

1 know. I know they came from another camp, but I don't know if  
2 it was a POW camp, but in their conversations the guards  
3 were -- I did found out that the guards were handpicked  
4 especially for their duties.

5 Q. How did you find that out?

6 A. They would often talk about the screening that they  
7 had to go through. It was like -- like one would have to go  
8 through for a Top Secret clearance. For example, their  
9 families had to have a history, a revolutionary history  
10 background.

11 Q. Who told you that?

12 A. They didn't tell me nothing. I just overheard the  
13 conversations with each other, and basically what they were  
14 talking -- what their conversations dealt with is the  
15 problems. They'd compare their problems in the family, like  
16 there would be some difficulty or a question in their family.  
17 Maybe one of their brothers or their sisters had either  
18 married someone that wasn't a revolutionary, or whatever, some  
19 problem in their security check.

20 Their job, they had to pass some kind of security  
21 situation to be able to be in the position that they were.  
22 They just didn't pick anyone out of the army and put them on  
23 guard duty at these camps. Each one of them was handpicked.

24 Q. You indicated a little earlier today that when they  
25 would compare you, or -- strike that. You indicated a little

1 earlier today that the guards voiced some dissatisfaction in  
2 having to guard you --

3 A. Yes.

4 Q. And others --

5 A. Yes.

6 Q. That were in a similar situation. Was it others  
7 that were in a similar situation?

8 A. That is the way I took it, yes, from the  
9 conversation, yes.

10 Q. When they talked about the others, did they use the  
11 plural term or did they talk about another -- or were you able  
12 to get any sense about numbers?

13 A. I took it as such.

14 Q. Was it singular or plural, or you just can't recall?

15 A. That is difficult, it really is, but I remember I  
16 took it as more than one, yes.

17 Q. When you left Ha Dong --

18 A. They also -- I just want to get this in. They also  
19 complained about the ration. There was occasionally almost a  
20 bitterness about a complaint about my ration as well as  
21 other -- this is one of the few times actually they even used  
22 the word Tu, prisoner. Ration was higher than their ration.  
23 They thought that was unfair.

24 Q. How do you spell prisoner in Vietnamese?

25 A. T-u.

1 Q. And it's pronounced Tu?

2 A. Doh.

3 Q. When they used that term, the Vietnamese term for  
4 prisoner, was that during this March through October time  
5 period?

6 A. I can't really recall that specifically.

7 Q. How often would they use that term to you?

8 A. It was common, very common.

9 Q. About you?

10 A. Yes, and referring to other people also.

11 Q. After Operation Homecoming, after March or April of  
12 '73, did they continue to use the term Tu?

13 A. Yes.

14 Q. For you?

15 A. For me as well as other people, yes.

16 Q. Other people that you saw, or other people you heard  
17 about?

18 A. Both.

19 Q. Did they use the term Tu for the prisoners who were  
20 at Bat Bat on the other side of the hill?

21 A. The word was so commonly used in referring to both  
22 American and Vietnamese that it was a daily word.

23 Q. Is that word used just for prisoners of war or is it  
24 the kind you would use for a prisoner who perhaps stole and  
25 got incarcerated?

1 A. They're the same.

2 Q. It's the same word.

3 A. Yes.

4 Q. So saying Tu doesn't really mean it's a prisoner of  
5 war, it could be any kind of prisoner.

6 A. That's true.

7 Q. To your knowledge, were these guards used to guard  
8 other kind of prisoners or just prisoners of war?

9 A. Just military.

10 Q. What do you base that on?

11 A. Just conversations. Actually, the officers that  
12 were in charge of me I asked that question to.

13 Q. When did you ask them that question?

14 A. When I saw the -- what I defined as yellow jackets.

15 Q. So that was back at Bat Bat?

16 A. Yes.

17 Q. Would that have been -- so that was during your  
18 earlier period at Bat Bat when you first saw them.

19 A. Yes.

20 Q. Now, how did it come that you left Ha Dong?

21 A. They came and took me the same as they did when they  
22 came and took me from Bat Bat and the same way, the middle of  
23 the night. It was always night-time. Anytime they  
24 transferred me from one camp to another it was always in the  
25 middle of the night.

1 Q. What kind of freedom of movement had you had at Ha  
2 Dong?

3 A. Just within the courtyard, and I could move about  
4 the courtyard pretty much just freely. Any time I went  
5 outside the courtyard I had to have an escort, a guard.

6 Q. Have you been shown any photography of the Ha Dong  
7 area that showed where you were imprisoned?

8 A. I don't think so.

9 Q. When you were taken from Ha Dong in October of '74,  
10 where did you go?

11 A. Bat Bat. Back to Bat Bat. The same place.

12 Q. And long did you spend at Bat Bat the second time?

13 A. I remained there until about December the 17th,  
14 18th, 19th. Something like that. About a week before  
15 Christmas.

16 Q. And how were you able to keep track of the calendar?

17 A. Radio.

18 Q. And when you returned to Bat Bat, we talked about  
19 who was in charge when you were first at Bat Bat. Had the  
20 organizational structure changed when you returned?

21 A. The camp administration -- I don't know. They  
22 didn't come around much. The guards hadn't changed, no.  
23 There were some new faces.

24 Q. Well, first, did you go back to the same hut that  
25 you had originally been in?

1 A. Yes.

2 Q. The night you were taken back, were you taken right  
3 back to that hut?

4 A. Yes.

5 Q. Was anything explained to you?

6 A. No.

7 Q. So you were just put back in the hut?

8 A. Yes.

9 Q. Were you able to make any determination whether  
10 there had been a change in the commandant of Bat Bat when you  
11 returned?

12 A. When they returned me, the security -- it seemed the  
13 air, the security, and everything was much more tighter. They  
14 weren't so easy to talk to me. They wouldn't -- it seemed  
15 they were much more careful in talking around me about  
16 anything. If there was any discussion at all, it was usually  
17 about their families or about something that was non-military  
18 related, and when they thought I was listening or within  
19 earshot, they just shut up or they would actually say, one or  
20 the other, that he can hear you. And this was a strange  
21 change from before. It was kind of like I had become part of  
22 the furniture and so what? What's the big deal? But now,  
23 there was that change. The treatment didn't change and get  
24 rough or brutal or anything. They were very much more alert  
25 any time I came out of the mud hooch, and wanted to know where

1 I was going and what I wanted. For example, I could come  
2 right up and stand right next to the guard, practically, or  
3 stand beside him and talk to him about anything. Whereas when  
4 I was returned I had to stand 5 feet from him. I couldn't get  
5 near him. That was a difference. That was a change.

6 Q. When you returned, was the major still the  
7 commandant?

8 A. I don't know. Things did change.

9 Q. Well, I will tell you what I'm going to do now. I'm  
10 going to try to go through the people to determine if they  
11 were still there. And I will try to go through the names  
12 you've given me. So, the major, you're not sure -- the  
13 commandant, you're not sure if he was still there. And this  
14 is now the October of '74 through December '74 time frame.

15 A. Dang was still there. The political officer Dang  
16 was still there. Sy -- I didn't see Sy there. He --  
17 actually, Sy was not the one that brought me back. Sy  
18 disappeared for a while.

19 Q. Now you had said the assistant commander before was  
20 Do Minh Ky. Or Ky?

21 A. Ky had disappeared.

22 Q. So he was no longer there?

23 A. Whether he was at the camp or not, I don't know, but  
24 he never showed up where I was incarcerated.

25 Q. Do you know who the other assistant commander was?

1 A. Dang.

2 Q. Well, Dang was the political officer.

3 A. Sy.

4 Q. And Sy was a political officer. But you had  
5 described to me earlier yesterday that there was sort of  
6 another side to the camp, which was the other assistant  
7 commander who was in charge of discipline. And that was Ky?

8 A. There was Ky. Let's see, Ky, Dang, Siep. That's  
9 two political officers and the assistant commandant.

10 Q. Now was Ky still there or Ky had left?

11 A. I had no way of determining who was there or not.  
12 Only the people who showed up where I was at.

13 Q. When I ask you a question like that, you can say, I  
14 just don't know if he was still there or not. I didn't see  
15 him.

16 A. That is what I'm saying. I didn't see him.

17 Q. Did you see anyone else who filled his role?

18 A. I don't know that, either. Like I said, they were  
19 very tight lipped when I was returned to that camp. I was  
20 unable, really -- other than the guards, the two guards and  
21 the officer who remained with me at all times, other than  
22 those people, I wasn't able to find out anything about the  
23 camp. They were very tight security. Just tightened right  
24 up.

25 Q. How about the guard commander?



1           A.    I wasn't able to find out anything about him. Like  
2   I said, when I returned from, the short time I returned before  
3   they transferred me to Yen Bai, I was really unable to -- I  
4   found out very little why I was returned there. I was unable  
5   to find out why I was returned. If the camp administration  
6   had changed, I saw new faces, but I didn't know what the  
7   function was or what they were doing there. They were very  
8   careful not to speak around me about anything.

9           Q.    Did you question Sy or anyone else about this  
10   change?

11          A.    I didn't see him. I didn't see Sy when I returned.

12          Q.    Did you question any of the political officers about  
13   the change?

14          A.    No, not about any change. My only question was why,  
15   was why I was brought back.

16          Q.    And what response did you get?

17          A.    None.

18          Q.    And how about the sergeants? Were you able to  
19   determine who the sergeants were the second time you were  
20   there?

21          A.    The guards. Just the guards.

22          Q.    And you said there were new faces among the guards,  
23   or were they still the old faces?

24          A.    Both. There were some new faces.

25          Q.    Do you remember any of the new faces' names?

1 A. Not at this time, no.

2 Q. During the period October '74 through December 17th  
3 or 19th of 1974, did you have occasion to see any living  
4 American POW's at Bat Bat?

5 A. No.

6 Q. Did you have occasion to climb the hill to look over  
7 onto the other side where the American POW's had been kept  
8 previously?

9 A. No.

10 Q. Did you hear the guards or anyone else discussing  
11 live American POW's?

12 A. No.

13 Q. And so during this period of time, as far as you  
14 know, there were no other living American POW's at Bat Bat?

15 A. To my knowledge, no. I didn't even know if the  
16 ARVN's were still there.

17 Q. What happened around December 17th or December 19th  
18 of '74? Were you moved?

19 A. I'm sorry?

20 Q. You said you were there from October '74 through  
21 either December 17th or December 19th, around a week before  
22 Christmas.

23 A. Yes.

24 Q. Where were you moved?

25 A. I was moved to Hanoi.

1 Q. Where in Hanoi were you moved to?

2 A. 17 Ly Nam De.

3 Q. How do you know that?

4 A. The address. The address is right on the -- as you  
5 go into the thing.

6 Q. It said 17 Ly Nam De?

7 A. Yes.

8 Q. How did it happen you were moved to 17 Ly Nam De?

9 A. In the middle of the night, the same thing. That  
10 they just came in a jeep and picked me up in the middle of the  
11 night and transferred me to Hanoi.

12 Q. So this was December of '74?

13 A. Yes.

14 Q. And how long a time did you spend at 17 Ly Nam De?

15 A. Two days.

16 Q. And so prior to Christmas, you were moved?

17 A. Yes.

18 Q. Who brought you to 17 Ly Nam De?

19 A. There was a captain and a lieutenant and a driver.  
20 I didn't know their names. They didn't tell their names and I  
21 didn't ask.

22 Q. But they were not people you knew from before?

23 A. No.

24 [There was a discussion off the record.]

25 BY MR. CODINHA:

1 Q. Well, at this point were you brought with any other  
2 American prisoners there, or were you alone?

3 A. To my knowledge, I was alone.

4 MR. CODINHA: Let's go off the record right here.

5 [Recess.]

6 BY MR. CODINHA:

7 Q. Back on the record. When we broke we were at 17 Ly  
8 Nam De Street in December '74. I think you said you spent two  
9 or three days there on this occasion?

10 A. Two nights.

11 Q. In order just to speed this up some, did you see any  
12 American POW's while you were at 17 Ly Nam De on this  
13 occasion?

14 A. Not this occasion.

15 Q. And did you have occasion to hear of any American  
16 POW's while you were at 17 Ly Nam De on this occasion?

17 A. No.

18 Q. Did you know the individuals with whom you were with  
19 at 17 Ly Nam De on this occasion? The guards or who was in  
20 charge?

21 A. Not by name. For purposes of the record, this is  
22 post '73. And the reason that this is relevant is because I  
23 saw the same individual who was American after '73, I believe  
24 it was 1977, who was an American, a well known American.  
25 Anyway, the occasion that I saw this individual is after the

1 bombing of Hanoi in 1972. In '73, about, I don't know,  
2 February, March, April, somewhere in there, they took me to  
3 these bomb sightings. A hospital. Bach Mai. B-a-c-h M-a-i.  
4 I can't think of the name of the street. But before they did  
5 this, they took me from Bat Bat to Number 3, Ba Duong Thang  
6 Street.

7 Q. You're going to have to spell that.

8 A. B-a D-u-o-n-g T-h-a-n-g. And they took me there by  
9 jeep. And the only person that remained with me was the  
10 driver. The two officers got out and went inside the  
11 building. And down the street about a half a block from me  
12 was another jeep, and there was a Caucasian and a black man  
13 sitting in the jeep in the passenger seat, in the rear seat.  
14 I recognized one of the individuals as someone I had met and  
15 knew in the South Vietnamese prison camp.

16 Q. Is that Earl Clyde Weatherman?

17 A. That is correct.

18 Q. And when had you first met Earl Clyde Weatherman?

19 A. In December 1967.

20 Q. And that was in a South Vietnamese prison camp?

21 A. Yes. Quang Da province.

22 Q. You'll have to spell that.

23 A. Q-u-a-n-g D-a.

24 Q. When was the next time you saw Weatherman?

25 A. In 1977.

1 Q. Okay. So you saw him first in '67 and then in '77?

2 A. I'm sorry. Well, '67 through -- let's see, he  
3 disappeared for a while and showed up again in '69. And then  
4 there was this hoax that went through. He was brought to the  
5 camp, the prison camp, for the purposes of infiltrating the  
6 POW population and reporting to the camp authorities, the  
7 administration, all activities, leadership, et cetera, among  
8 POW population. When this failed, they faked an escape  
9 attempt for the purpose -- basically for the purpose of  
10 discrediting, or to show the American prisoners that any  
11 escape attempt would be just impossible.

12 Q. Was this some time in the '60's you're talking  
13 about? This faked escape attempt?

14 A. Yes. 1969.

15 Q. And since you brought up this period of time, let me  
16 just ask -- how did you know that Weatherman was a plant by  
17 the Vietnamese to infiltrate the POW system?

18 A. I was taken out of camp in '67 and taken to camp  
19 Quang Da.

20 Q. I don't want to spend any time on this, because what  
21 we're really doing is trying to get to live sightings. If I  
22 understand, you saw Weatherman in '67, he disappeared for a  
23 while, he reappeared in '69?

24 A. Yes.

25 Q. And what I'm looking for is live sightings after

1 '73, and so when was the next time you saw him after '73?

2 A. '77.

3 Q. Now, the description that we started with was that  
4 you saw him at -- you were at Number 3 Ba Duong Thang Street,  
5 and you saw another jeep about a half block up with a  
6 Caucasian and a black sitting in the jeep.

7 A. Yes.

8 Q. Was that the 1977 incident?

9 A. No, this was in '73.

10 Q. Okay. That is where I'm having a problem. So you  
11 saw this person in '73. When in '73 was that, you said?  
12 February or April?

13 A. February, March. Either February or March.

14 Q. And you were sitting in your jeep about a half a  
15 block up. Are we talking about an American block?

16 A. Yes. When I refer to block, I'm referring to  
17 American block. Approximately about maybe 300 feet, 2-, 300  
18 feet, something like that.

19 Q. And what time of day was this?

20 A. About noon.

21 Q. How were the lighting conditions?

22 A. Very well.

23 Q. Was it overcast, sunny --

24 A. It was clear. It wasn't cold.

25 Q. You didn't have any trouble seeing?

1 A. No.

2 Q. Was there anything between you and this individual  
3 in the jeep?

4 A. No.

5 Q. And so the street was empty?

6 A. Oh, there were people. I mean, there were people  
7 milling about. There was a lot of traffic.

8 Q. Were there a few people or a lot of people?

9 A. A lot of people. It was the middle of Hanoi.

10 Q. And when you say a lot of people, between you and  
11 the jeep, would you say there were 50 or 100 people, or more  
12 than that?

13 A. I don't know. Just normal traffic on a Hanoi  
14 street.

15 Q. How many other jeeps were there?

16 A. At that time there was just mine, the one I was in,  
17 and the other jeep.

18 Q. Was this unusual that you were taken to this  
19 particular location?

20 A. Yes.

21 Q. Was it the first time you had been there?

22 A. I think so, but I'm not sure.

23 Q. And if I understand, you looked down the street and  
24 you saw another jeep. Did it arrive after you had arrived?

25 A. No. It was already there.



1 Q. What drew your attention to the jeep?

2 A. The black guy.

3 Q. Was that unusual to see a black guy in a jeep?

4 A. It was unusual to see a black guy in Vietnam.

5 Q. How were the individuals dressed who were in the  
6 jeep?

7 A. White shirts. Both of them had white shirts. And I  
8 don't know -- I couldn't see their trousers. I don't know  
9 what the rest of their garments was.

10 Q. Describe what you could see. Were they facing you,  
11 were they side to you, or were they back to you?

12 A. Back to me.

13 Q. And where were they sitting in the jeep? Could you  
14 tell?

15 A. In the rear. In the rear of the jeep.

16 Q. Did the jeep have a cover or was it uncovered?

17 A. It was uncovered.

18 Q. What did the men appear to be doing?

19 A. Just sitting there talking.

20 Q. Did you get any closer than a half block away?

21 A. No.

22 Q. Were there guards around?

23 A. There was a driver, the same as I had.

24 Q. Did the driver appear to have a weapon, or could you  
25 tell?

1           A.    I couldn't tell.

2           Q.    What did they appear to be doing?

3           A.    Just sitting, talking, waiting the same as I was

4   doing.

5           Q.    Were they parked in front of a particular building?

6           A.    The same building I was parked in front of.

7           Q.    You were in front of 3 Ba Duong Thang Street?

8           A.    Yes.

9           Q.    And that was the same building they were parked in

10   front of?

11          A.    Yes. This building took up the entire street.

12          Q.    My impression is that -- is 17 Ly Nam De close by?

13          A.    Yes.

14          Q.    How close by is that?

15          A.    About a block and a half. American block and a

16   half.

17          Q.    And is it separated by another street?

18          A.    No, not separated. There are cross streets, but it

19   is not separated. There is a railroad track nearby.

20          Q.    Is 3 Ba Duong Thang Street part of the -- and again,

21   you're going to have to forgive my Vietnamese, the Cuc Quan

22   Phap?

23          A.    That is Cuc Quan Phap headquarters.

24          Q.    And when you saw the two individuals, you say you

25   recognized one as Earl Clyde Weatherman?

1 A. Yes.

2 Q. Was there any question in your mind that it was Earl  
3 Clyde Weatherman?

4 A. No.

5 Q. When you had met Weatherman before, in '67, had you  
6 known him as an individual, or had you only seen him from a  
7 distance?

8 A. I spent some time with him.

9 Q. And so he was somebody you would recognize if you  
10 would see him again.

11 A. Without a doubt.

12 Q. And when you saw him in '73, in perhaps March,  
13 February or March of '73, were you surprised to see him?

14 A. No.

15 Q. The black man, had you ever seen him before?

16 A. No.

17 Q. Do you know why Weatherman was with the black man?

18 A. At that time, no.

19 Q. Did you later come to find out why Weatherman was  
20 with the black man?

21 A. Only -- yes and no, but only my own conclusion.

22 Q. What was your own conclusion?

23 A. There was a lot of talk about a black individual by  
24 the name by McKinley Nolan.

25 Q. Do you know McKinley Nolan?

1           A.    I've never met him.  Only I've seen pictures of him  
2   and I've heard about his adventures.

3           Q.    Did you ever see McKinley Nolan, a person who you  
4   knew to be McKinley Nolan, while you were in Vietnam?

5           A.    No.  I was never introduced to anybody that said  
6   they were McKinley Nolan or shown a photograph that said, this  
7   is McKinley Nolan.

8           Q.    You say you've since seen photographs of McKinley  
9   Nolan.  Is that correct?

10          A.    Yes.

11          Q.    Who showed you the photographs?

12          A.    DIA.

13          Q.    And did you recognize the photographs when you saw  
14   them as being anyone you had seen before?

15          A.    A resemblance.  They were different.  He was much  
16   younger.

17          Q.    The individual you saw was younger?

18          A.    The photographs they showed me he was very young.

19          Q.    Have you seen photographs of yourself that were  
20   taken prior to your going to Vietnam?

21          A.    Yes.  I didn't hardly recognize myself.

22          Q.    Did they look younger than you see yourself in the  
23   mirror?

24          A.    Considerably.

25          Q.    When you say there was a resemblance to the black

1 man you saw in the photographs, where did you think you saw  
2 this man before? Let me rephrase the question. When DIA  
3 showed you the pictures of McKinley Nolan, you said, I saw a  
4 resemblance. I can't say for sure it was the same person. Is  
5 that right?

6 A. That's true.

7 Q. And where did you think you saw that individual  
8 before?

9 A. In the jeep.

10 Q. Now, how long a time did you get to look at  
11 Weatherman and the black individual?

12 A. They were there very short -- they were only there  
13 about 5 minutes, I guess. They left.

14 Q. Were you doing anything else at the time that would  
15 have distracted you from looking at them?

16 A. I was observing the area, checking out the area.

17 Q. Is it accurate to say that when you saw another  
18 Caucasian and a black that that would have drawn your  
19 attention?

20 A. It was actually the black that drew my attention.  
21 It was no surprise to me at all. I mean, this was during the  
22 period of time when there were a lot of Americans in Vietnam.

23 Q. So this was after the Christmas bombing, but before  
24 homecoming?

25 A. Yes.

1 Q. Okay. This was the first time, from your  
2 descriptions, since you had left Bat Bat -- I guess you were  
3 still at Bat Bat at that time in '73 -- that you saw Americans  
4 that were together and talking. You haven't described that to  
5 me previously. Is that accurate?

6 A. That is accurate.

7 Q. So that was unusual.

8 A. I didn't put any emphasis on it, but yes.

9 Q. But as you think of it today, that is unusual.

10 A. Yes.

11 Q. Because you described to me that Americans weren't  
12 allowed to talk to each other. And in fact, when they were  
13 let out of their hooches, or the little buildings, they were  
14 separated by 20 or 40 feet.

15 A. Yes.

16 Q. And did you discuss with your guards the fact that  
17 these Americans were allowed to be together?

18 A. No.

19 Q. Did you discuss at any time with any of the guards  
20 why Weatherman and the black were treated differently than you  
21 were?

22 A. No. There was a question that I asked. I knew who  
23 he was. I asked, when the officer came back out, I asked him  
24 in Vietnamese if that was Earl Clyde Weatherman. And he said  
25 no, you're mistaken. And I knew his Vietnamese name also,

1       which was Be, B-a -- or B-e. But it's spelled Be. And I  
2       said, well, is it Be? And he said, no, you're mistaken.

3           Q.   Who was that that you spoke to?

4           A.   He was a lieutenant.

5           Q.   Do you remember which one he was?

6           A.   I didn't know his name.

7           Q.   Was he one of your regular guards?

8           A.   No.

9           Q.   Did he appear to be upset that you had seen  
10       Weatherman?

11          A.   No, not really.

12          Q.   And you say the next time that you saw Weatherman  
13       was in 1977?

14          A.   Yes.

15          Q.   And so you didn't see him again between '73 and '77.

16          A.   No.

17          Q.   What was the occasion in '77 you saw him again?

18          A.   I was brought to Hanoi from Yen Bai to 17 Ly Nam De  
19       to do mechanical work on some motor vehicles.

20          Q.   And where did you see Weatherman?

21          A.   In front of Ba Duong Thang.

22          Q.   How close did you get to him?

23          A.   Within passing vehicles -- vehicles passed each  
24       other. He was parked. The vehicle I was in passed him.

25          Q.   Was he driving or was he a passenger?

- 1 A. He was a passenger.
- 2 Q. Were there guards with him?
- 3 A. A driver only.
- 4 Q. Were there guards with you?
- 5 A. Yes, one. One guard.
- 6 Q. So there was a driver, a guard, and yourself?
- 7 A. Yes.
- 8 Q. How long did you have an opportunity to see
- 9 Weatherman in '77?
- 10 A. Just in passing. He was parked and we were moving.
- 11 Q. What drew your attention to that car or jeep?
- 12 A. Weatherman. A Caucasian.
- 13 Q. Was it an open or a closed jeep?
- 14 A. Covered. Open flaps.
- 15 Q. When in '77 did this occur?
- 16 A. Not very long after Tet. Around February, March.
- 17 Late February, March. Flowers were in bloom. Trees were
- 18 blooming.
- 19 Q. Do you know who you were with at that time?
- 20 A. Yes.
- 21 Q. Who were you with?
- 22 A. Vuong, a sergeant.
- 23 Q. Who else, do you know?
- 24 A. The driver's name was Tein, T-e-i-n.
- 25 Q. And those are last names?



1 A. Yes. He was a corporal.

2 Q. And do you know where Sergeant Vuong was from?

3 A. Hanoi. He lived on the outskirts, one of the  
4 suburbs of Hanoi.

5 Q. Was he Cuc Quan Phap?

6 A. Yes.

7 Q. Corporal Tein? Do you know where he was from?

8 A. Phu Tho. P-h-u T-h-o.

9 Q. Was he Cuc Quan Phap? Were there particular  
10 insignia that Cuc Quan Phap used, or you just knew because  
11 they were assigned to you?

12 A. It was common knowledge. It was -- all the prison  
13 systems were Cuc Quan Phap.

14 Q. Sergeant Vuong and Corporal Tein, had they been at  
15 Bat Bat?

16 A. Yes. Yes, they had.

17 Q. Had they both had --

18 A. I don't know if they had been stationed there, but  
19 they had been there.

20 Q. You had seen them at Bat Bat?

21 A. No.

22 Q. How did you know they had been at Bat Bat?

23 A. Through discussions with them. They were my  
24 prisoners.

25 Q. They were your prisoners?

1           A.    We can get into that later.

2           Q.    Okay. Sounds good. Let's go back to --

3           MR. TAYLOR: Why don't you clear that up right now,  
4 just for everybody's sake and for the record, because that is  
5 such a bizarre statement. I know what you mean, but standing  
6 alone, it is going to confuse anybody who gets to this point  
7 of the deposition and is interrupted by a phone call or  
8 something. You don't have to go into all the detail right  
9 now, but just answer Bill's question, if you would, please,  
10 with a couple of sentences as to what you meant by that.

11           THE WITNESS: As I explained before, all the guards  
12 of Cuc Quan Phap, they are hand picked. They have to pass  
13 some type of clearance and have -- their family has to have a  
14 revolutionary background. I mean, squeaky clean. Any  
15 infraction of that security in Vietnam is considered treason.  
16 After 1975, all the aid from the various countries that were  
17 Vietnam's allies ceased -- stopped coming. They stopped  
18 getting it. Rations became -- in other words, Vietnam became  
19 very hungry very fast. A lot of commodities were unavailable.  
20 Through suggestion and just because of the situation in the  
21 country, these guards used me to buy supplies in the hotels  
22 around Hanoi. These hotels that only Europeans, foreign  
23 nationals, could enter. Well, as far as Vietnam was  
24 concerned, I was their prisoner and they were responsible for  
25 me. But once they broke the law, which meant death for them,

1     then when I use the phrase, they become my prisoner, I was  
2     able to manipulate them. And to do things that -- they would  
3     take me places I wanted to go.

4             BY MR. CODINHA:

5             Q.     And that was after '75?

6             A.     '77.

7             Q.     After '77?

8             A.     Yes. Well, it started early in '77, right around  
9     Tet or right after Tet -- just before Tet, actually. Just  
10    before Tet. Yes, the first time I went in there was just  
11    before Tet. And that's why I say they were my prisoners,  
12    because I was already a prisoner. I had nothing to lose. And  
13    all I had to do was drop a dime on these guys and they were  
14    history. And by that way I'm saying, because they had broken  
15    the law, I became a threat to them. But I didn't come across  
16    -- I didn't let them know, per se -- I didn't threaten them or  
17    blackmail them openly, it was just they were afraid of me  
18    after that because of the conversation. If they didn't  
19    accommodate me, I had no reason to guard our little secret.

20            Q.     Now, you've indicated that you had a series of  
21    rotating guards. Did that change by 1977? Were you having  
22    the same constant guards?

23            A.     Pretty much.

24            Q.     When did it change? You indicated to me when you  
25    were at Bat Bat.

1 A. Yen Bai.

2 Q. In Yen Bai it changed?

3 A. A lot of things changed then.

4 Q. Just to clarify one other thing, and I think it is  
5 going to make a better record, when you say they were your  
6 prisoners, you don't mean prisoners in the classic,  
7 traditional sense where you were guarding them?

8 A. No.

9 Q. You didn't have a weapon that you used on them?

10 A. No.

11 Q. They had the weapons?

12 A. Yes.

13 Q. And you were technically their prisoner?

14 A. Yes.

15 Q. I just wanted to make that real clear because I  
16 think someone who reads the cold record may get the total  
17 wrong idea about that.

18 A. I understand.

19 MR. CODINHA: Do you want to add anything to that?

20 MR. TAYLOR: No.

21 BY MR. CODINHA:

22 Q. And I caution you, and Mr. Taylor will catch this --  
23 sometimes, if we use a colloquial expression, like they were  
24 my prisoners, we may have to go and clarify it because it is  
25 important that we protect the record because someone could

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1 pick something out of context that will look wrong. But now I  
2 think we have clarified it.

3 Let's go back to 1974 because we took a little  
4 divergence from when we were at 17 Ly Nam De Street, and I  
5 think I'm up to about some time after you left 17 Ly Nam De.  
6 Where did you go after that?

7 A. Yen Bai.

8 Q. And that's Y-e-n B-a-i?

9 A. That is correct.

10 Q. And what were the circumstances under which you went  
11 to Yen Bai?

12 A. What was different, when they transferred me to Yen  
13 Bai, they transferred me in the daytime instead of the night.

14 Q. And this was shortly -- or around Christmas of '74?

15 A. About five, four or five days before Christmas.  
16 Something like that.

17 Q. Were you told what you were going to be doing at Yen  
18 Bai?

19 A. No.

20 Q. Who took you there?

21 A. Xuan.

22 Q. And that's X-u-a-n?

23 A. Yes. Xuan. Only Xuan. One guard. And it was a  
24 covered jeep. It was a covered Chinese jeep.

25 Q. How did you know it was Chinese?

1 A. The markings on the dash.

2 Q. Did you know the guard that went with you?

3 A. No, I did not. The difference from before and then  
4 transporting me, there was usually two officers and a driver.  
5 This time, there was just one officer, a guard, and a driver.  
6 And it was a closed vehicle instead of open. And also a  
7 difference was, when I was transported from camp to camp prior  
8 to this, it was always done at night, in the middle of the  
9 night. And this was the first time that they had transported  
10 me in daylight hours. And another thing that changed -- when  
11 we went through checkpoints, people would come up to the  
12 vehicle and they would ask who I was. And the guard or the  
13 driver would respond that I was either Cuban or Russian.

14 Q. Xuan didn't reply?

15 A. No.

16 Q. Was that typical that a guard would speak rather  
17 than the commander?

18 A. I don't know.

19 Q. But that's what you saw happen?

20 A. Yes. And the only comment I made to the guard -- I  
21 made a comment to the guard. I said, hey, I can't speak  
22 Russian or Cuban. What if somebody asks me or somebody knows  
23 how to speak this language and asked me questions? And he  
24 said they won't. He said, and I asked him -- I said, why do  
25 you tell the people that I'm Russian or Cuban? And he said

1 for security purposes.

2 Q. Did they, the people you were with, provide any  
3 papers to the guards when the guards stopped them?

4 A. Yes.

5 Q. Did you get a chance to read those papers?

6 A. No.

7 Q. Do you know what the papers indicated?

8 A. No. I guess it had to do something with the  
9 passage. No. I mean, I didn't see it, so I don't know.

10 MR. CODINHA: It may be a good time now to use the  
11 map that you have so kindly given to us, and which I promised  
12 we will work from. Let's go off the record.

13 [There was a discussion off the record.]

14 MR. CODINHA: Let's go back on the record.

15 BY MR. CODINHA:

16 Q. I'm going to ask you, Mr. Garwood, to take this  
17 marker and as best you can, circle the area where you think  
18 Bat Bat Prison was.

19 [The document referred to was  
20 marked Garwood Exhibit No. 6 for  
21 identification.]

22 BY MR. CODHINA:

23 Q. If you will just, off to the left, label that 1.  
24 Okay, that's where you think Bat Bat was.

25 A. There is another distinguishing factor that might

1 help. The wooded area around Bat Bat is teak.

2 Q. Is teak wood?

3 A. The trees, yes -- forest. A teak forest.

4 Q. Now, the next place you told us you were taken,  
5 after you left Bat Bat, was Ha Dong. Is that correct?

6 A. That is correct.

7 Q. Are you able to find Ha Dong on the map?

8 A. Yes.

9 Q. Would you circle the area where you believe you were  
10 taken, which is Ha Dong?

11 A. That's Ha Dong province, and there's Quoc Oai.

12 Q. You'll have to spell that for the stenographer.

13 A. Q-u-o-c O-a-i.

14 Q. Put a number 2 next to that, so we can see it. And  
15 then the third place you told us you were taken from there was  
16 17 Ly Nam De. Or 3, Number 3, Ba Duong Thang

17 A. Yes.

18 Q. Are you able to --

19 A. We need a Hanoi map for that.

20 Q. That is right in Hanoi?

21 A. That is correct.

22 Q. And Hanoi is indicated on the map. And don't mark  
23 the map again, but Hanoi is indicated on the map, in fact,  
24 rather close to where you have put Ha Dong.

25 A. That is correct.



1 Q. Okay, the third place you told us you were taken was  
2 Yen Bai.

3 A. Yen Bai.

4 Q. And would you indicate on the map where you believe  
5 Yen Bai was.

6 [Pause.]

7 Q. Would you label that number 3? And that is where  
8 Yen Bai was?

9 A. Yes.

10 Q. And just for the record, you have been making marks  
11 on Exhibit 6, which is a Vietnam, Cambodia, Laos, and Thailand  
12 map, National Geographic Society drawn from National  
13 Geographic magazine, and that's Garwood Exhibit 6. All of the  
14 markings you have made so far are in the upper right quadrant  
15 of the map, all in North Vietnam, and all are clearly marked  
16 on the map in blue ink, 1, 2, and 3. Okay, I will move this  
17 away for now.

18 When you got to Yen Bai, what was Yen Bai?

19 A. At the time it was known as camp number 5.

20 Q. It was known to whom as camp number 5?

21 A. It was the number on the entrance.

22 Q. Sed Nam, isn't that number five?

23 A. Trai Nam, T-r-a-i, five.

24 Q. And that is the number 5.

25 A. Yes, or camp 5, that is literally translated as

1 camp 5.

2 Q. And had the other -- had Bat Bat had a number  
3 attached to it?

4 A. I don't remember a number, I don't remember seeing  
5 that.

6 Q. Had Ha Dong had a number attached to it?

7 A. No.

8 Q. The name Trai Nam, was that a lettered sign that was  
9 over the camp?

10 A. Yes, it was crudely done, but yes.

11 Q. What did the camp Yen Bai look like?

12 A. It was pretty big, very hilly, and also it was set  
13 right in the middle of a tea plantation.

14 Q. Is this the first time you were at Yen Bai?

15 A. That is correct.

16 Q. How long a time did you spend there, from Christmas  
17 1974 until when?

18 A. Until February 19, 1979. Or, I'm sorry, March 19th,  
19 approximately March 19, 1979.

20 Q. And so about the next 5 years you spent in this  
21 camp?

22 A. That is correct.

23 Q. Where were you taken in the camp?

24 A. I was taken directly to a hooch that was separate.  
25 And the hooch itself was -- it was right in the middle, the

1 hooch was right in the middle of the entire camp, next to the  
2 main road. There was a main road that went right straight  
3 through the middle of the camp, and the hooch I was taken to  
4 was right off this road.

5 Q. What was the hooch made of?

6 A. Bamboo and rice leaves.

7 Q. How big was the hooch?

8 A. About 8 by 10, approximately.

9 Q. And was it furnished inside?

10 A. It had a bamboo bed, that's it.

11 Q. Were there any names that had been carved on this  
12 bamboo bed?

13 A. No, this hooch had just been built, it was fresh, it  
14 was new.

15 Q. How did you know?

16 A. The ground was still wet, the mud was still damp.

17 Q. Did you infer that it had been built for you?

18 A. Yes.

19 Q. How did you infer that?

20 A. Because they put me there.

21 Q. It did not have your name outside or anything?

22 A. No.

23 Q. Were there any guard buildings around it?

24 A. Guard buildings were all up and down the road. They  
25 were not towers, there were just little posts, like guard

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1 posts.

2 Q. As best you can, describe for me the layout of Yen  
3 Bai. There is a road that came in and your hooch was in the  
4 middle of the compound. How big was Yen Bai?

5 A. The area?

6 Q. Was Yen Bai a prison camp?

7 A. Yes.

8 Q. How big an area was encompassed by Yen Bai, if you  
9 know?

10 A. The camp itself, camp 5, probably about, my  
11 estimate, 2 square miles.

12 Q. And so it was substantially smaller than Bat Bat?

13 A. At this time, camp 5, yes. Yes, it was.

14 Q. What was contained in this area? Was it fenced in?

15 A. No, the only fence was, there was a gate at the  
16 front on the main road that went through it. There was a gate  
17 there, a guard gate there. And there was also a guard gate at  
18 the other end, at both ends of the camp. It was a village.

19 Q. What village was nearby?

20 A. I can't remember the name of it, but it was right  
21 next to the camp.

22 Q. Was it a large village, or a small village?

23 A. A small village.

24 Q. When you say a small village, about how many people  
25 lived there, if you know?

1           A.    An estimate only of maybe 20 families,  
2   approximately.

3           Q.    There was no fence that encompassed --

4           A.    The entire camp, no. There were fences. The only  
5   fence that I saw when I arrived there was, there was an ARVN  
6   prison compound and that was completely surrounded by bamboo,  
7   a bamboo fence.

8           Q.    And where was that located with respect to your  
9   hooch?

10          A.    At the other end of the camp, about 500 feet, maybe.

11          Q.    And there was a fence around that. How large a  
12   fence was encompassing the ARVN camp?

13          A.    That enclosed it entirely.

14          Q.    How large an area?

15          A.    The camp itself, it was four buildings, or five  
16   buildings inside the camp. These were also bamboo. The  
17   buildings varied in size. There were approximately about 100,  
18   better than 100 ARVN prisoners. I later found out that they  
19   had been captured in Southern Laos. Most of the prisoners, if  
20   not all of them, had some type of a technical or a trade.  
21   Most of them were -- whether it was masonry or metal work or  
22   carpentry, mechanical, et cetera.

23          Q.    What else was contained within the 2 square mile  
24   complex of Yen Bai prison?

25          A.    A tea planation.

1 Q. Where was that?

2 A. Within the perimeters of the camp.

3 Q. Within the perimeters of the entire camp?

4 A. Yes, the camp was actually carved out of the tea  
5 plantation.

6 Q. What else was within the environs of the camp?

7 A. There was -- at this time there were two man-made  
8 lakes.

9 Q. Where were they with respect to you, and with  
10 respect to the ARVN compound?

11 A. Behind my hooch, and across the road from the ARVN  
12 hooch, or the ARVN compound.

13 Q. How large were the man-made lakes?

14 A. 15, 20 acres.

15 Q. What else was contained in the Yen Bai prison  
16 complex?

17 A. There was a kiln used for making bricks.

18 Q. And where was that located?

19 A. Right about 50 or 100 feet from the ARVN compound.

20 Q. On the same side of the road, or across the road?

21 A. The same side.

22 Q. What else was in the prison complex?

23 [Pause.]

24 A. Do you want the buildings, the various buildings?

25 Q. Yes, if you can, tell me what buildings there were.

1 A. There was the command building.

2 Q. Where was that located?

3 A. Between me and ARVN's.

4 Q. The same side of the road.

5 A. The same side of the road as the ARVN's were on, the  
6 opposite side of the road that I was on. Next to the command  
7 building, or right behind the command building, was the  
8 guards, were the guards' quarters.

9 Q. How many buildings were they?

10 A. Three. Across right straight across the road from  
11 the command building or the commandant's building, was the  
12 kitchen. The kitchen was for the entire camp.

13 Q. What else was contained in the camp?

14 A. A supply building.

15 Q. Where was that located?

16 A. The supply building was next to the kitchen, just  
17 add an L, an L from the kitchen, that was part of it, or it  
18 looked to be part of it. But it was very long, about 50 to  
19 60 feet long. There was a space, and just a cover for  
20 vehicles.

21 Q. Where was that located?

22 A. Next to the command. There were also rice paddies  
23 within the camp.

24 Q. Where were they located?

25 A. To the right of the command hooch, and in front

1 of -- across the road in front of my hooch.

2 Q. What else was in the compound, if you know?

3 A. There was a guard hooch to my right next to the  
4 gate. There was a small hooch way down at the other end of  
5 the gate, beside the gate, that was used for processing the  
6 fish that was harvested from the man-made lakes. There was a  
7 house that had been there -- these were original people --  
8 which housed civilians right in the camp.

9 Q. There were civilians there?

10 A. Yes, they were not part of the camp. What they had  
11 done is, this family had been there for third or fourth  
12 generation. They were minority and they just wouldn't move,  
13 and so they just built the camp around them, and they ended  
14 up, the house and everything, being right inside the camp.

15 Q. Do you know what their names were?

16 A. I did, I don't recollect now. I had occasion to  
17 talk to the elderly man there.

18 Q. And he was not military, he would have been non-  
19 military?

20 A. No, they were non-military, they were just farmers,  
21 peasants. He, this gentleman, told me that that prior to  
22 my -- just prior to my arrival, this tea plantation had been,  
23 the land had been cleared and the tea had been planted by  
24 French prisoners that had moved to Ba Vi.

25 Q. They had moved from there to Ba Vi?



1 A. Yes.

2 Q. Is Ba Vi in a different location than where Bat Bat  
3 was?

4 A. Yes, Ba Vi is south, that is Son Tag province. Yes,  
5 that was near Bat Bat.

6 Q. When did you first have occasion to see the family,  
7 or this elderly man from the family that lived inside the  
8 camp?

9 A. The very next day after I arrived, the whole family  
10 came down and they just stood out on the road and kept looking  
11 into my hooch. They were curious, and they had found out that  
12 I'd been brought there, and out of curiosity wanted to come to  
13 observe me.

14 Q. What did your guards do when they saw the family?

15 A. They just told them not to make contact. They  
16 couldn't talk to me, and not to make contact with me. They  
17 could look, but just not to speak to me or give me anything.

18 And that if I tried to talk to them or ask them for  
19 anything, that they were to report it to the guards.

20 Q. You said you had a conversation with the old man, or  
21 the elderly gentleman.

22 A. Yes, later I did.

23 Q. When did that happen?

24 A. I was there not too long, and he was coming back  
25 from grazing his water buffalo. And I was sitting out in

1 front of my hooch and he stopped the water buffalo, and he  
2 spoke French to me. And I replied in Vietnamese that I  
3 couldn't speak French, and he was quite surprised that I could  
4 speak Vietnamese, and then that is when we held a conversation  
5 for quite some time, I don't know, about 15, 20 minutes. And  
6 within that 15, 20 minutes I found out pretty much the history  
7 of the camp, and how long it had been in existence. The camp  
8 itself had been in existence since Dien Bien Phu.

9 Q. To that time, and you say that was shortly after you  
10 arrived there in 1974 that you had this conversation?

11 A. Yes, it was right around Christmas.

12 Q. Christmas of 1974?

13 A. Well, it was after Christmas, this was after  
14 Christmas.

15 Q. That you had the conversation.

16 A. Yes, right around the new year, latter December.  
17 I'd been there approximately about -- oh, I was there over a  
18 week.

19 Q. Up until the time that you had the conversation with  
20 the elderly man at the camp, had you seen any other American  
21 prisoners?

22 A. At this camp?

23 Q. Yes.

24 A. No.

25 Q. Did he tell you about any other American prisoners

1 that were also at the camp?

2 A. No, he told me about a lot of Caucasians that were  
3 there, and he made difference between these Caucasians versus  
4 the French. He said that the French were, they had -- these  
5 French prisoners had been there so long they had taken wives  
6 and had children and families, and they pretty much had the  
7 freedom of the camp. He said that there were a group of  
8 Caucasians that were brought in and that were housed there.  
9 But he said they never hardly came out into the daylight, and  
10 he didn't know what nationality they were. And it was  
11 forbidden to even go within any type of range of the camp  
12 itself. He said, but they look like you. And I said, well,  
13 do I look French? And he said no.

14 Q. Although he had tried to speak French to you.

15 A. Yes, that is why I asked the question. I asked him  
16 if I looked French.

17 Q. When the old man told you about the other Caucasians  
18 at the camp, was he using present tense or past tense?

19 A. Past tense.

20 Q. And so there had been other caucasians at the camp?

21 A. According to him, he claimed the French had been  
22 there so long that they took on the skin color of that of the  
23 Vietnamese, dark.

24 Q. And he differentiated that from the other Caucasians  
25 he said that were like you.

1 A. Yes, white.

2 Q. And that is the term he used, white.

3 A. Yes, white. And he said he could only observe them  
4 from a distance, they were prohibited from going anywhere near  
5 the camp.

6 Q. Did he tell you where in the camp they were located?

7 A. Yes, he showed me. It was down, the building was  
8 still there. And he said it was now used to house when they  
9 harvested the rice from the rice paddies, it was to store  
10 these rice silk stalks. They worked the rice there now. It  
11 was across the road from my hooch, down just to the right of  
12 the rice paddies.

13 Q. Did he show you, or did he take you down there?

14 A. No, no, I couldn't go anywhere. He just pointed to  
15 it.

16 Q. And when he pointed to it, were there other people  
17 there at that time?

18 A. I didn't observe anyone else.

19 Q. How far away was it from where your hooch was  
20 located?

21 A. Maybe two football fields.

22 Q. And when he was describing this deed, did you have  
23 the impression there were other Caucasians there at that time?

24 A. No, no, actually just the opposite. I was the only  
25 one there. I got it pretty clear that I was the only one

1     there, because I was interested in that also. I had no idea  
2     why they brought me there to that camp. There was no  
3     explanation, for what purpose or anything. I mean, they  
4     brought me in my meals, I wasn't questioned, interrogated,  
5     asked to do anything.

6             I didn't understand my purpose of being there, or  
7     why I was transferred from Bat Bat to there, not at that time,  
8     I didn't. And so I was curious, I was only curious for why I  
9     was there, why I had been brought there. And then it  
10    frightened me when the old man told me how close we were to  
11    China. I wasn't very happy about that.

12            Q.    You mentioned that yesterday, that you were  
13    frightened about being close to China. What was worrying you  
14    about being close to China?

15            A.    There was some friction between Vietnam and China.

16            Q.    And you were afraid there was going to be an  
17    outburst of hostilities.

18            A.    Yes, there was occasionally -- there was talk among  
19    the guards that China had amassed 25 divisions along the  
20    borders of Vietnam and China. And when I was in Bat Bat, that  
21    didn't mean too much because I was quite a distance. But at  
22    Yen Bai, that's -- it meant something, it was scary.

23            Q.    Did you get an impression -- strike that. Did the  
24    old man tell you where the other Caucasians had gone?

25            A.    He said he didn't know, he didn't even know when

1 they left. Just one day, they weren't there anymore.

2 Q. Did you have any conversations with the guards about  
3 what had happened to the other caucasians?

4 A. No.

5 Q. This was fairly within a year of Homecoming. Did  
6 you get the impression they had gone home at Homecoming?

7 A. No, actually the time frame the old man was talking  
8 about was about 8 or 9 months prior to that.

9 Q. Well 8 or 9 months prior to that would have been  
10 Operation Homecoming.

11 A. He said these people arrived there after the French  
12 were moved, and this camp came in when the French moved out.

13 These people came in, and then these people  
14 disappeared, and 7 or 8 months later I showed up. And his way  
15 of thinking, and what he wanted to ask me is how many  
16 Americans were going to show up at this camp. He didn't seem  
17 surprised at all that I was American, because he said the  
18 French, you know, he knew the French were still there. And he  
19 said there were 200 families.

20 Q. 200 French families.

21 A. Yes.

22 Q. Did he say how many Americans had been there?

23 A. No, he didn't even know they were Americans.

24 Q. Did he say how many Caucasians like you had been  
25 there?

1           A.    He just, he used the word -- no, he never used  
2 numbers. He said they didn't go out to work or do anything,  
3 they just had a little courtyard. But he'd only seen like  
4 three or four at a time, he never knew how many were there.

5           Q.    With respect to the time you were at Yen Bai from  
6 Christmas 1974, did there come a time when you saw another  
7 American POW, after Christmas of 1974?

8           A.    Did there come a time after Christmas of 1974?

9           Q.    Right, we are now at Yen Bai, and you have gotten me  
10 to Yen Bai. You have told me about the conversation which  
11 happened maybe a week after Christmas in 1974. I am not  
12 suggesting you saw one in Christmas of 1974, but that is where  
13 we are in the time frame. And you tell me you were at Yen Bai  
14 from 1974 until 1979. I want to now know the next time you  
15 saw an American POW.

16          A.    That would have been the fall of 1976.

17          Q.    Where did you see the next American POW?

18          A.    A group of them, approximately 30 give or take a  
19 couple.

20          Q.    Where did that occur?

21          A.    Yen Bai.

22          Q.    Yen Bai.

23          A.    Yes, they were being unloaded from a boxcar.

24          Q.    When you say Yen Bai, you are talking about the  
25 prison camp.

1           A.    No, I'm not, I'm talking about Yen Bai town. On the  
2 outskirts of Yen Bai town.

3           Q.    And I would just point out it is important that you  
4 distinguish between the two when you Yen Bai. I assumed you  
5 meant the prison camp, so now you are talking about Yen Bai  
6 the town.

7           A.    That is correct.

8           Q.    How far was the prison camp from the town?

9           A.    About 35 -- well, from the prison camp to the ferry  
10 was about 35, 40 minutes by jeep. And crossing the ferry,  
11 then you were in Yen Bai town across the Red River.

12          Q.    Are you the person who has assigned the name Yen Bai  
13 to this prison camp, or did the guards use the name Yen Bai?

14          A.    It is -- I never referred to it as Yen Bai prison  
15 camp. It was a prison camp. The prison camp, the official  
16 name was camp 5, in the province of Yen Bai. There's Yen Bai  
17 town and there's Yen Bai province. Later this camp was  
18 changed and broadened to camp 776.

19          Q.    When did that happen?

20          A.    In July of 1976.

21          Q.    During the period 1974, Christmas of 1974 through,  
22 say, July of 1976, you had not seen any other American POW's  
23 while you were at Yen Bai?

24          A.    No, I hadn't seen any.

25          Q.    Had there been any discussions with you by your



1 guards about other American POW's?

2 A. Yes, occasionally. Not so much by the guards. More  
3 by the drivers, more discussion from the drivers than the  
4 guards. The guards at Yen Bai, they were permanently  
5 stationed there, they didn't get to move about too much, but  
6 the drivers did.

7 Q. Tell me about the structure at Yen Bai. Was there a  
8 commandant in charge?

9 A. Yes.

10 Q. The command structure?

11 A. Yes, he was a minority.

12 Q. What does that mean?

13 A. Mountain yard, we referred to them as the mountain  
14 yards, or hill tribesmen.

15 Q. Do you know what his name was?

16 A. Yes.

17 Q. What was his name?

18 A. Tuan, T-u-a-n, Major.

19 Q. Major?

20 A. Major Tuan, yes.

21 Q. He was a major?

22 A. Yes, that is the ranking, the insignias he wore,  
23 anyhow.

24 Q. Was he dressed in NVA uniform?

25 A. Yes.

1 Q. Okay, under him who was there?

2 A. There was a captain, I can't remember his name. I  
3 can see him but I can't remember his name.

4 Q. Do you remember any other officers who were at Yen  
5 Bai?

6 A. Truong, T-r-u-o-n-g, a second lieutenant.

7 Q. And what was his role?

8 A. I'm not sure, really, he seemed to do most of the  
9 office work and running around.

10 Q. Any other officers you know from Yen Bai?

11 A. Kien, K-i-e-n.

12 Q. What rank was he?

13 A. Kien was a first lieutenant. I'm pretty sure a  
14 first lieutenant.

15 Q. What was his role?

16 A. Political officer.

17 Q. What other officers do you recall?

18 A. Quang, Q-u-a-n-g.

19 Q. What was his role?

20 A. Prisoner control. He was kind of a combination of  
21 kind of like guard commander and in charge of discipline of  
22 the prisoners, discipline and work details of the prisoners.

23 Q. What rank was he?

24 A. Captain.

25 Q. Any other officers you can recall?

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