1

The Fall of Saigon

Throughout March 1975, North Vietnamese forces won a string of military victories with such speed that it surprised not only officials in Washington and Saigon but also those in Hanoi. The successful DRV offensive prompted massive desertion among the South Vietnamese army (the ARVN), and the fighting displaced a considerable portion of the population. More than half a million fled to Da Nang, the second-largest city in South Vietnam. The rapid influx left the once-prosperous port city feeling "like a refugee camp."[1] In late March, communist forces encircled the overcrowded city and sheer pandemonium ensued; desperate mobs gathered at the airfield and shoreline, hoping to find a way out of the crumbling metropolis. Journalist Arnold R. Isaacs suggests that Da Nang "disintegrated in its own terror" more so than it was actually "captured."[2] While records indicate that all Americans were able to survive the mad scramble out of the city, many of their South Vietnamese employees did not, despite "American promise[s] of evacuation."[3] The little-discussed evacuation of Da Nang served as a shot across the bow for US policy makers; President Gerald Ford and his administration were determined to prevent a repeat of this failure in Saigon.

In many ways, the administration failed. The chaos, desperation, and unfulfilled promises that characterized Da Nang were also unmistakably evident when the South Vietnamese capital fell a month later. For many of those on the ground in Saigon – Americans and especially South Vietnamese – the last days of April 1975 were a special sort of hell. Americans were desperate to assist longtime friends and employees yet often unable to do so; Vietnamese looked into the eyes of their children

and elderly parents, fearful for the future and often forced to make impossible choices. These are the realities most vividly associated with South Vietnam's last days.[4] It is for good reason, then, that many assume US planning was virtually nonexistent, reactive rather than proactive, and that the inclusion of South Vietnamese in the American evacuation owed mostly to unanticipated, on-the-ground decisions made by local actors desperate to save themselves and secure their friends' and families' safe passage out of the collapsing country.[5]

The reality, however, is more complex. Despite its many flaws and failures, the American evacuation of Saigon was the result of intentional, if last-minute, hard-fought policy making. After the disaster in Da Nang, the Ford administration accepted that it could not stop the imminent fall of South Vietnam. The only thing left to do was plan the final American withdrawal from the country. In the face of congressional and domestic opposition, administration officials labored to include South Vietnamese allies, which made the process much more contested than it otherwise might have been. By the time Saigon fell on April 30, 1975, the United States had been evacuating its allies for weeks and secured legal approval for 120,000 to resettle in the United States. Although inadequate to address the full scope of what Ford called the United States' "profound moral obligation" to its South Vietnamese allies, American policy making in the mid-1970s set precedents that formed the foundation for future programs that brought more than one million Vietnamese (and hundreds of thousands of Laotians and Cambodians) to the United States.[6]

What Americans call the fall of Saigon is widely recognized as a pivotal moment in the history of the twentieth century. Vietnam War specialists usually conceptualize April 1975 as an ending, the resounding exclamation point at the conclusion of the conflict called the Vietnam War in the United States and the American War by victorious Vietnamese.[7] A growing number of scholars, however, suggest that war's boundaries are rarely as finite as they initially appear. Historians are beginning to apply this lesson to the Vietnam War, and their research suggests that it is also useful to conceptualize April 30, 1975, not as a decisive end but as the beginning of a new phase in US-Vietnamese relations.[8] This chapter contributes to this understanding by demonstrating that South Vietnamese allies, who US officials described as "refugees," remained an American priority immediately before, during, and after the US evacuation.

Throughout the twentieth century, the executive branch and diplomatic concerns dominated US refugee policy. In the wake of World War II, as

containment came to dictate American strategic thinking, US officials defined a *refugee* as one fleeing communism.[9] Moreover, because foreign policy considerations remained paramount in the early Cold War, US presidents often implemented refugee policies "without congressional input."[10] For these reasons, Presidents Dwight D. Eisenhower and John F. Kennedy were able to oversee the admission of sizeable numbers of Hungarians and Cuban refugees in the 1950s and 1960s, respectively. By the mid-1970s, however, Ford faced an entirely different environment than his predecessors.

Just as confronting a major military defeat and the collapse of a Cold War ally posed new challenges, crafting refugee policy in the face of an assertive Congress required navigating uncharted terrain. US evacuation planning occurred during a larger historical moment that saw Congress attempting to wrestle back legislative prerogatives from an "Imperial Presidency," most famously through the War Powers Resolution of 1973.[11] As part of this broader effort to reassert itself in and redefine US foreign policy, members of Congress also began using their power of the purse to set human rights standards that foreign nations had to meet before receiving economic and military aid.[12] While these policies were in their earliest and least-binding forms, it was clear that Congress was leading the way on a human rights approach to US diplomacy and determined to have its say in foreign affairs.[13]

The scale of the human displacement in the spring of 1975 and emergence of what the world would soon call the "boat people crisis" forced these previously distinct strains of US policy – a new legislative-led human rights approach to US foreign affairs and a history of executive-dominated refugee admissions policies – to converge. By the end of 1976, the human rights initiatives emanating from Capitol Hill, and the broader congressional determination to reassert its role that inspired them, clashed with the White House's traditional prerogatives over refugee policy. Although the executive and legislative branches reached a fragile consensus on the admission of South Vietnamese evacuees, the larger question of which branch of government would lead in formulating the nation's refugee policy, along with who got to decide, remained unresolved.

NEW PRESIDENT, OLD WAR

On Friday, August 9, 1974, surrounded by family and friends in the White House's East Room, Gerald R. Ford took the presidential oath of office. Referencing the events that led to Nixon's resignation, Ford famously

declared, "our long national nightmare is over."[14] While the Watergate break-in and Nixon's concomitant indiscretions certainly felt like a bad dream, the conflict that had haunted the nation's conscience for more than a decade, the Vietnam War, continued.

The Paris Peace Accords purported to end the conflict in 1973. The Accords, however, never provided a plan for permanent peace.[15] The agreement did end direct American military involvement, thereby offering a face-saving means through which Nixon could claim he delivered his campaign promise to provide "peace with honor." While American combat troops returned stateside, however, copious amounts of military supplies, economic aid, and pledges of continued US support continued to flow from Washington to Saigon.

If the ongoing Vietnam War did not top Ford's priority list when he assumed office in August 1974, it quickly rose on the presidential agenda. Although the war had never truly ended, in December Hanoi transitioned from a regrouping and preparation stage to taking the offensive.[16] In a January 28th meeting with congressional leaders, Ford and National Security Advisor Henry Kissinger painted a vivid picture of the dire circumstances in South Vietnam and emphasized the need for additional American support. If requests for funds from the executive branch remained consistent, their audience had changed in dramatic ways. The previous November, Republicans lost forty seats in the House and four in the Senate, and many of Congress's newest members rode a tide of disgust with the Vietnam War and Watergate into office, setting the stage for a showdown between the two branches.[17] In response to Ford's request for assistance for South Vietnam, Representative Al Ullman (D-OR) retorted, "we see the divisiveness on the streets of Saigon. We are putting money in a place that is doomed to fail."[18] The president still asked Congress for $300 million for the RVN that afternoon, but he could not have been optimistic, as legislators continued to send clear signals that they would not approve additional aid.[19]

Throughout January and February 1975, it became increasingly difficult to deny that South Vietnam's days were numbered. By the end of March, it was impossible. North Vietnamese troops captured Phuoc Long province in early March, the strategic city of Buon Ma Thuot (in the Central Highlands) on the 10th, and the old imperial capital and symbolically important city of Hue on the 25th.[20] In response, South Vietnamese President Nguyen Van Thieu ordered the ARVN to retreat and "abandon northern and central provinces in order to focus on the defense of Saigon," a decision that caught the United States off guard and unprepared.[21] As

a secret NSC memorandum put it in mid-March, "South Vietnam is in deep trouble."[22] And everyone knew it.

As communist troops converged on Da Nang, the hysteria was palpable. The city's regular population of 458,000 had more than doubled in previous weeks thanks to a sizable influx of those fleeing the communist offensive.[23] To assist with an evacuation, Ford authorized the use of Boeing 727s, 747 cargo planes, navy ships, and contract vessels to move "as many passengers as possible . . . out to sea."[24] To put it mildly, these belated plans were poorly executed. Panicked mobs converged on the coastline and airport, and order completely dissolved. As a memo put it to Kissinger on March 31, "charity compels me not to comment on the US Navy's effort to help move the refugees, but I know nobody who is impressed."[25] Most were horrified as untold numbers died in the chaos.[26] Even private attempts at evacuation, like those led by American Ed Daly, owner of World Airways, dramatized the almost complete lack of planning, on the one hand, and the sheer magnitude of the chaos, on the other.[27]

The idea of "peace with honor" likely invoked different images for different Americans, which is part of the reason the phrase served as an effective campaign slogan. Yet it seems safe to conclude that the evacuation of Da Nang fell well short of that goal. Whether one vociferously opposed or enthusiastically supported the Vietnam War, it would have been difficult to find the stories of Da Nang's collapse anything other than gut-wrenching.[28]

Vivid descriptions of Da Nang's fall made international headlines and created ripples of fear in South Vietnam. "Ugly stories about Americans fleeing Danang and Nha Trang," LTC Stuart A. Herrington recalled, "without regard for the fate of their employees were circulating in the corridors of the DAO [Defense Attaché Office]." "Since our Vietnamese secretaries and interpreters were known to our Communists adversaries," he explained, "it was not surprising that they were frightened of such a fate."[29] Fears of communist reprisals exacerbated concerns about American negligence. As early as March 7, individuals displaced by the violence reported to State Department officials that North Vietnamese soldiers were executing RVN civilian and military leaders.[30] Whether such stories were accurate or not, these accusations seemed to validate Washington and Saigon's claim that Hanoi would massacre its enemies in a "bloodbath," should the communists prevail.[31] The "ugly stories" about American disregard for their Vietnamese employees – combined with gruesome reports of the fate of former American allies in conquered

areas – provided a hard lesson. Many Americans in Vietnam and Washington vowed to prevent a repeat of the US failures in Da Nang.[32]

Ford gave the media ample ammunition to make images of the human suffering in South Vietnam even starker. He received the news of Da Nang's fall aboard Air Force One en route to Palm Springs for the Easter holiday. Unfortunately for Ford, the major media outlets juxtaposed the heart-stopping images from Da Nang with footage of the American president playing golf in sunny California. When journalists confronted Ford on the course to ask about Indochina, the president literally ran away from the reporters to avoid having to answer. As his press secretary Ron Nessen recalled with dismay, "the picture of him sprinting ahead of a pack of reporters was on TV and front pages all over the country."[33] When Nessen stepped up to the podium the next day, journalists predictably focused their questions on Ford's "odd behavior." After Nessen tried to suggest that the president did not actually run, one of the reporters quipped, "he ran almost as fast as the South Vietnamese Army," which ignited a roar of laughter.[34] The headlines practically wrote themselves.

EVACUATION PLANNING

On April 2, 1975, a decisive meeting of the Washington Special Actions Group (WSAG) convened. Kissinger chaired the WSAG, which also included high-ranking officials from the State Department, Department of Defense, Joint Chiefs of Staff, CIA, and NSC. Those assembled agreed that South Vietnam would fall imminently. The Secretary of Defense, James Schlesinger, gave a very bleak and accurate report of the situation when he warned, "We should be prepared for collapse within three weeks. I wouldn't count on any more than 45 more days."[35]

US officials faced a similar situation in Cambodia. Communist forces, in this case led by the Khmer Rouge, were closing in on the US-backed regime. Phnom Penh, in Secretary Schlesinger's estimation, had "only eight to ten days left," and the US government had already begun to airlift the final Americans and some of those associated with the United States out of the country. Kissinger spoke for those assembled when he concluded with regard to Cambodia, "there is just nothing we can do." Given this terminal diagnosis of the situation in Cambodia and the magnitude and duration of the American involvement in Vietnam, the conversation quickly returned to the question of US allies in South Vietnam. In Schlesinger's words, the consensus was "we don't want any recurrence of the Danang fiasco."[36] An exchange between Kissinger and Philip

Habib, the Assistant Secretary of State for East Asian and Pacific Affairs, on the topic is especially revealing:

Secretary Kissinger:	I think we owe – it's our duty – to get the people who believed in us out. Do we have a list of those South Vietnamese that we want to get out?
Mr. Habib:	There is one, but it's limited.
Secretary Kissinger:	Tell [US Ambassador to South Vietnam] Graham Martin to give us a list of those South Vietnamese we need to get out of the country. Tell Graham that we must have the list by tomorrow (April 3, 1975).
Mr. Habib:	The problem is that you have different categories of people. You have relatives of Americans, tens of thousands of people (Vietnamese) who worked for us. . . . One thing I would recommend is that the Embassy destroy all personnel records when they leave.
Secretary Kissinger:	The Communists will know who they are anyway. Let's get a look at the different categories of people who need to get out. There may be upwards of 10,000 people.
Mr. Habib:	There are 93,000 already on the list.
Secretary Kissinger:	Well, get that list. We'll try for as many as we can.
Mr. Stearman [NSC]:	It could reach a million people.[37]

The fact that the "limited" list included 93,000 South Vietnamese reveals one of the enduring consequences of decades of US involvement in Vietnam. While US officials were able to rapidly escalate and, eventually, deescalate the number of Americans in the country, the number of South Vietnamese impacted and, given Hanoi's imminent military victory, implicated by their association with the United States steadily increased. Although US combat troops left in 1973, the ties between Americans and South Vietnamese endured.

The disastrous US evacuation from Da Nang prompted American policy makers to face the colossal logistical and moral challenges the imminent collapse of South Vietnam posed.[38] From the very beginning of earnest evacuation planning, the administration was, Kissinger recalled, "fully determined to save as many Vietnamese who had cooperated with America as we could."[39] Yet, as the disparity between

https://doi.org/10.1017/9781108770354.002 Published online by Cambridge University Press

evacuating "upwards of 10,000" and a million people suggests, in early April the administration remained wholly unprepared for the challenge. There was little doubt in US policy makers' minds that the international community would see endangered South Vietnamese as an American responsibility. As the State Department cautioned, "other nations will see in our handling of this issue how the US deals with the people of a country which has long been involved with us."[40] Even after the Paris Accords, concern about US credibility abroad continued to motivate US strategy in Vietnam.[41]

Over the next few weeks, government officials faced the unenviable task of prioritizing whom to admit to the United States. Many confounding factors exacerbated this daunting undertaking. Timing, for instance, remained a persistent problem. A "Study of Evacuation Planning" explained that "action taken either too soon or too late could lead to a repeat on a larger scale of what happened in Danang."[42] In other words, if the administration began an earnest evacuation too soon, it could undermine its own efforts to evacuate as many South Vietnamese as possible by fomenting panic. On the other hand, if the US policy makers waited too long and the military situation made a large evacuation impossible, erring on the side of caution could also lead to failure. Thus, while the Ford administration privately acknowledged that South Vietnam would fall, it went to great lengths to perpetuate the falsehood that it believed Saigon could survive. By April that idea amounted to pure fiction, but it helped the administration buy direly needed time to pursue its evacuation goals.

On April 3, Ford addressed the nation from San Diego. He devoted his entire speech to discussing the "great human tragedy" unfolding "as untold numbers of Vietnamese flee the North Vietnamese onslaught."[43] "The United States has been doing and will continue to do its utmost to assist these people," the president promised. He then announced a new initiative, Operation Babylift.[44] "I have directed that money from a $2 million special foreign aid children's fund be made available to fly 2,000 Vietnamese orphans to the United States as soon as possible," he explained, noting that he expected the flights to land "within the next 36 to 48 hours" and that all of the children would be "adopted by American families."[45]

Numerous foreign adoption agencies had been operating in Vietnam throughout the 1970s.[46] The fall of Da Nang and Ford's announcement, however, shifted the nature of the enterprise in at least two crucial respects. First, Operation Babylift changed the previous departure of

one or two children at a time to an en masse emigration, which spurred "competition among the seven adoption-sponsoring agencies for space on airplanes."[47] Second, despite the humanitarian headlines, Operation Babylift was a military operation.[48] The first US government sponsored flight took place aboard a C-5A jet, which unloaded a cargo hold full of military supplies the same day it was to transport Vietnamese children to the United States.[49] Approximately fifteen minutes after takeoff, an explosion sent the plane hurling back towards the ground, killing almost everyone on board. The exact death tally is unknown because, in addition to the fact that "some children had been slipped aboard at the last minute," making precise record keeping impossible, the grim reality was that "no one knew how many had been sucked out" as the plane crashed.[50] If precise numbers are impossible to determine, the tragedy is undeniable: the vast majority of the South Vietnamese children onboard and a significant number of Americans were killed, including forty-three of the forty-four American women the Defense Attaché Office had snuck onto the plane and at least one American child.[51] "The disaster was almost too unbearable to believe," journalist Arnold R. Isaacs recalled. "It was laden with a sense that Americans were somehow cursed in Vietnam, fated to bring only tragedy even when trying to do good."[52]

In contrast to Ford's description of Operation Babylift, moreover, many of the South Vietnamese children who arrived in the United States were not orphans. In some cases, Americans transported children against their parents' wishes.[53] The assumption that children in orphanages were parentless was a common American misunderstanding of the function of orphanages in Vietnamese society as places where families could bring their children to receive temporary care.[54] Just as common, however, were the conscious decisions made by Vietnamese families to seize upon the opportunity presented by American policy to chart their own course. As Allison Varzally explains:

> Seeking to preserve life amid unfathomable loss, death, and ruin, Vietnamese mothers, fathers, aunts, uncles, cousins, and grandparents had strategically chosen Operation Babylift as a means of assuring the safety of their young relations, with whom they intended to reconnect when or if they migrated to the United States. Thus, rather than orphans abandoned or relinquished, many of the children airlifted from Vietnam appeared to have family members who hoped to reclaim them. Thus, Vietnamese had embraced the evacuation as a necessary, if desperate, step in a larger process and migration and survival.[55]

In some cases, therefore, the tendency to depict the children who participated in Operation Babylift as orphans likely involved both genuine

misunderstanding and intentional obfuscation. However, one cannot ignore the much larger history of Americans depicting adopted children from Asia as orphans.

Operation Babylift rested on a long history of American paternalism toward Asia in general and South Vietnam in particular.[56] Suggesting the children who participated in Operation Babylift were orphans expanded the American practice of erasing Asian mothers in a narrative about American rescue of "orphans."[57] In this case, the erasure of Vietnamese mothers sent a particularly strong message, as many of the children who traveled via Operation Babylift were Amerasians, the children of Vietnamese women and American men.[58] Framing the children as orphans enabled American officials to craft a compelling rescue narrative while, at the same time, obscuring the role the violence unleashed by the American military played in creating conditions that required rescue in the first place.[59] Scholars in the field of critical refugee studies have shown that rather than incompatible actions, "warring and rescuing" had been mutually constitutive elements of American policy in Asia throughout the Cold War.[60]

Operation Babylift also demonstrated the tensions animating the United States' immediate policy goals in spring 1975. Perpetuating the fiction that South Vietnam could survive while quietly beginning the US evacuation required American officials to walk an extremely difficult, perhaps impossible, tightrope. If public pronouncements expressing faith in South Vietnam's stability and repeated requests for economic and military aid helped sustain the illusion of American confidence, attentive observers were not fooled. As the protagonist observes in Viet Thanh Nguyen's Pulitzer-Prize winning *The Sympathizer*: "You have evacuated your own women. You have evacuated babies and orphans. Why is it that the only people who do not know the Americans are pulling out are the Americans?"[61] The competing desires to put the war "behind" the country as soon as possible, and the impulse to stay and assist South Vietnamese both served as powerful sub-currents in different pockets of American society and the governmental bureaucracy. Reconciling these instincts challenged Ford, future administrations, and nonexecutive actors for twenty years.

On April 5, while still in California, Ford and Kissinger met with US officials who had just returned from South Vietnam. The presidential delegation members included Army Chief of Staff General Frederick C. Weyand and David Kennerly, a straight-talking photographer who had earned a Pulitzer Prize for his work in Vietnam and was serving as

Ford's White House photographer. Weyand's formal report suggested that South Vietnam was "on the brink of total military defeat" and that the ARVN would need $722 million "worth of supplies, primarily ammunition" not to retake lost territory but to accomplish the much more modest goal of establishing "a strong defense perimeter around Saigon."[62] Weyand also wrote extensively about the importance of creating at least an illusion of American confidence. "The essential and immediate requirement is Vietnamese perception of US support," he argued.[63] Doing what was necessary "to give South Vietnam a morale lift, and, if possible, to induce Hanoi to pause," the Army Chief of Staff continued, would be extraordinarily valuable even if it "buys nothing but time," because "at this moment that time is vitally needed."[64] Kennerly also reported directly to Ford and did not mince words: "they're bullshitting you if they say that [South] Vietnam has got more than three or four weeks left" he declared, "there's no question about it. It's just not gonna last."[65]

In addition to his blunt verbal report, Kennerly also shared compelling photographs of South Vietnam's ongoing collapse. The snapshots, in Kennerly's words, included images of "refugee kids, of wounded evacuees, of the ship filled with fleeing South Vietnamese soldiers."[66] In his autobiography, Ford recalls that after the meeting he "decided to step up our efforts to get the refugees out."[67] The president also had Kennerly's photographs displayed prominently in the West Wing. When someone removed the images, Ford personally ordered that they resume their previous position, determined that his staff "know what's going on over there."[68] While facing the reality was one thing, crafting a timely policy response was another matter entirely.

Legal obstacles exacerbated the formidable challenges that including South Vietnamese in the American evacuation would require. The Immigration and Nationality Act of 1965 imposed strict caps on the numbers of immigrants who were allowed in the country, and the law limited the annual ceiling for refugees at a paltry 10,200. If the Ford administration wanted to admit even a fraction of the people on the "limited list," the United States would need to accept many times the annually allotted limit, and it would need to do so quickly. There was one possible loophole the administration could use: the "parole power." As historian Carl Bon Tempo explains, the parole power emanated from a clause in the 1965 Act that "permitted the attorney general to admit (or "parole") an alien into the United States on an emergency basis if the admission served the public interest."[69] While previous administrations had used the parole power to admit refugees fleeing communism, the decidedly different geopolitical and

domestic circumstances of the mid-1970s rendered the Ford administration's ability to use the parole power to admit South Vietnamese far from certain.

BUILDING A CONSENSUS

The question of whether or not the administration could mobilize the support needed to put the parole loophole into practice – and whether or not it could do so before South Vietnam collapsed – set off a wave of frantic policy making in Washington. Time was short and the stakes could not have been higher. On April 5, the same day that Ford met with Weyand and Kennerly, Robert J. Ingersoll, the Acting Secretary of State, wrote a classified "urgent action" memo to Attorney General Edward Levi regarding the parole of South Vietnamese and Cambodians with close ties to the United States. Because Cambodia fell only twelve days later, on April 17, the discussion soon shifted to those in the RVN. The Secretary of State argued South Vietnamese associated with the RVN and US would "face death or persecution from the communist elements if they remain" and thus "will look to the United States for resettlement." "We estimate there are conservatively 200,000 to whom the United States Government has an obligation and the number may run to many times that number," Ingersoll observed, concluding, "we have an obligation to receive them."[70]

The 1965 Act awarded the parole power to the Attorney General. In practice, however, government-wide coordination was needed, especially in the tense political atmosphere of 1975. Congressional support was especially critical given Capitol Hill's control of appropriations.[71] The suspicions with which legislators viewed executive policy making during this period, especially vis-à-vis Vietnam, ensured that members of Congress would have much to say about the potential parole of South Vietnamese and US evacuation planning more broadly. Thus, rather than present a simple yes or no question, Ingersoll's letter about the possible parole of South Vietnamese ignited a series of discussions and debates throughout the US government.

The Immigration and Naturalization Service (INS) immediately joined the conversation. Two days after Ingersoll's letter ignited formal discussions, INS Commissioner L. F. Chapman Jr. wrote to Levi to share the INS's view. Chapman noted that he personally instructed "no action shall be taken to require the departure" of Indochinese in the US who have a "well-founded fear of persecution."[72] While not a permanent solution,

this measure provided a temporary fix to allow the Attorney General, and by extension, the rest of the government, to focus on those in more immediate peril. Additionally, the UN Convention Relating to the Status of Refugees' stated that "No Contracting State shall expel or return ('refouler') a refugee" to the territory from which he or she was fleeing.[73] Chapman argued that this provision, combined with US diplomatic pressure, would be sufficient to protect any South Vietnamese abroad from being deported to Vietnam after the imminent communist takeover.

Khuc Minh Tho was one of the South Vietnamese abroad as her country collapsed. The thirty-six-year-old mother of three was stationed at the RVN embassy in the Philippines, a position she coveted because it allowed her to support her children and, most importantly to her, provide them with access to high-quality education that she could not otherwise afford. Tho's father was a teacher before he was drafted into the ARVN, and he had instilled in her the value of education, a lesson she carried with her even after he and her mother were "killed by communists."[74] After losing her parents, Tho married at nineteen, and her husband, Nguyen Dinh Phuc, a graduate of the South Vietnamese Military Academy, was killed in combat when Tho was five months pregnant with their third child.[75] Widowed four days after her twenty-second birthday, Tho never formally remarried, though she fell in love again with Nguyen Van Be, a man she called her husband. As she explained, they "lived like husband and wife" but postponed marriage because her children were still so young and, they agreed, should be her "top priority."[76] One can only imagine how Tho endured the emotional trauma of watching her country fall from afar while her three children and second husband, another graduate of the RVN's Military Academy, remained in South Vietnam. Tho's story serves as a vivid reminder that the events of late April 1975 were cataclysmic for the South Vietnamese. Even for those like Tho, who were physically safe from harm, virtually none were safe from the trauma of family separation.

As North Vietnamese troops continued their march toward Saigon, many US congressmen expressed deep reservations about accepting large numbers of South Vietnamese. After decades of relative economic abundance in the United States, especially for the white middle class, the US economy had entered a precarious stage. Between 1969 and 1974 inflation had doubled, and by 1975 unemployment, which rested at under 4 percent throughout the 1960s, had reached 7.5 percent.[77] Financial indicators were not the only barriers to entry for South Vietnamese, however. Anti-

immigration sentiment, pervasive racism in American society, and the tendency to depict Vietnamese as enemies rather than allies all combined to prompt many legislators to resist policies that might expand the United States' commitments in Southeast Asia rather than contract them. Because many of the legislators who were hesitant to support an influx of South Vietnamese chaired powerful committees in the House and Senate, this oppositional group was able to exert influence beyond its numbers during the mid-1970s.

Inevitably, however, the many members of Congress held a wide range of views on the question of US obligations, or lack thereof, to its South Vietnamese allies. On April 9, for example, Ford received a letter from twenty Senators imploring him to assist "refugees who are trapped in the Saigon vicinity" and to avoid a repetition of "the most regrettable ... reported abandonment of Vietnamese civilians who had worked for the American government" in Da Nang.[78] Among the nineteen Democrats and one Republican who authored this letter were future Vice President Walter Mondale, former Vice President Hubert Humphrey, and two individuals who would be vocal proponents for expanding programs for South Vietnamese migrants in the late 1970s: Dick Clark (D-IA) and Claiborne Pell (D-RI). These Senators and their colleagues urged Ford to use the parole authority "to aid not just orphans, but all Vietnamese who may face reprisals for their association with the United States." "Plans should be formulated," they continued, "without any delay to permit the swift and orderly evacuation of those who are now endangered or might be threatened in the days and weeks head."[79] "We can assure you," the Senators promised, "that the Congress will cooperate fully in the task of preventing the needless suffering among the victims of this tragic war."[80]

Senator Edward M. "Ted" Kennedy had been urging Congress to do exactly that for years. Since the spring of 1965, Kennedy served as the chairman of the Senate Judiciary Subcommittee for Refugees and Escapees, a position he used to hold hearings, send key aids like Jerry Tinker and Dale DeHaan on fact-finding trips to Vietnam, and introduce resolutions and legislation to provide humanitarian assistance to Vietnamese displaced by the war.[81] After a decade of advocacy, Kennedy "kept firing off press releases, making statements, and otherwise attempting to influence public opinion and bureaucracy," efforts that certainly aided the administration's larger goals.[82] In March, for instance, Kennedy introduced a bill to provide $100 million in "additional humanitarian assistance" for South Vietnam and Cambodia.[83] Kissinger, cognizant of the fact that the administration would need congressional allies,

personally called Kennedy multiple times in late April, confessing "I need help on congressional authority, on parole authority."[84]

Recognizing that it would need congressional support, the administration kept key legislators informed about its intentions, even while the policies to implement those plans were still very much in flux. On April 9, Ford and sixteen members of his staff met with leaders of congressional committees on Foreign Affairs, Armed Services, and Appropriations to discuss the unraveling situation in Vietnam and Cambodia. An agenda for the meeting specified that Ford and Kissinger would talk at length about the parole initiative. Ford informed congressional leaders that he planned to evacuate three categories of South Vietnamese, including "leaders and their families associated with" the US government facing "persecution"; those "individuals and families" affiliated with US "private interests"; and, finally, a "general category refugees, the criteria yet to be established."[85] As Operation Babylift dramatized, the broad, often vague dictates of humanitarian impulses were difficult to translate into specific policy. Nevertheless, a general sense of urgency is obvious when reading administration records from mid-April. The agenda for Ford's April 9 meeting, for example, ended with the question "Would they [congressmen] not do what you are seeking to do [admit South Vietnamese allies]?"[86] This query would echo in the White House and on Capitol Hill for years to come.

On April 10, Ford gave a televised address on the nation's foreign policy. With respect to South Vietnam and Cambodia, he conceded, "the options before us are few and the time is very short."[87] Ford's speech is best known for his request for $722 million "in very specific military supplies" based on Weyand's report and "$250 million for economic and humanitarian aid for South Vietnam."[88] Given the consistent signs of congressional unwillingness to appropriate aid, and the fact that South Vietnam's total collapse was only weeks away, both contemporaries and scholars have criticized Ford's request as being ill conceived, unrealistic, and tone-deaf. Kissinger biographer Jussi Hanhimaki notes, however, that the administration was "fully aware that it had no chance of being approved."[89] NSC meeting minutes demonstrate that the White House knew asking for "no military aid" would be in line with "the predominant mood in Congress." The NSC suggested this approach was infeasible, however, because asking for no military assistance would "trigger an immediate collapse in Saigon," which would "imperil 6,000 Americans" still in the country and "make it impossible to evacuate the Vietnamese."[90] Ford's request, therefore, was intended to buy the administration time.[91]

Although the United States publicly promoted the belief that South Vietnam would rally, the administration's true goals were much more modest: evacuate the remaining Americans and as many US allies as possible. Statements supporting this conclusion in the documentary record from this period are ubiquitous and, ultimately, persuasive. Yet one cannot ignore other factors at play. The actors and institutions formulating US policy during these fateful months were not operating in a vacuum. Throughout the decade that US combat troops fought in Vietnam, the executive and legislative branches repeatedly clashed, and the Departments of State and Defense likewise had a rivalrous and tense relationship. The large egos and personal rivalries between the men who led each of these institutions created a perfect storm for suspicion and confrontation.[92] Widespread realization among US officials that they were witnessing South Vietnam's final weeks also injected the weight of history – and the question of blame and culpability – into ongoing clashes about the evacuation.[93] That Ford's request for $722 million in military aid for South Vietnam could be used as evidence that it was Capitol Hill, and not the White House, that abandoned South Vietnam was therefore especially convenient. Nevertheless, the fuller context of the speech and administration policy suggest that buying time for an evacuation vision that included South Vietnamese was Ford's primary objective.

As Ford explained in his speech: "I must, of course, as I think each of you would, consider the safety of nearly 6,000 Americans who remain in South Vietnam and tens of thousands of South Vietnamese employees of the United States Government, of news agencies, of contractors and businesses for many years whose lives, with their dependents, are in very grave peril."[94] Thus, without saying so directly, the president described the first two parole categories – those who worked for the US government and private American companies – that he included in his meeting with congressional leaders. The final category proved more problematic. In the televised address, Ford simply stated, "There are tens of thousands of other South Vietnamese ... to whom we have a profound moral obligation."[95]

Ford's assertion of a "profound moral obligation" represented far more than a throwaway line. While depicting the obligation as moral rather than legal permitted the United States to frame the evacuation as a rescue rather than a withdrawal, invoking morality also fashioned the American obligation in a way that did not have obvious limits – temporal or demographic.[96] Future policy makers, nongovernmental organizations, and Vietnamese American activists all claimed that the United

States had a "moral obligation" to assist expanding categories of South Vietnamese.

Ford's quantification of the nation's "moral obligation," rather than the existence of the obligation itself, however, had far more immediate consequences. In the short term, the president painted a very misleading picture of what the administration hoped to accomplish. Because, as Ford confessed to the congressional leaders the previous afternoon, competing interests in the government bureaucracy were still trying to determine how to define the final category of parolees, the president needed to be vague. Yet his suggestion that the final category would include "tens of thousands" did not at all reflect the scope of evacuation planning then underway. The president knew the State Department had been requesting the parole of *hundreds* – not tens – of thousands. In fact, at an NSC meeting the day before Ford gave his speech, Kissinger told Ford "the maximum" tabulation of his "list of potential evacuees" included 1.7 million people.[97] While the president's underestimation temporarily appeased those who opposed a large parole, his speech also clearly misrepresented the scope of the planning then underway.

While he was vague and misleading in regard to precise numbers, Ford accurately explained the administration's intention to evacuate both Americans and South Vietnamese. Because the War Powers Act of 1973 required congressional authorization for the use of any military force in Vietnam, however, the president could not put this vision into action unilaterally. He therefore closed the section of his speech on Vietnam by asking Congress to "clarify immediately its restrictions on the use of US military forces . . . for the limited purposes of protecting American lives by ensuring their evacuation, if this should be necessary." Ford also requested "prompt revision of the law to cover those Vietnamese to whom we have a very special obligation and whose lives may be endangered should the worst come to pass."[98] He asked Congress to fulfill all of these directives, including the appropriation of funds, "no later than April 19."[99] That requests for nearly one billion dollars in aid for South Vietnam *and* evacuation authorization appeared in the same speech highlights the profound contradictions animating US policy in early April 1975.

Nevertheless, the administration refused to yield on its plan to include South Vietnamese in the US evacuation. An April 14 meeting with congressional leaders revealed that it would be an uphill battle. After his speech on the 10th, the Senate Foreign Relations Committee requested a meeting with the president, something it had not done since World War

I.[100] Ford described the meeting as "very tense" and noted the message from the Senators "was clear: get out, *fast*."[101] Ford's memoirs suggest that the Senators echoed earlier statements that they would not provide "one nickel for military aid" and added reservations about including the South Vietnamese in official evacuation planning.[102] As Senator Joseph Biden (D-DE) put it, "I will vote for any amount for getting Americans out," but, "I don't want it mixed with getting the Vietnamese out."[103] Scholar P. Edward Haley suggests that the Senators' "main purpose was to obtain a promise from Mr. Ford that he would swiftly withdraw the Americans remaining in Vietnam" and that "once they were certain that this was being done ... they would be willing to provide the president humanitarian aid."[104] Haley's argument, especially in light of the pervasive mistrust that the war precipitated between the executive and legislative branches, is persuasive. Still, while Haley's analysis amends Ford's recollections, the difference is one of degree, not kind. Clearly, at least in terms of the majority congressional opinion, the path of least resistance would have been to evacuate all of the remaining Americans in mid-April and be done with it. The Ford administration and a key cohort of legislators refused to take this path.

In addition to vociferous debates occurring in the United States, South Vietnam's imminent collapse triggered heated clashes among the Americans left in Saigon. For this group, ongoing discussions about an evacuation were not abstract concerns but urgently present dilemmas: what would happen to the people they looked in the eyes every day? Some Americans who had South Vietnamese families refused to evacuate without their dependents, which forced Congress to approve a "very limited parole program" to "eliminate one of the reasons why some Americans refuse to leave."[105] Other Americans tied US policy makers' hands by sneaking out their families, friends, and employees on secret flights to the Philippines.[106] Unwilling to wait for Washington to act, Americans in Saigon, including some who returned to the country as it was falling to assist former friends, worked to create an "underground railroad," that is, a clandestine evacuation.[107] Those among this group who continued to play an important role in the US-Vietnamese normalization process were Richard Armitage and Shepard Lowman.[108] In many ways, then, the administration benefited from events it could not control, like lower-level Americans deciding to evacuate their associates, regardless of whether they had permission to do so.

Until very recently, scholars suggested that these events took place in direct opposition to the wishes and orders of the US Ambassador in

Saigon, Graham Martin. In 1966, Martin's adopted son, Glen, a helicopter pilot, died in Vietnam, giving the Ambassador a very personal stake in the country's survival.[109] From his appointment as US Ambassador to South Vietnam in June 1973 onward, Martin repeatedly dismissed negative predictions and refused to believe that the country his son had died to defend was lost until the bitter end. Recent scholarship persuasively argues, however, that Martin's position on evacuation planning was also more nuanced than conventionally understood.[110] The Ambassador insisted that any overt actions that could foment widespread panic must be avoided at all costs, and he practiced what he preached; his wife, Dottie, was still in Saigon on April 28 and their personal residence remained unpacked.[111] Martin, therefore, limited official evacuation planning in Saigon to such an extent that it infuriated lesser ranking American officials. The Ambassador, however, did not stand in the way of covert evacuation attempts, at least not those he thought could operate without undermining the façade of American confidence in South Vietnam's viability. While lesser-ranking Americans went further than the Ambassador desired, engaging in what Thurston Clarke calls a "humanitarian mutiny" to evacuate their friends and colleagues, other aspects of the clandestine evacuation took place with Martin's tacit approval.[112] "The evidence that he believed the United States had a moral responsibility to evacuate endangered Vietnamese is extensive," Clarke demonstrates, adding, "he had proven himself willing to violate American and South Vietnamese immigration regulations to achieve it."[113]

The differences between the evacuation planning in Washington and Saigon, therefore, were therefore less drastic in reality than they appeared on paper. American leaders in both capitals worried a great deal about perception and the importance of buying time to implement evacuation goals that included South Vietnamese. Meanwhile, other individuals on the ground in Vietnam, immune from the pressures of such visible leadership positions, worked feverishly to evacuate as many as possible before it was too late.[114] They too learned the lessons of Da Nang and operated on the assumption that if they wanted to guarantee their friends and coworkers safe passage out of the country, they would have to take matters into their own hands.

That Americans were still on the ground to make these decisions, however, was also a conscious part of the administration's strategy. Once the last Americans left Vietnam on April 30, 1975, critics chastised the administration for leaving Americans there for so long in the first

place. It seemed reckless to endanger American lives for so long, some observers charged, when it was obvious Saigon would not be able to stop, no less turn back, the communist forces encircling the South Vietnamese capital. Indeed, some within the government leveled similar criticisms. Secretary of Defense Schlesinger asked Ford to start evacuating the remaining Americans from Saigon in early April and "repeated his request almost daily." When Ford refused, Schlesinger ordered empty planes fly in and out of Saigon to demonstrate for posterity that the evacuation – especially if it went sour – could have been completed much earlier.[115]

Retaining a small yet significant contingent of Americans in Vietnam was not an oversight, however. As Kissinger explained: "we would not be able to evacuate any South Vietnamese friends unless we prolonged the withdrawal of Americans, for Congress would surely cut off all funds with the departure of the last American," a reality that prompted the administration to instruct Martin in late April "to 'trickle out' the remainder [of Americans] so that an airlift could be kept going to rescue the maximum number of Vietnamese."[116] Like its request for military aid, then, the decision to leave Americans in South Vietnam as the country was obviously crumbling was a strategic decision intended to provide time and justification for the administration's evacuation plans.[117]

While many on the ground in South Vietnam supported the administration's goals, often unintentionally, putting the broad mandates of Ford's "profound moral obligation" into specific policy continued to provoke bureaucratic infighting in Washington. The Departments of State and Justice, in particular, offered competing visions. As a classified memo explained, the tension between fulfilling the nation's "special obligation" and "limiting public controversy to the extent possible" led to significant disagreements between the two institutions.[118] "The State and Justice Departments are agreed on the principle of parole for Vietnamese ... but differ sharply as to numbers," the memo continued, noting that "the Justice Department would limit the use of parole to a maximum of 50,000, or 40% of the total number of refugees, whichever is less, because of domestic impact."[119] The State Department proposed a much more expansive policy, arguing that the United States should "take our fair share," including "as many as 200,000," or even "under certain circumstances" a "much larger" number, perhaps even one million.[120] On the one hand, the State Department's framing of the evacuation much more accurately represented the scope and duration of US involvement in South Vietnam. On the other hand, even State's figures meant that resettlement would only be available to a small minority of

those whose lives were forever altered by the American escalation of the Vietnam War.

As Americans fought about admissions figures, their arithmetic had profound consequences for South Vietnamese. The ways American policy created ripple effects with often devastating consequences for South Vietnamese is apparent, for example, in a "Study of Evacuation Planning Issues and Options for Viet-Nam," which the State Department prepared on April 17. "The category of evacuees which has caused most concern," the memo explained, "is the 17,600 [current] Vietnamese employees of the US Government with their estimated 112,00 to 150,000 dependents."[121] American and Vietnamese cultures defined "dependents" very differently.[122] While Americans emphasized the nuclear family, the Vietnamese "conceived of family . . . as a collection of generations living within a single household," an understanding that included "the totality of their maternal and paternal relatives."[123] The difference between admitting 112,000 and 150,000 dependents, then, would be nothing short of catastrophic for South Vietnamese families: 38,000 lives and the unity of countless families hung in the balance. Although it is worthwhile to enumerate the ways US officials categorized their decision-making process in April 1975, then, it is equally important to remember that the numerical estimates that figured into the complex calculus of evacuation planning represented human lives. Because human ties, especially the broader understanding of family as understood by the Vietnamese people, defied easy quantification, family separation was endemic. After 1975, family reunification became a driving force that motivated many American and Vietnamese individuals both inside and outside of government.[124]

In addition to leaving Americans on the ground in South Vietnam longer than the Secretary of Defense thought prudent, siding with the Department of State over the Department of Justice, and instructing the US Ambassador in Vietnam to do everything he could to prolong the evacuation to allow more time for South Vietnamese to escape, the administration also secured congressional approval for its parole program. On April 24th, Congress passed the legislation Ford requested in his April 10th address. The law gave Ford "limited authority to use American troops in the evacuation of Americans and South Vietnamese from South Vietnam."[125] Revealingly, the Senate rejected an amendment that would have stricken section 4, "dealing with withdrawal of foreign nationals along with American citizens," by a 12–80 vote.[126] By April 24, then, American policy makers not only regarded the imminent American

evacuation of Saigon as a given (it had been so for weeks), but Congress codified its concurrence with the administration's position: the American evacuation would include South Vietnamese.

The executive and legislative branches agreed to the parole of three groups of South Vietnamese. The first included those who were "immediate relatives of American citizens or permanent resident aliens, estimated to number between 10,000 and 75,000."[127] In keeping with long-standing trends in American immigration law, then, this first preference category facilitated family reunification. Because the nation had yet to establish a separate body of refugee law, this precedent had important implications for the future. With category II, US policy makers approved for parole of "Vietnamese already at Clark Air Force base" in the Philippines – those, in other words, who Americans had already evacuated out of the country.[128] Although the presence of South Vietnamese at the US base in the Philippines dramatically bent if not outright broke South Vietnamese, American, and Philippine immigration regulations, the parole of these individuals reveals the extent to which "middle-grade movers" could force the hands of their superiors. It also demonstrates how US leaders in Washington and Saigon used their subordinates' defiance to pursue some of their own policy objectives that they knew would be unpopular with Congress and the American people.[129]

The final category of individuals included in the April 1975 parole was "up to 50,000 'high risk' Vietnamese refugees and their families." Those who fell under the umbrella of "high risk," included "past and present US government employees, Vietnamese officials whose co-operation is necessary for the evacuation of American citizens, individuals with knowledge of sensitive US government intelligence operations, vulnerable political or intellectual figures and former Communist defectors."[130] The April 1975 approvals thus provided for the parole of a total of 125,000 persons, in addition to those already at Clark Air Force Base. Though inadequate to address all of those to whom the United States owed a "special obligation," these numbers represented a triumph for those who labored for a large parole. At the same time, it was obvious that the number of individuals eligible for "high risk" status far outpaced the fifty thousand available slots.

THE VIETNAM WAR "IS FINISHED"

On April 24, the same day as the S1848 vote, Ford gave a defining speech at Tulane University. As Americans and South Vietnamese were evacuating from Saigon, Ford pleaded for national unity: "Today, America can

regain a sense of pride that existed before Vietnam. But it cannot be achieved by refighting a war that is finished as far as America is concerned. . ."[131] At this point, the students interrupted the president with a long and thunderous applause. As Ford's press secretary recalled, "the speech was a milestone in contemporary American history. Ford did something no American president had been able to do for thirty years: He spoke of the Indochina war in the past tense."[132] Ford read the public's mood correctly; many wanted to relegate the Vietnam War to history, a reality that did not bode well for the South Vietnamese associated with the US/RVN.

Despite the president's announcement, the war continued. The same day as Ford's speech, 488 Americans and more than 3,000 Vietnamese departed from Tan Son Nhut (Tan Son Airport).[133] Ford described the following events this way: "The final siege of Saigon began on April 25. Kissinger was on the telephone to US Ambassador Graham Martin several times a day, and his reports convinced me that the country was going to collapse momentarily."[134] Even at this critical juncture, Kissinger encouraged the Ambassador "to 'trickle' out the remaining Americans slowly so that the airlift of endangered South Vietnamese could continue."[135] Martin was happy to oblige. He closed an April 25th telegram to Kissinger by explaining: "You are quite right that I feel as you do, a very heavy moral obligation to evacuate as many deserving Vietnamese as possible. I feel it so deeply that I refrain from commenting about it or putting it in the official reports to the Department which some damn fool leaks to the press and endangers cutting off our ability to continue as we are."[136]

On April 28, the evacuation that had been underway came to a halt when Tan Son Nhut came under heavy artillery fire and two US marines were killed in the attack. In his autobiography, Ford reports that he had hoped to reconvene evacuation flights once the firing stopped, but "a new problem" replaced the issue of North Vietnamese attacks: "Refugees were streaming out onto the airport's runways, and our planes couldn't land. The situation there was clearly out of control."[137] Accordingly, late in the evening on April 28 (EST), Ford announced the beginning of Operation Frequent Wind, the final phase of the withdrawal: evacuation by helicopter.[138] At 11:00 p.m. Kissinger personally called Graham and instructed him to "pull the plug: All Americans must come out together with as many Vietnamese as could be loaded on the helicopters."[139]

Ultimately, Operation Frequent Wind replicated many of the tragedies that occurred in Da Nang. The South Vietnamese people paid dearly for

the failures of American policy, while Americans were forced to confront the glaring limits of US power. As the country collapsed, Khuc Minh Tho was still in the Philippines, and she had to face her country's demise – grieving her home, the country that her first husband, parents, and other relatives died to defend – as she endured the hell of not knowing the fates of her three children and second husband. It took ninety days before she received a telecom from Be informing her that he and her children were all alive and unharmed. Any relief Tho must have felt at receiving such news was undoubtedly mitigated by the reality that they remained separated, with Tho "stateless" and having no means to reunify her family. This realization was devastating. As Tho recalled decades later, when she didn't "know how I could get to see them again," it was paralyzing: "At that time, I keep thinking, maybe I cannot live without them."[140]

The international news media broadcast the harrowing scenes from the final hours of the evacuation around the world, including the obvious reality that many of the South Vietnamese who wished to escape would not be able to do so. Amid this dominant storyline, the administration's frantic, though deeply flawed, efforts to evacuate as many South Vietnamese as possible remained largely unreported. Interviews given by administration officials in the evacuation's immediate aftermath added to the myth that the inclusion of South Vietnamese was an accidental, on-the -ground decision. On May 1, for example, Press Secretary Nessen faced multiple questions about the legality of Ford's decision to include South Vietnamese evacuees. "I was in no mood to explain patiently the legal justification," Nessen admitted in his memoirs, "and I snapped back at the questioners."[141] When pushed to respond directly to the question of whether or not Ford broke the law, Nessen responded, "He did it because the people would have been killed otherwise." When the reporter asked him to cite a legal rationale, an incredulous Nessen replied, "I am citing a moral rationale."[142]

Conflicting and misleading figures also added to the general perception that the administration completely failed to account for South Vietnamese allies in advance. Nearly every published source reports (correctly) that the American evacuation of Saigon included the exit of approximately 1,000 Americans and 6,000 Vietnamese. What the majority of sources fail to note, however, is that these figures are the numbers for Operation Frequent Wind, the two-day helicopter evacuation, not the entire evacuation itself. These numbers omit the 40,000 Vietnamese the United States evacuated before Tan Son Nhut closed on April 28 and also the 45,700

Vietnamese that the United States evacuated by sea as Operation Frequent Wind continued.[143]

Beyond the ambiguity of specific statistics and the contradictory comments offered by administration officials, the momentum to support a suspicious reading of the United States' evacuation was vast and well founded. In its efforts to secure the existence of a noncommunist South Vietnam, the United States deployed 2.5 million troops, released 80 million liters of chemical agents, and dropped 15.35 million tons of bombs on Vietnam, efforts which not only caused unfathomable physical destruction but also played a large part in leaving over 3 million dead, with an additional 14 million wounded, and 300,000 missing in action.[144] This torrent of violence, Espiritu explains, "displaced some twelve million people in South Vietnam – almost half of the country's total population at the time – from their homes."[145] In light of the much longer US involvement in Vietnam, then, it is understandable why even well-informed observers regarded the administration's evacuation efforts as, at best, far too little far too late.

Including South Vietnamese in the US evacuation also permitted American policy makers to attempt to undo some of the damage US conduct during the war wrought on the American reputation worldwide. As Maureen P. Freeney explains, "The granting of refuge was central to the state's attempts at selective amnesia at the end of the war," a process whereby "US officials delinked the decision to offer refuge to emigrants from Vietnam from the destruction wrought by the US military during the war," an approach that transformed the United States "from aggressor to generous patron."[146] The fact that the administration's large parole could conveniently function as a form of "damage control" that allowed the United States to, in Heather Marie Stur's words, "reclaim the 'humanitarian label'" as Washington sought to "rehabilitate its image ... as a benevolent power," therefore, also explains why contemporaries and scholars have viewed American policy with suspicion.[147]

Questions about American sincerity highlight a larger tension: because of the number and diversity of individuals involved in formulating US policy during the normalization process, it is difficult to speak of American intent with precision. US officials often supported the paroles and, later, other migration programs, for different, even contradictory reasons. This truth only became more pervasive as a growing number of individuals contributed to the negotiation and implementation of migration programs in the years and decades after 1975. While resettling South Vietnamese allies served as an effective form of Cold War propaganda, at

least in theory, in practice, negotiating refugee programs often led to greater contact cooperation between Washington and Hanoi, especially as time went on.

By arguing that the United States had a "profound moral obligation" to its South Vietnamese allies and insisting on a sizable parole at a time when it would have cost Ford very little domestically to stay silent and simply evacuate Americans, the administration refused to take the path of least resistance. Declaring that the United States should offer resettlement opportunities for its South Vietnamese allies and defining that "moral obligation" on the basis of employment and familial ties set precedents that helped drive US policy for the next twenty years. The deployment of US troops for the evacuation also signaled enduring changes in American military policy more broadly. The armed forces' role in the evacuation, Jana K. Lipman has shown, led the US military to embrace "humanitarian" missions on a much larger scale, a trend that has expanded dramatically in the twenty-first century.[148]

THE "REFUGEE PROBLEM"

In retrospect, it is clear that the completion of the American evacuation from Saigon signaled a beginning, rather than the end, of US resettlement programs for South Vietnamese migrants. At the time, however, competing agendas, unyielding executive-legislative mistrust, and the reality that the US government did not control the migrations out of Indochina combined to threaten the possibility of continued admissions for South Vietnamese. The day after the last US helicopters left Saigon, L. Dean Brown, head of an Interagency Task Force, wrote to Kissinger about a "grave political problem" confronting the administration. The crux of the issue was that, just as the administration predicted, "with Americans safely out of Saigon, Congress is starting to cool off on the Vietnamese problem."[149] Furthermore, the original parole, including allocations for the first, second, and especially third ("high risk") categories were not sufficient to cover the number who had escaped.

The discrepancy stemmed from the South Vietnamese who left by sea rather than by air.[150] While the approved parole covered those evacuated on US ships, the 30,000 Vietnamese who escaped on their own exceeded the total parole number. Although US policy makers had anticipated this problem, it did not make the clash between the human stakes and increasing apathy any easier to reconcile.[151] To make matters even more complicated, approximately 1,600 individuals who evacuated changed their

minds in the aftermath of Saigon's collapse and, ultimately, successfully petitioned to return to Vietnam.[152] Regarding the far more numerous individuals who escaped on their own and desired resettlement abroad, the INS recommended "that the previous limit of 50,000 for high risk refugees ... not be increased," a decision that would require the US to draw a "clear line" and only assist those evacuated by Americans.[153] The administration was ultimately able to overrule the INS and secured support from a "cool ... even hostile" Congress, expending a great deal of political capital to expand the parole to cover the additional escapees with the promise "that we would attempt to resettle at least 20,000 of this number abroad."[154] In the years ahead, changing circumstances and assumptions made multilateral refugee resettlement a foundational part of the US approach to the Indochinese diaspora. More immediately in the spring of 1975, however, American policy makers remained largely focused on crafting a unilateral response.

Adequate funding was in jeopardy in early May. On May 1 legislators in the House voted down HR 6069, which would have provided funding for the evacuation and resettlement of Indochinese parolees.[155] The move caused Ford to exclaim, "God damn it, I just don't understand it," and drew a televised lecture from Nessen on the president's behalf.[156] At least part of the problem stemmed from the fact that the legislation, which had been making its way through committee for weeks, contained authorization for Ford to use military force for evacuation purposes, which the House refused to approve after April 30th. This decision threatened the entire program because, as a May 5th memo explained, "without additional funds, the US Government will be able to continue resettlement efforts only one more week."[157] This dire need for additional funds dramatized the literal and metaphorical distance between evacuation from South Vietnam and resettlement in the United States, which remained vast.[158]

Throughout the remainder of May 1975, the administration went on the offensive to garner public and congressional support for increased parole numbers. On the 19th, Ford created the President's Advisory Committee on Refugees to complement the Interagency Task Force on Refugees.[159] The administration also received encouraging signs from powerful domestic organizations like the American Civil Liberties Union and the AFL-CIO, which wrote letters to the White House and publicly proclaimed their support for Ford's resettlement program.[160] Ford continued to emphasize his belief that "we have a moral obligation to help these refugees resettle and begin new lives in the United States. They fled

from South Vietnam for two reasons: They feared that they would be killed if they stayed and they did not want to live under a Communist system of government."[161] In his press conferences and cabinet meetings, Ford also argued that although "Americans want to forget the Vietnam War ... we must not take out our frustration and anger on the innocent victims of the war. To do so would dishonor the sacrifices America has made in good faith."[162]

Ford's campaign succeeded. Congress passed the Indochina Migration and Refugee Assistance Act of 1975 (Public Law 94–23), which the president signed into law on May 23, 1975.[163] Congress also appropriated $405 million for resettlement in addition to the $98 million in economic assistance funds already spent by the Task Force.[164] Historian P. Edward Haley argues, "With the approval of the aid for the refugees the United States reached the end of its long, bitter involvement in the Vietnam War."[165] While the United States' "long, bitter involvement in the Vietnam War" was far from over, the influx of funds permitted the US government, along with the help of voluntary agencies, to open and maintain four reception centers in the United States: Camp Pendleton, California (opened on April 29); Ft. Chaffee, Arkansas (May 2); Eglin Air Force Base, Florida (May 4); and Ft. Indiantown Gap, Pennsylvania (May 28).[166] By the end of December, "some 130,000 refugees" had been successfully resettled in the United States.[167] The closing of the domestic resettlement centers, however, did not end ongoing debates about the United States' commitment, or lack thereof, to the South Vietnamese people, nor did it permit US officials to ignore events in Southeast Asia.

THE UNFINISHED WAR

The fall of Saigon forced US policy makers to confront new geopolitical realities in Indochina. In his path-breaking book, Edwin Martini demonstrates that after 1975 the US imposed a series of hostile policies that in many ways perpetuated the war.[168] These included extending the economic embargo that it had previously placed on North Vietnam to the entire country and preventing the new united country, the Socialist Republic of Vietnam (SRV), from joining the United Nations. Despite willingness from many in Congress to move forward with more formal ties, the Ford administration refused to pursue official relations.[169] These decisions, Martini contends, amounted to the beginnings of an "American war on Vietnam" that lasted until 2000.[170]

The Vietnam War remained unfinished in other ways, despite Hanoi's unequivocal military victory. For South Vietnamese like Khuc Minh Tho, the war continued in visceral, intimate ways, as family separation and, for those still in Vietnam, fears of reprisals rendered their lived realities far from peaceful. For a small subset of Americans, the war also persisted through family separation, though those in the United States enjoyed safety from the physical violence of the Vietnam War, as they had throughout the conflict.

Although most Americans were eager to consign the conflict to history, one notable exception to this general trend was the issue of American servicemen listed as prisoner of war/missing in action (POW/MIA). In early 1973, in accordance with the Peace of Paris Accords, 591 American prisoners returned to the United States in Operation Homecoming. Despite Hanoi's repatriation of American POWs in 1973, concerns about missing American servicemen became even more pronounced after Saigon's fall, thanks largely to policy decisions made by the Nixon administration that came back to haunt future administrations.

As American combat operations increased in scope, scale, and frequency throughout the mid-1960s, US servicemen ran increasing chances of being captured and held as prisoners of war (POW). Likewise, as Americans fought in dense, unfamiliar terrain, men frequently went missing in action (MIA). The number of Americans held prisoner or gone missing increased throughout the mid-1960s, and their families were left with little recourse. In fact, as Heath Hardage Lee explains, when the servicemen's wives attempted to get information about their husbands' status, most "government officials were patronizing, placating, or just plain disinterested."[171] Led by Sybil Stockdale, whose husband, Jim, was shot down and captured in July 1965, military wives from around the country began meeting, initially in "casual events, sitting around kitchen tables" to provide mutual support and share information.[172] After a few years of playing by the governments' rules, which meant mostly keeping quiet, the wives had enough; in 1967 this "wives' 'grapevine'" that connected military communities on the East and West Coasts joined together as the League of Wives of American Vietnam Prisoners of War, with Stockdale at its helm.[173] With growing publicity, the League of Wives became a powerful voice in the domestic debates about the Vietnam War. In May 1970, the organization transformed into the National League of Families of American Prisoners and Missing in Action, with its headquarters in DC.

The League's name change reflected important shifts in government policy. In 1969, the Department of Defense combined the previously

distinct categories of prisoner of war and missing in action to a new hybrid: POW/MIA. This "unprecedented" classification was, historian H. Bruce Franklin argues, "purposefully designed to suggest that each and every missing person might be a prisoner, even though most were lost in circumstances that made capture impossible," a decision that "created many false hopes."[174] The combination of the new POW/MIA classification and Nixon's Go Public campaign, which popularized the cause, furthered the administration's policy goals in multiple ways. American POW/MIAs served as justification for continuing the conflict by reframing the unpopular war as a rescue mission.[175] More than the POWs themselves, moreover, the publicity campaign focused on the families they left behind. As Natasha Zaretsky notes, "the public was bombarded with images and stories of the loyal wives, grief-stricken parents, and uncomprehending children of American prisoners."[176] While the League and Nixon administration emphasized family separation, they did not have a monopoly on using family rhetoric and iconography to support their aims; antiwar activists also used their identities as mothers and the suffering of women and children in Vietnam to support their arguments.[177]

This history of the League and government (mis)use of POW/MIA accounting cast a long shadow on the post-1975 period. By combining the POW and MIA categories, the government made it virtually "impossible for anyone . . . to arrive at a precise accounting."[178] While this was an advantage for Nixon insofar as it made it impossible for Hanoi to say definitively that it had repatriated all POWs, it was a handicap for subsequent US administrations because they were also unable to persuade American families that their government had properly handled or resolved the issue.

The League had also changed dramatically by 1975. While post-1975 NGOs like the Aurora Foundation and especially the Families of Vietnamese Political Prisoners Association would echo the methods used by the initial League of Wives, after 1975 the membership and leadership of the League changed in fundamental ways. Once Operation Homecoming brought American prisoners home, the POW wives like Sybil Stockdale who had been so instrumental in the organization's founding and success no longer had personal incentives to continue their activism. For those families who were not among the lucky 591, some "accepted the loss of their missing men," and also disengaged from POW/MIA politics. The League, therefore, transformed into a much more radical group possessed by "the most fervent faith that some of the missing might still be alive."[179]

These families' high hopes soon turned into palpable anger as they blamed the government in Washington for their suffering as much as the one in Hanoi.[180] Ford regarded POW/MIA accounting as one of the "divisive residues he was anxious to leave behind" and gave the League a lukewarm reception, which only exacerbated tensions between the organization and the US government.[181] Capitol Hill, while generally more sympathetic than the White House, still gave POW/MIA families little reason for optimism. A congressional Committee on Missing Persons in Southeast Asia concluded in December 1975 that "no Americans are still being held as prisoners in Indochina" and "a total accounting . . . is not now, and never will be, possible."[182] The families, however, were unconvinced.

Once Ronald Reagan emerged to challenge Ford for the presidential nomination, Ford hardened his POW/MIA rhetoric. Reagan had starred in the 1954 film *Prisoner of War* and had personally called Sybil Stockdale in 1968 to offer his support to the nascent League of Wives.[183] In 1973, the California governor hosted a huge parade and elegant evening gala to welcome home returning prisoners.[184] Reagan, with his clear POW/MIA-ally credentials, used what he framed as Ford's lack of commitment to American servicemen to criticize the already unpopular president. In a gesture clearly aimed more toward domestic politics than foreign policy, in March of 1976, Kissinger declared "full accounting" of American POW/MIAs to be "the absolute minimum precondition without which we cannot consider the normalization of relations."[185] Despite a brief hiatus during the Carter administration, US policy makers maintained this position until the mid-1990s. Although the power of the POW/MIA lobby and government support for the cause had not yet neared its apex, one can already detect the influence the issue would soon wield inside and outside the corridors of power.

If the war felt unfinished to the American POW/MIA families who did not know the fates of their loved ones, the war also persisted in other ways. Indeed, concerns about POW/MIAs and ongoing obligations to South Vietnamese allies were already becoming linked. In October of 1976, for example, James M. Wilson represented the United States at a meeting of the UN High Commissioner for Refugees (UNHCR) in Geneva. The UNHCR occupied a unique position in global geopolitics. As Gil Loescher explains, the humanitarian organization was created to be "a strictly non-political agency and an advocate for refugees," a charge from the UN which put it in the odd position of both an advocacy organization and an institute intended to "facilitate state policies."[186] The organization had refused involvement

in Vietnam until the early 1970s, viewing those internally displaced as beyond its refugee-focused mandate.[187]

Wilson arrived at the UNHCR meeting as the first occupant of a just-created State Department post: Coordinator for Human Rights and Humanitarian Affairs. The existence of this new position within the State Department was only the latest example of executive-legislative wrangling over control of the nation's diplomacy. As historian Barbara Keys explains, Kissinger saw the office as a way to co-opt some of Congress' leadership on human rights and deal with "the problem" of "congressional assertiveness in the realm of foreign policy."[188] Although a multitude of functions could have fallen under the purview of this new position, Wilson described his primary objectives as trifold: (1) a reorganization of the preexisting Office of Refugee and Migration Affairs, (2) the creation of an office for handling POW/MIA accounting, and (3) the creation of an Office of Human Rights.[189] The duties assigned to this office foreshadowed many future developments. As Lipman observes, the Coordinator for Human Rights and Humanitarian Affairs "linguistically and bureaucratically" tied human rights to humanitarianism in the State Department and the US military.[190] These links intensified dramatically in the years ahead.

It is revealing that Wilson, as the occupant of a just-created State Department post, represented Washington at the UNHCR meeting in 1976. Sending a relatively low-ranking official illustrated the United States' somewhat distant relationship with the UNHCR. Although, as the self-proclaimed leader of the West, the United States provided a majority of the organization's funding, throughout the Cold War American policy makers had preferred unilateral decision-making over the UNHCR's multilateral approach to refugee issues. Regardless of Washington's somewhat tepid relationship with its host in Geneva, Wilson used the meeting to shine light on what he argued was an urgent issue: the fate of Indochinese migrants.

Already in October of 1976, the migration the world would soon come to call the "boat people crisis" was substantial enough to dominate Wilson's agenda at the UNHCR meeting. While in Geneva, Wilson described what he called a "new phase" of the migration and lamented that the international community was already "in danger of both singly and collectively failing in our responsibilities and obligations [to Indochinese refugees]."[191] "There are now two critical aspects of the problem to consider," Wilson explained. "The first is the matter of over 70,000 Indochinese refugees [already in camps] in Thailand." "More

compelling is the second problem," he continued, "involving the hundreds of refugees who manage to flee Indochina each month in small unworthy sea vessels." Foreshadowing the language subsequent US policy makers would use when the migration grew by orders of magnitude, he argued "the problem of the Indochinese refugees who, under great peril, manage to flee by boat in the South China sea is without question the most dramatic and tragic situation this Committee will discuss at this session."[192] During this early stage of what scholars now call the Indochinese diaspora, however, the UNHCR reception was unenthusiastic at best. The organization and its High Commissioner continued to view the exodus of migrants from Vietnam as an American responsibility and questioned whether those who were crossing international borders in the mid-1970s actually had a "well-founded fear of persecution" and therefore legally qualified for refugee status.[193]

Throughout 1975 and 1976 – before and after Wilson's comments in Geneva – American policy makers clashed over whether or not the US should resettle additional migrants, reflecting stark divisions within the US bureaucracy. By December, 80,000 people, "with well over 150 new arrivals per week," were living in very difficult conditions in camps in Thailand.[194] As Acting Secretary of State Ingersoll explained to Attorney General Levi, many of those were "individuals to whom the US Government has both a special connection and obligation. Under the original general parole program they would have clearly fallen within our priority categories I, II, or III."[195] The question of the United States' obligation to its South Vietnamese allies, then, was not one which arose in April 1975 and quickly disappeared, but a topic with which US officials had to reckon for decades after 1975.

While anti-communism spurred the initial American commitment to South Vietnam in the 1950s and 1960s, after 1975 US officials framed the US obligation to the South Vietnamese people in moral terms, referencing familial connections and employment ties. In February 1976, the State Department, INS, and Department of Justice contacted congressmen to ask for the parole of an "additional 11,000" that included approximately 1,000 category I refugees and 10,000 who would have qualified under the original "high risk" category. "We have a real obligation to these high risk refugees," the joint letter argued, and "aside from our obligation, we also have the humanitarian motive of alleviating the sufferings of these individuals, most of whom are living under deplorable camp conditions in Thailand."[196] This letter provides a brief glimpse into the ways discussions about South Vietnamese migrants, who American officials routinely called "refugees,"

expanded from a narrow focus on US obligation stemming from the Vietnam War to become entangled with the growing power of human rights rhetoric. The necessary committees of Congress were willing to support an additional parole "to reunify families" (i.e., those in Category I), a trend that extended far beyond 1976. Many legislators, however, were very reluctant to approve any additional "high risk" cases.[197] It took two additional months of tough lobbying until on May 5 Congress approved the 11,000-person parole, which left the question of US commitment, or lack thereof, to the 80,000 and growing number of migrants in Thailand unaddressed.[198]

The number of oceanic migrants escalated throughout Ford's tenure as president. By September 1976, Wilson explained to INS Commissioner Chapman, "We are facing a plainly calamitous situation with respect to the Indochinese refugee boat cases. As more and more of these boats flee Vietnam, they are meeting with an increasingly hostile reception in the countries of first asylum in the area. Many are being turned back to sea in unseaworthy vessels, with untrained crews and in the typhoon season."[199] Wilson's tone was desperate. He repeated that the "urgent problem" needed an "immediate answer," yet "in view of the assurances which we have given The Congress, further class parole must be ruled out," and "special legislation would be too time consuming."[200] He suggested that at the very least, the United States "make available 100 conditional entry spaces per month for the use of refugees escaping by boat."[201]

By December, the NSC threw its weight behind Wilson's proposal. "The president is deeply concerned with this entire problem," an NSC memo explained, adding, "we should act now to make sure this problem is resolved and our program is operating prior to the President's leaving office."[202] The issue, simply put, did not "get resolved." Oceanic migrants continued to depart from Vietnam in the late 1970s and 1980s, reaching proportions that made the "calamitous situation" in 1976 look paltry. In the years that followed, US policy makers enhanced the connections that Wilson's post foreshadowed: vis-à-vis the SRV, refugee policy, humanitarianism, human rights, and US foreign relations would become so deeply entangled as to be virtually inseparable.

CONCLUSION

That 130,000 Vietnamese evacuated alongside US personnel in April 1975 was neither haphazard nor unanticipated; the Ford administration fought vigorously for precisely this outcome. The sheer horror of

the fall of Da Nang shook US officials out of their complacency and forced them to confront the reality of South Vietnam's imminent collapse. As the WSAG meeting on April 2, 1975, makes clear, US policy makers were determined to prevent a "recurrence of the Danang fiasco" and made an immediate commitment to evacuating South Vietnamese whose lives would be at risk because of their association with the United States.

The Ford administration's successful campaign to include South Vietnamese in the American evacuation was far from inevitable. The administration fought a divided and deeply apathetic Congress, public, and, at times, INS to ensure that Ford had the authority to use the US military to evacuate South Vietnamese nationals and the legal approvals necessary to resettle those individuals in the United States. Like the fall of Da Nang, however, the evacuation of Saigon was a harrowing event marked by desperate mob scenes at points of departure, US inability to execute all of its evacuation goals, and the horror of family separation for many South Vietnamese. In April 1975, however, 130,000 Vietnamese evacuated alongside the United States, many of them before US helicopters carried the last Americans out of Vietnam on April 28–30. Even though South Vietnam ceased to exist, the ties that the US government had established with the South Vietnamese people remained. Although Ford administration officials mobilized less of a response over time, US policy makers remained conscious of the fact that the "refugee problem" did not end on April 30, 1975, nor did it end when the last American refugee reception center closed on December 20, 1975.

While the Ford administration succeeded in securing the inclusion of South Vietnamese in the American evacuation, then, the battle to achieve that goal exposed major fault lines. The dilemmas on the streets of Da Nang, Saigon, and on the South China Sea blurred the boundaries between various aspects of US policy, as Congress' efforts to assert itself in the nation's foreign affairs, especially through human rights-based policies, clashed with the executive's traditional prerogatives in defining refugee admissions. These trends, combined with executive and legislative dissatisfaction with the ad hoc parole process, persisted into the Carter years, as the rate of departures from Indochina soared.

Indeed, over the course of the next twenty years, more than one million Vietnamese, Cambodians, and Laotians would flee their homelands by land and by sea. The Ford administration remained acutely aware of the oceanic exodus and secured an additional 11,000-person parole for these individuals. The administration's records, however, also reflect a complete lack of information or concern regarding Hanoi's treatment

of Amerasians and the victorious regime's detention of more than one million individuals in reeducation camps. Jimmy Carter inherited all of these issues, as would Reagan, Bush, and Clinton after him. US efforts to negotiate and implement policies to address each of these groups became, along with POW/MIA accounting, the primary basis of US-SRV relations for the next twenty years.