

1

DEPOSITION OF ROBERT GARWOOD

2

3

Tuesday, January 21, 1992

4

5

U.S. Senate

6

Select Committee on

7

POW/MIA Affairs

8

Washington, D.C.

9

10 Deposition of ROBERT GARWOOD, a witness herein,
11 called for examination by counsel for the Select Committee,
12 pursuant to notice, the witness having been duly sworn by MARK
13 T. EGAN, a Notary Public in and for the District of Columbia,
14 taken at the office of Hon. Robert D. Smith, Room SD-336,
15 Dirksen Senate Office Building, commencing at 9:53 a.m., and
16 the proceedings being taken down by Stenomask by MARK T. EGAN,
17 CVR-CM, and transcribed under his direction.

18

PRESENT:

19

HON. ROBERT C. SMITH

20

U.S. Senator from New Hampshire

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1 APPEARANCES:

2 On behalf of the Committee:

3 J. WILLIAM CODINHA, ESQ., Chief Counsel

4 FRANCES ZWENIG, Staff Director

5 DINO CARLUCCIO, Staff of Senator Smith

6

7 On behalf of the Witness:

8 VAUGHAN E. TAYLOR, ESQ.

9 Taylor, Dowell and Horbaly

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1 being from the top of that hill, about the length of a
2 football field.

3 Q. So that's about 100 yards?

4 A. Yes, or even maybe a little further than that, at
5 least.

6 Q. How many Americans did you see?

7 A. In a day or over a period of time?

8 Q. Let's first go to before Homecoming.

9 A. All right, prior to Homecoming, the problem I had is
10 I can never tell whether I had seen the same person twice.

11 Q. Sure, I understand that.

12 A. So I can -- the best thing is I can use different
13 sightings, and I can use different sightings rather than try
14 to define whether it is the same person I saw, the same hooch
15 or what, so I don't know what they did and how they did it
16 down there.

17 But over the 2 year period --

18 Q. 2 year beginning when?

19 A. '71 approximately, even before they really started
20 letting me out of camp to forage for wood and do other stuff,
21 about March of '71.

22 Q. To March of '73?

23 A. Yes, March, April, yes, February, March, just prior
24 to the release, so-called release.

25 Q. How many do you estimate you saw during that time

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1 period, Americans?

2 A. Sightings, I never saw a group. I don't remember
3 seeing a group of them out. They were scattered and they were
4 usually hanging outside the building just sitting there. I
5 saw a couple of them walking. They were different and they
6 stood out. They wore a different uniform than I did. The
7 ARVN's, for example, wore the stripped pajamas.

8 Q. What colors?

9 A. Red and white, it was white at one time, I don't
10 know, like an orange and white or red and white. What I was
11 wearing was the replica of the black pajamas in South Vietnam,
12 except here they were blue, the same material.

13 Q. What did the American prisoners wear, the other
14 American prisoners?

15 A. Right. The shirts were shortsleeved. They looked
16 more like trousers than pajamas. The shirt was like a pajama
17 top, but the trousers weren't like the pajamas bottoms, the
18 baggy, but more like they were pants, like pants with pockets.

19 Q. What color were they?

20 A. Blue.

21 Q. Same color blue you wore?

22 A. No, I was a dark blue, they were blue, but light,
23 almost white, like they had been bleached out or worn or
24 washed quite a few times.

25 Q. Were they all dressed the same?

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1 A. Yes.

2 Q. Do you have a sense during that period up until
3 Homecoming how many you saw, Americans?

4 A. I am not able to or not willing to say how many I
5 saw, the sightings and the sightings really only took place
6 during my wood forage. I have to think about that one. I
7 never saw any of them in a group. I don't remember seeing
8 any in group. I did find out through questioning the guards
9 that they also, they weren't allowed to talk to one another.

10 Q. How far apart were their little huts from each
11 other?

12 A. They looked to be about 20 to 25 feet.

13 Q. Would you see more than one outside of a building at
14 a time?

15 A. About the distance of this room -- yes, but none
16 right next to each other. It would be sporadic.

17 Q. Were there fences around each of the huts?

18 A. No. There was a vegetable garden that surrounded
19 the entire hut.

20 Q. So the entire 20 or 25 group of huts had a vegetable
21 garden all around it?

22 A. Yes.

23 Q. There were no fences around it however?

24 A. No.

25 Q. Now you described earlier a day in the life of

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1 Q. And what were they armed with?
2 A. AK-47s.
3 Q. When you did calisthenics, who did them with you if
4 anyone?
5 A. No one.
6 Q. Did someone instruct you what to do?
7 A. No.
8 Q. You just did whatever calisthenics you wanted to do?
9 A. Yes. I didn't have to do them if I didn't want to.
10 Q. When you had breakfast, with whom would you eat if
11 anyone?
12 A. By myself.
13 Q. Did the guards eat with you?
14 A. No.
15 Q. How did your food arrive?
16 A. It was cooked right there.
17 Q. Was it prepared for you or did you prepare it?
18 A. It was prepared by the guards.
19 Q. When you went to do work details, where did you do
20 your work details, and I realize you described at least three
21 or four different times, you described repairing roads, you
22 described getting fire wood, you described working the rice
23 paddies. Why don't we take them one at a time.
24 When you repaired roads, where did you do that work?
25 A. There were crude roads that were right there within

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1 the perimeters -- in view of the camp.

2 Q. Was it within the perimeters of Bat Bat?

3 A. Yes.

4 Q. So you didn't go outside the 7 kilometer -- I am
5 sorry, the 7 kilometer square area?

6 A. No.

7 Q. Did you work with any other Americans in repairing
8 those roads?

9 A. ARVN's, yes.

10 Q. Did you ever see other Americans repairing the
11 roads?

12 A. No.

13 Q. When you collected firewood, did you do that by
14 yourself or with other people?

15 A. By myself. It was collect the firewood that the
16 guards used to cook my meals.

17 Q. When you worked in the rice paddies, did you do that
18 by yourself or with other people?

19 A. With other people, but separate. In other words, I
20 didn't work right beside the other people, but no other
21 Americans, no.

22 Q. You never worked with other Americans during the
23 time you were at Bat Bat?

24 A. No.

25 Q. When you listened to the radio, was that in your

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- 1 Q. What was Bavi?
- 2 A. It was, close to the camp, a mountainous area.
- 3 Q. It was their dairy farm?
- 4 A. Not as big as a mountain, but bigger than a hill.
- 5 It's Bavi dairy farm.
- 6 Q. And what did you know about Bavi dairy farm?
- 7 A. I learned that the Bavi dairy farm was built,
- 8 constructed and set up by Cubans.
- 9 Q. When?
- 10 A. In 1969, '69 or '70 and that Cuba had donated some
- 11 of its prized bulls to this farm for breeding purposes, and
- 12 that French prisoners who had been incarcerated at the Yen Bai
- 13 tea plantation, they had moved all these people from Yen Bai
- 14 to Bavi to --
- 15 Q. You have to spell Yen Bai.
- 16 A. Y-e-n, Bai, B-a-i, to Bavi for the purpose of
- 17 operating and serving as the labor force for the dairy farm.
- 18 Q. Did you ever meet any of the French prisoners at
- 19 Bavi?
- 20 A. Yes, one.
- 21 Q. When was that?
- 22 A. It wasn't much later, that was late '73, I think it
- 23 was late '73.
- 24 Q. What was the occasion you met a prisoner at Bavi?
- 25 A. He was out with the water buffalo out in the rice

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1 paddies, it was after they harvested the rice. So it had to
2 be in the fall. It was after the harvest of the rice, after
3 the harvest of the rice they bring the water buffalo and the
4 cows and stuff to graze, to forage the rice droppings. I came
5 to understand that he was where he wasn't supposed to be. By
6 this time I had been in the camp for years, for over 3 years,
7 I guess. Things had gotten a little more relaxed and I didn't
8 really cause any problems, and I was less threatening, and
9 because of the dress -- he dressed like a Vietnamese, you
10 couldn't even tell that he was -- he had foreign features when
11 you got right up close and the guards didn't even know it.
12

13 But I was catching frogs, I was trying to catch
14 frogs along the rice paddy, frogs and little crabs. I used
15 them to supplement my meal, if I could catch them, and he came
16 up to me and rattled off this French and I just looked up to
17 him and he, when I first looked at him he had the hard lines,
18 he looked kind of Vietnamese, but he had round eyes and the
19 features of a European, and I had heard about a lot of the
20 offspring of 100 years of French domination, there are a lot
21 of Vietnamese that bore children that looked more European
22 than they did Oriental, and so I figured he was one of these
guys.

23 And then he saw that I couldn't speak French, he
24 spoke Vietnamese. He said, do you speak Vietnamese and I said
25 yes, and he just started talking. He thought they were

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1 setting up another farm right there where my camp was and I
2 told him not to my knowledge, but I was more curious about
3 him, where he came from when he was captured. At the outside
4 of the French Dien Bien Phu, he was with the French Foreign
5 Legion and a Moroccan, and I didn't even know where Morocco
6 was, I think I even asked him that. And he looked to be late
7 50s, early 60s, and I just found it totally amazing. I kind
8 of visualized myself looking like him after the same time
9 period.

10 He told me about the tea plantation in Yen Bai and
11 everything, that they had cut away the forest and planted the
12 tea, and that the -- we had a pretty long conversation. I
13 asked him why he was still here and he says, well -- it had to
14 be -- it was after Operation Homecoming, because he asked me
15 the same thing, he said, why are you still here?

16 Then he went ahead to explain, he said, well, the
17 French Foreign Legion -- he asked me if I knew about the
18 French Foreign Legion and I said no, but I knew of it, didn't
19 know about it. He said, well, if you go into the French
20 Foreign Legion you give up your right to citizenship. And by
21 giving up that right, if you should ever become prisoner,
22 there is no one to come in after you. There is no diplomat to
23 go to. There is no one to argue your case for you.

24 And being a French Legionnaire you understand this,
25 but being a French Legionnaire, it's an elite unit, no other

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1 there.

2 Q. So that was in early '73, March, April.

3 A. Yes. The first group was released, and the second
4 group was released.

5 Q. How did you know the first group was released?

6 A. They announced it on the radio.

7 Q. Now, prior to the first group being released, did
8 you have any conversations with any of your captors about your
9 release?

10 A. No. That was only after the second group. It
11 wasn't until the second group was released.

12 Q. So you heard the first group was released.

13 A. Yes.

14 Q. What did you hear?

15 A. Just that. I think they gave a number and the
16 procedure took place and some type of ceremony at Ton Son Nhut
17 Air Base, the U.S. side receiving -- receiving the pilots and
18 how things supposedly went smooth, and that then it was going
19 to be the release of the Vietnamese from the Saigon prisons
20 and that within coordination of that release, then there would
21 be another group released.

22 Q. Did you have some conversation with your captors
23 after the first release?

24 A. The guards actually thought I was going home.

25 Q. How do you know that?

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1 A. Because the talk -- well, you'll be able to rejoin
2 your family soon. Are you happy? Will you be glad to be able
3 to eat bread? Do you think your family will recognize you?
4 Things like that.

5 Q. After the second release, did you have any
6 conversation with your captors?

7 A. Well, I started to get a little concerned. I didn't
8 know what process they were going through and what
9 preparation. They were telling people they were going home,
10 but I didn't see anything changing here.

11 Q. For you, or for anyone else?

12 A. For me. The daily routine was still the same.
13 Actually, nothing changed at all. No one came to talk to me,
14 no new clothes, there was no hair cut, there was nothing.

15 Q. Did you talk to any of your captors about that?

16 A. Yes.

17 Q. Who did you talk to?

18 A. I talked to the political officer about that.

19 Q. Would that have been Dong, or Khuong?

20 A. Khuong, or Sy.

21 Q. What did Sy -- strike that. Off the record.

22 [Discussion off the record.]

23 [Recess.]

24 BY MR. CODINHA:

25 Q. Okay, Mr. Garwood, we're resuming your deposition

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1 now. We're back on the record. I think I broke off by asking
2 you in the conversations you had with your captors about you
3 not going back, I think it was the second group of people, you
4 said you began being concerned for the homecoming group.

5 A. Yes.

6 Q. What were you told?

7 A. They didn't tell me anything. They hadn't been
8 advised -- they claimed they hadn't been advised. They didn't
9 know what the status was. Well, after the third group went
10 home I was still there. I requested repeatedly to see,
11 according to the radio, that everybody went home.

12 So I kept trying to find out why, what was going on,
13 propaganda -- was there a fourth release, a fourth group,
14 what? -- and I didn't become -- I was strong, but I wasn't
15 very forceful about it until after the third release, and I
16 was up on the hill gathering wood again a couple of times
17 after that, and I didn't see any more Americans at this camp,
18 other than myself, and I got a little upset about it. It was
19 kind of like they were all gone. It was kind of looking all
20 vacant and there wasn't much activity going on over there.

21 Q. When was this?

22 A. Approximately October, maybe. Approximately fall.

23 Q. Fall of '73?

24 A. Yes. Well, my immediate thought was that, not that
25 they had been moved, but that these people had been turned

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1 A. I'm not sure. It was either just before or just
2 after Tet, in that area. I'm not sure now.

3 Q. Tell me what you observed about Americans.

4 A. Just, they reappeared again. I don't know if they
5 were the same people. I don't know if they were the same
6 people that were there or not.

7 Q. When did you first see them? Well, strike that.
8 Where did you see them?

9 A. The same compound as the people before.

10 Q. The little cement buildings that you described.

11 A. Yes, cement structures -- yes.

12 Q. How did you come about that you saw --

13 A. The same circumstances of gathering wood.

14 Q. You were up gathering wood.

15 A. Yes, and after, when they were removed, I used to --
16 if I was up gathering wood I used to sit up there and just
17 kind of daydream and look at the little buildings. Actually,
18 I was quite envious, thinking that if the people were home --
19 kind of daydreaming, I guess. Yes, daydreaming -- yes.

20 Q. Then at a certain point, you say in late '73 or
21 early '74 -- around Tet, either just before or just after
22 Tet -- you saw that portion of the camp of Bat Bat
23 repopulated.

24 A. Yes.

25 Q. What did you see?

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1 A. Five or six people. That was after this activity.
2 There was activity there again.

3 Q. Just to help me through this, some time after
4 Operation Homecoming, after about April -- March or April --
5 there had been no activity in that portion of the camp where
6 the Americans had been kept.

7 A. I didn't notice any.

8 Q. You didn't notice any.

9 A. There was some activity, but not there. I mean, the
10 guards had been gone. There were weeds overgrown. There was
11 no one managing it or tending to it, although there was still
12 personnel. The military personnel were still there. You
13 could see them coming and going and milling about.

14 Q. But you never saw any American prisoners from
15 Operation Homecoming until sometime around Tet.

16 A. Yes.

17 Q. Was that unusual, that you wouldn't see American
18 prisoners?

19 A. No.

20 Q. Prior to Homecoming, if you were to climb the hill
21 and look down, would you usually see American prisoners?

22 A. Well, the thing was, prior to Operation Homecoming I
23 didn't really look for them. There was just the knowledge
24 that they were there. It was no big deal.

25 Q. After Homecoming, there was a period --

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1 A. It was a big deal.

2 Q. There was a period of time when you didn't see
3 anyone, you didn't see any Americans.

4 A. I looked for them. I purposely looked for them, if
5 nothing more than the sake of sanity, that I wasn't the only
6 one there.

7 Q. So sometime around Tet in late '73, early '74, you
8 climbed the hill again. Were you alone?

9 A. No. I went up that hill about once a week.

10 Q. You climbed the hill and you looked down and you saw
11 Americans. How do you know they were Americans?

12 A. Well, other than just caucasians --

13 Q. Well, first could you tell they were caucasians?

14 A. Yes. I never saw any black people or any other than
15 caucasians.

16 Q. So in this camp you saw only caucasians.

17 A. Yes.

18 Q. How were they dressed?

19 A. A little different. Newer clothes. Same type, but
20 new. They had another thing that was new, a piece of garment
21 that I didn't have. It was kind of like the same color. It
22 was blue, but it was like a jacket, but almost close to like
23 our field jacket. That's kind of what it looked like from a
24 distance with pockets and also just the -- near the buildings
25 they were color-coordinated.

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1 And it wasn't 'til -- I don't remember if it was
2 once or twice -- other times. I think it was only about three
3 times. Each time after that, it was like I only saw one or
4 two people. I never seen a group of people that were there.
5 I can't tell you exactly -- you know, the numbers. I come up
6 with 20, 25 at Son Tay camp there. I came up with those
7 numbers -- the only way those numbers could have been
8 different is if they'd made that individual sleep in a
9 different one each night. You know, played this type of game.
10 And that's the only way that there might have been only 1 or 2
11 versus 20 or 25 people there.

12 Q. Let me see if I understand. Sometime around Tet of
13 1974 is when you saw American POW's again?

14 A. Yes, approximately then. Yes.

15 Q. The first time you saw -- when you climbed the hill
16 and saw them, how long a time did you get to look at them --
17 the first time?

18 A. I couldn't see them that well. It looked like they
19 were cleaning out the building. I was trying to figure out,
20 you know, what kind of bed -- they must have had a cement bed
21 in there. I couldn't figure out how they got a bed in there.
22 It didn't look big enough for a bed to lay down in.

23 I didn't focus too much. You know, that's the
24 problem. I didn't focus too much upon the people themselves.
25 It was more as to what they were doing and trying to figure

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1 out how many were down there.

2 Something I think I should clarify, that the guards,
3 the questions about guards and stuff -- if there had been no
4 guards in the camp at all, nobody would have left the camp for
5 the mere fact where we were at.

6 Q. You mean, in central Vietnam?

7 A. North Vietnam. Yes. You can't escape. You're
8 going to escape to where? I mean, it's immediate death if
9 you're caught outside the perimeter. And the guards didn't
10 really need guns. I don't know why they had guns, but they
11 did.

12 Q. Let me focus again --

13 A. But I paid more attention to that than to -- I
14 wasn't on any intelligence gathering. Hell, I didn't even
15 know if I'd get out of there. I actually paid more attention
16 to the construction than to the individual. The only
17 attention I paid to the individual was basically as to what
18 kind of health and what type of environment the individual was
19 in, to try to compare it to mine.

20 Q. Okay. Tell me about their health. What kind of
21 health did you observe?

22 A. They looked pretty much comparable to mine. My
23 health, I guess I kind of considered my health as not being
24 real poor but not being real good. It kind of bordered on the
25 brink. It was healthy enough that I wasn't catching every

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1 AFTERNOON SESSION

2 (5:19 p.m.)

3 MR. CODINHA: Why don't we go back onto the record.

4 Whereupon,

ROBERT GARWOOD,

6 the witness on the stand at the time of recess, having been
7 previously duly sworn, was further examined and testified as
8 follows:

9 FURTHER EXAMINATION BY COUNSEL FOR THE COMMITTEE

10 BY MR. CODINHA:

11 Q. When we broke off, we were talking about the
12 occasion in Bat Bat Prison when you had seen some Americans,
13 which was either just before or just after Tet, in 1974.

14 And you had described -- you had given some detail
15 of what they looked like and why you thought they were
16 Caucasians, and whatever descriptions. You said some of them
17 had slight beard versus long beard. Some of them on their
18 hair -- you said almost all their hair was receding. You
19 noticed their builds. Some of the them were square versus
20 tall and lanky. You noticed some had big faces, some had
21 little faces. And you said you were not ever able to get
22 close enough that you could tell eye color. I'm sort of
23 trying to get you back to where we stopped. Okay?

24 A. I understand. Basically, my conclusions about these
25 individuals is that they were Americans. It was a time and

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1 place, the camp administration, my knowledge of the camp in
2 itself, as myself being incarcerated there, and them basically
3 obeying the orders or the directives from the guards. It just
4 came without a doubt that these people were none other than in
5 a prisoner status.

6 I had no way of knowing whether they were pilots,
7 whether they were CIA or what. Other than there just wasn't
8 really any -- I mean, their movements. I mean, I've been in
9 enough prison camps up to this time and my -- it was not an
10 instinct. I didn't -- I became to the point that I didn't
11 have to go up and ask what state these people were from to
12 know that these people were Americans incarcerated. Americans
13 were the only ones, Europeans, that was involved in any type
14 of conflict with Vietnam at that time.

15 Q. So, if I understand --

16 A. Now, it's possible they could have been Australian
17 or whatever.

18 Q. That was my next question. So, what you were able
19 to say is that they were Caucasians. They certainly weren't
20 Vietnamese. They weren't an Oriental group.

21 A. No.

22 Q. Now, as far as knowing they were Americans, did you
23 ever hear them talk?

24 A. No. Not in this camp.

25 Q. Not this group?

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1 pretty much freely within the compound I was, but they
2 couldn't. I actually had more freedom it seemed, from what I
3 observed, than they did.

4 Q. And you described that there were four or five rows
5 of five --

6 A. Five. I'm pretty sure there's five, 'cause it was
7 --

8 Q. Five rows of five?

9 A. Yes. Five rows of five. Almost like a complete
10 block. Square (indicating).

11 Q. And from where you were, could you see all of the 25
12 units?

13 A. Yes. I was on top of the hill, yes.

14 Q. And so you were looking down?

15 A. Yes, I was looking down.

16 Q. And as you looked down, where would the guards be
17 located?

18 A. On the road, the main entrance to that camp. There
19 was always one guard at the gate. To the right, as I'm on the
20 hill looking down, to the right of the prison structures. To
21 the right where the barracks, where the cadre and everybody
22 else was, that's where that camp administration was.

23 Q. How far away was that?

24 A. Probably -- maybe 150, 200 feet from the --

25 Q. What buildings were over there?

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1 Q. Was it raining or was it misty?

2 A. No, it was cold. Not misty. It was just cold.

3 Damp.

4 Q. Was there anything obstructing your view towards
5 these individuals?

6 A. No, no. I was up high enough.

7 Q. So then, you were looking down at them.

8 A. Yes, I was looking down.

9 Q. After this occasion, and let me just refer to it as
10 the Tet '74 occasion, just to give us a definition for it,
11 after that time at Bat Bat, when, if ever, did you see POW's
12 in that same area again at Bat Bat?

13 A. I don't remember. I don't recollect seeing them
14 again. I wasn't allowed to go up there.

15 Q. I may be confused, because I thought I understood
16 you to say earlier today, before we broke, that on one, two,
17 or three occasions you saw people there, and you saw them
18 coming out of different huts. You never saw more than two or
19 three at a time, but that wasn't after Tet '74? And I'm not
20 trying to confuse you, I'm just trying to understand.

21 A. It had to be pre-that. Because the reason I can
22 remember that, and I have to use things that happened to me
23 then, they moved me out of that camp into Ha Dong. And when
24 they moved me to Ha Dong, I was incarcerated, I was at Ha Dong
25 -- Ha Dong is spelled H-a D-o-n-g. I was incarcerated there

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1 Q. What was the conversation you had indirectly with
2 your guards about the prisoners?

3 A. They were comparing me to an individual which they
4 called, they named him by his name, was Jim, who they claimed
5 he was from California. And they wanted to know if I knew
6 him. I guess they thought California was like one of their
7 villages. I don't know. They didn't understand the size of
8 California.

9 I asked them what his last name was and they said
10 they didn't know his last name. He was Jim from California,
11 had blue eyes. And I said: I need more information than
12 that.

13 Anyway, whatever resulted from that, whoever said
14 what, I got a visit from the political officer and he
15 interrogated me for over an hour as to what, if anything, I
16 heard the guards discussing, anything about anybody, names,
17 about the rest of the camp, the goings-on in the rest of the
18 camp or anything.

19 Basically, I was protecting the guards and I said
20 no. He asked me what I was doing up on top of the hill. I
21 told him foraging for wood. He asked me what I observed when
22 I was up there. I said nothing, I didn't observe anything.

23 He never believed me, but basically the guards were
24 at that point, those guards especially, they were young, they
25 had always been pretty decent to me, and I didn't want to get

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1 them into any trouble. And I knew that if I had said anything
2 that they probably had breached whatever rules and
3 regulations.

4 So I just, I said, no, I never heard anything; they
5 don't discuss anything with me; I don't ask them any
6 questions, they don't tell me anything.

7 Q. Did this conversation that you have just described
8 happening with the political officer happen after Operation
9 Homecoming?

10 A. Yes.

11 Q. Was it after you had seen the people in the camp
12 down below?

13 A. Yes.

14 Q. Can you put a time on it?

15 A. That's rough.

16 Q. Just your best estimate.

17 A. It was a very short period of time after I saw that.
18 What evidently had happened is one of the guards in the other
19 camp had saw me.

20 Q. How do you know that?

21 A. It was because everything tightened up after that,
22 and then the political officer. And I think the only reason
23 the guards discussed with me what they did is because what
24 they were supposed to -- or the order was to keep it secret
25 from me. They figured, well, he's already seen it, it's no

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1 longer a secret, and they didn't foresee any problem.

2 I guess they didn't see the importance of it. You
3 know, what's the big deal? They were young.

4 Q. Now, the political officer --

5 A. I didn't see the importance of it, either.

6 Q. The political officer that talked to you, was that -

7 -

8 A. Khuong, that was Pham Sy Khuong.

9 Q. So Sy?

10 A. Yes. He would ask me. The guards were right there
11 and certain questions he would ask me in English so the guards
12 couldn't understand, and he asked me to respond in English.
13 And actually, I didn't respond in English. He asked me the
14 questions in English and I had difficulty understanding
15 English.

16 He was fluent in English, but he was speaking it
17 with a very heavy accent and that compounded the problem. So
18 I'd end up, it was much easier and automatic for me to respond
19 to him in Vietnamese, and by doing so it kind of frustrated
20 him, but also at the same time it kind of relaxed the guards.

21 Q. Now, do you remember the names of those guards that
22 were present who asked you about Jim, the American from
23 California?

24 A. Yes, Dung and Thinh. "Dung" is spelled D, but
25 pronounced as a "Y", u-n-g. And "Thinh" is spelled T-h-i-n-

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1 h, Thinh. Dung was a corporal and Thinh was a sergeant. They
2 were both from North Vietnam.

3 To make things maybe possibly a little easier, Dung
4 took a wife who was a local native right there in Bat Bat.

5 Q. Do you know anything more about how we would locate
6 him?

7 A. I would imagine that he would probably, unless he's
8 still in the military, I would imagine, it's tradition that he
9 could be located through this girl's family.

10 Q. Do you know her name?

11 A. No. The women never came down to the camp. We saw
12 them occasionally, but from a distance, but they didn't come
13 into the camp.

14 Q. How do you know that he took a wife from that local
15 area?

16 A. Oh, they made a big deal of it. He boasted. He was
17 very happy. It was a big thing.

18 Q. What did he look like physically, besides being
19 Vietnamese?

20 A. He could have been an athlete very easily.

21 Q. This is the sergeant, Dung?

22 A. Dung, yes. Yes, he could have been an athlete very
23 easily.

24 Q. He was muscular?

25 A. Yes. Not tall, not short. Probably what, 5-8, 5-

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1 (Discussion off the record.)

2 MR. CODINHA: Why do you not mark this as the next
3 exhibit, No. 5.

4 (The document referred to was
5 marked Garwood Exhibit No. 5 for
6 identification.)

7 BY MR. CODINHÀ:

8 Q. What is Exhibit No. 5?

9 A. You're asking me?

10 Q. Yes, it's your list.

11 A. It's a list of names that I could remember, that was
12 passed, discussed by the guards, or people that I was compared
13 to.

14 Q. If you would just read Exhibit No. 5 -- is this in
15 your handwriting?

16 A. Yes, it is.

17 Q. When did you create this list?

18 A. Well, this list here.

19 Q. This one.

20 A. Within the last month.

21 Q. Would you just read from the top to the bottom down
22 the list?

23 A. Yen Bai, Cartwright, Levin, Jim, Al, Bill, Case.

24 Son Tay, Jeff. Martin. Lee. Frank. Fred. Ski.

25 Q. Now, at first you said there were about five names.

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1 Is it five or six names?

2 A. Six.

3 Q. Six names from the time you were at Bat Bat.

4 A. Yes.

5 Q. That you knew.

6 A. Let me clarify this. A couple of these names I
7 didn't learn until Yen Bai, and I wrote Yen Bai, Son Tay as to
8 the location. So I can narrow down as to the area where these
9 people were supposed to have been incarcerated. That was the
10 best that I can remember what was told to me.

11 Q. If I understand what you have said so far, between
12 March and -- I am sorry, between Tet 1974 and March of 1974
13 when you left Bat Bat, you believe you were compared to five
14 Americans, five other Americans.

15 A. No, no that's incorrect.

16 Q. Then tell me what I have stated that is wrong.

17 A. Not while I was at Bat Bat, this was approximately
18 five Americans. From the time right after that sighting,
19 after Operation Homecoming, and up until the time that I was
20 transferred to Yen Bai prison camp.

21 Q. So, that would have included your time at Bat Bat.

22 A. And Ha Dong.

23 Q. And your time at Ha Dong.

24 A. That's correct.

25 Q. Were you able to determine how many others were at

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1 Bat Bat, that you were compared with?

2 A. No, no. I never knew whether they were talking
3 about the same individual in different conversations or not.

4 Q. But you were compared to other Americans while you
5 were at Bat Bat, between Tet 1974 and March of 1974. Is that
6 accurate?

7 A. Yes, I only remember one occasion that sticks out in
8 my mind, and that's this Jim character.

9 Q. What more did they tell you about Jim, except he was
10 from California? It is Jim, he was from California, what
11 color was his hair, did they mention that?

12 A. Blond hair, blue eyes.

13 Q. He had blond hair and blue eyes. What else did they
14 tell you about him?

15 A. He couldn't speak Vietnamese.

16 Q. What else could they tell you about him?

17 A. He didn't like fish sauce.

18 Q. Do you recall anything else that they told you about
19 him?

20 A. He was always getting sick. Basically, they just
21 compared our health, my health to his health, the way my body
22 was able to adapt to the environment and his wasn't. His skin
23 was much whiter, they said his skin was much whiter than mine.
24 Longer hair.

25 Q. How long was your hair at that time?

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1 A. Shoulder length.

2 Q. What else did they tell you about him?

3 A. He's from the village of California.

4 Q. They said the village of California.

5 A. Yes, Lang California, Lang California is village,
6 translates as village. They didn't understand the United
7 States. I think that they thought that the United States was
8 set up kind of like Vietnam, provinces, villages, et cetera.

9 Q. Can you recall anything else they told you about Jim
10 from California?

11 A. That pretty much got on the subject, because they
12 were most basically interested. I told them I was from
13 California, and they had evidently been talking to this
14 individual, or found out that this individual was from
15 California, and they figured Vietnam, from the same village,
16 and people grew up together, you know each other. And I think
17 that's what they thought, and that's the only reason they
18 brought it up, and I told them no.

19 Q. When had you told these two guards that you were
20 from California?

21 A. That was in my initial debriefing interrogation when
22 I arrived in Bat Bat prison camp.

23 Q. When did they first tell you about Jim from
24 California?

25 A. Just prior to when I was transferred to Ha Dong.

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1 A. American.

2 Q. So you said you were Robert Garwood.

3 A. Yes.

4 Q. Did you say it in English?

5 A. Yes, I did.

6 Q. And where did you say you were from?

7 A. California. I told them that my parents were dead
8 and I told them I had a sister, I still had a sister and that
9 was it. That through this conversation, before this thing
10 ever got started, they complained to Lieutenant Colonel Xuan
11 that my English was very bad. They said, his Vietnamese is
12 very good. His English is very bad.

13 So when they started off, they had some idioms, some
14 slang American words, that they wanted me to define and I had
15 no idea the meaning. I'd never heard of them before.

16 Q. Like what? Do you remember?

17 A. Shazam, one was shazam. I don't know that. I never
18 heard of it. I didn't find that out when I got back and
19 watched Gomer Pyle. I didn't know what it meant. It was
20 words like that.

21 And it was words that myself, since I've been back, I've
22 learned. That there was a lot of this slang that was used
23 among the hippie groups that still today, I don't know what
24 the full meaning of it was.

25 Q. During the March '74 through October '74 time that

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1 you were at Hadong, did you have occasion to see any American
2 prisoners?

3 A. At Hadong, no. But I did learn that that was the
4 very exact same place that John Sweeney was incarcerated
5 before his release. The way I learned that it because he
6 carved his name on the bed. I didn't even know who he was.

7 Q. Do you know now who John Sweeney is?

8 A. Oh, yes.

9 Q. Who's John Sweeney?

10 A. He's a marine that fell into Communist hands, lost
11 on patrol, whatever, in Quan Tri. Was taken to North Vietnam
12 and he supposedly, from what I understand, he told them he
13 picked up one of their flyers. When he got lost on patrol, he
14 threw away his weapon or whatever, buried it or something, and
15 picked up one of their flyers and told them that he had
16 crossed over.

17 They brought him to Hanoi and tried to run a check on him
18 or something. But anyway, they held him in this facility here
19 and held some type of big press conference in Hanoi and
20 released him through Russia to Sweden, I believe. I think it
21 was Sweden, whereas his family came from the U.S. and brought
22 him back.

23 He was charged, there were charges brought against him.
24 And due to whatever political reasons, the charges were
25 dropped and he was discharged. The last I heard of John

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1 Sweeney was that he was working as a security guard for the
2 U.N.

3 Q. When did you learn about John Sweeney, all you've
4 just described to me? Did you learn that in Vietnam?

5 A. Part of it.

6 Q. What did you learn in Vietnam?

7 A. Not the rest.

8 Q. What part did you learn in Vietnam?

9 A. The part I learned in Vietnam is that he went to
10 Russia.

11 Q. Who told you that?

12 A. Xuan.

13 Q. I'm sorry.

14 A. Xuan. He told me who he was. He told me he was a
15 Marine.

16 Q. Xuan. Oh, Xuan.

17 A. Because when I saw the name, I asked about him.

18 Q. Where did you see his name?

19 A. It was carved by some type of sharp instrument over
20 another on the same bed that I was sleeping on.

21 Q. That you were sleeping on?

22 A. Yeah.

23 Q. Were there other names carved on that bed?

24 A. No. I didn't see any.

25 Q. How often did you see Lieutenant Colonel Xuan during

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1 this period when you were in Hadong?

2 A. About once a week.

3 Q. For the entire 6 months?

4 A. Yeah, approximately, sometimes 2 weeks go by.

5 Q. Now during this time period in Hadong, you saw no
6 other Americans. That's March '74 through October '74. Is
7 that accurate?

8 A. That's accurate.

9 Q. Did you hear other Americans during that time period
10 while you were in Hadong?

11 A. Not directly. They weren't referred to as
12 Americans. Thai, they were referred to as Europeans. I just
13 assumed they were Americas.

14 Q. What did you hear about other Caucasians while you
15 were at Hadong?

16 A. That there was a massive truck movement of, transfer
17 of Europeans from South to up in Cao Bang and it was then
18 partially by truck and by railroad.

19 Q. Who told you that?

20 A. Nobody told me that. I overheard the guards
21 talking.

22 Q. Did you know the guard who was making those
23 statements?

24 A. No, these guards, they rotated. They changed them
25 about once a week, the three of them.

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1 Q. How many times did you hear references to the
2 massive transfer of Europeans?

3 A. I only remember the one instance. They didn't refer
4 to it, they just -- that's what the word they used was,
5 Europeans. But it was all done at night, in secrecy in
6 trucks, covered trucks, and I didn't hear any numbers.

7 Thang is also a derogatory word in Vietnamese. It's not
8 a complimentary word.

9 Q. How do you spell that?

10 A. T-h-a-n-g.

11 Q. That's die?

12 A. Thang.

13 Q. That's thai.

14 A. Thai. It's t-h-a-i, but there's a different symbol.
15 It's not the same as Colonel Thai. It's a different
16 pronunciation.

17 Q. Tell me the circumstances under which you heard
18 about the Europeans being transferred.

19 A. The guards just talking to one another, a quite
20 night. I just heard them talking. I was laying down in my
21 bunk.

22 Q. When in terms of time? You arrived in March of '74
23 and you left in October of '74. When would this have
24 happened?

25 A. I don't remember that.

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1 Q. Was it nearer to when you first arrived, was it
2 nearer to when the school was set up, or was it nearer the
3 end?

4 A. After, it was after the school incident.

5 Q. So the school incident happened within 2 weeks of
6 your first arrival.

7 A. Approximately about 2 or 3 weeks, yes.

8 Q. Was it close to when you were transferred back to
9 Bat Bat?

10 A. I don't remember that.

11 Q. How did it come that you left Hadong?

12 A. They did the same trick as when they brought me
13 there.

14 Q. Who did the same trick?

15 A. Xuan, Sy, and the guard. Well, just Xuan, Sy and
16 the driver, the jeep driver, they come, got me the same way,
17 and transported me back. I didn't even know, I kind of got,
18 felt a sense of direction, I kind of figured I was going back
19 there, but I wasn't sure until I got close to Bat Bat and
20 familiar surroundings, then I knew I was coming back.

21 Q. How close to Bat Bat were you before you recognized
22 any of the surroundings?

23 A. There's a big lake, the lake at Bat Bat. When I got
24 to the lake at Bat Bat, then I knew.

25 Q. This was during the middle of the night, how could

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1 you see the lake?

2 A. You have to understand the hills, the mountains, the
3 roads. The roads, they always built them the laziest way to
4 go. Any flat lands were eaten up by rice paddies, so the
5 roads, naturally, had to be built and cut out of the hills and
6 the mountains. So from high points to low points, it was
7 clear up there, it's crystal clear at night. You can develop
8 night vision and you can see people walking.

9 Q. Did you have any conversation with Xuan or Sy on
10 the way back to Bat Bat?

11 A. No, I didn't even know I was going back there.

12 Q. Did you know why you were being returned?

13 A. I thought it was due to the failure of whatever they
14 took me there for, the school or whatever, what they planned
15 to do, it didn't work out. And I probably became a security
16 problem there in Hadong, so they brought me back to Bat Bat.

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Stenographic Transcript of
HEARINGS
Before the

SELECT COMMITTEE ON POW/MIA AFFAIRS

UNITED STATES SENATE

CONTINUED DEPOSITION OF ROBERT GARWOOD

Wednesday, January 22, 1992

Washington, D.C.

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1 DEPOSITION OF ROBERT GARWOOD

2

3 Wednesday, January 22, 1992

4

5 U.S. Senate

6 Select Committee on

7 POW/MIA Affairs

8 Washington, D.C.

9

10 Continued deposition of ROBERT GARWOOD, a witness
11 herein, called for further examination by counsel for the
12 Select Committee, pursuant to notice, the witness having been
13 duly previously sworn by RAYMOND R. HEER, a Notary Public in
14 and for the District of Columbia, taken at the office of Hon.
15 Robert D. Smith, Room SD-332, Dirksen Senate Office Building,
16 commencing at 9:40 a.m., and the proceedings being taken down
17 by Stenomask by RAYMOND R. HEER, and transcribed under his
18 direction.

19 PRESENT:

20 HON. ROBERT C. SMITH

21 U.S. Senator from New Hampshire

22

23

24

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1 APPEARANCES:

2 On behalf of the Committee:

3 J. WILLIAM CODINHA, ESQ., Chief Counsel

4 DINO CARLUCCIO, Staff of Senator Smith

5

6 On behalf of the Witness:

7 VAUGHAN E. TAYLOR, ESQ.

8 Taylor, Dowell and Horbaly

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1

I N D E X

2

Examination by Counsel for the

3

ROBERT GARWOOD

Committee

4

By Mr. Codinha

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5

EXHIBITS

6

Garwood Exhibit No.

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P R O C E E D I N G S

2 Whereupon,

ROBERT GARWOOD

4 was called as a witness by counsel for the committee and,
5 having been duly previously sworn by the Notary Public, was
6 further examined and testified as follows:

CONTINUED EXAMINATION

8 BY MR. CODINHA:

9 Q. Let's go back on the record. Good morning, Mr.
10 Garwood. I remind you you are still under oath from
11 yesterday, and we are resuming again your testimony hopefully
12 from where we left off, but we will actually see, if we go
13 back over anything now as I told you I would do after breaks,
14 we have now had a night since you testified. Are there any
15 changes, or have you thought of anything about the questions
16 that I asked you yesterday that you would like to change,
17 alter, add to, or make any variation just about the subject
18 matters I asked you yesterday?

19 A. To be quite honest, I haven't really thought about
20 what I testified to yesterday, only as what I can remember in
21 any more detail of what I'm about to testify to, actually.

22 Q. As I explained to you, you'll have an opportunity to
23 read the hard copy transcript that is created here. It may
24 cause you to remember things, or you may want to add things,
25 and it will have a jurat page which your attorney will explain

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1 to you is an opportunity for you to make changes.

2 A. As I expressed yesterday, because of the time lapse
3 the events are still pretty clear in my mind. The only things
4 that are kind of shady is dates, and some names.

5 Q. I would like to resume. We were -- when we broke
6 yesterday we had, I believe, just about completed your time at
7 Ha Dong, H-a D-o-n-g, which you had told me was between March
8 of '74 and October of '74. Do you recall that?

9 A. Yes.

10 Q. And I think we determined, and I will try to
11 reconstruct what you said yesterday, that while you were at Ha
12 Dong you did not see any other American POW's.

13 A. No, only the one name that was carved on the bed.

14 Q. You saw a name, and that was John W. Sweeney.

15 A. That's correct.

16 Q. But you saw no live Americans.

17 A. No.

18 Q. You heard no live Americans. You didn't hear any
19 voices that you recognized to be American.

20 A. No.

21 Q. And you had no contact with Americans during that
22 period of time, March '74 through October of '74.

23 A. No.

24 Q. Did you have any conversation with your guards about
25 live Americans during that period of time, if you recall?

1 A. No, just occasionally in the night when they were
2 talking they would not use the word American, or in Vietnamese
3 Thang My.

4 Q. Would you spell that for the stenographer?

5 A. T-h-a-n-g M-y. They would use the word Thang Thai,
6 T-h-a-n-g T-h-a-i, using that phrase as a derogatory phrase.
7 In the Vietnamese language, it is not a polite phrase
8 referring to Europeans, and they would come -- in discussing
9 prisoners they often used that phrase. I caught bits and
10 pieces of conversations.

11 Most of the discussion was the trouble, how they
12 talked about how boring it was, the duty of guarding these
13 people as well as me, myself. They didn't see any reason.
14 They have problem defining the reason why that they should
15 have to guard me, that they should have to guard these other
16 people because they said where are they going to escape to?
17 There is no way that these people can escape. Even if you
18 turn them loose in a field they stand out like a sore thumb.

19 Q. The guards' use of the term -- and you will forgive
20 me -- Thang Thai, that was different than how they referred to
21 you, wasn't it?

22 A. Yes, to my face in front of me, but in talking
23 amongst themselves that was the way they referred to me.

24 Q. So you had heard yourself referred to as Thang Thai.

25 A. Yes.

1 Q. And you will again forgive my Vietnamese.

2 A. Actually, I considered that more of a compliment
3 than anything because of the other phrases they used to use in
4 referring to me, and so actually that phrase didn't bother me
5 as much as a lot of the other phrases.

6 Q. The term, Thang My.

7 A. Thang My, that didn't bother me too much. It is a
8 derogatory term.

9 Q. But Thang My is an American, isn't it, and can you
10 give us a literal translation of each, Thang My and Thang
11 Thai?

12 A. That would be the same as calling a Mexican a WOP,
13 or --

14 Q. Calling a Mexican a WOP.

15 A. Or an Italian a WOP, that type of phrase.

16 Q. Okay, then I think the point is made. If you called
17 a Spaniard a Spick.

18 A. Right.

19 Q. That would be --

20 A. Derogatory.

21 Q. Then that's derogatory, but it would have referred
22 to a Spaniard.

23 A. Yes.

24 Q. And if you called an American Thang My, now that's
25 what I'm trying to determine.

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1 A. They are pretty similar. The only difference is
2 Thang My, you're -- and Thang Thai is derogatory, but to a
3 European. Thang My is still the same derogatory statement,
4 but specific to an American. My is American.

5 Q. What I'm trying to determine now is when the
6 Vietnamese guards during this October '74 -- I'm sorry,
7 March '74 through October '74 time frame were talking about
8 the other prisoners they were guarding, I think I'm clear that
9 they were using Thang Thai.

10 A. Yes.

11 Q. They weren't saying Thang My.

12 A. No, not that I can remember.

13 Q. Now, you've also said they sometimes referred to you
14 as Thang Thai.

15 A. Yes.

16 Q. How often would have occur when you would hear them
17 talking about you?

18 A. Only when they would compare me to other people.

19 Q. And did that happen during this March through --
20 March '74 through October '74 time period?

21 A. Yes. Actually, it was quite often. I seemed to be
22 less trouble than the other people.

23 Q. As much as you can recall, tell me the comparisons
24 that were made that you recall during this time period between
25 you and the other prisoners they were guarding.

1 A. It would be much easier if I could speak Vietnamese,
2 so I have to translate.

3 Q. I perfectly understand. No one here speaks
4 Vietnamese today.

5 A. This European is much easier to handle because of
6 his characteristics in Vietnamese in understanding the
7 language. He follows orders. It is easier to direct, to give
8 orders, because of his ability to understand Vietnamese and
9 the Vietnamese customs, whereas the other Europeans are very
10 stubborn and belligerent.

11 Q. Did you have any sense of how many other Europeans
12 your guards were talking about?

13 A. No. I never heard numbers.

14 Q. Okay, but I'm not asking really for numbers now, I'm
15 really asking if you had any sense, did it seem like they were
16 talking about a lot of people?

17 A. More than one, yes.

18 Q. More than one, but you weren't able to determine?

19 A. No.

20 Q. Were you able to determine from the tone of the
21 conversation, and I'm not sure that Vietnamese -- I'm not sure
22 about the tenses they use in Vietnamese, but were you able to
23 determine from the grammar that was used in Vietnamese whether
24 they were talking about present time experience or past time
25 experience?

1 A. Present time.

2 Q. So in Vietnamese you have a present tense, a past
3 tense, a future tense.

4 A. Yes. Well, you have -- and it basically in the
5 plural or the future or the past, it depends on how not only
6 the tone, but how it is phrased in a sentence. It's easily
7 distinguishable as whether they're talking about several years
8 ago or talking about the French -- when they talked about the
9 French, it was very easy when they talked about the French,
10 because they always used the word Thang Phap. They always use
11 French Thang Phap, and in --

12 Q. Would you spell Thang Phap, please?

13 A. T-h-a-n-g P-h-a-p. They -- when referring to
14 Americans or about Americans there was a very strong -- a
15 bitterness in their voice, almost a hatred. Anything
16 referring to an American, they blamed America and Americans
17 for all their troubles.

18 Everything bad that has ever happened to Vietnam
19 they blamed it on the Americans. They blamed America for
20 French involvement in Vietnam and France's domination. They
21 claimed it was U.S.-backed money, forces, intelligence, et
22 cetera. Everything bad that happened to Vietnam over the last
23 century was because of the United States.

24 Q. With respect to the time period between March of '74
25 and October of '74, your period in Ha Dong, what tense were

1 the guards using when they referred to other prisoners they
2 were guarding?

3 A. The present tense.

4 Q. Did you interpret that to mean that it was something
5 that was happening as they were speaking, that it was
6 happening right around that time?

7 A. Yes. Yes, I did.

8 Q. Would they have used a different tense -- strike
9 that. Would the language have been different if they were
10 talking about something that had happened in the past, such as
11 before Homecoming?

12 A. Yes. The language would have been different.

13 Q. What can you remember about the language that they
14 used before that would have told you that?

15 A. Again, it would be easier if I could speak
16 Vietnamese.

17 (Discussion off the record.)

18 THE WITNESS: It's so easy to explain it in
19 Vietnamese. When talking about -- in Vietnamese when talking
20 about the weather or people or events there are phrases in the
21 Vietnamese language which is immediate. Immediately you
22 understand that it is something that has just happened or
23 about to happen, all right, without directly saying that it
24 happened yesterday, Tuesday, Friday -- whatever -- versus now
25 something happened 3 weeks ago or 6 months ago or a year ago.

1 Well, they would literally say a few months ago, or
2 last year, or et cetera, where anything that was present they
3 wouldn't. Sometimes they would use a yesterday or tomorrow or
4 last week, but not ordinarily. Only if something specific,
5 but when speaking overall of an overall comparison it was
6 just -- it was like the person, if the person you were
7 speaking to, it was common knowledge to that individual, then
8 you just speak directly and it would be in the present tense,
9 and not put a date or anything to it.

10 Almost like -- if it was comparing me to you it
11 would be like both the parties exchanging the conversation.
12 To compare me to you it would be almost like you were sitting
13 in the same room and it was knowledgeable. They didn't come
14 out and say well, you're sitting in the same room I am. It
15 just would be, it is distinguishable in Vietnamese to know
16 whether or not -- at times I even thought maybe that there was
17 a camp even near the one I was in.

18 BY MR. CODINHA:

19 Q. What made you believe that?

20 A. Because occasionally when they arrived and the
21 guards changed they came in on bicycles instead of jeep or
22 truck.

23 Q. And you think -- when you say a camp, are you
24 referring to an American POW camp?

25 A. I don't want to put a label on it because I don't