GD™

Geborener Deutscher®

A Newsletter for German-Born Adoptees and Their Birth/Adoptive Families

Volume III, Number 4 *(Issue #9)* *Winter 1991*

Mother and Son Reunited After 39-Year Separation

by Karen Cicero

Adapted from *The Globe-Times* of Bethlehem, Pennsylvania (August 3, 1990)

For 10 years, Elizabeth Mehalek Hegedus put candles on a birthday cake for a son who was never there to make a wish.

Every July 28, from 1951 to 1961, the 59-year-old Bethlehem woman invited her five sisters over for a slice of cake and together they sang Happy Birthday.

In the guest of honor's absence, Hegedus made a special – but definitely not secret – wish. She wanted to find her son, whom she said was sent to the United States for adoption without her consent before his second birthday.

On July 2, nearly 39 years after the first lonely celebration, Hegedus and her daughter, Elizabeth Attinello, were reunited with the long-lost birthday boy.

Following the heart-warming three-day reunion in San Diego, Hegedus sent her son, Richard Rocco, a birthday card and crystal.

"When I first saw him, I wanted to run to him, but my legs were numb," said Hegedus, a native of Welz, Austria. "Then when we got to each other, I hugged him and never wanted to let him go.

"I cried when we got on the plane to leave, but I know he's really my son and we'll have many birthdays together."

But the road to bliss was paved with a lot of heartache and Hegedus and Attinello had to cross many roadblocks to find Rocco.

Hegedus said it all started in February 1951 in Welz when she was filing a request to move to the United States. An immigration officer approached her, Attinello said, and he saw a picture of Hegedus's blond-haired, blue-eyed son, then called David Mehalek.

A few days later a different officer dressed in a suit came to her door and told her to bring her son to IRO Ried Children's Home in Welz, where immigration promised her he would stay until her papers were ready.

Reluctantly, Hegedus said, she let her son go. And one day when she went to visit 1½-year-old David in the home, he and all the other babies were gone.



Special to The Globe-Times

From left, Elizabeth Mihalek Hegedus, Richard Rocco & Elizabeth Antinello during their reunion in July 1990

Hegedus arrived in Bethlehem five months later, took a waitressing job and was discouraged by a lawyer from pursuing her son's whereabouts. She married, had five children and made a comfortable home for her family in Bethlehem.

But Hegedus said she never forgot the precious moments she shared with her first-born. She would frequently talk about David with Attinello, who has wanted to find her brother since she was 13. "Wherever we went, we would always look for him," Hegedus said. "We so desperately wanted to find him." Citing her mother's failing health, Attinello, 28, firmly committed to the search on March 27 of this year.

With nearly nothing to go on except a scar that her brother had on the right side of his forehead as a result of a childhood illness, she and her cousin, Luis Kiss, contacted dozens of adoption agencies, the Salvation Army, Northampton County and any agency she thought might remotely ***(cont. on pg. 4, col. 1)***

A Letter From Germany

by Martin Wendnagel



July 30, 1990

Dear William,

Thank you very much for sending us the newsletter *Geborener Deutscher*!

I am only too glad to write the story of my search for my three siblings, who all were adopted by American couples (U.S. soldiers stationed in Germany). It should show those who are still doubting whether it is worthwhile to undertake such a search or to continue it, that it is worth it!

I myself was born on November 8, 1948 as Jürgen Martin Benz in Esslingen, Germany. In 1950, after several prior placements, I was given to a German couple in foster care, who adopted me in 1951.

At my confirmation I was officially informed that I was adopted (although for years I had been told about it in bits and pieces on the street).

Now I felt the pressure from within to find my roots. It was a rough road! I could not expect any support from my adoptive parents. But in spite of that, I made progress.

In 1966 I even got to know my birth mother (she had lived in the USA since 1957), but unfortunately it was not possible to build a relatively good relationship. I would have liked to have done that very much! I have had and still have a good relationship to two sisters of my birth mother. So it was that I learned over the years that I have more siblings who were given up for adoption. I absolutely wanted to find my siblings but did not know how to go about it.

Last year, by chance, I got the exact birth dates of my siblings, even the possession of copies of the birth certificates. But I was also very upset; up to now I only knew of two siblings, and now I was informed ***(cont. on next page)***

In the Next Issue of *GD*...

- The search-and-reunion story of **Michael Taylor** of Lake Dallas, TX (*Part One of Two*).
- News of a search-and-support group in Denmark, plus one birth mother's story, as reported in a Danish magazine.
- And, we hope, more letters from you, our readers...

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that I had three more siblings, specifically two brothers and one sister. It jolted me like thunder! But now I could finally become active!

A very nice employee of the youth office in Esslingen, whom we have known for a number of years, helped me very much. Thanks to his help we even got copies of the adoption decrees of one of my brothers and my sister.

I wrote to the appropriate adoption agencies and asked where to turn further for my search. Unfortunately, again and again, I received the only answer, that they did not know how to do a search in the USA. For me that was very depressing. Then, two weeks after my last negative answer, I again received a letter from the adoption agency in Fürth, which gave me the address of Dr. Christine Swientek at the University of Hannover. She, the letter said, could possibly help me further. I immediately wrote to her and quickly received an answer. She wrote me, that she is in contact with an organization called **International Soundex Reunion Registry** (ISRR) and **Operation Identity**. She sent me forms to be filled out, which then were forwarded to Leonie Boehmer.

Short and sweet: Leonie got my documentation, which I had received in February 1990, and already, by May 7, 1990, she wrote me a letter that she had spoken on the telephone with the wife of my brother who had been born Roberto Alberto Benz and now is Robert Andrew Peterson. She gave me his address and phone number. Leonie wrote that Christa, my sister-in-law, was very happy to get this information, though she was totally surprised. (Andrew knew he was adopted and had been wanting to search for his roots and his birth family in Germany for a long time.) Unfortunately, my brother was not home, so he got this terrific news from his wife a bit later.

I simply cannot put into words the feelings I had when I read Leonie's letter! My whole family – my wife Eva and my daughters, Karen (19½ yrs old) and Christina (12½ yrs old) – were beside themselves with joy. It was a real celebration. Like celebrating Christmas and Easter together!!!! We had accomplished the first step; our hope and our long stick-to-itiveness was rewarded!

The day after we received Leonie's letter, we sat down and together wrote a letter to my brother. But now the big language barrier was facing us. Our knowledge of the English language was not good enough to write a long letter, a life history. For many years, Karen had learned English in school, and she knows it pretty well, but she does not live with us any longer and only visits on weekends. So we asked Karen's English teacher for help, which he offered without hesitation. (We like to thank him, too, very much!) So our letter was translated by him. We had just picked up the translation from him and were coming home when Christina ran towards us and said: "Papa, you have a letter from America, your brother Andrew has written!"

A very thick letter had arrived from Andrew! It was unbelievable! Our English was



Martin Wendnagel (r) and his brother, Andrew, in Colorado

good enough to read the letter, and what we got to read was hardly comprehendible! I was totally floored – for joy, and what else I know! For the first time in my life I cried uncontrollably, and the rest of my family also had tears in their eyes. I had found my brother! *Finally!* And he wanted to accept me just as much as I him. (I was very afraid whether my siblings would even accept me and wanted to know about me. Andrew had the same fear, he wrote.)

Andrew had pictures enclosed in his letter. I would have never believed it, but we resemble each other very much! This day, the day when Andy's letter arrived, was like the beginning of a new life for me!

Then we took our letter for Andrew to the post office. And now started the nerve-racking waiting period for an answer. Why is America so far away, and why does it take so long to receive mail!!

In the meantime we have written each other quite often; we even telephoned each other several times. We pulled all our knowledge of the English language together and it went fairly well with the understanding. On August 7, 1990, my brother will be 39 years old; for me it is his first birthday in my family.

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Andy, Christa and Molly, their daughter, sent us T-shirts with a COLORADO design on it. That was a big surprise. My daughter Christina looks very much like Molly, one could almost think they were twins. They are also both born in 1978. My daughters are very happy that I have found my brother. Besides, they are very proud to have new relatives, who live in America at that. Christina and Molly already write to one another, one in English, the other in German. So both of them have to translate and are learning at the same time. Karen took a picture of Andy to her apartment.

This fall my wife and I will fly over and visit my brother and his family. Already I am very excited, but nonetheless I have "butterflies in my stomach!"

We hope that next year, Andrew and his family will be able to visit us! And we also would like to visit next year again with the whole family.

With all our joy in finding each other (Andy always thought he was an only child), we have also had to experience sorrow. We learned that our only sister, Dolores, was murdered in 1980. That was a hard blow for both of us. But we will have to get over it, as hard as it may be.

I am still searching for my last brother. There is a possibility that he is living in Florida. He was born on August 23, 1953 as Thomas Larry Benz in Schweinfurt/Germany and was adopted by an American couple named Paul and Barbara O'Brien. At the time they were living in Wichita Falls, Texas.

The terrific news is, that Leonie discovered a George Thomas O'Brien with the same birth date in Texas. Unfortunately, he has moved in the meantime. But now Leonie is searching in Florida for him. The mailman in Texas remembered that he was going to be with his parents in Florida. I hope it is my brother, and I hope we find him fast! Then it would even be possible that all three of us brothers would finally be together in Colorado this fall, as it should have been from the beginning! I have to be almost 42 years old to get my siblings! Such insanity! Three brothers with three different names! But that is the kind of history only life can put together; no human being could think of such!

I hope that all those who are still searching and reading this newsletter (a really terrific idea), will again be encouraged and never, never give up!

Should we still find the last brother, I will write again; as well as about my visit with Andy, Christa and Molly.

In my next report I will include a picture of Andy and myself and I am hoping very much that it will be a picture of Andy, Thomas (George?) and myself.

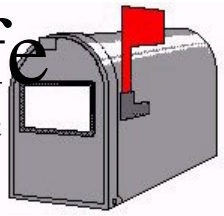
I congratulate you to the idea of publishing this newsletter and thank you for it from the bottom of my heart.

– Martin Wendnagel
Laichingen, (West) Germany

The foregoing was translated from the German by Leonie Boehmer.

Briefe

(Letters from Readers)



We strongly encourage readers to write in response to any materials published in GD. The opinions expressed in letters published herein are the authors' own, and do not necessarily reflect the opinions of the Editor. Letters may be edited for clarity and/or brevity.

October 23, 1990

Dear Mr. Gage,

With respect to your newsletter #8 and the article entitled, "Am I German or American?", I find that I, too, ask this question. My conclusion is that I am both. I was told years ago that I could apply for dual citizenship, but I never looked into it because of the threat it posed to my adoptive parents. They are both deceased now.

I called the German consulate in Atlanta, GA and was told that I could not apply for dual citizenship; that I gave up that right when I was adopted. I told the lady to whom I spoke that, as a baby, I could not speak for myself. Her response was to say that I could not have dual citizenship because the United States does not recognize dual citizenship.

When I heard that, my heart broke. But when I read the newsletter, I was happy again. At last there is a chance for me to have what I should have had, and that's my German citizenship. Once I get that taken care of, the next project is for me to regain my birth name. I was told I could not. If you have any information on obtaining the birth name again, please let me know.

Keep up the good work!

– Regina Fielder
3817 Ruth St., Houston, TX 77004

The Editor's Reply: *I am pleased that my report brought you some measure of happiness. The question was one I had often asked myself.*

I have since reread the German adoption law, as revised in 1976, and have learned another, rather interesting fact: according to German law, if a German child adopted by foreigners obtains foreign nationality by virtue of the adoption process*, then the child* does *lose its German citizenship. But, to the best of my knowledge, merely being adopted by Americans is not sufficient for a foreign child to obtain American citizenship and, therefore, my prior report remains essentially accurate.*

On the matter of regaining one's birth name, the laws regarding legally changing one's name – which is what you would have to do if you wanted the change to have full legal effect – vary from state to state. It would probably be a good idea to consult an attorney with some specific questions.

Generally speaking, however, in the U.S., one is permitted to call oneself by any name one wishes so long as the intent of the alias is neither fraudulent nor for the purpose of evading one's legal obligations (such as paying taxes, e.g.). – WLG

November 14, 1990

Dear Mr. Gage,

I read with interest your article "Report from New Zealand Highlights Effects of Open Records" [*Issue #7 of* GD*, 6/14/90*]. I think you have summarized it well. I thought you might find it useful to know that the states of Queensland and New South Wales, Australia, have passed legislation accepting all the recommendations made in the report by the NSW Standing Committee on Social Issues. They now have the most open legislation giving access to identifying information to adopted people age 18 years and over and their birth parents. There is no compulsory counselling. Support services available are optional at a nominal fee which can be waived if an applicant is unable to pay for some reason.

This information might be useful to have when arguing with legislators or professionals in your country. The Australian States have the same parliamentary system as the USA. It is interesting to note that in 1987, Queensland passed legislation setting up a passive contact register and all three parties to an adoption had to register before contact was able to be made. When passing the latest legislation, the Government admitted that [passive] contact registers do not work. In NSW, out of 154 politicians in both houses, only one voted against the legislation. I think this is a tremendous step forward.

I hope this information might be of some use in your own attempts to change legislation.

Yours sincerely,

– Mary Iwanek
Department of Sociology & Social Work
Victoria University of Wellington
P.O. Box 600, Wellington, New Zealand

The Editor's Reply: *That's really great news! I cannot imagine that your efforts were not instrumental in convincing the Legislators of the need for the recommended reforms. I only wish I could muster some degree of optimism regarding the situation here in the U.S. Adoptive parents' groups and adoption placement agencies who oppose open records, in particular* retroactive *open records, are well-organized and have the National Committee for Adoption to speak for them, and if experience is any indicator, American Legislators at both the state and federal levels seem better-disposed to listen to the NCFA.*

For example, it is my understanding that a bill in California, which would have expanded adoptees' rights to access to identifying information, was recently defeated. It had passed virtually unopposed in one house, but was returned to committee in the other house after the NCFA began a campaign to defeat the bill.

The American Adoption Congress has also recently called for a boycott of the 22 existing state-sponsored passive reunion registries owing to the fact that they simply do not work. It is interesting to note that the NCFA supports *such registries, probably because they recognize that the legislation is usually drafted in such a way as to assure that the registry will not promote reunions and because they can then say that states have done all that they should to give militating adoptees and birth parents what they say they want.*

U.S. Senator Carl Levin, who has repeatedly sponsored and introduced a National Reunion Registry bill, recently won re-election to another 6-year term, so we can, it seems, expect this issue to remain on the national congressional agenda in one form or another. – WLG

CORRECTIONS

The correct spelling of the name of the author of *Of German Ways* (reviewed in *GD* #8) is **LaVern Rippley**. The mailing address for the consulate General of the FRG in Los Angeles is **6222 Wilshire Boulevard, Los Angeles, CA 90048**.

"Rights and Regulations"

The following commentary comes from the November 14, 1990 issue of Brigitte*, a German women's magazine, wherein was published a 16-page "dossier" on the subject of adoption. The article approached the subject from all three points of view, and included bibliographic references, as well as the address of* ***Operation Identity*** *(OI) "in case a birth parent comes from the USA." Leonie Boehmer, who is president of OI, reports that letters from Germany began arriving in late November.*

Having read the German law, it seems to me that Brigitte *ignores or omits mention of specific legal provisions which permit a 16-year-old adoptee* unrestricted *access to specific files or information. And it seems contradictory, to say the least, to offer a specific interpretation of a law which you have just said is "ambiguous." – WLG*

The adoptive parents are the primary starting point for adoptive children who want to find their birth parents: they alone decide whether, when and how to enlighten their child. They are not required to do so by law. The law protects the adoptive family with a [restriction on disclosure which permits] outsiders to make use of information only with the consent of the adoptee and the adoptive parents.

An adoptee may see the birth book in the *Standesamt* of his birthplace on and after his 16th birthday. Therein are: date and hour of birth, the names of the birth parents (in cases of illegitimate births, the father is often not listed) and the fact of the adoption.

The court files at the Surrogate's court at the residence of the adoptive parents contain further details about the adoption. They are retained for 30 years. Whoever "can demonstrate a legitimate interest" – before all, the adoptive child and the adoptive parents – may see them.

Whether an adoptee may also see the files against the will of the adoptive parents is today still not clearly stated. According to the [disclosure restriction], adoptees can only see the birth book and the court files when the adoptive parents agree. But many speak for the proposition that the adoptee's right to knowledge of his heritage is more important than protecting the adoptive parents. Courts and *Standesamt* officials today often proceed on the same premise.

Mother and Son Reunited

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have information about him.

They hit a lot of dead ends.

Attinello got in touch with U.S. Committees, now U.S. Catholic Conferences, the agency that picked the boy up at the airport when he arrived in the United States. Sister Mary Dunleavy told her to call back in two weeks because the files she needed were stored across town, Attinello said.

When Attinello followed up on the call, Dunleavy asked her for another three weeks.

The next time, she said she had the file in front of her but told Attinello she was restricted from giving out any information.

"Every open door was slammed in our faces," she said. "We were having the hardest time."

Raul Hernandez, coordinator of special programs for the organization, told *The Globe-Times* that Dunleavy couldn't give out the information because records showed Hegedus put the baby up for adoption. (Hegedus said she did not sign adoption papers.)

Unless the adopted children request that the information be made available, the agency is not permitted to reveal any information such as the name of the child, the address or the parents' names.

However, Hernandez said non-identifying information is permitted to be revealed. This information includes the day David arrived in the United States and how he got here.

After the first conversation with Dunleavy, Attinello said, she sent Dunleavy a photocopy of David's birth certificate, baptism certificate, three pictures and a notarized letter saying Hegedus was David's mother.

Still she got nowhere.

In the meantime, she contacted the New Jersey Department of Youth and Family Services in Trenton, NJ, where Kathleen Rosenberg, who administers the state's adoption registry, pointed her in two directions.

She suggested Attinello contact International Social Services in New York City, the American arm of an international social services agency based in Genf, Switzerland; and William Gage, a German-born adoptee who had been reunited with members of his birth family and who publishes a newsletter, called *Geborener Deutscher*® (which means "German by birth") for the benefit of other German-born adoptees.

International Social Services told her that David came to the United States by Scandinavian airliner on May 29, 1951 and was sent for adoption to San Diego on June 19. In the meantime, Gage had mentioned Attinello's case in passing to Steven Kingston, a private investigator in California with whom he had an opportunity to speak on an another, unrelated matter.

Kingston then offered to help track down her brother for $350, but Attinello and her mother said they didn't respond because they already had many expenses, including a $1,400 phone bill.

Running out of money, Attinello contacted representatives from a Channel 9 talk show ["9 Broadcast Plaza," a.k.a. "9BP"], which was broadcast nationally from Seacaucus, NJ. While she and her mother appeared on a segment of the April 30 show, a woman called the station claiming to be David's [adopted] sister.

Hegedus burst into tears on the show as the woman told her that David had graduated from Harvard Law School and was working on Wall Street. The two were disappointed once again when the phone call later turned out to be either a mistake or a prank.

The real break came more than two months later when Attinello received a mysterious phone call from someone claiming to know the identity and location of her brother. At 3 a.m. on June 28, an unidentified man called Attinello and told her that Richard Charles Rocco of San Diego was the brother she had been searching for.

A little aprehensive at first, Attinello checked the information and found that Rocco was indeed born on July 28, 1949.

"I didn't believe it was happening," she said. "I was thrilled."

Later that day, the investigator, Steven Kingston, contacted her again and she gave him the information she had about her brother. Kingston offered to find Rocco at no charge, for the publicity. The next day, Attinello was on the phone with her brother.

"I guess you're my sister," said Rocco, a nightclub owner who was 20 when he found out he was adopted. The two quickly arranged a meeting for three days later.

At San Diego International Airport, Rocco presneted his mother and sister with roses during a teary-eyed reunion.

"He's the best," Attinello said. "It's like a thousand-pound weight off my chest."

After a limousine ride to the hotel where Attinello and her mother stayed, the family toured the city. Hegedus said the few days she got to spend with her son made all the painful search worthwhile.

She said Rocco will meet the rest of the family when he celebrates Thanksgiving with them. "There will be no better way to spend that holiday," she said. "In the meantime, I'm happy as long as he calls me."

Rocco had also begun a search for his family. Thinking that they still lived in Austria, Rocco and his friends had planned to go there last week to find out any information, Attinello said.

Although Attinello is still trying to find out who signed her mother's name on the adoption papers, she said she's quite happy with how everything turned out. "He accepted us with 100 percent love," she said. "I wish he would come here tomorrow." ***Ende***

Court Settlement Offers Hope to the Foreign Children of American Servicemen

On Friday, November 16, 1990, details of a draft settlement between the United States government and War Babes, a British search-and-support group which seeks to reunite the British children of American servicemen with their birth fathers, were released. According to the terms of the settlement, as reported in *The New York Times*, the government "agreed to forward certified mail from a son or daughter to the father at the last address listed in the National Personnel Records Center. ... If the father has died, the Government will disclose the address in returning the letter."

In the suit, War Babes sought to establish that the rights of the children of American servicemen to obtain information about their fathers under the Freedom of Information Act superseded any protection afforded the fathers under the Privacy Act. According to the Times article, published in the November 17, 1990 edition, the breakthrough in the case came when the judge ordered the government to produce affidavits from affected present or former servicemen declining contact with their offspring. Although not specifically stated in the newspaper, it would appear that the government was unable to produce the affidavits.

Shirley McGlade, founder of War Babes, in an affidavit filed in the case, countered the government's position that contact by an illegitimate child would be unnecessarily "intrusive" with reports of several cases where the child's reappearance was "welcomed ..., often with great joy."

Ms. McGlade, the daughter of a Welsh woman and an American serviceman who left England without ever knowing he'd fathered a child, ultimately found her father in California. She founded War Babes in order to provide help and support to others in a similar situation who also wanted to find their fathers.

According to the news report, Joan S. Meier, the Washington attorney representing War Babes, said that "the settlement could affect thousands of sons and daughters in England alone and would also help *all* children of American Veterans who want to know their fathers [emphasis supplied]."

To take advantage of the terms of the settlement, the foreign child of an American serviceman should write to the NPRC in St. Louis, MO, via certified mail. The NPRC will then either forward the communique to the affected serviceman or return the letter to the sender with notice of the reason for the return, as well as any last known address, if available. ***Ende***

Leonie Boehmer

Independent Search Consultant

805 Alvarado, N.E.
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