own POW experience at the POW/MIA

Recognition Day:

Let the Southeast Asian communists understand that the American people do hold them responsible for past and continuing atrocities and aggressions. We cannot appeal to the morality of those who have no morality. We cannot rely on the goodwill of those who have no goodwill. We cannot depend on the civilized impulses of those who behave as barbarians.... They respond only to the determination and, if necessary, the force to hold them responsible for their actions... we will get the accounting of our MIAs.<sup>594</sup>

Under Reagan, Vietnam veterans participated in ceremonies of memory such as parades, reminding them as they marched, that, ‘you guys are heroes and you fought a good war.’<sup>595</sup> On Veterans Day, 1984, a massive crowd of 100,000 attended the dedication of the Vietnam Veterans Memorial. The shiny black granite wall in the shape of a V held the names of all those who had died in the war and those still missing. Although the memorial, designed by twenty-one-year-old Yale University student Maya Linn, initially faced harsh criticism from veterans and politicians condemning the aesthetics from its color to its shape and the race of its Asian-American creator, it was not long before the American public and Vietnam veterans embraced it as a place of healing

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<sup>593</sup> In efforts to rewrite the war as a noble crusade, Reagan attempted to enshrine it in public memory as such. Marilyn B. Young, “The Vietnam War in American Memory,” in *The Vietnam War: Vietnamese and American Perspectives*, ed. Jayne S. Werner and Luu Doan Huynh (Armonk, New York: M.E. Sharp, 1993), 253.

<sup>594</sup> Remarks by Senator Jeremiah Denton, US Senator, POW/MIA Recognition Day, July 9, 1982, Denton folder, Box 34/151, Personal Papers of Jeremiah Denton. Auburn University Archives.

<sup>595</sup> According to Kyle Longley, throughout the 1980s the Vietnam veterans sense of betrayal diminished as more memorials and events commemorated their service and sacrifice in the war including parades--New York City, Houston, and Chicago—and memorials in Clifton, Arizona and San Angelo, Texas. Longley, *Grunts*, 188-189.

and reconciliation.<sup>596</sup> Reagan too presented the wall as proof that America had begun the process of healing from the war and silently hoped that it would finally make up for the way Vietnam veterans had been treated when they came home.<sup>597</sup>

The administration's insistence that Vietnam held and mistreated living Americans while deliberately withholding the remains of thousands of missing American soldiers reinforced the Cold War narrative of the Vietnamese enemy. Hollywood capitalized on this new narrative with movies such as *Rambo* and *Missing in Action*, which elicited images of heroic American POWs surviving the most dreadful and tortuous conditions and treatment held captive in bamboo cages by their Vietnamese captors.

Wealthy businessman Ross Perot perpetuated the Rambo storyline with radical speech and radical actions. In 1979 Perot had acted out his own "Rambo fantasy" by rescuing employees from his company, Electronic Data Systems, imprisoned in Tehran, Iran. Shortly after, Perot—arguably obsessed with the MIA/POW issue and his own power to "keep the forces of darkness at bay"—began funding secret, and unsuccessful, "forays" into the jungles of Vietnam to find and free POWs.<sup>598</sup> By 1986 Perot had earned an impressive reputation among the radical wing of MIA advocates known as the "Rambo set." He joined Eugene Tighe in criticizing the administration's failure to bring POWs home, accusing it of conspiring to cover-up evidence that American POWs were

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<sup>596</sup> The official unveiling of the wall memorial occurred on November 12, 1982 and the formal dedication on November 11, 1984. Longley, *Grunts*. For more information about the Vietnam Veterans Memorial see Kristin Haas, *Carried to the Wall: American Memory and the Vietnam Veterans Memorial* (Berkeley, University of California Press, 1998). In 2000, Maya Lin discussed the role that racism played in the opposition to the design and construction of the wall. Lin points specifically to a *Washington Post* article that described her design as "An Asian Memorial for an Asian War." It was then, she explains, that "I knew we were in trouble." Maya Lin, "Making the Memorial" *The New York Review of Books*, November 2, 2000, <http://www.nybooks.com/articles/archives/2000/nov/02/making-the-memorial/> (accessed February 1, 2015).

<sup>597</sup> Brinkley, *The Reagan Diaries*, 277; Ronald Reagan, "Remarks at Dedication Ceremonies for the Vietnam Veterans Memorial Statue, November 11, 1984. <http://www.presidency.ucsb.edu/ws/?pid=39414> (accessed January 1, 2014).

<sup>598</sup> Sidney Blumenthal, *The Mission*, *New Republic*, July 6, 1992; Allen, *Until the Last Man Comes Home*, 255.

still alive in Vietnam.<sup>599</sup> Not wanting to offend America's second richest citizen who also contributed millions to the administration, Reagan tolerated Perot and his escapades until 1987 when it appeared that such accusations were hurting the MIA/POW efforts.<sup>600</sup> According to Reagan, Perot had become a "loose cannon on the POW matter."<sup>601</sup>

For many Americans who remembered the War or who had fought or lost a relative or friend in the War, accepting the Rambo narrative was easy. For the families of the missing, Reagan's commitment proved refreshing. Arguably the most politically influential group during the period was the National League of Families of American Prisoners and Missing in Southeast Asia (NLFAPM). Led by Director Anne Mills Griffiths, the sister of an MIA, the NFLAPM became a critical political partner in the administration's campaign to raise public awareness on the issue.<sup>602</sup> In 1979 then Defense Intelligence Agency director Tighe granted Griffiths access to classified information and to attend classified briefings that she eventually used to gain a seat on the Inter-Agency Group on MIA/POW affairs, the "focal point of US policy formulation on the MIA/POW issue" during the 1980s.<sup>603</sup> Under Reagan, Griffith's political influence grew and so did the administration's commitment to the MIA/POW issue. Griffiths and the NLFAPM had become a "fully functioning partner" in the administration's efforts to account for the missing.<sup>604</sup>

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<sup>599</sup> Allen, *Until the Last Man Comes Home*, 256.

<sup>600</sup> In his address to the annual meeting of the National League of POW/MIA Families, Secretary of State George Shultz responded to the accusations of a government conspiracy calling them misinformed and rumors to which "not an ounce of proof has been offered." Such rumors, Shultz exclaimed hurt the missing, by undermining the "effectiveness of our joint efforts, they erode the bonds of trust, and they undermine our unity." "Resolving the POW/MIA Issue," State Department, Bureau of Public Affairs, July 18, 1987.

<sup>601</sup> Ronald Reagan, Douglas Brinkley (ed), *The Reagan Diaries* (New York: HarperCollins, 2007), 493.

<sup>602</sup> "Final Interagency Report of the Reagan Administration on the POW/MIA Issue in Southeast Asia," Department of State and Department of Defense, January 19, 1989.

<sup>603</sup> Allen, *Until the Last Man Comes Home*, 206-207.

<sup>604</sup> "Final Interagency Report of the Reagan Administration on the POW/MIA Issue in Southeast Asia," Department of State and Department of Defense, January 19, 1989.

As with the Amerasians, Vietnamese officials challenged Reagan's assertions regarding the MIA/POWs and continuously expressed their devotion to resolving the issue.<sup>605</sup> It was in Vietnam's interest to normalize relations considering the economic and diplomatic embargo that had hindered its self-sufficiency since the war ended.<sup>606</sup> Furthermore, Vietnam had its own post-war problems—hundreds of thousands of Vietnamese MIA whom they lacked the resources to find or identify, and the horrendous humanitarian impact that the war had inflicted on the Vietnamese people and on war veterans, many suffering the effects of Agent Orange. The normalization of relations may not have been possible regarding disagreements over Cambodia and the political prisoners, but it was possible in the case of the MIA/POWs.

Yet, the administration continued to insist that Vietnam was hiding the requested information on MIA/POWs in order to prolong the conflict. Despite the recognition by administration experts that the majority of "live sightings" were false or pertained to Americans or Europeans who were not prisoners of war, the administration persisted in its commitment to get a full accounting of the missing and the dead.<sup>607</sup> In 1985, the Assistant Deputy Director of the DIA responsible for investigating the claims of American MIA/POW sightings in Vietnam admitted that there had been only two firsthand live sightings reported since 1980. In spite of the publicity campaign by the administration and the NLFAPM, he admitted, "we have not been able to prove that

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<sup>605</sup> Allen claims that Vietnamese officials often insisted on economic assistance in exchange for further cooperation on the issue, perhaps to compensate for the billions of dollars pledged to them by President Nixon in the Paris Agreement. Allen, *Until the Last Man Comes Home*, 5.

<sup>606</sup> Also add impact of China and Vietnam's fear of it.

<sup>607</sup> According to Commodore Thomas A. Brooks, Assistant Deputy Director for Collection Management, Defense Intelligence Agency, of the 122 unresolved live sighting reports in 1985, almost half were of Caucasian men walking freely in Vietnam, not under guard, some with Vietnamese wives and families and assumed to be Soviet advisers, Western European diplomats or press, etc. After eliminating such reports, 43 unresolved reports of American in captivity remained—17 from Vietnam. Americans Missing in Southeast Asia, *Hearing*, 66.



Americans are still being held captive in that part of the world.”<sup>608</sup> The false reports, the administration asserted, were part of Vietnam’s mission of misinformation to divert efforts away from investigating real live sightings.<sup>609</sup>

During Reagan’s second term however, a chorus of criticism grew that the administration had used the missing for political gain. Journalist James Rosenthal published *The Myth of the Last POW*, a scathing article in the *New Republic* magazine exposing the administration’s politicization of American MIAs. Rosenthal argued that America’s obsession with the 2,477 MIA/POW in Vietnam was not about the missing soldiers, but rather the fact that the United States had lost the war. The MIAs, Rosenthal explained, “have become a matter of American honor, and their return a symbolic restoration of that honor.”<sup>610</sup> Still, the cruel truth, Rosenthal contends, was that the Reagan administration, like the Nixon administration, was exploiting the issue for political gain.<sup>611</sup>

Even Griffiths, increasingly frustrated by the aggrandizement of the issue by radical MIA activists like Perot, criticized the administration, telling Rosenthal that, the MIA/POW issue had been used to justify the administration’s foreign policy positions and as a scapegoat for its failed policies.<sup>612</sup> The families of the missing, Griffiths exclaimed, “have had their hopes raised by politicians, publishers, filmmakers, and

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<sup>608</sup> Ibid., 65-67.

<sup>609</sup> Ibid., 65.

<sup>610</sup> James Rosenthal, “The Myth of the Last POWs,” *The New Republic*, July 1, 1985.

<sup>611</sup> The Nixon administration used the cause of America POWs in Vietnam to rally public opinion in pressuring the Vietcong to obey the Geneva principles concerning the rights of POWs. Nixon encouraged the creation of the National League of Families of Americans Missing in Southeast Asia, publicizing the pain and anguish of families of American POWs through press conferences, speaking engagements and demonstrations. President Reagan reignited this strategy with the MIA issue as he sought to transform the memory of the war from tragedy to a noble cause that framed America’s missing as honorable victims of a war from which they could be rescued. Allen, *Until the Last Man Comes Home*, 215-219.

<sup>612</sup> Ibid., 218-222. Many members of the League pushed Reagan for action on the MIA/POW issue, not just symbolism. Action meant actually bringing live prisoners home and achieving a full accounting. By his second term, it became more apparent to League members that the Reagan administration had little interest in cooperating with Hanoi to achieve a full accounting or acting out its promoted commitment to bringing missing Americans home.

lawyers in pursuit of self-promotion and profits.” While she maintained that effort to account for and recover the remains of Americans killed in Vietnam must continue, such efforts were far removed from “sustaining the cruel delusion that there may be Americans alive in Vietnam.”<sup>613</sup>

The politicization of the MIA/POWs had a critical effect on Vietnam’s Amerasians. As the central issue to normalizing relations, the opportunity for Amerasians to continue to come to the United States depended upon a full accounting that seemed impossible to achieve. When Vietnam officially suspended the ODP in 1986, U.S. leaders increasingly incorporated them into their Cold War narrative. The Amerasians, the missing American soldiers and reeducation camp prisoners were all evidence of the injustice and cruelty of a Communist Vietnam.

Vietnam countered by pointing to America’s refusal to discuss the issue formally or to make any special provisions for the Amerasians beyond the defunct AIA. Critical of the Reagan administration’s insistence for a full accounting, Vietnamese officials accused the United States of being more concerned about its dead soldiers than its living children.<sup>614</sup>

### **The Living Children**

While American policymakers focused their attentions on immigration, communism and the MIA/POW issue, America’s “living children” in Vietnam were getting older. By 1985, the youngest Amerasians were now almost teenagers. Having

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<sup>613</sup> James Rosenthal, “The Myth of the Last POWs,” *The New Republic*, July 1, 1985.

<sup>614</sup> Relations between the United States and Vietnam were often strained during the 1980’s as a result of discrepancies and miscommunication about American POW’s and MIA’s said to still be living as well as the remains of those killed in Vietnam and recovered by Vietnam. The Amerasian issue provided opportunity for Vietnam to accuse the United States of hypocrisy and of being untrustworthy. *Hearing before the Subcommittee on Asian and Pacific Affairs, American POW/MIA’s in Southeast Asia*, 97<sup>th</sup> Cong., 2<sup>nd</sup> sess., 30 September 1982.

grown out of the cute button noses, fair skin and baby hair of their youth and into their American facial features, freckles, and hair textures, many Amerasians had become accustomed to their marginalized status in Vietnam. The stories of rescue, hope and opportunity that promoted the AIA alongside photographs of handsome Amerasian boys and pretty Amerasian girls excited to come to America, to *find* their fathers, had largely disappeared.

American Newspaper editors understood that photos of dirty teenagers or stories about homeless young adults did not garner the sympathy of American readers, or sell newspapers. Besides, most Americans believed the AIA was working, evident in the media reports and stories of Amerasians now living in America with their new American families and their new American lives.<sup>615</sup> Still, the Amerasian problem did not disappear. Some Americans did question the commitment of the US government to the issue. Following the suspension of the ODP, distraught US citizen Donald Dodd wrote the Buck Foundation asking “why our representatives can go to Vietnam to negotiate for dead MIA’s but cannot or will not or do not negotiate for LIVE CHILDREN?”<sup>616</sup>

By 1986, the AIA had failed in its efforts to provide a pathway to immigration for the Amerasians in Vietnam and although 3,552 Amerasians immigrated to the United States via the ODP, its suspension halted any future movement. The ODP and AIA together accounted for an estimated twelve-percent of the thirty-thousand Amerasians believed to still be living in Vietnam. Efforts by Stewart McKinney, Father Carroll, the

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<sup>615</sup> The passage of the AIA effectively alleviated concerns Americans previously held for the Amerasians in Vietnam. Only one year after its implementation, the Amerasians were no longer listed among the major points for resolution with Vietnam by American Vietnam Veterans organizations. Kane, interview.

<sup>616</sup> Donald Dodd to Pearl S. Buck Foundation, January 18, 1986, Operation Forget-me-not folder, Box Vietnam, Refugee Information, Archives of the Pearl S. Buck House, Pearl S. Buck International.

Buck Foundation, and the Darragh's to improve the AIA failed to create real change.<sup>617</sup>

Americans had moved on from the Amerasian issue and it would take more than just a photo to remind them of their "living children" in Vietnam.

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<sup>617</sup> Amerasian Children Relief Act, HR 1684, 99<sup>th</sup> Cong., 1<sup>st</sup> sess., *Congressional Record*, vol. 131, (March 21, 1985).

## CHAPTER 5

### BRIDGING THE GAP

One might imagine the tenor of hope and expectation swirling around the halls of Huntington High School (HHS) in August, 1986. A new school year had started and, unbeknownst to the students serving on the HHS student government committee, something bigger than college-entrance exams and applications had also begun. This school year, HHS would garner the American political spotlight. The idealism of the HHS students would supersede the bad blood that had existed between the United States and Vietnam since the war, helping to initiate diplomatic relations and bridge the gap between them.

Sixty-three year old Gloria Blauvelt, a public relations worker for the Huntington School District, came across Audrey Tiernan's photograph of Le Van Minh, a fair skinned crippled Vietnamese boy crawling on his hands begging for money on the streets of Ho Chi Minh City, in *Newsday* in December 1985.<sup>618</sup> Like many other *Newsday* readers, the powerful picture struck her hard.<sup>619</sup> Perhaps idealistic in her own thinking, Blauvelt knew she had to do something to help the "crippled boy" in the photo.<sup>620</sup> With the support of HHS principal Jim Salvatore, Blauvelt showed the photo and the article to the HHS student government and challenged them to do something. Upon seeing it, student body president, David Zach, and committee members Marlo Sandler, Sue Forte,

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<sup>618</sup> Minh was born in September, 1971 in Cam Ranh the site of a US naval base. Minh's American father "Joe" was a corporal in the US Army and spoke Vietnamese and his Le Thi Ba, was a cook in the mess hall. According to Le Thi Ba, she dated Joe for over a year and he was present at Minh's birth. They lost contact after the Viet Cong invaded the area and she fled to Saigon with Minh. Michael Luo, "A Beggar No More," *Newsday*, July 9, 2000.

<sup>619</sup> Tiernan's photograph of Minh initially ran in *Newsday* on November 4, 1986 in Jeff Somers', "Report from Vietnam." In February 1986 additional photographs of Minh appeared in the newspaper. Mark Carfi-Bellerose Terrace, "A Language Barrier," *Newsday*, July 4, 1987.

<sup>620</sup> Reports in *Newsday* during the period consistently described Minh as the "crippled boy" causing criticism from the disabled community.

and Tara Scalia (the only junior in the group) gasped out loud. The picture, Zach explained, disturbed them, an “image of a contemporary crawling like a crab in ragged clothes.”<sup>621</sup>

The students accepted Blauvelt’s challenge, focusing on Minh’s physical deformities and the medical care they assumed could save his life.<sup>622</sup> The task proved more formidable, however, than any of the students could imagine. The United States and Vietnam did not have diplomatic relations at the time and in January of 1986, Vietnam suspended the ODP, shutting down the only means for people from Vietnam to immigrate to the United States.

Undeterred, however, the students initiated a petition drive to bring Minh to America for medical treatment. By November, they had successfully collected 27,000 signatures in support of Minh’s emigration. Now it was time to contact their local congressman, New York Democratic Senator and HHS alumnus, Robert Mrazek.<sup>623</sup>

Local media sources continued to cover Minh’s story and the efforts of the HHS students to “save him,” framing their commitment to his medical condition in a discourse of humanitarianism. Just as *Newsday* consistently described Minh as the “crippled” or “handicapped” Amerasian, the students insisted that they wanted to improve his quality of life by providing him the medical care necessary so that he could walk.<sup>624</sup>

Mrazek, too, contends that Minh’s medical condition was the sole motivation in pushing for his emigration. There was a chance, Mrazek explains, “with our fine

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<sup>621</sup> Paul Marinaccio, “Students Trying to Help a Boy Half a World Away,” *Newsday*, November 9, 1986.

<sup>622</sup> During this process, the students at HHS consulted with Dr. Hugo A. Keim, a New York surgeon to diagnose Minh’s medical issues. Keim agreed with previous diagnosis that Minh suffered from polio and would need a series of operations to walk properly. Paul Marinaccio, “Students Get Help in Bid for Orphan,” *Newsday*, January 30, 1987.

<sup>623</sup> Irene Virag, “Lawmakers Ask Shultz to Help Amerasian,” *Newsday*, March 7, 1987.

<sup>624</sup> Robert Mrazek, interview by author, telephone, September 8, 2012; Paul Marinaccio, “Students Trying to Help a Boy Half a World Away,” *Newsday*, November 9, 1986.

medicine here in the United States to conceivably do something that could help the boy that could not be accomplished in Vietnam. This was an exceptional case.”<sup>625</sup>

In fact, however Minh’s case was not really exceptional. By 1986, American journalists and humanitarian organizations had reported the sad condition of the Amerasians in Vietnam for almost a decade. Bernie Weinraub’s stories in *The New York Times*, Mike Wallace’s “60 Minutes,” “Honor Thy Children,” report on CBS, and the numerous stories from American journalists and delegations of Vietnam veterans to Vietnam since 1981 had all confirmed the large population of homeless Amerasians living on the streets of Ho Chi Minh City— orphaned, abandoned, some maimed and all victims of discrimination because of their American paternity.<sup>626</sup> In July 1983, a delegation including the American Council of Voluntary Agencies, the U.S. Catholic Conference and the Buck Foundation even proposed the construction of an Amerasian processing center in Ho Chi Minh City after counting over 250 Amerasians sleeping on the sidewalks.<sup>627</sup>

But *Newsday* reports avoided grouping Minh among the tens of thousands of other Amerasians living in Vietnam. Rather, they promoted Minh as unique and made very few references to his American paternity. Reports focused first on the deaths of his mother and stepfather and later, when his story changed, the abandonment and abuse his mother inflicted upon him.

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<sup>625</sup> Mrazek, interview.

<sup>626</sup> Bernie Weinraub, VVA trip of reconciliation series, *New York Times*, December 1981; “Honor Thy Children,” September 19, 1982.

<sup>627</sup> “Report on the Amerasian Issue,” Vietnam Veterans of America Foundation, August 1989, folder 42, Box 1, Van Le files on Southeast Asian refugees. MS-SEA12. Special Collections and Archives, The UC Irvine Libraries, Irvine, California. January 13, 2012. The proposal was supported by Vietnam who asked for U.S. Assistance in building a processing center for those Amerasians attempting to take advantage of the ODP. The United States rejected the proposal.

Even these experiences, also common among Amerasians, failed to connect the abuse to his American face.<sup>628</sup> Such an oversight by *Newsday* reporters seemed to imply that the efforts on Minh's behalf were not because he was an American boy or that he represented tens of thousands of other Amerasian kids just like him. Rather, Minh was a single boy facing enormous medical challenges that just a little American humanitarianism could fix.

But even in the efforts to frame Minh's case as based on humanitarian concern for his medical condition, Minh's American paternity appeared undeniable in Tiernan's photograph. Viewed in color, the picture clearly showed Minh's light brown hair and eyes. In black and white, the photograph darkens the color of both.

Yet, media reports used an inclusionary discourse of racial kinship when describing Minh.<sup>629</sup> *Newsday* reporters consistently described Minh as having *blue* eyes. In November 1986, reporter Paul Marinaccio described Minh with "straight black hair, blue eyes and freckles," and one month later "A street beggar with blue eyes and freckles who crawls on all fours."<sup>630</sup> In March 1987 reporter Irene Virag, in reference to the difficulties facing Minh, stated that the absence of diplomatic relations between the United States and Vietnam, "makes it impossible to bring a single blue-eyed child to the land of his fathers."<sup>631</sup> One month later, Virag described Minh specifically as "the blue-

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<sup>628</sup> Many Amerasians reported suffering physical abuse from family members and peers because they "looked" American. "In Our Father's Land: Vietnamese Amerasians in the United States," The United States Catholic Conference Migration and Refugee Services, 1985, folder 2, Box 20, Southeast Asia Resource Action Center records. MS-SEA004. Special Collections and Archives, The UC Irvine Libraries, Irvine, California. January 13, 2013. For further discussion see Bass, *Vietnamerica*, DeBonis, *Children of the Enemy*, and McKelvey, *The Dust of Life*.

<sup>629</sup> In the case of Minh, assigning him "American" racial markers like "blue eyes," likely endeared Minh to *Newsday* reporters and readers by making him more "American." According to Ann Laura Stoler (*Carnal Knowledge and Imperial Power*), identifiable attributes that link national and racial identity are central to the use of inclusionary discourses and exclusionary practices that framed the colonial dilemma of the mixed-race individual.

<sup>630</sup> Paul Marinaccio, "Amerasian's Case Makes Headway," *Newsday*, November 30, 1986; "Vow of Help for Crippled Amerasian," *Newsday*, December 13, 1986.

<sup>631</sup> Irene Virag, "Orphan Becomes a Symbol of Diplomacy," *Newsday*, March 25, 1987.



eyed boy who lives half a world away.”<sup>632</sup> It was not until Virag met Minh in May 1987 that her description became more realistic, “hazel eyes and severely cropped hair.”<sup>633</sup>

There is no question that, just as policymakers utilized a discourse of inclusion by employing an assumption of filiation between America and her Amerasian “sons and daughters” to garner the passage of the AIA in 1982, similar methods assisted Minh’s immigration. Likely, those reporters who had not seen Minh in person or who had failed to examine the color photographs simply projected their own ideas of what Minh looked like into their stories, inserting their own assumptions that Minh’s “white” American father would necessarily have passed the trait of blue eyes on to his son. They possibly knew that such a discourse would garner the sympathy of *Newsday* readers, ultimately selling more papers. Or, perhaps, when reporters looked at Minh, they simply saw what they wanted to see: a fair skinned, half-American boy with blue eyes.<sup>634</sup>

The use of a racialized discourse of inclusion personalized Minh’s medical condition for many readers. Blue eyes may have made Minh seem more plausibly “American” and thereby worthy of humanitarian assistance. The very clear connotation between blue eyes and whiteness carries bigger questions about Minh’s case. Would the reaction from *Newsday* readers or the students of HHS have been the same had Minh’s face not been so *familiar*? Would the HHS students have perceived Minh as their “contemporary” had he been full Vietnamese and “crippled” rather than Amerasian? How might they have responded had Minh been a black Amerasian? Minh’s story exposes

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<sup>632</sup> Irene Virag, “Le Van Minh’s Friends Celebrate,” *Newsday*, April 28, 1987.

<sup>633</sup> Irene Virag, “Goodbye...and Hello” *Newsday*, May 31, 1987.

<sup>634</sup> The promotion of the familiar by *Newsday* reporters is another example of Edward Said’s orientalism in which the eye and hair color of Le Van Minh symbolized his place in the familiar Western world of “us” and his displacement in the strange, Eastern world of “them.” Edward Said, *Orientalism*, 43-44.

underlying issues of race and nation in a country concerned with immigration and resolving the lingering issues of the Vietnam War.

Furthermore, the increasing frustration among Americans with the immigrants and refugees from Southeast Asia by 1986 may have incited a different response from the Long Island community had Minh not “looked” so familiar. Vietnam’s suspension of the ODP coincided with a growing debate in America over the purpose of the program. Many policymakers echoed the sentiments of Jerry Tinker, minority counsel of the Senate Judiciary Committee’s subcommittee on Immigration and Refugee Policy, who argued that by 1985 the post-Vietnam war refugee flow that had been the initial focus of the ODP had shifted to a migratory flow composed of “some refugees, a growing number of family reunification cases, and an even larger economic migrant component.”<sup>635</sup>

According to some policymakers these new migrants lacked any direct ties to the United States. Rather than fleeing persecution, they simply wanted better living conditions and opportunities in America. By utilizing the ODP, they contributed to the backlog of applicants and the rising costs of the program, and they hindered the ability of the political prisoners in Vietnamese re-education camps and the Amerasian children to fully benefit from the ODP.<sup>636</sup> Such criticism bolstered the Reagan Administration’s declaration that same year that “the refugee crisis in Southeast Asia is over.”<sup>637</sup> Rather

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<sup>635</sup> Bernard Gwertzman, “The Debt to the Indochinese is Becoming a Fiscal Drain,” *The New York Times*, March 3, 1985; Action Alert: Refugee Admission, Jerry Tinker, “U.S. Refugee Policy: Coping with Migration,” March 1985, SEARAC Box 1, Folder 1, Ad Hoc Working Group on Refugee Admissions and Protection, Correspondence and Memoranda, 1986-1989. Southeast Asian Archives, UC Irvine Special Collections and Archives.

<sup>636</sup> Bernard Gwertzman, “The Debt to the Indochinese is Becoming a Fiscal Drain,” *The New York Times*, March 3, 1985; “The Orderly Departure Program: The Need for Reassessment,” Migration and Refugee Services, U.S. Catholic Conference, Migration and Refugee Affairs, American Council for Voluntary International Action, November 1986. By 1987 the ODP supplanted illegal escape by boat as the predominant means of exit from Vietnam. Between 1979 and September 1986, the UNHCR reported that 50,426 Vietnamese had entered the United States through the ODP. Appendix IV of Midyear Consultation on Refugee Programs Fiscal Year 1987, *Hearing*.

<sup>637</sup> “U.S. Refugee Program in Southeast Asia” April, 1986, folder 1, Ad Hoc Working Group on Refugee Admissions and Protection, Correspondence and Memoranda, 1986-1989, Box 1, Southeast Asia Resource Action Center records. MS-SEA004. Special Collections and Archives, The UC Irvine Libraries, Irvine, California. January 13, 2013.

than continuing to hold American doors open for refugees from Vietnam, Congressional leaders like Alan Simpson (R-WY) began advocating for the repatriation of Southeast Asian migrants.<sup>638</sup>

Thus, by October 1986, as the students of HHS gathered signatures to support bringing Minh to America, America's role in creating the ODP backlog of 26,000 applicants in Vietnam, including 3000 Amerasians, reflected the growing resistance among policymakers to maintain open American borders for a population that many believed was no longer a humanitarian necessity.<sup>639</sup>

In their efforts to revive the ODP after its suspension in 1986, American policymakers further politicized the program by focusing on how a functioning ODP could benefit specifically political prisoners and Amerasians. They encouraged all other applicants in Vietnam to use traditional American immigration channels, instead of the ODP, to come to America. Such channels denied them refugee status and benefits and required them to meet the standards of family reunification.<sup>640</sup>

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<sup>638</sup> Senator Alan Simpson played a curious role in the Amerasian issue. An army veteran who served in the German occupation after World War II and chairman of the Veteran's Affairs Committee from 1981 to 1987, Simpson was a conservative who believed in limited government regulation and restrictive immigration policies and, as a result, he became a major antagonist against expansionist immigration policies. He specifically targeted the category of family unification which largely benefitted Vietnamese immigrants. Memo from Le Xuan Khoa, Indochinese Resource Action Center, April 11, 1986; "U.S. Refugee Program in Southeast Asia," April 1986, folder 1, Ad Hoc Working Group on Refugee Admissions and Protection, Correspondence and Memoranda, 1986-1989, Box 1, Southeast Asia Resource Action Center records. MS-SEA004. Special Collections and Archives, The UC Irvine Libraries, Irvine, California. January 13, 2013.

<sup>639</sup> "The Orderly Departure Program: The Need for Reassessment," Migration and Refugee Services, U.S. Catholic Conference, Migration and Refugee Affairs Committee of Interaction, American Council for Voluntary International Action, November 1986. The report listed 26,379 persons on backlog to United States with 12,422 previously approved. Appendix IV of Midyear Consultation on Refugee Programs FY 1987, 117, 185. According to the report the backlog included persons released for exit by Vietnam and interviewed by the United States which had yet to review the applicants. Vietnamese authorities first expressed concern over the backlog in April 1985 and without a solution, suspended the ODP to the United States in January 1986. Accordingly, U.S. policy shifted allowing only those previously approved applicants who met the standard of family reunification to immigrate while punishing those previously approved applicants who did not meet this standard.

<sup>640</sup> At its inception, the focus of the ODP was family reunification. It allowed an approved family to travel to the United States together at the same time, including members not immediately eligible for immigrant visas, by approving their admission as refugees. During the spring of 1986 the US changed this practice to admit only those family members approved for immigrant visas. Members who could not qualify as immigrants were unable to enter the United States as refugees which placed them at the mercy of the family reunification category. Increasingly only family members who immigrated and achieved naturalization in the United States could apply for their family members to join them as immigrants. This process often took years.

In response, Vietnam officials continued to publically declare their willingness to cooperate on the issue. They reiterated the commitment expressed in October 1985, by Vietnam's Foreign Minister Nguyen Co Thach to a delegation of American war veterans, "These are your children. I would welcome anyone to come and take them away."<sup>641</sup>

Secretly fearing that cooperation on the Amerasian issue with Vietnam would undermine American efforts to frame Vietnam's treatment of the Amerasians as evidence of the evils of Communism and part of Vietnam's post-war anti-American policy, American officials continued to resist collaboration. Rather, they viewed the Amerasians as a critical tool in negotiations with Vietnam for American MIA/POWs and political prisoners. Furthermore, Communist Vietnam remained part of the "evil empire" and the Reagan administration meant to ensure that the United States held its ground even if it meant sacrificing the welfare of half-American children.

There is no question that the HHS students sincerely wanted to help Minh. It is curious however that media coverage or even general awareness of the issue by *Newsday* reporters did not situate Minh into the bigger Amerasian debate. Instead, Minh's case would play out within the walls of HHS, where the student government sought to give American medical care to an Amerasian teenager who perhaps looked a bit like them.

### **The Congressman and the Amerasian Boy**

To the rescue came Robert Mrazek (D-NY). Mrazek had been elected to the House of Representatives in 1982, only a few weeks after the passage of the AIA. Before entering politics, the Cornell graduate served in the US Navy (1967-68) during the Vietnam War. By 1986, Mrazek had served a four year stint as a member of the House

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<sup>641</sup> Barbara Crossette, "Hanoi Asks to End Amerasians' Issue" *New York Times*, Oct. 20, 1985.

Appropriations Committee and the Foreign Operations Subcommittee which oversaw foreign aid and immigration and naturalization services.

Nonetheless, Mrazek was unaware of the Amerasian issue when he picked up his copy of *Newsday* in 1985 and saw Tiernan's photograph of Minh. It was, Mrazek exclaimed, "one of those very arresting photographs which I remembered, of this strikingly handsome little boy."<sup>642</sup>

But a visit from the students of HHS, Mrazek's alma mater, would forever connect him to Minh and to the Amerasian issue. In November, 1986 Zach, Forte, Sandler, and Scalia presented Mrazek with the 27,000 signatures they had collected in support of bringing Minh to the United States for medical treatment. Aware that Vietnam had suspended the ODP and of the contentious relationship between the two governments, Mrazek had doubts about the prospects for success.<sup>643</sup> However, the hopeful idealism of the HHS students touched him: "you have these teenagers looking at you with open wide doe eyes thinking you know, you're the Congressman, you can pull it off. I felt I had to at least follow through to see if there might be something I can do."<sup>644</sup>

And "follow through" Mrazek did. Within a few weeks, Mrazek and the HHS students visited the New York office of Nguyen Dang Quang, the first Secretary of the Vietnamese Mission to the UN.<sup>645</sup> Quang endorsed the effort to bring Minh to America,

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<sup>642</sup> Mrazek, interview.

<sup>643</sup> Marc Kaufman, "Diplomats Agree on Outline of Plan to Release Amerasians," *Houston Chronicle*, October 12, 1986. In October 1986 U.S. and Vietnamese officials Richard Childress, a senior National Security Council official and John C. Monjo, State Department officer in the Bureau of East Asia and the Pacific held a "secret" meeting with the Vietnamese Minister of Foreign Affairs, Vo Dung Giang to discuss the possibility of a bi-lateral agreement to allow Amerasians to leave Vietnam for the United States. The meeting was in response to the suspended ODP which halted immigration of Amerasians as well as other Vietnamese. The proposed bi-lateral agreement would establish a new program independent of the UNHCR in which American officials would interview applicants and approve Amerasians to immigrate to the United States regardless of the status of the ODP.

<sup>644</sup> Mrazek, interview.

<sup>645</sup> Although diplomatic relations between the two countries did not exist in 1986, Vietnam was part of the United Nations and Vietnam did have a representative office in New York City. Paul Marinaccio, "Vow of Help for Crippled Amerasian," December 13, 1986; Mrazek, interview. Mrazek met with Quang in December 1986, prior to the meeting between the students and Quang. In the

announcing that Vietnam would make an exception to the suspended ODP and grant him an exit visa.

For Vietnam such a humanitarian gesture meant positive publicity at a time of high diplomatic tensions as the United States constantly accused it of humanitarian violations regarding the Amerasians, American MIA/POWs and political prisoners. It also meant a possible breakthrough in getting the Amerasians out of Vietnam. The 3000 Amerasians included in the ODP backlog were now mostly teenagers and young adults.<sup>646</sup> Largely unemployed, uneducated, and many homeless, these Amerasians gathered in Ho Chi Minh City where they conducted criminal acts and proved a public problem for Vietnamese officials.<sup>647</sup>

Amerasians who begged Western visitors for food and money also brought negative publicity to the country. Some reports suggested that the Vietnam government institutionalized many Amerasians living on the streets of Ho Chi Minh City, in orphanages, or labor camps.<sup>648</sup> Thus, Minh was an opportunity that Quang could not overlook. He professed Vietnam's willingness to cooperate on the Minh case while pointing to the bigger Amerasian problem in Vietnam and urging the US Government to expedite the relocation of all other Amerasian youth to the United States.<sup>649</sup>

The US State Department, however, was not quite as willing to jump on the Minh bandwagon. In response to Vietnam's concessions, the State Department rejected the

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meeting Mrazek and Quang discussed the possibility of diplomatic cooperation on Minh's case. They agreed that both countries could potentially benefit from the positive publicity of bilateral cooperation on such an "humanitarian" case.

<sup>646</sup> Paul Marinaccio, "Amerasian's Case Makes Headway," *Newsday*, November 30, 1986; Mrazek, interview; Barbara Crossettes, "Vietnam Appears to Hinder an Emigration Accord," *New York Times*, August 22, 1987. "Orderly Departure Statistics as of October 1986," Midyear Consultation on Refugee Programs FY 1987, *Hearing*. The ODP backlog of 26,379 persons to United States included 12,422 who previously received approval to immigrate to the United States.

<sup>647</sup> Barbara Crossettes, "Vietnam Appears to Hinder an Emigration Accord," *New York Times*, August 22, 1987.

<sup>648</sup> *Ibid.*

<sup>649</sup> Paul Marinaccio, "Amerasian's Case Makes Headway," *Newsday*, November 30, 1986; Mrazek, interview; Barbara Crossettes, "Vietnam Appears to Hinder an Emigration Accord," *New York Times*, August 22, 1987; "Orderly Departure Statistics as of October 1986," Midyear Consultation on Refugee Programs FY 1987, *Hearing*.

condition that Minh forego the required ODP interview and medical examination. Frank Sieverts, the spokesman for the Bureau for Refugee Programs asserted that Minh had to go through both the interview and the exam to check his identification and assess his medical condition.<sup>650</sup>

With no diplomatic relations or the ODP, Vietnam refused to let American interviewers and medical teams into the country to conduct such exams. Conversely, the United States refused to let Minh leave without them. Thus, Sieverts suggested, that instead of granting Minh an individual exception, the US Government could simply place Minh's name among the three-thousand other Amerasians listed for departure.<sup>651</sup>

Considering the condition of the ODP, this seemed a meaningless solution that failed to meet the request for medical "urgency." Even for those Amerasians in Vietnam already approved for immigration, the backlog meant that often their departure date exceeded the one year expiration on their ODP medical exams, placing them into a static category, "Persons Approved but Not Medically Clear" in a suspended program.<sup>652</sup> As the suspension dragged on, this category continued to grow and ever fewer Amerasians departed Vietnam for America. In 1985, before the suspension of the ODP, 1,498 Amerasians departed Vietnam under the program but in 1986 that number dropped to 512.<sup>653</sup>

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<sup>650</sup> Paul Marinaccio, "Vow of Help for Crippled Amerasian," *Newsday*, December 13, 1986.

<sup>651</sup> Ibid. Official reports listed 3000 Amerasians on the backlog list. Even while the program was suspended, departures from Vietnam for people already approved continued at drastically reduced levels, decreasing from an average of 704 refugee departures/month to 483/month. Appendix IV of Midyear Consultation on Refugee Programs FY 1987, *Hearing*.

<sup>652</sup> At its peak the ODP backlog listed 3,825 refugees classified as "Persons Approved Yet Not Medically Cleared" and 1,912 "Approved But Will not Yet Be Telexed to Vietnam." The former category covered those with expired medical exams, an increasing number because medical exams were impossible under the suspension. The latter category included those who had never received a medical exam and who were now also unable to complete that process. As a result, refugee departures from Vietnam to the United States declined from an average of 704/month to 483/month—levels comparable to early 1983. "The Orderly Departure Program: The Need for Reassessment," Midyear Consultation on Refugee Programs FY 87, *Hearing*, 156.

<sup>653</sup> Amerasian departures to the United States peaked in 1985 as Vietnam responded favorably to the announcement by Secretary of State George Shultz in 1984 that the US was committed to receiving all of Vietnam's Amerasians through the ODP within the next two years. However there was no formal agreement as a result of Schultz' announcement, and it had no effect on the operation of the

Thus, despite its claims of humanitarian concern for all of the Amerasians, there was very little US government interest in cooperating with Vietnam over Minh. Even Mrazek's attempts on Capitol Hill to obtain support for Minh's case hit resistance from the State Department. After a personal plea to Secretary of State George Shultz to grant Minh an immigration exception for humanitarian reasons, Mrazek received a "perfunctory letter" from the State Department stating that "they wish they could help but they were not going to cooperate" on this issue.<sup>654</sup>

By January 1987, the students of HHS began to understand the broader implications of their efforts to bring Minh to the United States. His case was an opportunity for the United States and Vietnam finally to reestablish diplomatic relations and perhaps reconcile some of the lingering effects of the war. The students themselves also had the opportunity to participate directly in the American political process—meeting with Vietnamese officials, collaborating with their congressman and lobbying congressional members.

Lutheran Immigration and Refugee Service (LIRS) in Manhattan advised the students on the political strategy that would garner the best results. As one of the agencies contracted with the US government for refugee resettlement and concerned with the current status of the ODP, LIRS officials encouraged the students' efforts, hoping they could help revitalize the program. Associate Director of LIRS, Marta Brenden believed

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ODP. In 1983 and 1984, 638 and 937 Amerasians departed Vietnam for the United States respectively. Midyear Consultation on US Refugee Programs for Fiscal Year 1987, *Hearing*, 108; Midyear Consultation on US Refugee Programs for Fiscal Year 1986, *Hearing*, 108. "Report on the Amerasian Issue," Vietnam Veterans of America Foundation, August 1989, folder 42, Box 1, Van Le Files, on Southeast Asian refugees. MS-SEA12. Special Collections and Archives. The UC Irvine Libraries, Irvine, California. January 13, 2013.

<sup>654</sup> Mrazek, interview; Irene Virag, "Lawmakers Ask Shultz to Help Amerasian," *Newsday*, March 7, 1987.



Minh's case brought a human element to the stalemate: "You are raising a real life situation for all these people to think about while they negotiate."<sup>655</sup>

Mrazek and Quang also understood the possibilities of bi-lateral cooperation on Minh's case. According to Mrazek, "Helping Le could demonstrate the mutual concern of our people over the cost of the war."<sup>656</sup> Surely both Mrazek and Quang knew the benefits of reaching a successful solution on Minh only months after reports that officials from both countries had reached agreements to allow all of the Amerasians in Vietnam to come to America, had proven premature.<sup>657</sup>

The culprit in the failed negotiations appeared to be a staunch disagreement over the term *refugee*. While Vietnam insisted that the majority of those benefiting from the ODP did not meet the qualifications of refugees, rejecting the insinuation that it was persecuting its citizens, the Reagan administration insisted it was, and refused to accept the Amerasians as anything else.<sup>658</sup>

By promoting the persecution of the Amerasians and designating them refugees, America could maintain the Cold War narrative of the evils of communism and the assertion that such treatment was part of Vietnam's post-war anti-American policy, while upholding its own humanitarian efforts to rescue the Amerasians.<sup>659</sup> As evidence of this divide, in October 1986, less than a week after agreeing to bi-lateral cooperation on the

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<sup>655</sup> Midyear Consultation on Refugee Programs FY 1987, *Hearing*; Paul Marinaccio, "New Strategy for Helping Amerasian," *Newsday*, January 6, 1987.

<sup>656</sup> Irene Virag, "Lawmakers Ask Shultz to Help Amerasian," *Newsday*, March 7, 1987.

<sup>657</sup> Marc Kaufman, "U.S. and Vietnam Reach Accord on Amerasians," *Philadelphia Inquirer*, October 9, 1986; "Diplomats Agree on Outline of Plan to Release Amerasians," *Houston Chronicle*, October 12, 1986.

<sup>658</sup> The Reagan administration's insistence that the Amerasians were refugees did not include those with legitimated paternity who entered the United States through the ODP as immigrants and the category "sons or daughters of American citizens."

<sup>659</sup> Espiritu, *Body Counts*. Espiritu argues that framing Vietnam's refugees as victims of Vietnamese communists who needed saving by American heroes, was paramount to allowing American leaders to rewrite the narrative of the war from one of military defeat to moral victory.

Amerasian issue, President Reagan undermined it by declaring the Amerasians in Vietnam “refugees of special humanitarian concern to the United States.”<sup>660</sup>

In the meantime, the persistence of Mrazek and the HHS students had finally begun to pay off with individual members of Congress. By March 1987, Mrazek had the support of the majority of the House to bring Minh to America for medical treatment. He noted a bipartisan effort and that Tiernan’s photograph was the best selling point. According to Mrazek, many members of Congress were sympathetic to Minh’s story and the discrimination he faced because he looked American. Minh’s face, he explained was “a bitter and painful reminder of the war.”<sup>661</sup> In response, Mrazek sent a letter to Secretary of State Shultz including the signatures of 306 members of the House supporting a humanitarian exemption for Minh that would allow him to come to America without the interview and medical exam.<sup>662</sup>

As a result of the growing political support, the State Department agreed to expedite the immigration process for Minh. By April, the Vietnam government located Minh who expressed his desire to leave Vietnam and granted his exit visa.<sup>663</sup> By May, Mrazek, Congressman Thomas Ridge (R-PA)—a decorated Vietnam War veteran active in negotiations over American MIA/POWs—and Tiernan flew to Vietnam to meet Minh and bring him “home.” Minh was no longer simply a high school humanitarian project,

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<sup>660</sup> *Cong. Rec.*, 99<sup>th</sup> Cong., 1<sup>st</sup> sess., October 29, 1985: H29359.

<sup>661</sup> Mrazek, interview.

<sup>662</sup> Irene Virag, “Lawmakers Ask Shultz to Help Amerasian,” *Newsday*, March 7, 1987; Mrazek, interview.

<sup>663</sup> Minh, who spoke very little English at the time, later expressed that he had not given his consent and did not want to leave Vietnam for America. He claimed Vietnamese security guards accosted him in front of the Caravelle hotel in Ho Chi Minh City. After spending a week in an orphanage he met Congressman Mrazek with whom he immediately trusted and who took him to New York. Michael Luo, “A Beggar No More,” *Newsday*, July 9, 2000.

but a politically symbolic gesture between the two countries. Minh, Mrazek exclaimed, could be the “first step to removing some of the roadblocks.”<sup>664</sup>

### *Becoming American*

Much of the media coverage leading up to the congressional support for bringing Minh to the United States utilized a humanitarian discourse which publicized Minh’s urgent need for medical care. However, once the State Department agreed to cooperate on Minh’s case, journalists employed an inclusionary rhetoric of kinship based on Minh’s American paternity. Huntington High School declared April 27<sup>th</sup> “Le Van Minh Day,” a day to celebrate their successful efforts to bring Minh “home.” At the event, local folksinger Patricia Shih performed an original song about all the Amerasians left behind in Vietnam. Her lyrics arousing notions of national paternity, ““Papa, you’re in my heart. Do you want to keep our lives apart?””<sup>665</sup>

In addition, Amerasian teenager Anh Dung Nguyen spoke to the students of his experience in Vietnam and America. *Newsday* reporter Virag poignantly explained that although Anh never met his American father, a soldier who left Saigon when Anh was an infant, Anh still held onto the dream of finding him and kept a framed photograph of him by his bed.<sup>666</sup> Anh’s own testimonial was even more gripping as he expressed the common hope of many Amerasians during the period—that coming to America and *becoming* American would fill the hole left by their absent father and their marginalization in Vietnamese society.

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<sup>664</sup> Irena Virag, “Orphan Becomes a Symbol of Diplomacy,” *Newsday*, March 25, 1987.

<sup>665</sup> Irene Virag, “Le Van Minh’s Friends Celebrate,” *Newsday*, April 28, 1987.

<sup>666</sup> Irene Virag, “Le Van Minh’s Friends Celebrate,” *Newsday*, April 28, 1987.

In 1985 the US Catholic Conference reported that the need for Amerasian children to connect with their American fathers was emotional and “deeply ingrained” and for most, it was the primary motivation for migrating.<sup>667</sup> Coming to America, Minh will feel “reborn,” Anh told the students at HHS. “Half my blood is American” and “I am one of the lucky ones.”<sup>668</sup>

One month later, Mrazek arrived in Vietnam and Virag provided detailed reports of Minh’s trip “home to the land of his unknown father.”<sup>669</sup> Virag’s reports consistently described the budding relationship between the congressman and Amerasian teenager in a framework of paternal responsibility, strengthening the notion of kinship through an inclusionary rhetoric of family. “I feel like a prospective father” Mrazek stated the day before leaving for Vietnam, “I have the same sense of expectation and concern for the unknown as when I was awaiting the birth of my first child.”<sup>670</sup>

The bond between Mrazek and Minh developed quickly. Photos captured the tall congressman carrying Minh like a child, with Minh’s thin arms wrapped tightly around Mrazek’s neck. Virag relayed the sentimental moments between man and child to *Newsday* readers as those special moments that fathers share with their sons: Mrazek putting drops of medicine in Minh’s eye before dabbing it with a tissue and sharing pictures of his children and wife or playing blackjack with Minh in his hospital room, while Minh told of his life on the streets, of hunger, danger and survival and his best friend Ti.<sup>671</sup> Only the heartfelt reunion between Minh and Tiernan, whose photograph had

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<sup>667</sup> “In Our Fathers’ Land: Vietnamese Amerasians in the United States,” A Survey by the United States Catholic Conference Migration and Refugee Service, November 1985, folder 2, Box 20, Southeast Asia Resource Action Center records. MS-SEA004. Special Collections and Archives, The UC Irvine Libraries, Irvine, California. January 13, 2013.

<sup>668</sup> Irene Virag, “Le Van Minh’s Friends Celebrate,” *Newsday*, April 28, 1987.

<sup>669</sup> Irene Virag, “Mrazek Leaves Today on a Mission of Mercy,” *Newsday*, May 26, 1987.

<sup>670</sup> Irene Virag, “Mrazek Leaves Today on a Mission of Mercy,” *Newsday*, May 26, 1987.

<sup>671</sup> Irene Virag, “Goodbye...and Hello. Li Welcome Postponed,” *Newsday*, May 31, 1987.

initiated the efforts for Minh, could compete with Mrazek's moments. Tiernan "stroked Minh's withered legs," "tousled his hair" and comforted Minh by giving him a small brown teddy bear.<sup>672</sup>

The compassion and care shown to Minh by both Mrazek and Tiernan helped ease his transition to life in America. Unable to leave Thailand after a medical exam revealed he had a contagious eye infection, Minh's "Americanization" continued with his introduction to American culture. While in the isolation ward for refugees of a Bangkok hospital, Minh perused pictures of the White House and the Statue of Liberty, ate M&Ms, and listened to Simon and Garfunkel, Jimi Hendrix and The Cars on his new cassette player.<sup>673</sup> These were, Virag described, "symbolic ways" in which Minh moved "a little closer to America."<sup>674</sup>

Many in America also moved closer to Minh. At HHS, the students anxiously awaited his arrival and many tried to imagine how Minh felt knowing he was coming to a new culture that he knew nothing about. Pictures of Minh wearing sneakers, listening to his cassette player and playing cards transformed the "crippled" boy from Tiernan's photograph, living on the other side of the world, into a real person for the HHS teenagers who had known him only as a picture of a street kid and a beggar.

Teachers at HHS took the opportunity to situate Minh's case and the school's efforts into the bigger context of diplomacy, determination, and human compassion. Students who had worked relentlessly to bring Minh to America now began to wonder more about him. They imagined the life he was leaving, thought "about the mother who

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<sup>672</sup> Ibid.

<sup>673</sup> Ibid.

<sup>674</sup> Irene Virag, "Blackjack and 'Gimme Five' Amerasian Learning Americana from a Bangkok Hospital Bed," *Newsday*, June 1, 1987.

had ordered him into the streets when he was 10,” and were hopeful for the life he was going to have.<sup>675</sup> The students also considered his paternity, curious about Minh’s American father, the man “of whom he knows nothing.”<sup>676</sup>

Like the media coverage, the focus of the HHS students also shifted from Minh’s twisted spine to his American face. Sixteen-year old Dina Boccio pointed to the picture of Minh that had made him “famous,” a photo in which one cannot deny nor turn away from Minh’s physical challenge. But Boccio was no longer looking at Minh’s awkwardly bent legs that many insisted had incited the support for Minh. Perhaps finally free to voice the underlying motivator in the efforts to bring Minh to America, the clear connection of kinship and familiarity, Boccio exclaimed, “Look at that face, how could you not do anything? We had to do something.”<sup>677</sup>

By the time Mrazek carried Minh off the airplane into a crowd of television and newspaper reporters and HHS students at New York’s John F. Kennedy Airport on June 4, 1987, the congressman and the Amerasian teenager had formed an indelible bond. “I didn’t go to Vietnam to find a son,” Mrazek told Virag, “and yet I’ve fallen in love with this boy.”<sup>678</sup> Minh too seemed comfortable with the congressman, calling him “Daddy” and clinging to him as they stepped off the plane where media questions and camera flashes instantly engulfed them. The HHS students were also there. Crying, laughing and hugging each other, they welcomed Minh to America with huge banners, “Welcome Home Le” and “We Love You,” and presented him with a small American flag.<sup>679</sup>

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<sup>675</sup> Minh later recanted his claim that his mother had abandoned him to the streets. In 2000 he explained that he had spoken out of anger and in reality had ran away from home because his stepfather abused him. Michael Luo, “A Beggar No More,” *Newsday*, July 9, 2000; Edna Negron, “Minh’s the Main Topic at Huntington High, Anticipation” *Newsday*, June 2, 1987.

<sup>676</sup> Ibid.

<sup>677</sup> Ibid.

<sup>678</sup> Irene Virag, “Minh Coming Home Tomorrow,” *Newsday*, June 3, 1987.

<sup>679</sup> Edna Negron, “100 Students Greet Minh,” *Newsday*, June 5, 1987.

Mrazek commended the students for their persistence and hard work in their efforts to bring Minh to America. He reminded the students that they had “truly changed the life of this young man” and that “Minh begins a new life in the U.S. today.” Secretary Quang also attended, taking the opportunity to remind Americans that Minh was only one of many Amerasians in Vietnam and to reinforce his hope that improved relations could emerge as a result of Minh’s case. The Amerasian children in Vietnam, Quang stated “are the children of the United States.”<sup>680</sup>

### **Lessons Learned**

Ultimately, however Minh’s transition to America was not idyllic. Like many Amerasians before and after him, Minh struggled with issues of loss, assimilation, and identity. According to psychologists Robert McKelvey and John Webb, Amerasians frequently experienced loss from the abandonment of both their American fathers and their biological mothers. Paternal abandonment often resulted in poverty, ostracism, and shame for the Amerasians, ensuring a disadvantaged life of diminished educational and vocation opportunities in the countries of their birth.<sup>681</sup> Additionally, the rejection by their Vietnamese mothers from fear, despair or disgrace, had long-term psychological consequences like depression and anxiety for Amerasians.<sup>682</sup>

Further exacerbating the feelings of loss were the humiliation and rejection that accompanied their failed search to find their fathers once in America. Dartmouth

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<sup>680</sup> Ibid.

<sup>681</sup> Robert S. McKelvey and John A. Webb, “Long-Term Effects of Maternal Loss on Vietnamese Amerasians,” *Journal of the American Academy of Child Adolescence* 32, no. 5, (September 1993): 1013.

<sup>682</sup> Ibid., Bemak and Chung, “Vietnamese Amerasians: Psychosocial Adjustment and Psychotherapy.” Amerasians who grew up with consistent relationship with a mother (biological, foster, or adopted) had a much better psychological outcome than those who did not. Many of the Amerasian street-children did not have this benefit. As a result, Amerasians generally suffered from more psychological issues and high levels of distress than other Vietnamese immigrants due largely to parental separation and rejection and because of entering the United States alone as unaccompanied minors with little to no formal education. Black Amerasians had the additional issue of race.

psychologist Kirk Felsman explained that by 1987, as the Amerasians matured, many began questioning their own identity, marriage and family, and finding their fathers became fundamental.<sup>683</sup> There was no official mechanism to assist them with the search once they were in America despite the help of private organizations like the American Council for Nationalities Service in New York City and private individuals like Father Carroll.

Moreover, American policies worked to protect the identity of the fathers at the expense of their children. The potential of demands for child support and fears that a half-Vietnamese child could disrupt the lives of American men took precedent over the Amerasian children's desire to find their fathers.<sup>684</sup> In his efforts to locate potential fathers for the purpose of establishing evidentiary proof of paternity, Father Carroll interacted with many American men who he claims agreed to acknowledge paternity only if it could be kept secret from their American wives and children.<sup>685</sup> In 1985, the United States Catholic Conference reported that only two-percent of Amerasians had reunited with their fathers upon arrival to the United States a number that would remain consistent through the end of the program in 1994.<sup>686</sup>

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<sup>683</sup> "Vietnamese Amerasians: Practical Implications of Current Research," Office of Refugee Resettlement; "Amerasian Families and American Fathers," Interaction Amerasian Resettlement Program. SEARAC, Box 20, Folder 2 Amerasians Information, reports, 1985-1987, Southeast Asian Archives, UC Irvine Special Collections and Archives.

<sup>684</sup> Ibid.

<sup>685</sup> Carroll, interview.

<sup>686</sup> "GAO request for completion of survey to evaluate outcomes of AHA," St. Anselm's Immigrant & Refugee Community Center, March 8 1993, Box 1 Folder 33, Saint Anselm's Amerasian Records, Van Le Files; "In Our Fathers' Land: Vietnamese Amerasians in the United States," A Survey by The United States Catholic Conference, November 1985, Van Le files on Southeast Asian refugees. MS-SEA12; "Vietnamese Amerasians: Practical Implications of Current Research," Office of Refugee Resettlement, 1989; "Amerasian Families and American Fathers; Considerations for Responses to Tracing Requests," InterAction Amerasian Resettlement Program, Box 20, Southeast Asia Resource Action Center records. MS-SEA004. Special Collections and Archives, The UC Irvine Libraries, Irvine, California. January 13, 2013. According to the 1993 survey 98% of Amerasians who immigrated to the United States via the Amerasian Homecoming Act were unproductive in their father searches. This number would remain consistent for Amerasians from Vietnam over the next decade and was compounded by the fact that by 1989, only thirty-two percent of Amerasians arriving in America had information about their fathers.



Failed father searches had big implications for issues of paternal abandonment and mental health. For many Amerasians, the inability to fulfill the fantasy of family reunification contributed to feelings of isolation that had defined their lives as *bui doi* in Vietnam and that now defined them as “outcasts” in America.<sup>687</sup> Further enhancing their alienation was the absence of citizenship. It was only through the legitimization of the father and the resulting birthright citizenship that the Amerasians could fully grasp and be embraced by their “Americanness.”

As a result, in 1985 LIRS reminded its employees that although American policy legally defined Amerasians as the children of American citizen fathers, lacking any formal claim by the father, birthright citizenship was not automatic. Additionally, the State Department did not accept potentially inaccurate documents from Vietnam like birth certificates for the purpose of establishing citizenship.<sup>688</sup>

Complicating the issue of citizenship and belonging in America was the inclusionary language of legislation found by 1986 in both the AIA and the ODP. Each policy acknowledged the Amerasians as children of U.S. citizens, inferring that the Amerasians had access to the same rights possessed by children of two citizen parents. But the practical application of the legislation denied such a connection and simply served to further confuse Amerasians and Americans as to whether or not they actually belonged in America.<sup>689</sup> On one hand, they were the children of American fathers but on the other, they were non-citizens, most refugees.

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<sup>687</sup> Bemak and Chung, “Vietnamese Amerasians: Psychosocial Adjustment and Psychotherapy,” 79-88.

<sup>688</sup> Memo #89 to All Affiliated URM and Resettlement Programs, July 20, 1985, folder 2, Box 20, Folder 2, Southeast Asia Resource Action Center records. MS-SEA004. Special Collections and Archives, The UC Irvine Libraries, Irvine, California. January 13, 2013.

<sup>689</sup> M.T. Trautfield, “America’s Responsibility to the Amerasian Children: Too Little, Too Late,” *Brooklyn Journal of International Law*, 10, no. 1 (1984): 54-82.

LIRS also expressed concerns about the dangers of assimilation. Due to their “American” looks, LIRS explained, many Americans too quickly forced the Amerasians into American cultural and racial categories. They assumed that blond hair, afros, or freckles equated to an easy adaptation into American culture. There was an ethnocentric assumption by many Americans that Amerasians would most benefit by becoming “American” as fast as possible. “Protecting them,” LIRS officials argued, by imposing American culture and heritage while denying them their Vietnamese was troublesome. Such a practice LIRS warned, left the Amerasian “doubly rejected.” Assimilating into a new culture was just as difficult “for those who ‘look American’ as for those who do not” they explained, and the Amerasians “are as much Vietnamese as any other Vietnamese nations that we serve.”<sup>690</sup>

Minh would experience all of these challenges. During his interview with immigration officials in Thailand, he expressed remorse over leaving his friends in Vietnam and refused to speak with the interviewer about his life, pushing away and turning his back.<sup>691</sup> His Vietnamese interpreter, Xuan Bell, expressed concerns over Minh’s behavior and perhaps the quick transition to America itself: “Whatever family has him will have a hard time. He’s never lived in a family before.”<sup>692</sup>

Mrazek however hoped that Minh could adjust reasonably. He and his family housed Minh for a few weeks before transitioning him to his permanent foster home in

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<sup>690</sup> Memo #89 to All Affiliated URM and Resettlement Programs, July 20, 1985, SEARAC, folder 2, Box 20, Folder 2, Southeast Asia Resource Action Center records. MS-SEA004. Special Collections and Archives, The UC Irvine Libraries, Irvine, California. January 13, 2013.

<sup>691</sup> Irene Virag, “Life and Times of Le Van Minh,” *Newsday*, June 22, 1987. According to the 1985 US Catholic Conference survey Minh’s challenges were common among Amerasians who entered the United States as unaccompanied minors. Twenty-two percent of Amerasians who entered America without family members did not want to leave their families or friends in Vietnam. “In Our Fathers’ Land: Vietnamese Amerasians in the United States,” A Survey by the United States Catholic Conference Migration and Refugee Service, November 1985, folder 2, Box 20, Southeast Asia Resource Action Center records. MS-SEA004. Special Collections and Archives, The UC Irvine Libraries, Irvine, California. January 13, 2013.

<sup>692</sup> Irene Virag, “Minh Coming ‘Home’ Tomorrow,” *Newsday*, June 3, 1987.

Centerport, New York with Eugene and Nancy Kinney. Minh unhappily left the Mrazek's home when it came time. Unfortunately, his transition coincided with the upsetting news that even in the United States, there was no medical solution for his legs. Minh would have to use crutches to walk for the rest of his life.<sup>693</sup>

The next few months were a whirlwind of emotion for Minh and the Kinneys. Validating the warnings of LIRS regarding fast-tracking assimilation for the Amerasians, Minh had difficulty adjusting to his new life. Although he looked American, Minh did not speak the language or understand the culture. The community of friends and support that welcomed him to America a month earlier had dissipated quickly after his arrival. The students at HHS left for summer vacations. Zach, Sandler and Forte departed for college and Mrazek, the man Minh called "Daddy," returned to Washington. His "rescue" had removed him from the only life and family he had ever known into an unfamiliar American society.

The pressure for Minh's quick assimilation translated into tension with his adoptive family. Minh's adoptive mother, Nancy Kinney, explained "Minh stayed with us for 14 months. We had a lot of trouble raising him. He was very resistant to school and had no desire to get up in the morning. He wanted dinner at midnight because that's when he'd eaten on the streets in Vietnam."<sup>694</sup>

In August, Minh filed the paperwork to bring his mother and half-siblings to the United States through the ODP.<sup>695</sup> By November, *Newsday* reported the

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<sup>693</sup> Irene Virag, "Minh Faces Challenges of Private Life," *Newsday*, June 14, 1987. Mrazek, interview.

<sup>694</sup> David Lamb, "Children of the Vietnam War," *Smithsonianmag*, June 2009, Accessed January 1, 2011, <http://www.smithsonianmag.com/people-places/Children-of-the-Dust.html>.

<sup>695</sup> Minh petitioned for his mother and half-siblings to come to the United States through the ODP in Thailand as Vietnam had yet to resume ODP processing to the United States. The Lutheran Immigration and Refugee Service, his Vietnamese speaking social worker, and the Kinneys assisted Minh with the process. Edna Negron, "Homesick, Minh Sends for Mom," *Newsday*, August 21, 1987.

“Americanization of Le Van Minh is a slow process.” The article examined the cultural and language barriers Minh still faced, his affinity for sleeping on the floor, eating at odd times as he did on the street and the longing for his mother.<sup>696</sup> The Kinneys blamed the challenges they faced with Minh on the quick transition and his “lack of orientation.” While pointing to his medical condition to justify the expeditious departure, Mrazek too, admitted that more time to prepare for his arrival in America would have made a difference: “I think taking him from his street environment and bringing him to America has resulted in an accelerated transformation from boy to man.”<sup>697</sup>

By February 1988, Minh lived in Oakdale, New York, his third “foster” home since coming to America. He was the twelfth Vietnamese and Amerasian foster son for Mary and Edwin Holter. Their home provided Minh a sense of familiarity and normalcy. Minh lived with other boys who spoke his language, understood his culture, and looked like him. One year later, Minh moved again to live with his newly emigrated mother and half-siblings in Utica, New York before relocating to San Jose, California where his family settled among the growing Vietnamese community. Although Minh’s assimilation was not the success story first anticipated, his journey became the impetus for new legislation that would affect the lives of tens of thousands of Amerasians still living in Vietnam.<sup>698</sup>

### **Are you My Daddy?**

Mrazek had hoped that the bilateral cooperation needed to bring Minh to the United States could bridge the diplomatic gap enough to restart the ODP. Upon his

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<sup>696</sup> Edna Negron, “Le Van Minh’s Americanization,” *Newsday*, November 16, 1987.

<sup>697</sup> *Ibid.*

<sup>698</sup> David Lamb and Catherine Karnow profiled Minh in a June 2009 story on the 20<sup>th</sup> Anniversary of the Amerasian Homecoming Act. At that time Minh still lived in San Jose, CA with his Vietnamese wife and two children. Lamb, “Children of the Vietnam War.”

arrival in Vietnam to pick up Minh, Mrazek had already scheduled a meeting with Vietnamese officials to investigate such possibilities. Once there, however, he knew another discussion was also necessary. As Mrazek walked around the city, he noticed the dozens of Amerasian kids who had started following him. These were children, he remembers, who “stood out so starkly from what is a racially pure society, particularly the black Amerasians and those with clearly Caucasian eyes. They were surrounding me and talking about taking them to the land of their fathers.”<sup>699</sup>

Mrazek’s experience with the Amerasians coincided with foreign visitors to Ho Chi Minh City after the war, but Mrazek was in a position to do something. After speaking with the children through his interpreter and discovering that they could not attend school and suffered discrimination within society because they were half-American, Mrazek realized that Minh was just the first step.<sup>700</sup> He had to provide a way for those Amerasians who wanted to come to the United States.<sup>701</sup>

Although the Amerasians worked within the ODP, Mrazek believed he had to address their condition independent of it. The Reagan administration continued to fall short in its efforts to renegotiate the ODP with Vietnam. Neither side proved willing to fully cooperate pending tensions over MIA/POW, Vietnam’s occupation of Cambodia, and the ODP backlog. However, the Amerasians were the children of American fathers. As a result, Mrazek hoped Americans would be more sympathetic to their cause. This was important at a time when the American public had begun to tire of the issues

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<sup>699</sup> Mrazek, interview.

<sup>700</sup> Claims that government policy prevented Amerasians from attending school were common during the period as was the denial of such accusations by the Vietnam government. However most Amerasians describe the abuse and discrimination suffered at the hands of classmates in school as reasons that they did not attend. In either case, Amerasians were largely poorly educated and poor. Ranard and Gilzow, “The Amerasians”; McKelvey, *The Dust of Life*, 8-15.

<sup>701</sup> Mrazek, interview.

surrounding Vietnam and immigration, when policymakers had narrowed the focus of the ODP to family reunification, and when many Americans believed that America had paid its debt for the war.<sup>702</sup>

Mrazek found Vietnamese officials, including Foreign Minister Thach, favorable to his proposal that the Amerasians be treated separately. The United States, he suggested, would accept all of the Amerasians who wanted to come to America and would not classify them as refugees. The re-classification was critical for Vietnamese officials who continued to insist that Amerasians did not fit into the definition of refugee since they received the same treatment as all other Vietnamese citizens. It was, Mrazek claimed, “a sore point” for the Vietnamese who watched their former “agreement” with American officials in October of the previous year implode after the Reagan administration refused to bend on the issue.<sup>703</sup>

Mrazek felt satisfied that he could get something done in Congress to this effect and he left Vietnam with Minh vowing to pass legislation that met the needs of the Amerasians. In his farewell to the congressman and the Amerasian boy, Thach exclaimed, “This time, Congressman Mrazek brings with him one Amerasian child. Next time, he will bring thousands of Amerasian children.”<sup>704</sup>

### **The Politics of Policy**

Three days before his untimely death, Representative Stewart McKinney, the co-author of the AIA, introduced in the House H.R 2265, Amerasian Immigration

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<sup>702</sup> McKelvey posits that the lack of interest among the American public towards immigrants and refugees by the 1990s greatly contributed to the large decline in acceptance rates for the Homecoming Act. He labeled the phenomenon “compassion fatigue” to describe the public reaction to immigration reform during the decade. McKelvey, *The Dust of Life*, 120; Bernard Gwertzman, “The Debt to the Indochinese Is Becoming a Fiscal Drain,” *New York Times*, March 3, 1985.

<sup>703</sup> Mrazek, interview.

<sup>704</sup> Irene Virag, “Mrazek Pushes for More,” *Newsday*, May 31, 1987.

Amendments of 1987. The bill sought to address the limitations of the AIA that had rendered it largely useless.<sup>705</sup> Clearly bothered by the ineffectiveness of his initial legislative efforts, McKinney quoted Pearl S. Buck when he described the Amerasians in Southeast Asia as “piteous, miserable, and hopeless,” and called on Congress to reexamine the U.S. commitment to assist those who “by virtue of their American parentage, deserve a chance for a better life in the United States.”<sup>706</sup> The bill failed to advance out of the Judiciary Committee and McKinney never had the chance to support or participate in passing Mrazek’s Amerasian Homecoming Act.<sup>707</sup> He died on May 7, 1987 after a prolonged and private battle with AIDS.<sup>708</sup>

Unaware of the ineffective AIA or the efforts surrounding its passage five years earlier, Mrazek began creating his own Amerasian legislation. As had his predecessor in 1981, Mrazek quickly found himself stonewalled by Ron Mazzoli, the Chairman of the Immigration Subcommittee of the House Judiciary Committee and Alan Simpson, Chairman of the Immigration Subcommittee of the Senate Foreign Relations Committee.<sup>709</sup> Neither Simpson nor Mazzoli had any interest in taking on the Reagan administration which remained staunchly opposed to separating the Amerasians from the other points of contention with Vietnam, undercutting U.S. negotiations. In their view, by

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<sup>705</sup> The bill included eliminating the birth cut-off date, extending the legislation to incorporate Amerasians born in the Philippines, Japan and Taiwan, reducing the period of required sponsorship and permitting mothers to accompany minor children. It also called for sponsorship by civic and church organizations and reduced the amount of time required for sponsorship from five to two years. *Cong. Rec.*, Extension of Remarks, 100<sup>th</sup> Cong., 1<sup>st</sup> sess., May 4, 1987, vol. 133, pt. 70: H E1687.

<sup>706</sup> *Ibid.*

<sup>707</sup> Legislative Calendar, Committee On the Judiciary, House, *Cong. Rec.*, 100<sup>th</sup> Cong., 1<sup>st</sup> sess., GAO, 1988.

<sup>708</sup> Clifford D. May, “McKinney Dies of Illness Ties to AIDS,” *New York Times*, May 8, 1987; “1987: Rep. Stewart B. McKinney Dies,” [stamfordadvocate.com](http://stamfordadvocate.com), May 6, 2012, accessed October 10, 2014, <http://stamfordadvocate.com/local/article/1987-Rep-Stewart-B-McKinney-dies-3538540.php>.

<sup>709</sup> Stewart McKinney’s failing health may have contributed to the lack of communication between him and Mrazek. According to Mrazek, he had no knowledge of any previous Amerasian legislation and created the AHA from scratch. Mrazek, interview.

treating the Amerasians separately, Mrazek took an area of negotiation off the table and diminished the opportunity to accomplish bigger goals.<sup>710</sup>

But that was not Mrazek's concern. He knew he had a very small window of opportunity in which to make change as he deemed it critical to the possibilities for a successful life in America. By 1987, the Amerasians were getting older. The average Amerasian was then already seventeen-years old, illiterate, with very little education and few job skills.<sup>711</sup> Mrazek knew that such challenges would make assimilation into American society difficult. In addition, the older the Amerasians became, the less sympathetic their plight was to the American people who would likely be more moved by the fate of abused and begging children than homeless and unemployed adults.<sup>712</sup> Mrazek knew that while the MIA/POW and ODP issues were important, legislation could take years and the Amerasians simply did not have that time.

Despite staunch resistance to his efforts, Mrazek authored what became the Amerasian Homecoming Act, a bill he hoped would both address the needs of the Amerasians and be acceptable to the Reagan administration.<sup>713</sup> After creating the basic structure of the act, Mrazek addressed one of the core issues of opposition to the bill, the documentation needed to determine who was and who was not an Amerasian.

Unlike its predecessor which depended on evidentiary proof through documents, Mrazek's bill assumed that such documents did not exist and that for the Amerasians,

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<sup>710</sup> Ibid.

<sup>711</sup> "Survey to evaluate outcomes of AHA," St. Anselm's Immigrant & Refugee Community Center, folder 44, Box 1, Saint Anselm's Cross-Cultural Community Center records, MS-SEA027, Special Collections and Archives, The UC Irvine Libraries, Irvine, California. January 13, 2013; According to a 1993 survey of the AHA, 40% of Amerasians immigrating between 1991 and 1992 were illiterate in Vietnamese, 95% had low education levels, 90% few or no job skill, and 80% few or no English skills. More than double the percentage of other Vietnamese refugees. Correspondence and Reports, 1992-1994 U.S General Accounting Office.

<sup>712</sup> Nicholas Goldberg, "Vietnam to Release Amerasians," *Newsday*, January 20, 1988.

<sup>713</sup> Mrazek, interview.



their evidence was “their face and skin color.”<sup>714</sup> Even with the best of intentions in opening up the bill for all Amerasians in Vietnam, such evidentiary requirements would force American officials to categorize Amerasian applicants based on personal assumptions of what an American looked like. However given the absence of documented paternity, few other options existed.

According to the bill, American personnel would interview each Amerasian individually to identify evidence of American paternity. If no documentation existed, the interviewers would rely on physical characteristics. Specifically, if their skin was black or their eyes were Caucasian, this could count as physical evidence of American paternity. Unlike the arguments surrounding the AIA regarding children fathered by non-American personnel in Vietnam, Mrazek argued that because of the large American presence during the war, it was only logical to assume that a non-Vietnamese father was American rather than Australian or a member of one of the other countries who had sent a few troops into Vietnam during the war.<sup>715</sup> This assumption necessitated an American response to children shunned, abandoned, and denied basic rights because of how they looked. They were, Mrazek claimed, “a product of our being there.”<sup>716</sup>

Likely informed by the challenges and failures experienced with the AIA and with issues that Minh now faced in his resettlement, Mrazek also expanded the immigration restrictions of the bill to allow Amerasians to bring their immediate family members with

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<sup>714</sup> Midyear Consultation on Refugee Programs FY 1987, *Hearing*, S136. Although the AIA did allow the consideration of physical appearance in determining the paternity of an Amerasian, officials depended largely on documentation over looks. In October 1982, the U.S. Director of the ODP, Donald I. Colin initiated a “short priority list” of groups that American officials deemed priority for the ODP. On that list, Colin identified “documented Amerasian children,” effectively limiting access to the ODP to those Amerasians with documented evidentiary proof of paternity. The Amerasian Immigration Act, Public Law 97-359, 97<sup>th</sup> Cong., 2d sess., (Oct. 22, 1982); Mrazek, interview.

<sup>715</sup> Mrazek, interview.

<sup>716</sup> *Ibid.*

them.<sup>717</sup> In addition, he designated the Amerasians as immigrants but provided them with refugee benefits that included a mandatory six-month stay in the Philippines Refugee Processing Center for cultural and language training.<sup>718</sup>

Mrazek also seriously considered granting the Amerasians birthright citizenship. However, he knew that any attempt to award blanket citizenship would have ensured its failure. American policymakers and the Reagan administration deliberately used inclusionary rhetoric in their policies, defining the Amerasians as children of American citizens. But while U.S. policy “clearly recognized that Amerasians have a legitimate claim to live in the United States,” the administration ignored any opportunity to legally recognize them as Americans through birth-right citizenship.<sup>719</sup>

Citizenship would effectively have solved the problem of the Amerasians by opening new channels to immigration and promising them the rights and protections of the U.S. Constitution. Additionally, citizenship possibly would have given Americans more reason to reestablish diplomatic relations with Vietnam to protect its new citizens. But the Amerasians were a foreign policy problem that the Reagan administration had little interest in solving. It continued to ignore the cultural and racial basis for the discrimination the Amerasians faced in Vietnam, instead insisting that such treatment for

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<sup>717</sup> “Amerasian Families and American Fathers; Considerations for Responses to Tracing Requests,” InterAction Amerasian Resettlement Program, folder 2 Amerasian Information, Report 1985-1987, Box 20, Southeast Asia Resource Action Center records. MS-SEA004. Special Collections and Archives, The UC Irvine Libraries, Irvine, California. January 13, 2013; Robin S. Levi, “Legacies of War: The United States Obligation toward Amerasians,” in *Mixed Race America and the Law*, ed. Kevin R. Johnson (New York: New York University Press, 2003) 412-422. On September 11, 1984, the Reagan administration announced the expansion of the ODP to accept all Amerasian children and their qualifying family members. The result was an increase in the monthly departure rate from 182/month (Amerasians) to 319/month (Amerasians and family members). However by 1987 Congressional efforts to reduce the numbers of refugees entering the country resulted in the push for approved Amerasians to resettle in the United States and use the naturalization process to sponsor family members.

<sup>718</sup> Although the AHA designated the Amerasians “immigrants,” the funding for the program came from the Migration and Refugee Assistance fund and their admission numbers counted under the overall annual refugee ceiling for the ODP. *Hearings before the Subcommittee on Immigration, Refugees and International Law*, “Refugee Admissions for Fiscal Year 1990,” 101<sup>st</sup> Cong., 1<sup>st</sup> sess., September 12 and 13, 1989, 159; Foreign Operations, Export Financing, and Related Programs Appropriations Bill, 1989, House Committee on Appropriations, 100<sup>th</sup> Cong., 2d sess., May 19, 1988, 85.

<sup>719</sup> “Amerasian Resettlement Planning Committee Report,” March 14-15, 1988 and April 18-19, 1988, folder 1 Amerasian Resettlement Reports, 1988-1989, Box 1, Van Le files on Southeast Asian refugees. MS-SEA12. Special Collections and Archives, The UC Irvine Libraries, Irvine, California. January 13, 2013.

the half-American children was part of Vietnam's anti-American agenda. By presenting it in such a way, the Reagan administration reinforced the Cold War narrative that Vietnam was America's enemy. In refusing to negotiate on the Amerasian issue, grouping it with all the other topics of concern, the administration maintained its hard line against communism, never giving an inch, even relating to children.<sup>720</sup>

By 1987, Reagan targeted Vietnam's continued occupation of Cambodia for his anti-communist stance in Southeast Asia. In a June 1987 letter to Reagan, Secretary of Defense Frank Carlucci reminded the president that normalizing relations with Vietnam depended upon an acceptable Cambodian settlement that provided for the withdrawal of Vietnamese troops.<sup>721</sup> The administration rejected increasing pressure from Congress to resolve the smaller issues—MIA/POW and Amerasians—between the two countries as grounds for reconciliation citing its commitment to a free and independent Cambodia and the Cambodian noncommunist resistance. Finding common ground with Vietnam, the administration claimed, “would be viewed as a signal of weakening American resolve to stay the course” in Cambodia and could have an adverse effect on those “smaller” issues of humanitarian concern.<sup>722</sup>

Accordingly, the administration was clear that it had no interest in diplomatic relations or in making the Amerasian issue soluble. Key policymakers Simpson and Mazzoli also had no interest in taking on their party over such an issue.<sup>723</sup> These kinds of choices infer that the Amerasians constituted nothing more than political pawns in a

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<sup>720</sup> As discussed in Chapter Four, Reagan's determination to maintain a hard line with communism per Cold War politics dictated his foreign policy decisions including a commitment to a Vietnamese withdrawal from Cambodia.

<sup>721</sup> Letter, Frank C. Carlucci to Ronald Reagan, June 15, 1987, ID #480701, CO172, WHORM: Amerasian Children, Ronald Reagan Library.

<sup>722</sup> Letter, J. Edward Fox to Dante B. Fasciell, nd, ID #575191, CO172, WHORM: Amerasian Children, Ronald Reagan Library.

<sup>723</sup> Mrazek, interview.

game of Cold War politics. Their half-American bodies and their poor living conditions in Vietnam promoted the evils of Vietnamese Communism. Mrazek understood these political layers, explaining that excluding citizenship from the bill was, “a pragmatic decision” to ensure it would pass.<sup>724</sup>

Convinced that his bill fulfilled the immediate needs of the Amerasians and that it could pass Congress, Mrazek, and his co-sponsor Thomas Ridge submitted it to Mazzoli’s House Committee on the Judiciary. There, it languished for weeks before Mazzoli told Mrazek that the bill would receive no hearings.<sup>725</sup> In its rejection of the bill the Judiciary Committee reasserted its firm commitment to the plight of the Amerasians but claimed that the potential for abuse in the bill outweighed the humanitarian concern of the legislation.<sup>726</sup> Additionally, the committee claimed, the ODP and AIA already existed to deal with this issue.

Mrazek had a backup plan, however. Thanks to a political stalemate between Congress and Reagan over ideological differences, Congress planned to pass a continuing resolution at the end of the year to keep the government running. After gaining the necessary political support from his subcommittee and the appropriations committee, Mrazek inserted his Amerasian bill into the continuing resolution.<sup>727</sup>

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<sup>724</sup> Ibid.

<sup>725</sup> Robert Mrazek and John McCain introduced The Amerasian Homecoming Act (H.R. 3171/S1601) to the House and Senate respectively from which the bill went to committee on August 6, 1987. The Act provided for the admission as immigrants to the United States of Vietnamese Amerasians for a two year period, beginning 90 days after enactment. The Department of Justice rejected HR 171 on the grounds that the AIA and the ODP were sufficient for the immigration of Amerasians from Vietnam. *Cong Rec.*, 100<sup>th</sup> Cong., 1<sup>st</sup> sess., August 6, 1987; Mrazek, interview; Letter, John R. Bolton to Peter W. Rodino, November 10, 1987, ID #58021, CO172 and Letter, J. Edward Fox to Peter W. Rodino Jr., October 13, 1987, ID #555040, CO172, WHORM: Amerasian Children, Ronald Reagan Library.

<sup>726</sup> Letter, John R. Bolton to Peter W. Rodino, November 10, 1987, ID #58021, CO172 WHORM: Amerasian Children, Ronald Reagan Library

<sup>727</sup> The Amerasian Homecoming Act was introduced in the House as HR 35668 on October 28, 1987 with Thomas Ridge as co-sponsor. Mrazek’s use of the appropriation committee for the AHA challenged the limits of the congressional committee system. While the appropriations committee decided the allocation of funds, the authorizing committee—the House of Foreign Affairs Committee in this case—was responsible for creating policy. According to Mrazek, because he did not have the cooperation of the authorization committee on the AHA, he took it upon himself to create policy, writing the bill and adding it to the continuing resolution.

When the bill appeared in the House as part of the appropriations bill, Mrazek faced harsh criticism from a furious Mazzoli who assailed a bill created by one member of the House that never had hearings and diverged from the policy standards for United States relations with Vietnam.<sup>728</sup> However, Mazzoli could not remove the bill without rejecting the entire continuing resolution. The House approved it and sent it to the Senate.

In the Senate, Mrazek had an ally in Senator John McCain (R-AZ). McCain, a Vietnam War veteran and former Prisoner of War, was remarkably sensitive to the plight of the Amerasians and he held great influence in the Senate regarding all things concerning Vietnam. It was McCain who had introduced the initial bill to the Senate a few months earlier.<sup>729</sup> With the support of McCain and committee chair Dave Obey (D-WI), whom Mrazek credits for his savvy yet tough negotiation skills, the Homecoming Act successfully passed through the Senate and landed on Reagan's desk as part of a 1,194 page omnibus bill. Unable to remove the Homecoming Act from the legislation, Reagan had no choice but to sign it into law.

### Hope

The students at HHS must have been proud of their efforts. Not only had they succeeded in bringing Minh to the United States, their actions had been the catalyst for bi-lateral cooperation between two Cold War foes. They had, in essence, bridged the gap that had existed between the United States and Vietnam for over a decade. Although there was some frustration upon Minh's arrival, that the media overlooked their

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<sup>728</sup> There was intense Congressional debate in the House surrounding the Congressional Resolution (CR) and specific criticism of the opportunity it provided to automatically pass bills without debate or discussion in the House or Senate. To read the specific debates see: Cong. Rec., 100th Cong., 1<sup>st</sup> sess., 1987, Vol. 153, pg. H10911.

<sup>729</sup> On August 6, 1987 McCain introduced S1601 in the Senate, the counterpart to Mrazek's HR 3171, The Amerasian Homecoming Act. This bill failed to move past committee.

contribution and hard work for the sake of political headlines that highlighted Mrazek, the students appreciated the chance to make a *real* difference.<sup>730</sup>

One wonders however if the students thought about Minh from their dormitories and classrooms at Penn State (Zach and Forte) and Stanford (Sandler). Perhaps they were proud of their role in Minh's life and in the Homecoming Act or maybe guilty after hearing reports of the challenges Minh faced. By all accounts, there was little if any contact between the students and Minh ever again. Minh did not attend HHS and after moving out of the Kinneys' home, he effectively disappeared from the halls of the school and the Long Island community. At Tara Scalia's graduation in 1988, Minh existed only in a photograph scattered amidst many others under the "Homecoming" section in the HHS Yearbook. In 2000, Marlo Sandler, living only minutes from Minh's home in San Jose, California, told *Newsday* that on her honeymoon trip to Vietnam, she saw numerous homeless Amerasians and she "thought about Minh the entire time."<sup>731</sup>

Within a year of his arrival in America, the poster child for the Homecoming Act had melted into the shadows of American society. Unable to pass the citizenship test, Minh continued to live the life of a refugee struggling with the challenges posed by limited language, education and job skills.<sup>732</sup> However Minh remained adamant that he was better off in America than in Vietnam. In America, Minh exclaimed, "you have hope."<sup>733</sup> While Mrazek witnessed the obstacles that Minh continued to face, he too "hoped" that the Homecoming Act, even without the granting of citizenship, would benefit the Amerasians in Vietnam by bringing them to America.

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<sup>730</sup> Gail Ellen Daily, "Students Meet Minh" *Newsday*, nd.

<sup>731</sup> Michael Luo, "A Beggar No More" *Newsday*, July 9, 2000.

<sup>732</sup> *Ibid.*

<sup>733</sup> *Ibid.*

Although Minh's immigration did help to bridge the gap between the United States and Vietnam, his case further complicated the contradiction in US law that claimed the Amerasians as American children for the purposes of immigration but rejected claims of citizenship. Vietnam emphasized Minh's American looks and American paternity in insisting America bring him home. However American leaders, although captivated by Minh's "familiar" face, focused on his urgent need for American medical care. Neither the students at HHS nor American policymakers ever discussed finding Minh's father, legitimating him, or awarding him citizenship. Minh was not an American child he was an injured child whose medical condition was more evidence of the dangers of communism and whose survival depended on his immigration to the United States. By treating Minh as an individual and exceptional case of medical and humanitarian need rather than one of the tens of thousands Amerasians still living in Vietnam, American policymakers could avoid acknowledging national paternal responsibility.

## CHAPTER 6

### "LIKE A HOME WITHOUT A ROOF"

The Amerasian Homecoming Act went into effect on March 21, 1988, as a bilateral agreement between the United States and Vietnam.<sup>734</sup> It provided a two-year window to allow all of the Amerasians and their family members still living in Vietnam to immigrate to the United States.<sup>735</sup> Using the pre-existing structure of the ODP to commence immigration procedures, the AHA replaced the UN officials responsible for interviewing and approving applicants with U.S. State Department employees. America now directly decided which applicants had American fathers and could immigrate to the United States.<sup>736</sup>

Under the AHA, Amerasians born in Vietnam between January 1, 1962, and January 1, 1976, and their immediate relatives approved for immigration received immigrant status as well as refugee benefits.<sup>737</sup> Such assistance provided them with six-months of language and culture training as well as medical care and settlement assistance through the Philippines Refugee Processing Center (PRPC) and the Amerasian Resettlement Program (ARP).<sup>738</sup> Both sought to help ease the transition into American society and begin the process of assimilation.

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<sup>734</sup> Enacted on December 22, 1987, the AHA went into effect on March 21, 1988.

<sup>735</sup> The estimated numbers of Amerasians still living in Vietnam varied in the tens of thousands. As a result, the AHA avoided imposing numerical limitations, accepting all Amerasians from Vietnam who wanted to immigrate to the United States. Approvals however counted under the refugee admissions ceiling of the Orderly Departure Program and the Migration and Refugee Assistance fund financed the program. In both cases, there were safeguards put in place in case the numbers of applicants exceeded the ceiling or the costs earmarked for the program. *Hearing before the Committee on the Judiciary, President's Refugee Admissions Proposal Fiscal Year 1988, 100<sup>th</sup> Cong., 1<sup>st</sup> sess., September 23, 1987, 107*; "Foreign Operations, Export Financing, and Related Programs Appropriations Bill, 1989. House, Appropriations Committee, 100<sup>th</sup> Cong., 2d sess., May 19, 1988, 85.

<sup>736</sup> Under the AHA, American INS officers conducted personal interviews in Ho Chi Minh City, rather than relying on UN interviewers. After the initial interview, approved applicants traveled to Bangkok where US officials made a final decision before going to the airport where applicants would be subject to a final identity check prior to boarding a plane to the PRPC. (CHECK)

<sup>737</sup> The addition of refugee benefits was meant to ease the transition to the United States for Amerasians and their families. PL 202-100, The Amerasian Homecoming Act, HR 3568, 100<sup>th</sup> Cong., 1<sup>st</sup> sess; Phillip James Mabry, "We're Bringing Them Home": Resettling Vietnamese Amerasians in the United States," PhD Diss., University of Pittsburgh, 1996, 22-26.

<sup>738</sup> The resettlement program emerged from a cooperative agreement with the American Council for Voluntary International Action, composed of 116 national voluntary resettlement organizations, and the Office of Refugee Resettlement for the purpose of supporting



The Amerasians who qualified for the AHA had by 1988 spent critical years growing up in Vietnam. The youngest was ten-years old when the AHA went into effect and the oldest twenty-six. Some even had families of their own.<sup>739</sup> By the time they applied for the AHA, the majority of Amerasians had lived long enough to recognize their physical differences in Vietnam’s relatively homogenous society, and to internalize their marginalized status as *bui doi*. For many, poor education, poverty and their association with the war compounded their ostracism.<sup>740</sup> In 1989, the California Department of Social Services declared that the most important concern for Amerasians is the “self-identity crisis”—the result of having spent a lifetime ostracized, taunted and ridiculed because of their appearance.<sup>741</sup> However, for many Amerasians, the AHA transformed their appearance from a symbol of shame to one of pride. The more American they looked, the quicker their approval to immigrate to America.

### **The Process**

The application process for the AHA was a bilateral affair. The Vietnamese government informed the population about the program. Amerasian applicants submitted

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local community efforts to “enhance the services provided to Amerasians and their families.” Upon arrival at the PRPC, files for each Amerasian were sent to the Refugee Data Center in the US which placed them with one of the national resettlement agencies, nonprofit organizations with cooperative agreements with the Department of State. Upon their departure from the PRPC the resettlement agency assisted with placing the Amerasian and family either near relatives already in the United States or in one of the fifty-five cluster sites approved by the Department of Health and Human Services. U.S. General Accounting Office: Program Evaluation and Methodology Division, *Initial Observation and Findings of Amerasian Homecoming Act*, Report to Hon. Robert J. Mrazek and Hon. Thomas J. Ridge, November 16, 1992; US General Accounting Office, Vietnamese Amerasian Resettlement: Education, Employment, and Family Outcomes in the United States,” Report to Congressional Requesters, March 1994.

<sup>739</sup> According to the 1994 GAO report, eighty-eight percent of Amerasians who entered the United States through the AHA did so with families, usually parents and siblings. Four percent immigrated with spouses. Only twelve percent came to America alone. US GAO, Vietnamese Amerasian Resettlement, 32-34.

<sup>740</sup> A 1985 study found that while most Amerasians reported having an average of six years of education upon arrival at the PRPC, poverty was the biggest barrier to education for them in Vietnam. Ranard and Gilzow, “The Amerasians.” By 1994, a US GAO study determined that the dysfunctional family structure and poor educational backgrounds that Amerasians brought with them to the United States impeded their progress. Generally, the odds for Amerasians of having a low level education was four times that of their full Vietnamese siblings and thirteen times that of other Vietnamese. Black Amerasians had particularly high rates (eleven and thirty-nine times respectively). Vietnamese Amerasian Resettlement, March 1994, 3. Vietnamese associated Amerasians with poverty and assumed them both poor and uneducated. Valverde, “Doing the Mixed Race Dance,” in Williams-Leon and Nakashima, 132-135.

<sup>741</sup> “Amerasians’ Special Needs Report,” Department of Social Services, State of California Health and Welfare Agency, August 1989, folder 8, Box 1, Amerasian Records, Saint Anselm’s Cross-Cultural Community Center records. MS-SEA027. Special Collections and Archives, The UC Irvine Libraries, Irvine, California. January 13, 2013.

petitions for an interview with American officials through their local Vietnamese authorities who then approved or rejected each request, forwarding the list of approved petitions to the ODP office in Bangkok, Thailand. ODP employees rechecked the list before creating applicant files and scheduling interviews. Approved applicants and their families then traveled to Ho Chi Minh City where teams of American authorities conducted the interviews. Applicants who passed the interview received a medical examination before departing for the PRPC, and applicants who failed, returned home.<sup>742</sup>

Some American officials, like Representative Robert Mrazek, worried that the process excluded Amerasians who lived outside of the normal channels of communication or, due to low levels of education, lacked access to information about the program.<sup>743</sup> Additionally, many Amerasians claimed that local Vietnamese officials deterred them from applying or required them to pay bribes just to submit the initial petition.<sup>744</sup> In a 1992 review of the program, US officials found that in many of the rural and mountainous regions, only fifty percent of Amerasians had left through the AHA and that “not every Amerasian has been informed of the program and that even of those who are aware of it, not all have been able to move into the processing stream.”<sup>745</sup>

However, for the tens of thousands of Amerasians who did apply, their fate rested largely in the hands of the American interviewer. As anticipated by Mrazek, most Amerasians lacked the necessary documentation to prove American paternity by blood, and had only their physical appearance—skin color, eye shape and hair—as evidence.

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<sup>742</sup> In many cases the rejection of applicants resulted from an unconvincing American appearance. Rejection rates increased from twenty to eighty-percent over the lifespan of the program as attempts by Vietnamese imposters to replicate “American” features such as skin color, hair and eyes and the presentation of real Amerasians with “fake” Vietnamese families infested the program. Initial Observation and Findings of Amerasian Homecoming Act, November 16, 1992.

<sup>743</sup> Initial Observation and Findings of Amerasian Homecoming Act, November 16, 1992.

<sup>744</sup> Ibid., McKelvey, *The Dust of Life*; Bass, *Vietnamerica*.

<sup>745</sup> Initial Observation and Findings of Amerasian Homecoming Act, November 16, 1992.

Five years after the contentious debate in Congress regarding the AIA over evidentiary proof and “American” blood in which Representatives Barney Frank and Patricia Schroeder criticized the Reagan administration for rejecting the notion that the American looks of the Amerasians, made them American, the AHA did just that. According to an official of the American consulate in Vietnam, the AHA interview started and ended with “the most superficial of evaluations: a look at the applicant’s face. Anyone thought to look like an American is immediately approved, regardless of whether he or she has any supporting evidence.”<sup>746</sup>

Although well intentioned, as it had been in Frank and Schroeder’s argument, the reliance on physical appearance in the AHA unintentionally made race hypervisible on the bodies of the Amerasians. It forced American interviewers to rely on racial stereotypes that cast Asians and Americans into two distinct and opposing categories that conflated race and nation. Interviewers charged with determining whether an applicant looked “American” or Asian relied on subjective notions of whiteness and blackness to determine paternity. Interviewers imposed racialized assumptions of what the presumed “American” father looked like by inspecting the features of the Amerasians in search of “American blood.”<sup>747</sup> In justifying the denial of an applicant, one American interviewer explained, “the child’s physical appearance does not support Caucasian parentage.”<sup>748</sup>

Often, the racial mixture of the Amerasian challenged the limits of whiteness and blackness as racial rationale for approving an applicant. Amerasians with Asian American, Latino, and Native American fathers—non-white and non-black—proved

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<sup>746</sup> *Wall Street Journal*, 28 Feb 2002.

<sup>747</sup> Mabry, “We’re Bringing Them Home,” 33.

<sup>748</sup> Memorandum, Colin Powell to President Ronald Reagan, April 19, 1988, ID #541476SS, IM 541476, WHORM: Subject File, Ronald Reagan Library.

difficult to identify. In considering the paternity of an Amerasian who claimed to have a Hawaiian father, one American official admitted the difficulty in defining an “American look.” In such cases, he explained, and for this applicant, his “future hangs on whether an olive-skinned kid with black hair and eyes is going to pass for being half-Hawaiian.”<sup>749</sup>

There appears to have been little formal protocol regarding how an interviewer should make a determination of paternity in such cases.<sup>750</sup> US State Department employees like Alice Krupnick sometimes found it impossible to fit the Amerasian mixture cleanly into a racial category and sought advice from colleagues. During the interview of one Amerasian boy whose obscure paternity confounded her, Krupnick marched the child into the offices of each of her colleagues seeking advice.<sup>751</sup> One interviewer exclaimed, “I can’t put my finger on it, but there’s something different about his face,” while another stated, “That kid is pure Vietnamese through and through. He’s just weird looking!”<sup>752</sup>

In many ways the racialization of Amerasians into American and Asian categories exposed America’s complicated relationship with mixed-race populations and the confusion over how to categorize them. On one hand the reliance on racially familiar attributes as evidence of paternity presented an inverted application of *blood quantum*, previously used to identify mixed-race persons in America for the purpose of exclusion. During the nineteenth and early-twentieth centuries, the non-white blood of persons of white-non-white mixtures relegated them to the racial status of their non-white parent,

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<sup>749</sup> Bass, *Vietnamerica*, 6; Jana K. Lipman, “The Face is the Road Map: Vietnamese Amerasians in U.S. Political and Popular Culture, 1980-1988,” *Journal of Asian American Studies* (February 2011), 58.

<sup>750</sup> Lipman, “The Face is the Road Map,” 58-60.

<sup>751</sup> Alison Krupnick, “The Benefit of the Doubt,” *Harvard Review* 28 (2005), 51.

<sup>752</sup> Yoon, “Reproducing Citizens,” 88. Although Yoon does not address the issue, the identification process appears reminiscent of American slave auctions in the eighteenth and nineteenth centuries. There is potential for further comparative work.

thus restricting their access to citizenship rights or the privileges of whiteness.<sup>753</sup>

However, identifying “American blood” in the Amerasians was a tool of inclusion that conflated race and nation by elevating the Amerasians to the “racial” status of their American father and awarding them access to immigration rights. Amerasians who looked least like Asians and most like white or black Americans were, for the purposes of the AHA, Americans.<sup>754</sup>

However for those Amerasians whose physical appearance was less distinctly black or white or whose fathers were non-black or non-white Americans, the hyper-reliance on race was also a tool of exclusion. Without clear physical evidence of biological filiation with an American father, interviewers denied valid Amerasian applicants.<sup>755</sup> In each instance, American interviewers relied on preconceived subjective notions of what an American looked like to make their decision. A seemingly impossible task in a “nation of immigrants” and considering the demographic composition of the American populace and one that forced interviewers to revert to colonialist interpretations of “us” American and “them” Asian.<sup>756</sup> For Americans, one historian emphasized, “thinking about Orientals has always been thinking about what it means to be American.”<sup>757</sup> This proved true for AHA interviewers.

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<sup>753</sup> In the 1896 Supreme Court Case of *Plessy v. Ferguson*, the Court used blood quantum to classify plaintiff Homer Plessy as “colored” because he was seven-eighths Caucasian ancestry and one-eighth African ancestry. Such classification was critical to the ruling of separate but equal in the case. *Plessy v. Ferguson*, 163 U.S. 537, 541 (1896). Pascoe, *What Comes Naturally*; Lise Funderburg, *Black, White, Other: Biracial Americans Talk about Race and Identity*; Root, “Within, Between and Beyond Race” in *Racially Mixed People in America*.

<sup>754</sup> Diana Yoon argues that the rationales used to evaluate the Amerasians for the AHA functioned similarly to racial requirements for naturalization in the nineteenth and twentieth centuries. In both cases, race conditioned the access to rights and privileges. Yoon, “Reproducing Citizens,” 89.

<sup>755</sup> Initial Observation and Findings of Amerasian Homecoming Act, November 16, 1992; Krupnick, “The Benefit of the Doubt.”

<sup>756</sup> Said, *Orientalism*; Yu, *Thinking, Oriental*, 7. Yu argues that America’s infatuation with Asians as both a racial “problem” and a racial “solution” (referring to the model minority stereotype that emerged in the second half of the twentieth-century) is rooted in an inability to reconcile the two. For further discussion of American immigration policies towards Asian see Tichenor, *Dividing Lines*. For further explanation of the connection between race, racism, and racialization and war between America and Japan see Dower, *War Without Mercy*.

<sup>757</sup> Yu, *Thinking, Orientals*, 190.

### *From Dust to Gold*

During the first two years of the AHA, the approval rate for the program was a perfect one-hundred percent.<sup>758</sup> Interviewers like Krupnick worked to fulfill Mrazek's expectations of inclusion for all Amerasians and their family members who wanted to leave Vietnam. Initially most interviewers seemed to reflect Krupnick's general philosophy that their purpose was to right a wrong that the U.S. government had committed by not previously taking responsibility for the Amerasians.<sup>759</sup> But the success of the program brought unintended side effects that soured interviewers responsible for deciding who could come to America.<sup>760</sup>

By the time the AHA began in 1988, American media coverage and the inclusionary language of the legislation had convinced the American public that Amerasians were "American" children, promoting a sympathetic narrative of their hardships. Accompanying such stories were the photographs of Amerasians with distinct "Caucasian" and Afro-Asian features holding pictures of their American GI fathers.<sup>761</sup> However, the AHA also persuaded Amerasians that they were American children, introducing a new sense of pride and value to a population previously marginalized as "children of dust."

As a result some Amerasians gained a new found sense of pride in their Americanness. According to one Amerasian woman, after learning about the AHA, "I became more familiar with America when I learned that my father was American. I

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<sup>758</sup> Initial Observation and Findings of Amerasian Homecoming Act, November 16, 1992, 56.

<sup>759</sup> Krupnick, "The Benefit of the Doubt," 46-58; Yoon, "Reproducing Citizens," 86.

<sup>760</sup> Anis, "Psychosocial Adjustment of Vietnamese Amerasians," 53.

<sup>761</sup> Lipman suggests that the American media played a critical role in racializing the Amerasians into acceptable and familiar American children. She argues that by commenting on the physical attractiveness of the Amerasians, media outlets employed a discourse of racial hybridity in which the racial mixture made them more beautiful and somehow, more American. Lipman, "The Face is the Roadmap," 54-55.

thought it was a noble land and my fatherland.” Another Amerasian explained that the AHA, “gave me hope for a better future.”<sup>762</sup>

The perception that America had finally accepted the Amerasians as “American” made them attractive to full-blooded Vietnamese who now viewed them as a ticket to America. Amerasians became popular targets for pretend friends, guardians, and family members. Lacking financial resources to travel to Ho Chi Minh City for the interviews or pay the bribes to Vietnamese officials, many Amerasians accepted fake families and forced marriages.<sup>763</sup> Tyler Chau Pritchard, an Amerasian who emigrated in 1991 explained the shift: “suddenly everyone in Vietnam loved us. It was like we were walking on clouds. We were their meal ticket, and people offered a lot of money to Amerasians willing to claim them as mothers and grandparents and siblings.”<sup>764</sup> Twenty-year old Amerasian Trinh revealed that before the AHA, many Vietnamese treated Amerasians ““like dogs in the street”” but after the AHA ““we began living like rich people. People can pay as much as two thousand dollars, to buy an Amerasian.””<sup>765</sup>

Because Amerasians needed their paperwork processed and approved by Vietnamese authorities to qualify for an interview, corruption abounded. Amerasians often had to bribe Vietnamese officials to get their names on the interview list. One Vietnamese girl claimed: “we paid ten thousand dong per name to register and three hundred thousand dong to get a passport for the family. They ‘lost’ our names, and we

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<sup>762</sup> Amerasian online survey by author, April 1, 2011, <https://www.surveymonkey.com/s/Amerasianresearch>.

<sup>763</sup> Initial Observation and Findings of Amerasian Homecoming Act, November 16, 1992. According to Bass, the motivations for many included guilt, money, family obligations, blackmail and fear of crossing the ocean alone. Bass, *Vietnamerica*, 125.

<sup>764</sup> Lamb, "Children of the Vietnam War."

<sup>765</sup> Bass, *Vietnamerica*, 129.

had to pay more bribes. Then we had to pay more money to the translator at the interview site, the fat woman dripping with gold.”<sup>766</sup>

Although the average annual per capita income in Vietnam during the period was only \$230, a 1992 evaluation found that the cost for Amerasians to apply for the AHA, ranged from \$50 to \$5000 dollars, with an average cost of \$350.<sup>767</sup> In addition, because the typical American interviewer had undergone only one year of language training, largely insufficient in preparing them to interview applicants, they often relied on translators supplied by the Vietnamese government to communicate with applicants.<sup>768</sup> For hopeful candidates this meant yet another bribe to ensure that translators communicated correctly.<sup>769</sup>

The façade of many fake families promising to care for and love their “Amerasian” children in exchange for a ticket to America confused Amerasians searching for acceptance and belonging. All too often, Amerasians found themselves abandoned once they departed Vietnam, after the relationship with their bogus families deteriorated.<sup>770</sup> Twenty-four year old Amerasian, Phuong emphasized: ““When we were in Vietnam, being interviewed, they [fake family] were very nice to me, sure. But now that we are here [PRPC], they don’t need me anymore. They treat me like dirt...they

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<sup>766</sup> Ibid., 128.

<sup>767</sup> Initial Observation and Findings of Amerasian Homecoming Act, November 16, 1992.

<sup>768</sup> Ibid; Krupnick, ‘The Benefit of the Doubt.’

<sup>769</sup> In the 1992 review of the AHA, US officials reported that some Amerasians complained that Vietnamese interpreters manipulated the interview outcome. If paid a proper bribe, interpreters coached applicants on how to answer the interview questions and translated their responses favorably. As rejection rates increased with the program by 1990, valid Amerasians reportedly paid for such services to increase their chances of acceptance. Initial Observation and Findings of Amerasian Homecoming Act, November 16, 1992, 8; Mabry, “We’re Bringing Them Home,” 34.

<sup>770</sup> Debonis, *Children of the Enemy*, 12. For further discussion of fraud within the Amerasian Homecoming Act see Bemak and Chung, “Psychosocial Adjustment” and Bass, *Vietnamerica*. Both works further expose that at the PRPC and in America, fake families, termed “buyers” by Bemak and Chung, often abandoned the Amerasians leaving them to fend for themselves.



insult me, berate me, the daughters even have attacked me. They loved the Amerasian when they need to leave Vietnam, but now they despise us.”<sup>771</sup>

Amerasians feared the discovery of phony families. If exposed during the interview process, fraud disqualified Amerasians from participating in the program.<sup>772</sup> If unveiled in the PRPC, Amerasians risked permanent residency in the PRPC camps.<sup>773</sup> If uncovered in the United States, Amerasians found themselves ineligible for their refugee benefits and status. Furthermore, the immigration of fake families disqualified Amerasians from bringing their real families to the United States.<sup>774</sup> One person highlighted the consequences for one Amerasian who reported his fake mother to the authorities:

Minh will become a secondary migrant cut loose from refugee center benefits, housing allowances, schooling, and welfare. He will become a criminal liable to expulsion from the United States, and he will be disqualified from sponsoring for immigration any of his real family members. His fake mother will get the apartment, food stamps, cash assistance, Medicare, ESL, and sympathy for having raised a ‘no good’ Amerasian.<sup>775</sup>

Early on, the issue of sham families and Amerasians complicated the humanitarianism behind the AHA. As the program progressed, the interview of the applicant and accompanying family proved critical in exposing fraud. Interviewers subjected Amerasians and their family members to a series of simple questions, sometimes separating family members to test for accuracy. If the stories corresponded,

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<sup>771</sup> Debonis, *Children of the Enemy*, 12.

<sup>772</sup> Vietnamese Amerasian Resettlement, March 1994, 3.

<sup>773</sup> “Administrative hold,”—the delaying or cancelling of departure for the United States— was the ultimate sanction in the PRPC for those who violated camp rules, failed to complete the work requirements, were suspected of criminal behavior, or who had certain medical conditions including pregnancy and mental illness. Additionally the Philippine military units that provided camp security at the PRPC operated the “monkey house,” jails in which they could hold refugees without charges or hearings indefinitely. This too, was used to punish those refugees accused or suspected of crimes, political subversion or breaking camp rules. James Tollefson, *Alien Winds: The Reeducation of America’s Indochinese Refugees* (New York, Praeger, 1989), 130-133.

<sup>774</sup> Initial Observation and Findings of Amerasian Homecoming Act, November 16, 1992.

<sup>775</sup> Bass, *Vietnamerica*, 126.

interviewers like Krupnick looked for subjective signs of family life—physical resemblances and genuine familial affection.<sup>776</sup> Even in cases where an interviewer suspected fraud, according to Krupnick, the Amerasians were often reluctant to reveal the crime, likely fearing it would hinder their own chances of approval to America.<sup>777</sup>

### **The Interviewers**

With so much subjectivity, the backgrounds and perceptions of the interviewers were critical. According to a 1990 Government review of the program, the training and experience of American interviewers included knowledge of refugee processing procedures, an understanding of the conditions in Vietnam and Southeast Asia, and an average of over eighteen years of service with the U.S. Immigration and Naturalization Service (INS).<sup>778</sup>

In reality, however, interviewers ranged from Foreign Service officers who worked and lived in Vietnam and had Vietnamese spouses to those with no previous foreign experience whose backgrounds were in the INS border patrol.<sup>779</sup> Additionally, while most interviewers received a year of Vietnamese language training, US officials admitted that it was not enough to enable them to discern different accents, dialects and customs of the Vietnamese people which forced them to depend on interpreters supplied by the Vietnamese government to interview applicants.<sup>780</sup> Interviewers also understood the dangers inherent in their inability to communicate directly to applicants and knew that

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<sup>776</sup> Krupnick, “The Benefit of the Doubt,” 52.

<sup>777</sup> Ibid. During her time as an interviewer, Krupnick claims that only once in four years, did an Amerasian confess that the foster family accompanying him to the interview, was fake.

<sup>778</sup> Subcommittee on Immigration, Refugees, and International Law, The Orderly Departure Program From Vietnam, 101<sup>st</sup> Cong., 2d sess., 1990, HR.

<sup>779</sup> Yoon, “Reproducing Citizens Through U.S. Militarism,” 86.

<sup>780</sup> Initial Observation and Findings of Amerasian Homecoming Act, November 16, 1992, 7.

interpreters could manipulate the outcome in exchange for a fee.<sup>781</sup> However there was not much they could do to alleviate the situation. Instead, interviewers tended to place greater emphasis on the part of the interview they could control—whether or not the applicant “looked” American.<sup>782</sup>

During the initial implementation of the AHA, twenty-seven year old Krupnik, “fresh” from her year of intensive Vietnamese language training, joined other interviewers who also embraced the mission of the program to allow any Amerasians who willingly wanted to come to the United States.<sup>783</sup> On her interview team were Bill, a former USAID employee in Vietnam, and Bob, a Vietnam veteran. Both men had a personal investment in the AHA, having married Vietnamese women and fathered Amerasian children.<sup>784</sup> Krupnik noted the concern that Bill and Bob expressed for the Amerasians they interviewed and the care they showed the Amerasians on the streets who thrust scraps of paper at them asking for help finding their fathers and going to America.<sup>785</sup>

Other members of the team included INS officers who Krupnick explained did not have any previous connection to Vietnam and did not speak the language.<sup>786</sup> Unlike Bill and Bob, these interviewers ignored the Amerasians on the streets, brushing away their outreached hands and the scraps of paper. “My initial impression, Krupnik explains, “is that they are xenophobic good ole boys, replete with cowboy boots and suitcases full of

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<sup>781</sup> Ibid. 8.

<sup>782</sup> Ibid. Vietnamese officials reported that the rejection rates of ODP interviewers varied from sixty to ninety-percent. US officials believed that one factor in the inconsistency was the reliance on Vietnamese interpreters.

<sup>783</sup> Krupnik, “The Benefit of the Doubt,” 46.

<sup>784</sup> Ibid., 47.

<sup>785</sup> Ibid.

<sup>786</sup> Ibid.

American snack food.”<sup>787</sup> Still, during the first two years of the program, most of the interviewers optimistically set about their task. Focusing on the humanitarian opportunity of the AHA to alleviate the tragic condition of the Amerasians, interviewers approved every applicant in the initial period.<sup>788</sup>

Having underestimated the numbers of Amerasians still remaining in Vietnam, however, policymakers extended the program indefinitely before it expired in March 1990.<sup>789</sup> During this period, the initial optimism of the interviewers along with the excitement of the American public waned. Interviewers became increasingly intolerant of the growing amounts of fraud and corruption and many experienced burn out. For some, their intolerance exposed the anger and hurt leftover from the war. For others, their frustrations exposed underlying perceptions that the Amerasians were inferior and the offspring of prostitutes.<sup>790</sup> Even Krupnik admitted that after two years, “little by little I stop being quite as naïve, quite as curious, quite as engaged. I stop being quite as compassionate, quite as unbiased. I am tired. Tired of the caseload; tired of the fraud, tired of the policy changes.”<sup>791</sup>

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<sup>787</sup> Ibid.

<sup>788</sup> During the first two years of the program, the approval rates for Amerasian applicants to the ODP were 100% and matched the high overall refugee approval rate during the period for all ODP applicants (October 1988 through January 1989). In February 1989, the overall approval rate declined precipitously to an of 36% which US authorities contributed to an August 1988 decision that applicants were no longer automatically awarded refugee status because they lived in Vietnam but rather had to assert fear of persecution and show a credible basis for that fear. Subcommittee on Immigration, Refugees and International Law, *The Orderly Departure Program from Vietnam*, 101<sup>st</sup> Cong., 2d sess, April 11, 1990, HR.

<sup>789</sup> Initially the AHA had a two-year limit in which all of the Amerasians from Vietnam who wanted to come to the United States were expected to apply for the program. However by 1989 resettlement and humanitarian organizations like the Indochina Resource Action Center began to report that there many Amerasians still remained in Vietnam and stressed the importance of extending the program. In 1990, the US Government did extend the program. In 1991, the Vietnamese government announced that the program would in January 1992 in an effort to encourage Amerasians to apply. The announcement resulted in confusion for many Amerasians who thought they had missed the deadline and so did not apply and who were unaware that they could still apply even though the US government listed the duration of the program as “open-ended.” Initial Observation and Findings of Amerasian Homecoming Act, November 16, 1992, 5. *Hearing before the Committee on the Judiciary Subcommittee on Immigration and Refugee Affairs*, Consultation on Refugee Admissions for Fiscal Year 1990, 101<sup>st</sup> Cong., 1<sup>st</sup> sess., September 15, 1989: 199-202.

<sup>790</sup> Lipman, “The Face is the Roadmap.”

<sup>791</sup> Krupnik, “The Benefit of the Doubt,” 57.

In the second phase of the program, the approval rate plummeted to eighty percent in 1991 and twenty percent in 1992.<sup>792</sup> The numbers reflect the inconsistency that existed among the interviewers. While one interviewer accepted sixty-five percent of the cases, another accepted only thirty-five percent.”<sup>793</sup> Over time, more interviewers shifted from the initial philosophy that even in questionable cases the Amerasian received the benefit of the doubt, to a more conservative approach that, “I assume fraud in every case I see.”<sup>794</sup>

Consequently, the once liberal interpretations of their application of the concept “looks American,” now diligently tried to fit the faces of Amerasians into a more conventional version of what an “American” looked like. Understandably, many narrowed the kinds of physical characteristics that determined whether an applicant looked “white enough” or “black enough” to justify a claim of American paternity.<sup>795</sup> Specifically, interviewers became wary of “distinguishing features that could be mimicked by a non-Amerasian Vietnamese.”<sup>796</sup> Interviewers, already dependent upon certain racial characteristics to approve applicants, now found those features in question. Skin color and hair texture were no longer clear indicators of American paternity as interviewers wondered if applicants who “looked” American had lightened or darkened their skin, dyed their hair color, manufactured afros or surgically widened their eyes.<sup>797</sup>

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<sup>792</sup> Initial Observation and Findings of Amerasian Homecoming Act, November 16, 1992, 56.

<sup>793</sup> Mabry, “We’re Bringing Them Home,” 34-35.

<sup>794</sup> Bass, *Vietnamerica*, 55.

<sup>795</sup> For further discussion on racial categorization during the ODP interviews see Yoon, “Reproducing Citizens,” 89; DeMonaco, “Disorderly Departure,” and Mabry, “We’re Bringing Them Home,” 33.

<sup>796</sup> Initial Observation and Findings of Amerasian Homecoming Act, November 16, 1992, 7.

<sup>797</sup> There are many cases of Vietnamese attempting to “pass” as Amerasians by manipulating their looks. For more information see Bass, *Vietnamerica*; Yarborough, *Surviving Twice*; McKelvey, *The Dust of Life*; DeBonis, *Children of the Enemy*.

With all of the traditional markers of Americanness compromised, one exasperated interviewer exclaimed, “usually we rely on freckles for proof.”<sup>798</sup>

With such complications now surrounding subjective assumptions of race, how interviewers perceived and understood the Amerasian issue became paramount to decision-making. Unfortunately for the Amerasians, and reflected in the plummeting acceptance rates, by 1991 an overwhelming sense of cynicism replaced the optimism that had defined the first two years. Even interviewers who had Vietnamese spouses or Amerasian children began to view the applicants differently. For example, the ODP colleagues of American interviewer Robert McMahan, a father of two Amerasian children, surprisingly described him as “heartless” in his dealings with Amerasian applicants. McMahan later admitted although his own children were Amerasians, as an interviewer, “I used to avoid contact with Amerasians” stating “I thought their mothers were a bunch of whores.”<sup>799</sup>

Other interviewers expressed their discontent with the program in general, reviving concerns of an immigrant “invasion.” One female interviewer aptly nicknamed *Nyetnik* by the AHA applicants for her boorish manners felt very strongly that the AHA was a mistake by the United States. *Nyetnik* revived many of the anxieties surrounding Cuban leader Fidel Castro’s decision to send Cuban criminals to America in the Mariel Boatlift and the lingering concerns about the social and economic toll of immigration on America. She claimed that through the AHA, Vietnam “scrapes up its social riffraff, its schizophrenics, and criminals, and sends them to America. We’re watering down our

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<sup>798</sup> Lipman, “The Face is the Roadmap,” 58.

<sup>799</sup> Bass, *Vietnamerica*, 26.

gene pool with Amerasian mental cases. We're flooding the social welfare system with fake families.”<sup>800</sup>

American interviewers during this period also revealed racialized stereotypes that may have influenced their subjectivity. Some believed Amerasian children had criminal and negative behavior predilections. McMahan described the Amerasians as “part of an unruly subset of society, ‘willful,’ ‘stubborn,’ ‘unfocused,’ ‘they have no discipline.’”<sup>801</sup> Others, like Bill McCabe, director of the Buck Foundation in the Philippines and another father of Amerasians, revived the common wartime stereotype of the “sneaky” Asian. McCabe described his own children as having “‘manipulative, complex, divided personalities. They can look me right in the eye and lie.’”<sup>802</sup>

As pressure mounted regarding the fraud and corruption, interviewers increasingly collaborated on their cases, often consulting with each other over the physical appearance of an applicant. The general rule amongst interviewers was that it took three no's to deny an applicant and one yes for acceptance.<sup>803</sup> In discussing the appearance of one applicant with a colleague, Krupnick describes, “together we discuss the boy's characteristics in front of him and the family being interviewed. ‘The eyes look round and seem to be a shade of brown.’”<sup>804</sup> Although the process itself proved humiliating for the Amerasians, without documentation, their physical features remained

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<sup>800</sup> Ibid., 54. The word Nyetnik means “naysayer” in Russian. Bass reports that this particular interviewer reminded the Amerasians of the boorish manner of the Russians they had encountered. Such views may have been a response by recent changes to US refugee policy in 1988—liberalization of emigration from the Soviet Union, resumption of the Mariel Migration Agreement with Cuba and the revitalization of the ODP.

<sup>801</sup> Bass *Vietnamerica*, 27.

<sup>802</sup> Ibid., According to Robert Lee Asians in America have historically been cast as economic, social and sexual threats. Assumptions of “deviance” remain central to the image of the Asian as pollutant, coolie, yellow peril, model minority and gook. Such stereotypes portrayed Asians as alien threats to the American nation and family and contribute to the constantly changing definition of who the “real Americans” are in terms of class, gender, race, and sexuality. Thus, the “sneaky” Asian reinforced fears that Asians in America in the post-Vietnam War era, continued to threaten American unity and remained the “enemy” as scapegoats for America's economic decline and the psychic trauma of the war. Lee, *Orientalism*, 8-9, 190.

<sup>803</sup> *Wall Street Journal*, 28 February 2002.

<sup>804</sup> Krupnick “The Benefit of the Doubt,” 50.

their only chance for approval.<sup>805</sup> However, as deception became more common, the interviewers struggled to pinpoint American paternity on looks that they now suspected were fraudulent. The declining approval rates by 1991 reflected the increasing hesitation and doubt of the interviewers.

### PRPC

Once approved for the AHA, Amerasians and their families departed Vietnam for the Philippines Refugee Processing Center on the Bataan peninsula where they joined other Vietnamese refugees for six-months of language and culture training before resettlement in the United States.<sup>806</sup> The camp consisted of ten “neighborhoods” which each housed about 1,700 refugees.<sup>807</sup> American social service and resettlement organizations like the Indochina Resource Action Center (IRAC), Lutheran Immigration and Refugee Services (LIRS) and the International Catholic Migration Commission (ICMC) initially supported the mandatory six-month requirement, viewing it as “a good taxpayer investment” that helped Amerasians efficiently assimilate into a “productive role in American society.”<sup>808</sup>

The PRPC sought to prepare all Southeast Asian refugees for membership in the American community and to initiate the process of “becoming” American through

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<sup>805</sup> Yoon, “Reproducing Citizens,” 88.

<sup>806</sup> Although the AHA designated the Amerasians “immigrants” from Vietnam, they remained under the auspices of annual refugee allotments for the ODP and refugee resettlement provisions.

<sup>807</sup> Mabry, “We’re Bringing Them Home,” 40.

<sup>808</sup> The International Catholic Migration Commission developed and administered the curriculum taught to residents at the PRPC and received support from the Refugee Service Center of the Center for Applied Linguistics contracted by the Department of State. By the time the PRPC closed in 1994 many resettlement organizations had low opinions about the camp. Implementing the Amerasian Homecoming Act: A Close Look at the Philippine Refugee Processing Center, Prepared for Congressman Tom Ridge, Oct. 12 1989, Folder 1, Box 1, Amerasian Resettlement Reports, 1989-1993, Van Le files on Southeast Asian refugees. MS-SEA-12. Special Collections and Archives, The UC Irvine Libraries, Irvine, California. January 13, 2013; Mabry, “We’re Bringing Them Home,” 12, 42



assimilation and by “equipping them to be self-reliant.”<sup>809</sup> The US State Department believed that a three-prong approach to basic literacy and cultural skills—English as a Second Language instruction, Cultural Orientation, and Work Orientation—would allow refugees to function effectively in American society. Classes emphasized life skills that focused on the adoption of proper social and economic behaviors, and taught refugees what they must do in America rather than what they must know.<sup>810</sup> Lessons focused on teaching refugees how to function in society; emphasizing specific and practical tasks like balancing a checkbook, filling out job applications, how to flush toilets, where to apply for welfare, and how to light a gas stove.<sup>811</sup> Language lessons incorporated seventeen different competency areas ranging from banking and clarification to directions, time and, shopping.<sup>812</sup>

To alleviate concerns that the refugees might become economic burdens on American taxpayers through unemployment or dependency on welfare, the mission of the assimilation process at the PRPC was economic self-sufficiency.<sup>813</sup> Thus, the PRPC curriculum taught refugees that “good” Americans worked hard and paid their own bills. Classes, curriculum, and staff members discouraged welfare dependency by constantly reminding residents that “most Americans think that people who stay on welfare are lazy,” and that “upward mobility is very possible for people who work hard.”<sup>814</sup>

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<sup>809</sup> The PRPC opened in 1980 initially housing Southeast Asian refugees immigrating to various first asylum countries. However by 1989, the PRPC was used almost exclusively by the United States. Yoon, “Reproducing Citizens,” 106-112. Tollefson, *Alien Winds*, xvii.

<sup>810</sup> Tollefson, *Alien Winds*, 63.

<sup>811</sup> *Ibid.*, 53; Keith B. Richburg, “Philippines Camp Helps Prepare Asian Refugees for Life in U.S.,” *The Washington Post*, March 26, 1988.

<sup>812</sup> Tollefson, *Alien Winds*, 69.

<sup>813</sup> *Ibid.*, 57.

<sup>814</sup> Yoon, “Reproducing Citizens,” 114.

By the time refugees departed the PRPC for the United States, they understood the message: good immigrants will start at the bottom and accept their subservient position and minimum wage job. However, through hard work and perseverance, they would prosper.<sup>815</sup> Upon leaving the PRPC, residents received a Statement of Understanding that reiterated the objectives of the training program:

Shortly you will be arriving in the United States as a refugee. You will be sponsored and assisted by one of the Voluntary Resettlement Agencies. The goal of sponsorship is to bring you to economic self-sufficiency as quickly as possible usually through employment. The purpose is to help yourself.<sup>816</sup>

By 1989, criticisms of the PRPC began to emerge with reports of the dangerous and crowded conditions.<sup>817</sup> In his 1989 book *Alien Winds*, English professor James Tollefson who spent sixteen months in refugee camps in Southeast Asia, including working for the ICMC's teacher education unit at the PRPC, criticized the training programs for transforming refugees into American subjects rather than citizens. Tollefson compared the PRPC assimilation process with the early twentieth-century Americanization movement that sought the rapid assimilation of certain kinds of immigrants by requiring them to completely replace their traditional cultures and behaviors with proper American ones.<sup>818</sup>

It paralleled the efforts of politicians like Senator Alan Simpson and Colorado Governor Richard Lamm who promoted assimilation as a tool of exclusion for

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<sup>815</sup> Scholar Mary McGroarty studied the ESL textbooks for immigrants during the 20<sup>th</sup> century and compared the PRPC curriculum via textbooks with the preceding Americanization programs. Tollefson, *Alien Winds*, 58.

<sup>816</sup> Mabry, "We're Bringing Them Home," 49.

<sup>817</sup> At capacity, eight or more persons occupied each billet (approximately 10 feet x 20 feet) in the PRPC. Mabry, "We're Bringing Them Home," 40.

<sup>818</sup> The Americanization movement emerged from the 1911 Dillingham Commission Report that recommended restrictive immigration policies to ensure only assimilable immigrants—those whose traditional cultures and races were familiar to Americans—become American. Immigration regulation was necessary to ensure the cohesiveness of the community was not threatened. The Commission discouraged diversity and supported immigration quotas by race and the continued exclusion of Asian immigrants who it argued did not intend to become Americans. The Commission also stressed the importance of English literacy and citizenship lessons as keys to social and cultural assimilation. Tollefson, *Alien Winds*, 45-58.

immigrants arriving in the United States. Both revived the model of the Americanization movement, fearing the growing “threat” immigrants posed to America.<sup>819</sup> Lamm claimed the country, ““can accept additional immigrants, but we must be sure they become American.”<sup>820</sup> Assimilation, Simpson argued, was ““fundamental to American public values and institutions”” and those who do not adapt may ““create in America some of the same social political and economic problems which existed in the country which they have chosen to depart.””<sup>821</sup>

According to Tollefson, the PRPC failed to promote civic or political responsibility, thus failing to prepare refugees to become contributing members of American society and potentially American citizens.<sup>822</sup> Rather, the camps promoted the message of economic responsibility—self-sufficiency and the myth of upward mobility—teaching refugees only how to participate in the American economy as workers and consumers.

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<sup>819</sup> The threat of the “unassimilable” immigrant was the focus of much nativist discourse and immigration policy during the nineteenth and early twentieth centuries. Matthew Frye Jacobson posits that the 1790 Naturalization Law which limited citizenship to “free white persons” established the precedent of exclusion against different groups of immigrants including “white” Europeans. The ability or inability of a group to assimilate became justification for exclusion. Leaders combined the term “fitness for self-government” with assumptions of racial inferiority to determine whether or not a specific group could immigrate. Matthew Frye Jacobson, *Whiteness of a Different Color: European Immigrants and the Alchemy of Race* (Cambridge: Harvard University Press, 1999). Gary Gerstle argues President Teddy Roosevelt viewed immigration and race mixing as a benefit to the nation as long as it progressed the American race as both white and European. Roosevelt framed his views in assumptions of assimilable and un-assimilable immigrants. “True Americanism” was the ability of immigrants to fully embrace, assimilate and become American. The conflict between an expansive American civil nationalist creed that promotes equality irrespective of race, ethnicity, and nationality and the support and promotion of racial inequality is evident in the disciplining of those who refused to assimilate or whose presence “threatened” the welfare of the nation. Attacks and nativist sentiments against “non-assimilating” immigrants emerge specifically during times of perceived national crisis. Gary Gerstle, *American Crucible: Race and Nation in the Twentieth Century* (Princeton: Princeton University Press, 2001). Henry Yu examines the effects of assimilation theory and Robert Park’s “marginal man” theory on Asians in America. Yu argues that even after attempts to assimilate appropriately, the geographic distance and cultural difference of Asians frames them as “permanent outsiders” in America. Yu, *Thinking Orientals*. For further discussion see Tichenor, *Dividing Lines*; Roger Daniels, *Coming to America: A History of Immigration and Ethnicity in American Life* (New York: Harper Perennial, 1991); Frederick E. Hoxie, *A Final Promise: The Campaign to Assimilate the Indians, 1880-1920* (Lincoln: University of Nebraska Press, 2001).

<sup>820</sup> Hing, *Making and Remaking Asian America Through Immigration Policy*, 8.

<sup>821</sup> *Ibid.*, 7.

<sup>822</sup> Tollefson argues that rather than teaching civic responsibility—traditional citizenship—as a goal of assimilation that prepared newcomers to participate politically as fully-functioning American citizens, the PRPC taught functional citizenship in which newcomers were taught how to participate in the American economy as workers and consumers. Tollefson, *Alien Winds*, 57.

Refugees learned that the keys to success in America were: willingness to learn, ability to follow orders, and dependability.<sup>823</sup> English language curriculum emphasized the language of subservience, and according to Tollefson, “they are taught how to ask for permission, but not how to give orders; how to apologize, but not how to disagree, how to comply, but not how to complain.”<sup>824</sup> They are exposed only to low-income jobs in factories and on assembly lines, and, “periodically, representatives of McDonald’s and Mister Donut set up simulated fast food counters to teach them how to work behind a cash register.”<sup>825</sup> Tollefson accused the PRPC of only equipping refugees to work minimum-wage jobs, ensuring they did not have the skills or tools to compete with working-class or middle-class Americans or have access to upward mobility.<sup>826</sup>

Although Tollefson’s critiques did not focus specifically on the Amerasians who composed thirty to forty-percent of the population in the camp by 1989, many other evaluations of the PRPC did. A 1988 review prepared for AHA co-sponsor Thomas Ridge and specific to the Amerasian experience contradicted Tollefson’s critiques, reporting that the education provided at the PRPC on democracy, capitalism, leadership and citizenship benefitted Amerasians.<sup>827</sup> According to the report, the PRPC made “their

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<sup>823</sup> Yoon, “Reproducing Citizens,” 116

<sup>824</sup> Tollefson, *Alien Winds*, 75.

<sup>825</sup> Keith B. Richburg, “Philippines Camp Help Prepare Asian Refugees for Life in US,” *The Washington Post*, March 26, 1988.

<sup>826</sup> Tollefson, *Alien Winds*. Numerous criticisms of Tollefson’s work emerged both from scholars and from those who worked with refugee resettlement. Most voiced concerns regarding the absence of a genuine inquiry, judgement or analysis and accuse the work of being a “one-sided polemic” and that Tollefson skews the data to meet his own agenda and his comparison with the Americanization movement. They also claim that Tollefson failed to account for the changes and improvements made at the PRPC since his departure in 1986. In their review, Donald A. Ranard and Douglas F. Gilzow described that within the book, “We find half-truths, inaccuracies, misleading examples, and simplistic generalizations.” Still, Tollefson’s work remains one of the only primary source accounts written about the PRPC and as such provides an important contribution. Donald A. Ranard and Douglas F. Gilzow, “Comments on James W. Tollefson’s ‘Alien Winds: The Reeducation of America’s Indochinese Refugees’ and Elsa Auerbach’s Review. Two Readers React” *Teachers of English to Speakers of Other Languages, Inc.*, 24, no. 3 (Autumn, 1990): 529-541, accessed March 23, 2015, <http://www.jstor.org/stable/3587246>; Kirk J. Felsman, “Alien Winds: The Reeducation of America’s Indochinese Refugees,” *Journal of Refugee Studies*, 3 no. 3 (1990): 272-274.

<sup>827</sup> “Implementing the Amerasian Homecoming Act,” October 12, 1989, folder 2, Box 1, Amerasian Resettlement Reports, 1989-1993, Van Le files on Southeast Asian refugees. MS-SEA12. Special Collections and Archives, The UC Irvine Libraries, Irvine, California. January 13, 2013.

[Amerasians] assimilation into a productive role in American society,” quicker and easier.<sup>828</sup>

Despite all the efforts at education and training, camp life was difficult for many Amerasians. Their favored status as “children of gold” disappeared upon entering the PRPC where their American ties no longer protected them from abuse or marginalization.<sup>829</sup> Amerasians in the camp experienced mistreatment from their Vietnamese peers and fake families that no longer needed to maintain the façade of loving kinship now that they had their ticket to America.

Additionally, many Amerasians faced confusion over their “identity.” Deemed American children by the AHA, and admitted to the United States as immigrants, the requirement that the Amerasians had to attend the PRPC as refugees, confused many.<sup>830</sup> Once again victims of a contradictory American policy of inclusion—immigrant children of American citizens—and exclusion—refugees that had to *become* American—many Amerasians experienced an identity divergence and the distress associated with continued rejection.<sup>831</sup> There was no special curriculum, treatment, or acknowledgement of the Amerasians as children of American fathers. They faced the same experience as all other camp refugees and any discussions of paternity occurred in the offices of camp counselors.<sup>832</sup> In fact, Amerasians were the primary clients of the counseling units at the

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<sup>828</sup> Ibid.

<sup>829</sup> Philip Mabry suggests that PRPC camp and resettlement workers initially often exhibited a heightened sense of compassion towards the Amerasians in the camp, shocked by their “western” looks. However such reactions did not compromise the ways in which they treated the Amerasians, especially after reconciling their looks with their behaviors. As one camp worker recounted the confusion, the Amerasians embody “Vietnamese mannerisms in American bodies.” Mabry, “We’re Bringing Them Home,” 232-235.

<sup>830</sup> Yoon, “Reproducing Citizens,” 106.

<sup>831</sup> Bemak and Chung, “Vietnamese Amerasians: Psychosocial Adjustment and Psychotherapy,” 79-88.

<sup>832</sup> Yoon, “Reproducing Citizens,” 120-121. It was common for American resettlement organizations to collect mental health data on the Amerasian residents at the PRPC in efforts to better serve them once they arrived in the United States. Overtime, there was increased focus on the Amerasian “problem cases” and an emphasis on psychosocial assessments as resettlement workers sought to address the potential for hostility, violence, and depression from Amerasian newcomers. Amerasian Resettlement dissertation, 43-46.

PRPC.<sup>833</sup> Stories of suicides and deep-rooted depression became commonplace among the Amerasians. According to Fred Bemak, a mental health expert enlisted by the National Institute for Mental Health to determine what had gone wrong, "we'd never seen anything like this with any refugee group."<sup>834</sup>

Counselors and other PRPC and resettlement workers did not associate the struggles of the Amerasians with fatherlessness as much as they blamed it on their mixtures and the treatment they had faced in Vietnam. In an effort to determine how best to assist the Amerasians in the resettlement process, the Amerasian Resettlement Program provided its assessment of the identity issues facing Amerasians: "the issue of Amerasian self-identity is perhaps at the core of their problems, having both Vietnamese and American blood."<sup>835</sup>

PRPC authorities suggested that in addition to the problems inherent in the Amerasian blood mixture, the poverty, discrimination, and persecution that Amerasians faced in Vietnam meant they would be more inclined to join gangs and abuse drugs than other refugee populations.<sup>836</sup> Eventually, PRPC authorities and resettlement workers assumed all Amerasians were victims of trauma, abuse, and psychic wounds that resulted in mental health disorders, developmental delays, inadequate socialization, low self-esteem, problematic sexual behavior, violence, and confused personal identity.<sup>837</sup> Camp

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<sup>833</sup> Yoon, "Reproducing Citizens," 121.

<sup>834</sup> In a 1991-1992 study, Bemak found that fourteen-percent of Amerasians who resettled in the United States attempted suicide. Lamb, "Children of the Vietnam War."

<sup>835</sup> Mabry, "We're Bringing them Home," 242.

<sup>836</sup> Consequently, some Amerasians in the PRPC did join gangs, engaged in crime, faced arrest, and exhibited mental health challenges, all acts that sometimes delayed or suspended their departure to the United States. DeBonis, 6; Bemak and Chung, "Vietnamese Amerasians: Psychosocial Adjustment and Psychotherapy."

<sup>837</sup> Yoon, 120; In 1990 reports by the Indochinese Community Center in Washington, DC identified newly arriving Amerasians from Vietnam as the highest risk group for AIDS. The report determined that this group was most likely to participate in unsafe sex, unlikely to receive medical care or education because of the language barrier and poverty. Amerasian women were sexually active earlier than other Vietnamese and high rates of teen pregnancy, low self-esteem that the report stated motivated sex for acceptance and love and led to lives of prostitution and drugs. Amerasian men were also identified as most likely to visit prostitutes and to practice unsafe sex. "AMERASIANS and AIDS: The need for intensive, targeted prevention efforts," September 1990 Amerasian

administrators, teachers, and social workers often profiled Amerasians as “maladjusted young adults” with “special needs” who “posed challenges for teachers, camp administrators, and social workers.”<sup>838</sup>

Concerned about the contradictory treatment of the Amerasians and the reports of violence, abuse, and mental health issues in the camp, the Vietnam Veterans of America Foundation (VVAFF) undertook its own investigation in 1989. The critical question for the VVAFF centered on whether or not Amerasians, as children of American fathers, should have to transition through the PRPC.<sup>839</sup> According to the VVAFF, the problem with having Amerasians at the PRPC was they were not refugees. Vietnam did not accept that label and the AHA designated them as immigrants. To the VVAFF, the United States had a national responsibility to them “that outweighs the standing commitment that America has toward the world’s refugees. The Amerasians are truly our own.”<sup>840</sup>

As American children, the VVAFF argued, the PRPC did more harm than good. It unnecessarily forced the Amerasians to “postpone their long overdue arrival in the U.S.,” requiring them to live in “atrocious conditions, where there is insufficient food and water, where they are crowded into billets constructed with asbestos, with people unrelated or known to them, and where their daily lives are regulated by coercion and fears.”<sup>841</sup> The biggest tragedy, they asserted, was that Amerasians who processed through the camp and immigrated to the United States maintained the same disadvantaged status they held in

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update Attachment B, folder 26 Center for Southeast Asian Refugee Resettlement, Organization Materials, Box 20, Southeast Asia Resource Action Center records, 1990-1991. MS-SEA004. Special Collections and Archives, The UC Irvine Libraries, Irvine, California. January 13, 2013.

<sup>838</sup> Yoon, “Reproducing Citizens,” 120.

<sup>839</sup> “Report on the Amerasian Issue,” Vietnam Veterans of America Foundation, August 1989, VVAFF Washington, DC., folder 42, Report on the Amerasian Issue, 1989, Box 1, Van Le files on Southeast Asian refugees. MS-SEA12. Special Collections and Archives, The UC Irvine Libraries, Irvine, California. January 13, 2013.

<sup>840</sup> Ibid.

<sup>841</sup> Ibid.

Vietnam.<sup>842</sup> Thus, rather than transforming the Amerasians into Americans as the PRPC proposed, the experience degraded them and reduced them from the children of Americans into refugees.

Such assertions, by the most politically powerful Vietnam veterans organization in the country, was both powerful and compelling. The recognition by the VVAF of American paternity and national responsibility exposed the problematic contradiction in US policy regarding the official status of the Amerasians as immigrants or refugees. As Amerasians departed the PRPC for their new lives in America, the concerns of Tollefson and the VVAF proved painfully true.

### *American Dust*

By 1991, there were many unintended consequences that undermined the good intentions of Mrazek and his supporters. Issues of fraud and corruption and problems within the PRPC cast a negative light over a program that tried to address American failures. Additionally, those Amerasians who arrived in America often found a much different reality than imagined. After years of marginalization and ridicule in Vietnam, many Amerasians expected acceptance, a notion reinforced by the inclusionary language of the AHA.<sup>843</sup> However in reality, most Amerasians discover neither. A major problem remained. A 1989 study by the Office of Refugee Resettlement found that only thirty-two percent of Amerasians entering the United States had any information about their

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<sup>842</sup> The VVAF incorporated Tollefson's critique into their assessment arguing that the PRPC did not prepare Amerasians for the opportunities in America but rather only reinforced their position of powerlessness in society, preparing them to be subjects rather than citizens and resettling them in America's urban ghettos. "Report on the Amerasian Issue," Vietnam Veterans of America Foundation, August 1989, VVAF Washington, DC., folder 42, Report on the Amerasian Issue, 1989, Box 1, Van Le files on Southeast Asian refugees. MS-SEA12. Special Collections and Archives, The UC Irvine Libraries, Irvine, California. January 13, 2013.

<sup>843</sup> Amerasians' Special Needs Report, August 1989, Department. of Social Services, State of California Health and Welfare Agency, folder 8 Saint Anselm's Amerasian Records, Box 1, Saint Anselm's Cross-Cultural Community Center records. MS-SEA027. Special Collections and Archives, The UC Irvine Libraries, Irvine, California. January 13, 2013; Bemak and Chung, "Vietnamese Amerasians: Psychosocial Adjustment and Psychotherapy," 79-88; Robin S. Levi, "Legacies of War: The United States' Obligation toward Amerasians," in Johnson, 421.



American fathers and ninety-eight percent of attempts to locate fathers were unproductive.<sup>844</sup>

Additionally, as foreigners in American society and culture, the anticipated acceptance eluded the Amerasians.<sup>845</sup> While many Americans mistook Amerasians for native born Americans, once their language difficulties or cultural differences surfaced, Amerasians encountered marginalization and exclusion. In 1988, the California Department of Social Services warned Americans against assumptions of racial familiarity.<sup>846</sup> It was important, officials explained, “to remember that the appearance of the Amerasians will fool many people into believing that they are native Americans which can cause conflict and confusion.”<sup>847</sup>

Many recognized the problems. U.S. State Department employee Kyle Horst explained, “Just because Amerasians have blond hair or afros, we expect them to act like Americans. But it’s a myth that these are ‘our’ kids. They are Vietnamese. We’re not bringing them home. We’re taking them to a foreign country.”<sup>848</sup> A 1989 report by the State Department reiterated Horst’s claim stating, the Amerasians “are not ‘our kids’ and

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<sup>844</sup> Studies found that the number of Amerasians who wanted to reunite with their American fathers ranged from 25 to 54% and that only a small percentage of those actually searched for their father. Bemak and Chung, “Vietnamese Amerasians. A number of private organizations offered assistance in the reunification/tracing of potential fathers including: the Veterans Administration Regional Service Centers. “Vietnamese Amerasians: Practical Implications of Current Research, Office of Refugee Resettlement, 1989” Amerasian Families and American Fathers; Considerations for Responses to Tracing Requests, developed by InterAction Amerasian Resettlement Program, folder 2, Box 20, Amerasians Information, Reports, 1985-1987, Southeast Asia Resource Action Center records. MS-SEA004. Special Collections and Archives, The UC Irvine Libraries, Irvine, California. January 13, 2013; Request for completion of survey to evaluate outcomes of AHA, Director, St. Anselm’s Immigrant & Refugee Community Center,, March 8, 1993, Folder 44 Saint Anselm’s Amerasian Records, Box 1, Saint Anselm’s Cross-Cultural Community Center records. MS-SEA027. Special Collections and Archives, The UC Irvine Libraries, Irvine, California. January 13, 2013.

<sup>845</sup> Amerasians’ Special Needs Report, August 1989, Department. of Social Services, State of California Health and Welfare Agency, folder 8 Saint Anselm’s Amerasian Records, Box 1, Saint Anselm’s Cross-Cultural Community Center records. MS-SEA027. Special Collections and Archives, The UC Irvine Libraries, Irvine, California. January 13, 2013.

<sup>846</sup> By 1988, forty-six percent of all refugees arriving in the United States settled in California, including more than five-thousand Amerasians. State Coordinators Meeting October 1988, folder 1 Ad-Hoc Working Group on Refugee Admissions and Protection, Correspondence and Memoranda, 1986-1989, Box 1, Southeast Asia Resource Action Center records. MS-SEA004. Special Collections and Archives, The US Irvine Libraries, Irvine, California. January 13, 2013.

<sup>847</sup> Amerasians’ Special Needs Report, August 1989, Department. of Social Services, State of California Health and Welfare Agency, folder 8 Saint Anselm’s Amerasian Records, Box 1, Saint Anselm’s Cross-Cultural Community Center records. MS-SEA027. Special Collections and Archives, The UC Irvine Libraries, Irvine, California. January 13, 2013.

<sup>848</sup> Bass, *Vietnamerica*, 27.

they aren't 'coming home'—they are Vietnamese young adults coming to a new and unfamiliar land for which their American genes offer no special preparation.”<sup>849</sup> Even Amerasians themselves felt the divide, “‘When I was in Vietnam’” one Amerasian described, “‘I felt more American because of how I looked. But when I came here [America], I felt more Vietnamese. My language, the food I eat, the way I think, the way I do—it’s Vietnamese.’”<sup>850</sup>

Black Amerasians specifically faced difficulty in overcoming the assumption by Americans that skin color equated to a shared racial kinship with African Americans. Missing was the common heritage, culture, and history. Some black Amerasians sought to create that bond by educating themselves on black culture and history. Likewise certain American resettlement services made genuine efforts to familiarize black Amerasians with “their” black heritage through the incorporation of black history into the curriculum.<sup>851</sup> In some cases American workers educated black Amerasians on hair care and personal grooming in hopes of easing the transition into their impending racial identity.<sup>852</sup> However, the efforts had limited success.

For example, in Phoenix, many black Amerasians joined black street gangs in their efforts to find racial acceptance.<sup>853</sup> Others, like black Amerasian Kien, admitted that, once in America, he tried to *become* African American by imitating black people, “I

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<sup>849</sup> Ranard and Gilzow, “The Amerasians,” 6.

<sup>850</sup> Ibid.

<sup>851</sup> *New York Times*, November 16, 1992.

<sup>852</sup> Mabry, “We’re Bringing Them Home,” 246. Mabry argues that although race and racial discrimination did exist in Vietnam and within the Amerasian population, especially evident in the testimonies and experiences of black Amerasians in America where cultural differences compounded racial differences.

<sup>853</sup> Amerasians, The Cinema Guild, Inc. New York 1998 Gandini Multifilm, subtitled

talk how they talk, I'm a good imitator."<sup>854</sup> Largely however, the attempts to fit them into American racial categories failed.

Furthermore, within Vietnamese-American communities—the only place that provided some kind of cultural familiarity, Amerasians encountered the same prejudice that they had faced in Vietnam.<sup>855</sup> Even in America their physical appearance prevented them blending into the Vietnamese-American community which continued to label them poor, uneducated, and illegitimate children of prostitutes.<sup>856</sup> A 1993 survey by the General Accounting Office found that ninety-five percent of Amerasians who immigrated to the United States under the AHA, experienced discrimination in the Vietnamese-American community as opposed to twenty-percent from American communities.<sup>857</sup>

In particular, black Amerasians faced harsher responses. The same survey found one-hundred percent of black Amerasians experienced discrimination from the Vietnamese American community.<sup>858</sup> Many Vietnamese-Americans associated African Americans with racial stereotypes of crime and homelessness.<sup>859</sup> Although black Amerasian Lee Dong admitted that being around black people in America made him feel like he had a father he also believed that full-blooded Vietnamese did not like him because he was black, stating, “they look at me like I'm ugly.”<sup>860</sup> In the words of one

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<sup>854</sup> Ibid.

<sup>855</sup> Robin Levi posits that the rejection faced by Amerasians from the Vietnamese American community was less severe than that which they faced in Vietnam but that the rejection heightened the Amerasians' sense of alienation in America. Robin S. Levi, “Legacies of War,” in Johnson, 421-422.

<sup>856</sup> Valverde, “Doing the Mixed Race Dance,” in Williams-Leon and Nakashima, 134-137.

<sup>857</sup> Request for completion of survey to evaluate outcomes of AHA, Director, St. Anselm's Immigrant & Refugee Community Center,, March 8, 1993, Folder 44 Saint Anselm's Amerasian Records, Box 1, Saint Anselm's Cross-Cultural Community Center records. MS-SEA027. Special Collections and Archives, The UC Irvine Libraries, Irvine, California. January 13, 2013.

<sup>858</sup> Ibid.

<sup>859</sup> *New York Times*, November 16, 1992.

<sup>860</sup> Amerasians, The Cinema Guild, Inc. New York 1998 Gandini Multifilm, subtitled

black Amerasian, “I heard in Vietnam that black people [in America] were slaves, I didn’t want to be a slave.”<sup>861</sup>

Thus, the AHA complicated the issue of race and racial acceptance in America for all Amerasians. The reliance on racial rationale by American interviewers to determine which applicants “looked” American formally designated approved Amerasians the children of American fathers. Their “race” proved their biological filiation and the inclusionary rhetoric of the AHA embraced them, welcoming the Amerasians “home” to the land of their fathers. Selected Amerasians wore their new American identity with pride. It had transformed them from “children of dust” to “children of gold” among their Vietnamese peers. Yet, their identity did not translate to the PRPC, where Amerasians became refugees, or to the United States where they resettled alongside other refugees and where they remained foreigners in a strange land.

### **Compassion Fatigue**

By the end of the Reagan era, much of the interest in the Amerasians dissipated a shift that psychologist Robert McKelvey attributed to “compassion fatigue.”<sup>862</sup>

Americans turned their attention from immigration to the end of the Cold War, normalizing relations with Vietnam, and reconciling their feelings about the Vietnam War.<sup>863</sup> The end of the Cold War removed any national interest in providing a safe haven for Vietnam’s refugees and immigrants from the evils of communism. Furthermore, the demoralization of AHA interviewers and their increasing intolerance for the Amerasian

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<sup>861</sup> *New York Times*, November 16, 1992. For more on black Amerasians racial assimilation and identity see Williams, Teresa Kay and Michael C. Thornton, “Social Construction of Ethnicity Versus Personal Experience: The Case of Afro-Amerasians.”

<sup>862</sup> McKelvey, *The Dust of Life*, 120. McKelvey posits that the lack of interest among the American public towards immigrants and refugees by the 1990s greatly contributed to the large decline in acceptance rates for the Homecoming Act.

<sup>863</sup> Schaller and Rising, “The Republican Ascendancy,” 110-115. Schaller and Rising suggest that the end of the Cold War and the American victory in the Gulf War in the 1991 caused President George H.W. Bush to claim that the United States had finally “kicked the Vietnam syndrome.”

plight, spread to the United States where resettlement services lacked resources to deal with fake families and abandoned Amerasians. In 1995, Joseph Love, a volunteer at St. Anselm's Cross-Cultural Community Center in Garden Grove, California, one of the resettlement sites for Amerasians, estimated that 30,000 fake Amerasians and fraudulent families lived in the United States, leading to disenchantment with the process.<sup>864</sup>

Such criticisms disappointed Mrazek who began wondering about the merits of the AHA. In addition to the public exposés, Mrazek received annual reports about the program, revealing the proliferation of fraud, corruption, and fake families. Reports of many Amerasians getting into trouble also surfaced. Most Amerasians in the United States struggled to assimilate. Many faced unsurmountable challenges because they were illiterate and older, making the integration into American schools, jobs, and society difficult.<sup>865</sup> More troubling for Mrazek were the reports that only two percent of Amerasians had “found” their fathers. There was, Mrazek claims, “a lack of responsibility” in that number from men who he guessed, “had gone on with their lives, it was disappointing.”<sup>866</sup>

By 1994, the flow of Amerasians through the AHA drastically subsided and the PRPC shut down.<sup>867</sup> The program peaked in 1992 when 18,500 Amerasians and their families entered the United States. However that number dropped significantly to 3,500 in 1994.<sup>868</sup> Still, over time, the AHA had facilitated the immigration of sixty-nine

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<sup>864</sup> Huyen Friedlander, “Bui Doi: From Children of Dust to Children of Gold,” *VietNow*, October 31, 1995.

<sup>865</sup> The GAO reported that 80% of Amerasians from Vietnam were functionally illiterate in English, compared to 45% of other Vietnamese refugees; 40% were illiterate in Vietnamese, 95% had low education level and 90% had few or no job skills. Request for completion of survey to evaluate outcomes of AHA, Director, St. Anselm's Immigrant & Refugee Community Center,, March 8, 1993, Folder 44 Saint Anselm's Amerasian Records, Box 1, Saint Anselm's Cross-Cultural Community Center records. MS-SEA027. Special Collections and Archives, The UC Irvine Libraries, Irvine, California. January 13, 2013.

<sup>866</sup> Mrazek, interview.

<sup>867</sup> In 1992 US military bases shut down and US forces left the Philippines.

<sup>868</sup> In 1997 only 809 Amerasians and accompanying family members immigrated to the United States under the AHA, a major decrease from the 15,000 in 1990 and 1991, 18,500 in 1992, 16,000 in 1993, 3,500 in 1994 and 1,000 in 1995. In 1996 there was no

thousand Amerasians and their accompanying family members to the United States and over the next three years an additional nineteen hundred would immigrate before the program fizzled out.<sup>869</sup> There are no reliable statistics on the number of Amerasians that eventually became naturalized citizens since Amerasians appear to fall under the annual numbers for Vietnamese nationals—an accounting oversight that depicts the complexities posed by all mixed-race populations in America.<sup>870</sup>

However, despite the difficulty of the process, some Amerasians never attained US citizenship because they mistakenly believed that approval for the AHA had automatically conferred citizenship or because they believed it impossible to pass the citizenship test considering their lack of education and language.

Thus, most Amerasians remain unaware of their citizenship status unless legal issues arise. In 1996, the Immigration and Naturalization Service initiated deportation procedures against Amerasian Dung Van Chau convicted of two crimes in the United States and subject to deportation to Vietnam because he lacked citizenship.<sup>871</sup> Chau appealed the deportation to the Ninth Circuit US Court of Appeals on the grounds that he had immigrated to the United States in 1984 under the AIA and had U.S. citizenship.<sup>872</sup> The provisions of the AIA, Chau insisted, conferred citizenship by classifying its

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specific allocation for Amerasians in the authorized refugee admission levels. Office of Policy and Planning, Department of Justice, Immigration and Naturalization Service, Annual Report, Refugees, Fiscal Year 1997, July 1999, 101<sup>st</sup> Cong., 2d sess., Number 4, 9.

<sup>869</sup> In 1994, 69,168 Amerasians and their family members emigrated through the AHA. Over the next three years, an additional 1,895 Amerasians entered the United States. Department of Homeland Security, Yearbook of Immigration Statistics, 2004 Immigrants, Immigrants Admitted by Type and Selected Class of Admission, FY 1986-2004, accessed March 23, 2013,

<http://www.dhs.gov/yearbook-immigration-statistics-2004-0>.

<sup>870</sup> Official naturalization stats for FY 1991-2003 lists only region and country of birth. Assuming the Amerasians counted under the Asian region and the Vietnam country statistics, it is impossible to identify how many Amerasians became naturalized US citizens. Department of Homeland Security, Yearbook of Immigration Statistics, FY 1991-2003, accessed March 23, 2015, [www.dhs.gov/yearbook-immigration-statistics-2003-1](http://www.dhs.gov/yearbook-immigration-statistics-2003-1).

<sup>871</sup> An alien convicted of two crimes of moral turpitude. Immigration and Nationality Act (“INA”) § 241(a)(2)(A)(ii), 8 U.S.C. § 1251(a)(2)(A)(ii) (1994) - <http://caselaw.findlaw.com/us-9th-circuit/1054646.html#sthash.MN3GrTgi.dpuf>

<sup>872</sup> *Chau v. INS*, 247 F.3d 1026,1027 (9th Cir. 2001).

beneficiaries as children of US citizens.<sup>873</sup> The court demanded proof of paternity. Chau, a permanent resident of the United States since 1987 introduced evidence—the testimony of his mother Mai Chau—that his father was an African American soldier stationed in Vietnam. However, he did not know his father’s identity.<sup>874</sup>

The Court argued that because the AIA did not intend to grant citizenship, and Chau was born in Vietnam, there was a “presumption of alienage.”<sup>875</sup> The court transferred the case back to the US District Court of Arizona which argued that Chau could not establish citizenship because he did not know the exact identity of his father.<sup>876</sup> In 2006 the Department of Homeland Security ruled that Chau had not proven that his father was a US citizen—“no evidence exists that a man who appears to be a US serviceman must necessarily *be* one,” and “service in the United States armed forces does not confer citizenship on a serviceman.”<sup>877</sup> Therefore, Chau was not an American citizen but an alien, and subject to deportation back to Vietnam.<sup>878</sup>

### **Like a Home Without A Roof**

Chau’s case highlights the fundamentally exclusionary nature of US Amerasian policy. In their efforts to accept some responsibility policymakers failed to address the issue of individual or military obligation or to reconcile the Amerasian mixture with US law. The AIA and the AHA sent conflicting messages to the Amerasians in Vietnam.

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<sup>873</sup> Ibid.

<sup>874</sup> Chau testified that his father was African American because as a child he was given the nickname “Dung Medan” or “Dung a Black American.” Chau v. Dept. of Homeland Security, 424 F Supp. 2d 1159, 1160 (D. Ariz. 2006) <https://casetext.com/case/chau-v-us-dept-of-homeland-sec>.

<sup>875</sup> Chau v. Dept. of Homeland Security, 424 F Supp. 2d 1159, 1160 (D. Ariz. 2006) <https://casetext.com/case/chau-v-us-dept-of-homeland-sec>.

<sup>876</sup> Chau v. INS, 247 F.3d 1026,1027 (9th Cir. 2001).

<sup>877</sup> Chau v. Dept. of Homeland Security, 424 F Supp. 2d 1159, 1160 (D. Ariz. 2006) <https://casetext.com/case/chau-v-us-dept-of-homeland-sec>.

<sup>878</sup> Ibid. In the 2006 case, Chau admitted that he had not immigrated under the AIA but as an Amerasian refugee under the ODP because of the AIA requirement that the mothers of Amerasians release them for immigration. In order to bring his family with him, Chau testified he had to use the ODP. This revelation placed the burden of his case on proof of paternity and legitimation.

Both acts utilized an inclusionary rhetoric that defined the Amerasians as the children of American fathers but denied in practice formal membership by failing to award citizenship. The exclusion reflects important gaps in US laws and in the continued struggle that Americans have with issues of race and nation.

Unwilling to expose the love relationships and sexual indiscretions of individual American fathers who policymakers agreed might be psychologically damaged by having a half-Asian child show up on their doorstep, the AIA and the AHA reinforced and repeated a well-known practice in America of “othering” the Amerasians, protecting the American “us” from the foreign “them.” Both acts in the contradictory discourse and policy reflected an inability by policymakers to incorporate mixtures of race and nation and inability to consider that perhaps “us” *is* “them.”

The problem remains. There is a saying in Vietnam that “children without a father are like a home without a roof.”<sup>879</sup> Almost thirty years removed from the AHA, the Amerasians continue to suffer the consequences of fatherlessness and the absence of citizenship. In 2003 California Democratic Congresswoman Zoe Lofgren who represented San Jose where a large Amerasian population resided by 2003, proposed H.R. 3360, the Amerasian Naturalization Act which would have conferred the Amerasians from Vietnam automatic U.S. citizenship as the sons and daughters of US citizens.<sup>880</sup> In 2007 and 2012 Lofgren introduced H.R. 5156, the Amerasian Paternity Recognition Act which would provide automatic US citizenship to Amerasians born during the Vietnam and Korean Wars.<sup>881</sup>

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<sup>879</sup> Lamb, "Children of the Vietnam War."

<sup>880</sup> In 2003 Lofgren introduced HR 3360, in 2005 she announced the same bill, now HR 2684, The Amerasian Naturalization Act.

<sup>881</sup> Lofgren initially proposed The Amerasian Paternity Recognition Act in 2007 as H.R. 4007 and again in 2012. The Amerasian Paternity Recognition Act, April 27, 2012, Zoe Lofgren, HR 5156, 112<sup>th</sup> Cong., 2d sess.



Each bill proposed to confer birth-right citizenship to Amerasians who had legally entered the United States through the AHA, the AIA, or the ODP as well as those remaining in Vietnam if they wanted to immigrate. Lofgren promoted her bills with a familiar discourse pointing to the poor conditions the Amerasians faced in Vietnam, “these individuals lived through devastation during the Vietnam War and have been mistreated by the Vietnamese government because of their mixed race;” and the undeniable US paternal responsibility, “There is no doubt that they are the sons and daughters of American fathers. That determination was made when the US government invited these individuals to come to the United States to live.”<sup>882</sup> Lofgren also pointed to the necessity of closure, “It is time to finally close a chapter in our history that has too long denied Amerasians the opportunity to be recognized as the American citizens they are.”<sup>883</sup> Sharing the fate of the initial attempts of her long-gone predecessor Stewart McKinney, in each case Lofgren’s bills failed to make it out of committee.<sup>884</sup>

### *Consequences of War*

The ongoing struggle remained for many despite the best efforts of their allies. Shortly after his celebrity as the poster child of the AHA faded, most Americans forgot Le Van Minh. By 1989, people dismissed him as a “troubled” child whose inability to assimilate to the structures of America’s schools and families became an all too familiar stereotype of Amerasians. It is possible that over time Minh recognized the irony of his

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<sup>882</sup> “Lofgren Introduces Citizenship Bill for Children Born in Vietnam to American Servicemen and Vietnam” Press Release, Oct 22, 2003. <http://lofgren.house.gov/news/documentsingle.aspx?DocumentID=365962> (accessed January 1, 2015).

<sup>883</sup> “Lofgren Introduces Citizenship Bill for Children Born in Vietnam to American Servicemen and Vietnam” Press Release, Oct 22, 2003. <http://lofgren.house.gov/news/documentsingle.aspx?DocumentID=365962> (accessed January 1, 2015).

<sup>884</sup> In 2012 HR 5156 failed to advance past the Judiciary Committee on Immigration and Border Security.

situation, “rescued” by a country without even asking, yet denied birth-right citizenship.<sup>885</sup>

Now, at the age of 44, Minh lives in a two-bedroom house in San Jose, California with his Vietnamese wife and two children.<sup>886</sup> With very little education and forced to use crutches and a wheelchair to get around his home, a result of the polio that ravaged his body as a child, Minh makes a living distributing newspapers from the window of his car. In 2000, Minh admitted that he had failed his attempts to pass the US citizenship test since his immigration.<sup>887</sup> In 2009, the Amerasian Fellowship Association held its regional banquet in San Jose, California to celebrate the achievements of the Amerasian immigrant community. Absent from the affair was Minh, who lived fifteen minutes away. In fact, event organizers admitted they never heard his story.<sup>888</sup> Still, when asked about his past life and whether or not he felt he had been given a fair shake, Minh explained he doesn’t think much about his former life in Vietnam and responded ““Fair? Oh, absolutely, yes. I’m not angry at anyone.””<sup>889</sup>

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<sup>885</sup> Exact numbers of the Amerasian population in the United States at any given time vary greatly depending on the source. This is likely a result of error allowed for fraudulent reporting.

<sup>886</sup> Michael Luo, “A Beggar No More,” *Newsday*, July 9, 2000.

<sup>887</sup> *Ibid.*

<sup>888</sup> David Lamb, “Children of the Vietnam War.”

<sup>889</sup> *Ibid.*

## CHAPTER 7

### CONCLUSION

*'Into this tiny knot, though tied two worlds'- Pearl S. Buck<sup>890</sup>*

In the post-Vietnam War era, the efforts made by policymakers, humanitarian organizations and individual advocates on behalf of the Amerasians of Vietnam were complicated and conflicted. The inclusionary discourse of both the AIA and the AHA offered the Amerasians an acknowledgement of a biological kinship, a paternal filiation, and a home to belong. However, it did so under the geopolitical context of the Cold War and the humanitarian framework of a war the United States did not win. Policymakers failed to extend that discourse into acts of inclusion and award citizenship to children now deemed “sons and daughters of American citizens.” Such neglect exposed the inability of policymakers to overcome a history in the United States of assumptions of racial inferiority and exclusion against people of Asian descent. In Vietnam such notions lay in the initial colonial encounters, ideology, and discourse that arguably framed US foreign relations. Policymakers, unable to reconcile the American features and faces of the Amerasians with their Asian foreignness, took a contradictory stance—recognizing American children, but legislating them as Asian and therefore foreign.

The plight of the Amerasians highlights the problematic existence of mixed-race persons in America. In the post-civil rights era many assumed that fears of miscegenation and a reliance on blood quantum existed only in the crevices of a racist American past. Yet the physical appearance of the Amerasians reminded policymakers that the “racial

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<sup>890</sup> As quoted in Pear S. Buck, *East Wind: West Wind* (John Day Co., 1930).

moment” persisted.<sup>891</sup> In the tradition of the Asian experience in America, race remained a marker of difference that also determined nationality. Since the first Asians entered America in the mid-nineteenth century, US laws consistently viewed Asians in the framework of *Orientalism* and the East-West binary. Race and nation signified racial difference and geographic distance. If Americans were racially familiar and America was “us,” than Asians were racially foreign and Asia was “them.”<sup>892</sup>

The Amerasian mixture however complicated the conflation of race and nation by blurring the lines of distinction. They were simultaneously racially foreign and familiar and geographically distant(mother) and near(father).Although it was clear per US law that legally, the Amerasians were not American citizens, the physical appearance of most Amerasians called the law into question. Opponents adopted a discourse of legal exclusion claiming that without evidence of paternity, Amerasians were the children of Asian mothers. Advocates embraced an inclusionary discourse and effectively “fit” the appearance of many Amerasians into the American racial taxonomy as proof of paternity.

In both cases, policymakers failed to account for the actual mixtures and extend their discourse beyond the clear-cut delineations of race and nation. The Amerasians were not independently Asian or American, they were both. Such an acknowledgement is critical considering that America is a nation of immigrants in which an Asian American could serve in Vietnam and father an Amerasian child. However policymakers proved incapable of integrating the Amerasian mixture into US law. Unable to reconcile such a mixture of race and nation policymakers initiated a contradictory approach that

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<sup>891</sup> Spickard describes the racial moment as “the critical juncture in relationships between people when they come to see each other, and are seen by outsiders, as fundamentally, essentially immutably different from one another.”<sup>891</sup> Spickard, “Race and Nation, Identity and Power,” 8.

<sup>892</sup> The East and West were cultural polarities defined by geographic distance and racial difference. Said, *Orientalism*.

simultaneously employed an inclusionary discourse that deemed the Amerasians worthy of American attention, guidance and humanitarian aid, and implemented exclusionary policies that designated them unfit for the responsibilities of American citizenship.

Although per US law the Amerasians were not citizens. The fact that policymakers sought to break from the tradition of ignoring the illegitimate children of American fathers born abroad is telling and speaks specifically to the impact of the Vietnam War. The Amerasians presented an opportunity for Americans consumed by the guilt and the enormous sense of loss from the war for redemption and to rewrite the war narrative from military defeat to humanitarian victory. Their faces were evidence of America's presence in Vietnam, the injustice of American intervention and perhaps the immorality of its soldiers. As America had invaded, destroyed and abandoned its South Vietnam ally, so too had America inflicted the same damage on its people. Like South Vietnam, America had also abandoned its children.

Still, accepting paternal responsibility proved challenging in the Cold War era. In the aftermath of the American defeat in Vietnam, President Reagan sought to rectify America's military and humanitarian image. First by rewriting the war as a "noble cause" and redefining Vietnam veterans as American patriots and heroes and second, by stoking the flames of the Cold War narrative that posed the "good" United States against the "bad" communist nations of the world—the Soviet Union and Vietnam. Evidence of American virtue was the quest to retrieve its missing American soldiers and prisoners and its efforts to "save" the Amerasian children. Within this context, the Amerasians became valuable tools of Cold War propaganda and the administration's anti-communist agenda.

Thus, the Reagan administration had little interest in actually addressing the Amerasian issue during the height of the Cold War. Additionally, no policymakers called for individual fathers to take responsibility for their children and none besides Pat Schroeder proposed to address the actual root of the problem. Between the passage of the AIA in 1982 and the AHA in 1987, the Amerasians joined the MIA/POWs and reeducation camp prisoners as evidence of communist cruelty and as effective bargaining chips in the never-ending negotiations for diplomatic relations. Had it not been for the photograph of Le Van Minh and the efforts of the students at Huntington High School and Congressman Robert Mrazek to bring Minh to the United States and pass the Amerasian Homecoming Act, any semblance of national responsibility for the Amerasians may have been lost with the suspension of the ODP the previous year.

The evolution of the Amerasian issue among American policymakers is critical to issues of race, nation, and war. While the sex-based distinction embedded in US immigration and citizenship law protects America from the responsibilities of caring for fatherless, foreign-born children, the guilt associated with the Vietnam War demanded it. Americans could not ignore the familiar faces of the Amerasians but could not fully embrace them either. Over time America distanced itself from the Vietnam War and from the Amerasians who became just another refugee population with refugee problems.<sup>893</sup> As the population aged, the arguments by Amerasian advocates for citizenship faded as did any chance for national paternal responsibility or legal recognition of acceptance and belonging. The efforts of Congressional leaders like Pat Schroeder, Barney Frank, Stewart McKinney, Jeremiah Denton and Robert Mrazek succeeded in bringing attention

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<sup>893</sup> Vietnamese Amerasian Resettlement, March 1994.

to the Amerasian issue, the sex-based distinction in US law, and in providing a path for immigration for tens of thousands of Amerasians. However, their efforts failed to create real change.

Thus notions of race and nation continue to shape the incessant reliance on the sex-based discrimination in US immigration and citizenship laws that permits individual American men to impregnate foreign women without any concern of paternal accountability or parental responsibility. When considered in the context of the large US military presence abroad, these laws, along with the unwillingness of policymakers to address such behavior and perhaps risk exposing the US military and US servicemen to public criticism, justify the irresponsible sexual choices of tens of thousands of American men who continue to create illegitimate children globally.

### **Amerasians in a Transnational World**

The Amerasian issue is important and relevant. Although fraught with numerous other issues, the Amerasian case in Vietnam very much illustrates the problematic relationship between citizenship and membership, what the reproduction of American citizenship looks like, and the gendered legal assumptions of filiation and parental responsibility embedded in US citizenship law. The problematic application of racialized policies that have historically served to exclude “mixed” populations from membership become more complicated when the mixing was not just of race but of national borders.

The decision of policymakers to exclude citizenship from the AIA and AHA was legal, and arguably reflected the legacy in America of exclusionary policies against people of Asian descent. Thus the recognition of belonging embedded in the inclusionary discourse surrounding the legislation reveals a deeper consideration. While the

Amerasians never received *jus sanguini* citizenship, the discourse of inclusion surrounding the AIA and the AHA revealed an underlying intention to recognize that they did indeed belong in and to America, but only within certain limits.

Such assertions of conditional membership and citizenship have modern-day applications at a time when debates over immigration and race are fraught with tension and with the increasingly interracial, transnational, and border-crossing nature of the modern world. The War on Terror, America's new "Vietnam," has produced millions of refugees from the Middle East, an estimated four million from Syria alone.<sup>894</sup> Concerns that terrorists exist among those fleeing the war-torn regions and that the US government "cannot allow the refugee process to become a backdoor for jihadists,"<sup>895</sup> have incited a backlash against some Muslim communities and caused many to question what it means to be an American and what an American looks like.<sup>895</sup> Additionally, the estimated 80,000 unaccompanied child migrants from Central America and Mexico, and the 1.4 million DREAMers—children brought to the United States illegally by their parents—continue to force Americans to reconsider how America defines and awards citizenship.<sup>896</sup> The implications in both cases reveal the ideological struggle and constant negotiation of an American national identity.

Most importantly, however, the Amerasian issue matters because it affected and continues to affect the lives of real people like Le Van Minh. The bottom-up effects of

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<sup>894</sup> Justin Fishel and Mike Levine, "US Officials Admit Concern Over Syrian Refugee Effort," ABC News, February 12, 2015, accessed March 24, 2015, <http://abcnews.go.com/International/officials-fear-syrian-refugees-pose-threat-us/story?id=28930114>.

<sup>895</sup> Ibid., Chairman of the Homeland Security Committee Mike McCaul (R-TX) stated that it was a mistake for the US to allow refugees from Syria to enter the United States.

<sup>896</sup> Elizabeth Kennedy, "No Childhood Here: Why Central American Children Are Fleeing Their Homes," *Perspectives*, (July 2014); A 20..report found that the majority of DREAMers are Mexican although significant numbers are non-Mexican and come from all over the world. Most are fifteen-years or older and therefore qualify for the Deferred Action for Childhood Arrivals (DACA) Initiative which provides a two-year reprieve from deportation. "Who and Where the Dreamers Are," American Immigration Council, August 8, 2012, accessed March 24, 2015, <http://www.immigrationpolicy.org/just-facts/who-and-where-dreamers-are>.



policies imposed from above are powerful and real. Our increasingly transnational world has facilitated new freedom and movement both physical and ideological, breaking down preexisting geographic borders and conceptual boundaries that have served to differentiate and categorize groups of people. In the process, policymakers will continue to question membership and belonging, reconsidering and reconstituting the role of race and gender in determining who is and who is not an American.

### **Broader Implications of Intent**

Penero Miller was born out of wedlock in the Philippines in 1970. Miller was the daughter of a Filipina mother, Luz Penero, and an American father, Charlie Miller, a twenty-three year old US servicemen stationed in the Philippines. Miller's relationship with Penero resulted in the birth of their child.<sup>897</sup> Charlie did not marry the pregnant Luz, was not present at Lorelyn's birth, nor did he ever return to claim or care for his child. Rather, as was typical of many American servicemen, "when his affair and his tour of duty ended," Charlie "returned to America, leaving Lorelyn to be raised in the Philippines by her mother," fatherless and illegitimate.<sup>898</sup>

Twenty-one years later, Lorelyn Miller applied for US citizenship, claiming that because her father was an American citizen, she was too. However, because Charlie and Luz had not married and he had never claimed his daughter, therefore legitimating paternity, Lorelyn had no evidentiary proof that her father was indeed an American so the State Department rejected her claim. Not easily discouraged, Lorelyn found Charlie in Texas and convinced him to legally acknowledge her as his child. Charlie did and a

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<sup>897</sup> Jeffrey Rosen, "America in Thick and Thin," *New Republic*, January 5, 1998, accessed February 1, 2015, <http://www.newrepublic.com/article/politics/america-thick-and-thin>.

<sup>898</sup> *Ibid.*

Texas court quickly approved his petition for paternity officially recognizing him as Lorelyn's father.

Now with evidentiary proof of paternity, Lorelyn again applied for citizenship. Once more, the State Department rejected her claim, this time on the grounds that she did not meet the requirement of majority established by the 1952 Immigration and Nationality Act. According to the law, legitimation of paternity for children born abroad out of wedlock to American fathers had to occur before the child's eighteenth birthday.<sup>899</sup> Accordingly, at twenty-one years old, Lorelyn was simply too old and her claims of paternity invalid. Therefore, she was not a US citizen.

Still Lorelyn persisted, challenging the decision in front of the US Supreme Court in the 1998 case of *Miller v. Albright* in which the highest court in the land also ruled against her claim.<sup>900</sup> The ruling was one of many citizen transmission cases brought before the Supreme Court since the 1977 case of *Fiallo v. Bell* that challenged the apparent sex-based discrimination embedded in US *jus-sanguini* citizenship law that awarded citizenship to illegitimate children born abroad to American mothers, but denied it to those of American fathers.<sup>901</sup> In each case, the court maintained that “the different treatment of mothers and fathers of out-of-wedlock children was justified since the two parents are not ‘similarly situated.’”<sup>902</sup>

In its opinion, the Court insinuated that the act of birth itself determined the biological difference between mothers and fathers for the purpose of transmitting

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<sup>899</sup> The Immigration and Nationality Act of 1952, Public Law 414, 66 Stat. 163, (enacted June 27, 1952).

<sup>900</sup> The question for the court was whether 9 U.S.C. Section 1409—establishing upon birth the US citizenship of illegitimate foreign-born children whose mothers only are citizens but failing to do the same if only their fathers are US citizens—violated the Fifth Amendment's equal protection guarantees. The Court ruled that it did not. "MILLER v. ALBRIGHT," The Oyez Project at IIT Chicago-Kent College of Law, accessed March 10, 2015, [http://www.oyez.org/cases/1990-1999/1997/1997\\_96\\_1060](http://www.oyez.org/cases/1990-1999/1997/1997_96_1060).

<sup>901</sup> Additional Supreme Court cases include *Fiallo v. Bell* (1977), *Nguyen v. INS* (2000), and *Flores-Villar v. United States* (2010).

<sup>902</sup> ProCon.org. "Miller v. Albright, Secretary of State," ProCon.org. Last modified on December 30, 2009, accessed February 12, 2015, <http://aclu.procon.org/view.resource.php?resourceID=002338>.

citizenship.<sup>903</sup> While unwed mothers had the benefit of birth as evidence of biological and therefore legal filiation with their children, unwed fathers never would. Thus, the court assumed an absence, outside of marriage, of biological or legal filiation between fathers and children.<sup>904</sup>

Critical to such an assumption remained expectations of questionable claims of paternity by mothers and the insinuation of promiscuity—“‘she may not know’ who is the father of her child,”” and “‘two or more men may claim paternity of the same child’”— and the inability of fathers to understand the consequences of their sexual acts, to count, or even remember with whom they had slept.<sup>905</sup> According to the Court, in the “normal interval of nine months between conception and birth,” the fact that the “unmarried father may not even know his child exists, and the child may not know the father’s identity,” justified the sex-based distinction.<sup>906</sup> Thus within the reasoning of the court, fathers only came to the realization of conception, gestation, childbirth and memory and mothers only aspired to tell the truth regarding paternity, through the institution of marriage.

However the Courts’ ruling in the *Miller* case to uphold the gendered sex-based distinction within US law regarding the transmission of citizenship becomes more problematic when placed in the context of Miller’s conception. Lorelyn was an Amerasian. The relationship between her parents occurred because the US military

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<sup>903</sup> Antognini “From Citizenship to Custody,” 432.

<sup>904</sup> Since father’s will never have the benefit of birth, US law allows unwed fathers to legitimate their child and claim paternity by satisfying four requirements to confer birth-right citizenship: 1) blood relationship, 2) the father was a citizen at the time of birth, 3) a written agreement to provide financial support until the age of majority (18), 4) until the age of 18, the person is A) legitimized under the law of his/her residence or domicile and the father B) father gives written acknowledgment of paternity under oath, C) paternity established by competent court. ProCon.org. “Miller v. Albright, Secretary of State,” ProCon.org. Last modified on December 30, 2009, accessed February 12, 2015, <http://aclu.procon.org/view.resource.php?resourceID=002338>.

<sup>905</sup> Fiallo Appellees Brief, supra 49, 24.

<sup>906</sup> The Supreme Court’s Decision was 6-3, Justices Rehnquist, Steven, O’Connor, Scalia, Kennedy and Thomas ruling of Albright and Justices Souter, Ginsburg, and Breyer against. “MILLER v. ALBRIGHT,” The Oyez Project at IIT Chicago-Kent College of Law, accessed March 10, 2015, [http://www.oyez.org/cases/1990-1999/1997/1997\\_96\\_1060](http://www.oyez.org/cases/1990-1999/1997/1997_96_1060).

stationed Charlie in the Philippines as part of his military obligation. Their relationship mirrored those of thousands of Asian women and US servicemen that had occurred for a century in Southeast Asia.

Lorelyn's plea for paternal legitimacy and US citizenship was no different from those Amerasians who preceded her, including those from Vietnam, and neither was the failure of the US government to grant her citizenship. To do so would have required the Court to overturn the sex-based distinction in *jus-sanguini* citizenship and immigration law and to officially recognize the biological and legal filiation between illegitimate children and their fathers. Such an act would dramatically affect foreign US military actions. US servicemen would be accountable for the consequences of their sexual acts, the United States forced to admit legal responsibility for a population of illegitimate children that it helped create, and policymakers would have less control over the reproduction of citizens and therefore the membership of the nation.

The ruling in Lorelyn's case was even more problematic when placed within the context of America's long military presence in the Philippines and current US foreign affairs.<sup>907</sup> Between 1898 and 1991, thousands of American men and American dollars had inhabited the islands in the two largest American military installations outside of the United States, Subic Bay Naval Base near Olongapo City and Clark Air Force Base in Angeles City.<sup>908</sup> During the Vietnam War, US forces launched B-52 bombing flights

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<sup>907</sup> After the US victory over Spain in 1898, Spain ceded its colonies to the United States in the Treaty of Paris. The US established twenty-three military base sites, Joseph M. Ahern, "Out of Sight, Out of Mind: United States Immigration Law and Policy as Applied to Filipino-Amerasians," *Pacific Rim Law & Policy Association*, 1992, 106.

<sup>908</sup> The 1947 Military Base Agreement gave the United States a ninety-nine year contract for military bases at two of those original sites on the island of Luzon, Subic Bay and Clark Air Base. In 1959 the Bohlen-Serrano Agreement revised the terms to twenty-five years, terminating on September 16, 1991. Joseph M. Ahern, "Out of Sight, Out of Mind: United States Immigration Law and Policy as Applied to Filipino-Amerasians," *Pacific Rim Law & Policy Association 1*, no. 1, (1992): 106; Maria Teresa M. Lim, "Removal Provisions of the Philippine-United States Military Bases Agreement: Can the United States Take it All," *Loyola of Los Angeles Law Review*, 20 (1987): 421.

from Clark Air Force Base.<sup>909</sup> The bases were critical to the Philippine economy. By 1988, they accounted for four-percent of the Gross Domestic Product and employed over 46,000 Filipinos, the majority in base-related jobs.<sup>910</sup>

Many Filipina women labored on the bases as cooks, maids, laundresses and in the base towns, in the bars, clubs and massage parlors of the massive entertainment industry.<sup>911</sup> As in Vietnam, relationships and sexual encounters both willing and unwilling often occurred in these militarized spaces.<sup>912</sup> Frequently accompanying the economic opportunity for women in the base towns were hopes of love and marriage with an American serviceman. Many of the women who came to the towns from small rural villages with limited skills, education or money found their dreams of love and marriage tainted by the only job available to them, prostitution.<sup>913</sup> By 1990, there were an estimated 6,000 licensed “entertainment women” or “bar girls,” and 14,000 unlicensed streetwalkers working in and around the 500 go-go bars, massage parlors and short-term hotels in Olongapo, ten-percent reportedly owned by retired US servicemen.<sup>914</sup> Some Filipino locals viewed prostitution as a necessary evil that protected decent and

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<sup>909</sup> Ahern, “Out of Sight, Out of Mind,” 106.

<sup>910</sup> Ibid; Desmond Ball, ed., *US Bases in the Philippines: Issues and Implications* (Strategic and Defence Studies Centre, Research School of Pacific Studies, The Australian National University, 1988). Ahern reports that by 1988 the US government expended approximately \$350 million per year on direct military support in the Philippines, and US service personnel approximately \$100 million annually in the Philippine economy. Additionally, according to Desmond Bell, base-related jobs composed 80% in Angeles city, and produced 98% of Olongapo’s gross revenues.

<sup>911</sup> For further study of the relationship between the US military, prostitution and sexual violence in the Philippines see Sandra Sturdevant and Brenda Stoltzfus, *Let the Good Times Roll: Prostitution and the U.S. Military in Asia* (New York: The New Press, 1993) and David Pivar, “The Military, Prostitution, and Colonial Peoples: India and the Philippines, 1885-1917,” *The Journal of Sex Research*, Vol 17, No. 3, (Aug., 1981): 256-269.

<sup>912</sup> Rape was a constant issue in the entertainment areas. Between 1981 and 1990, US servicemen faced 105 charges of rape, lasciviousness and seduction, 15 of those cases involved children under the age of sixteen. All of the cases but one were dismissed. Chief Petty Officer Daniel F. Dougherty was convicted in 1982 on multiple sex offenses against Filipina girls ages 12 and 14, and sentenced to 20 years hard labor in a military prison. Susan Marquez Owen, “Men and Women of ‘Sin City,’” *San Francisco Chronicle*, August 5, 1990. For further information on militarism, sex and rape and military endorsed prostitution as a component of national security see: Enloe, *Maneuvers*; Shegematsu and Camacho, *Militarized Currents*; Moon, *Sex Among Allies*; Brownmiller, *Against our Will*; Hohn and Moon, *Over There*; and Jin-Kyung Lee, *Service Economies*.

<sup>913</sup> Susan Marquez Owen, “Men and Women of ‘Sin City,’” *San Francisco Chronicle*, August 5, 1990.

<sup>914</sup> According to Enloe, because “prostitution” was illegal in the Philippines, women in the entertainment industry received licenses under “other” named occupations like “hostesses.” In 1976 for example, Olongapo had 6,019 registered as “hostesses.” Enloe, *Maneuvers*, 74; Susan Marquez Owen, “Men and Women of ‘Sin City,’” *San Francisco Chronicle*, August 5, 1990.

respectable Filipina women from sexual violence and rape by providing “an outlet for the soldier’s sexual urge and at the same time make money out of it.”<sup>915</sup>

However, prostitution often resulted in pregnancy. As in Vietnam, by the time US military forces left the Philippines in 1991, shutting down both Subic Bay and Clark, an estimated 50,000 illegitimate Amerasians remained.<sup>916</sup> Unlike the Amerasians from Vietnam, Korea, Thailand, Laos and Cambodia, those born in the Philippines had no recourse through the AIA or the AHA. Both pieces of legislation excluded the Philippines. One argument for the exclusion was that Amerasians faced less discrimination in the Philippines as compared to other countries.<sup>917</sup> Another, and more politically viable, was that policymakers feared the massive influx of Amerasians that would occur had the legislation included the Philippines.<sup>918</sup>

In either case, the large Amerasian presence in the Philippines even ten-years after the implementation of the AIA reflected the consequences of legislation that failed to address the root cause of the Amerasian “problem.” Clearly, the legislation never intended to deter American men from abandoning illegitimate children in Asia but rather to fulfill a humanitarian need and perhaps to appease the residual of guilt left over from the Vietnam War. Neither of these factors existed in the Philippines and policymakers

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<sup>915</sup> Because prostitution was illegal, local government officials, businessmen and the US Navy collaborated to hide the industry. In Olongapo, prostitutes were officially registered as “hostesses.” By 1976 Olongapo registered 6,019 women in this category. Enloe, *Maneuvers*, 73.

<sup>916</sup> As in Vietnam, accurate accounting of Amerasians in the Philippine is difficult. Ahern bases his estimation on numbers reported by the Pearl S. Buck Foundation accounting per the Philippine census and those reported by Sheila Tefft, “America’s Troubled Legacy in the Philippines,” *Christian Science Monitor*, December 31, 1991. Ahern, “Out of Sight, Out of Mind,” 107.

<sup>917</sup> This argument is indefensible considering the Amerasians in the Philippines faced discrimination for similar reason as those in Vietnam—militarized conception, racism, interracial mixtures, and illegitimacy. In addition, the large Catholic influence in the Philippines was critical of illegitimacy. P.C Kutschera and Mary Grace Talamera-Sandico, “Somatic Illness and Psychosocial Risk Among Military Amerasian Adolescents and Young Adults in Luzon, the Philippines,” *Asia Pacific Journal of Social Work and Development* 23, No. 3 (October 2013): 183-197; S.L Bachman, “U.S. Sailors’ Forgotten Children,” *Chicago Tribune*, March 27, 1993.

<sup>918</sup> An earlier draft of the AIA did include both the Philippines and Japan however the final version omitted them. There is no clear justification in the Congressional Record for the exclusion. SB 1698, *Hearing*; Ahern, “Out of Sight, Out of Mind,” 116.

ignored the same sense of responsibility expressed in the inclusionary discourse that surrounded the Amerasians of Vietnam to the Philippines.

Thus, the recent signing in 2014 by US President Barack Obama and Philippine President Benigno Aquino of the Enhanced Defense Cooperation Agreement (EDCA), which will return American troops to the Philippines, becomes problematic.<sup>919</sup> While Americans view the EDCA as helping contain Chinese influence across Asia, and the Filipinos welcome it as an opportunity to modernize its own military defense and to profit once again from the presence of US troops and US dollars, those who oppose the return of US forces remember the human consequences—the rape, violence, and the illegitimate children that accompany large numbers of American servicemen.<sup>920</sup>

Some of the most vocal critics are the estimated 52,000 Amerasians still living in the Philippines; the majority now adults with families of their own. In 2012, a study by the Philippine Amerasian Research Institute in Angeles City reported that, even in adulthood, the Amerasians were “a severely socioeconomically impaired population,” who contend with “serious physical and mental stress issues, including homelessness, alcohol and drug abuse.”<sup>921</sup> Many worry that without legislation by either country, the return of American troops will again result in the creation of more Amerasians,

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<sup>919</sup> The signing of the EDCA occurred in April 2014. The agreement is a modern version of the 1947 Mutual Defense Treaty and establishes a ten-year agreement in which US forces can return to the Philippines. According to its Preamble, the EDCA notes that both the United States and the Philippines, “share an understanding for the United States not to establish a permanent military presence or base in the territory of the Philippines,” and any US presence must occur by “invitation of the Philippines and with full respect for the Philippines Constitution and Philippine laws.” Carl Thayer, “Analyzing the US-Philippines Enhanced Defense Cooperation Agreement,” *The Diplomat*, May 2, 2014. The country grants American troops, ships, and planes access on a rotational basis as the Philippine Constitution prohibits the establishment of permanent bases. Aileen S.P. Baviera, “Implications of the US-Philippine Enhanced Defense Cooperation Agreement,” *Asia Pacific Bulletin*, no. 262 (May 9, 2014), accessed, February 15, 2015, EastWestCenter.org/APB, <http://www.eastwestcenter.org/sites/default/files/private/apb262.pdf>.

<sup>920</sup> Although the opposition to the EDCA is small among Filipinos, concerns about the bad behavior of US servicemen specifically against women are evident. Seth Robson, “US Military’s Return to the Philippines Sparks Economic Hopes,” *Stars and Stripes*, August 21, 2014.

<sup>921</sup> The study also found that the black Amerasians, as in Vietnam, had a higher incidence of physical and mental issues. P.C Kutschera and Talamera-Sandico, “Somatic Illness and Psychosocial Risk,” 183-197.

compounding already existing problems of fatherlessness, poverty, and unemployment.<sup>922</sup>

Twenty-seven year old black Amerasian Jennifer Stephens summarizes the concern of many, “I am not against US troops – I just think the Philippine government should come up with an agreement that they have to be responsible for what they are doing.”<sup>923</sup>

Stephen’s request seems reasonable specifically considering that in 1993 the Filipina mothers of 8,600 Amerasian children in Olongapo filed a class-action lawsuit against the US government for child support.<sup>924</sup> The plaintiffs in *Acebedo v. United States* claimed a “breach of contract” for medical services and educational benefits between the US Navy and the plaintiffs and their children.<sup>925</sup> The Navy, they argued, had created the contract by fostering and promoting prostitution in Olongapo, an area the Navy officially designated as a center of rest and recreation for US servicemen. The Navy also supplied, funded and operated a medical and education clinic, the Social Hygiene Center, to ensure that female “entertainers” were “registered and regulated.”<sup>926</sup> Since the Navy had created the environment and the conditions for conception, the plaintiffs claimed, it was therefore responsible for caring for them.

The attorney for the plaintiffs, Joe Cochet, a former Special Forces paratrooper and retired colonel for the US Army Reserves, likened national responsibility of the United States to take care of the Amerasians to other aspects of US military presence abroad, “If one of our tanks runs over a crop in Germany, we pay for that crop. If one of our military vehicles in Italy or wherever we may have a camp, injures a civilian, we pay

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<sup>922</sup> “The Philippines’ Forgotten Generation,” *BBC News Asia*, May 20, 2014, accessed January 23, 2015, <http://www.bbc.com/news/world-asia-27379710>.

<sup>923</sup> Sunshine Lichauco de Leon, “Filipino Fathered by US Soldiers Fight for Justice,” *The Guardian*, December 31, 2012.

<sup>924</sup> S.L. Bachman, “U.S. Sailors’ Forgotten Children,” *Chicago Tribune*, March 27, 1993.

<sup>925</sup> Maria B. Montes, “US Recognition of its Obligation to Filipino Amerasian Children Under International Law,” *The Hastings Law Journal*, (July 1, 1995): 1621-1967.

<sup>926</sup> *Ibid.*; S.L. Bachman, “U.S. Sailors’ Forgotten Children,” *Chicago Tribune*, March 27, 1993.



damages to that country's citizenry."<sup>927</sup> In this case, the United States has created children, Cochet implied, and so it too must pay for them.

However, the Federal Court of Claims disagreed, ruling that the suit did not meet the requisite elements of a legal contract and that a resolution to the Amerasian issue lay with Congress, not the courts.<sup>928</sup> Congress pointed back to US immigration and citizenship law and the sex-based distinction upheld by *Fiallo v. Bell*. No legal assumption of biological or legal filiation existed between the Amerasians and their alleged fathers, thus no legal responsibility lay with the US Navy. In their vocal opposition to the claims of the Filipina mothers, some US military officials and servicemen reverted to arguments used a decade earlier to oppose assertions of national paternal responsibility for the Amerasians of Vietnam: "American taxpayers are not responsible for foreigners conceived by consenting adults," and "the children may have been fathered by foreigners who were not Americans," and of course, accusations that the women "tried to get pregnant in the hope of marrying or moving to the United States."<sup>929</sup>

Such statements and the ruling of the Court reflected a legacy of irresponsibility regarding the actions of American servicemen abroad and a determination to legally absolve assertions of natural paternal filiation between children and fathers. The exclusion of the Philippines from the AIA and the AHA, although troubling in its own right, occurred because of the sex-based distinction in US law that protects American servicemen from the paternal responsibilities. Thus, as American forces prepare to reenter the Philippines under the EDCA, absent is any discussion of how to prevent the

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<sup>927</sup> S.L. Bachman, "U.S. Sailors' Forgotten Children," *Chicago Tribune*, March 27, 1993.

<sup>928</sup> Montes, "US Recognition of its Obligation to Filipino Amerasian Children Under International Law," 1621-1967.

<sup>929</sup> Bruce Lambert, "Abandoned Filipinos Sue US Over Child Support," *New York Times*, June 21, 1993.

future creation of a large and illegitimate population of Amerasian children. The silence on the issue speaks volumes and the rulings in *Acebedo v. United States*, *Miller v. Albright*, the numerous legislative proposals for citizenship for the Amerasians since the AHA, and most currently, the failure of American leaders to address the issue as the American forces return to the Philippines reflects the absence of real change.

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