

1 [Pause.]

2 A. We're talking about camp 5?

3 Q. Camp 5.

4 A. I can't recall any names right now.

5 Q. What duties or responsibilities did you have at
6 camp 5?

7 A. None, nothing.

8 Q. For how long a time did you do nothing?

9 A. I did nothing for about 6 or 7 months. They brought
10 me my meals, and I literally did nothing.

11 Q. When did you start doing something at camp 5?

12 A. About towards summer, the summer months, July,
13 August '75, right after the fall of Saigon.

14 Q. How did you know about the fall of Saigon?

15 A. It was broadcast on the loudspeakers. The guards
16 were shooting their weapons.

17 Q. What did you begin to do after the fall of Saigon?

18 A. Not immediately after the fall, about -- oh, about a
19 month after the fall of Saigon, they put me to work in
20 agriculture labor working in the rice paddies, and working in
21 the manioc fields. They had some manioc fields, drying tea,
22 cutting bamboo, cutting trees, clearing land.

23 Q. Did you work with other people or by yourself?

24 A. I worked with the ARVN's.

25 Q. Were there any other American prisoners kept at this

1 camp at that time?

2 A. No.

3 Q. That you knew of?

4 A. Not to my knowledge, no.

5 Q. You said sometimes when you were with your drivers
6 they would mention other Americans to you.

7 A. Well, not with my drivers, I didn't go anywhere, not
8 for 2 years. I was in the this camp for 2 years, I didn't
9 leave this camp.

10 Q. So until 1976 you did not go anywhere.

11 A. Well, '76, it was until '76 I didn't go anywhere. I
12 was in the camp about a year and a half. Until approximately
13 October of '76 I didn't leave the camp.

14 Q. You said that in July of 1976 the camp changed, it
15 became camp 776.

16 A. That is correct.

17 Q. Now was the designation made known to you that it
18 was now camp 776?

19 A. It was proclaimed, for one, and the camp was
20 expanded. There were truckloads upon truckloads of Vietnamese
21 prisoners coming in, all officers, within a very short period
22 of time. The camp grew from a mere 200, approximately 200
23 prisoners if that, and I don't know if there were that many,
24 to over 30,000.

25 Q. How did you know there were 30,000 prisoners?

1 A. The guards talking. The guards changed, the old
2 guards went, left, history. The new guards that took over the
3 camp, the new administration that took over the camp, were the
4 sapper troops that went into Saigon. They were very hard
5 people, life became very hard.

6 Q. How large did the camp expand to in terms of space?

7 A. Oh, my god, an estimate of maybe 30 square miles,
8 bigger maybe, it was huge.

9 Q. Of the 30 square miles, how much of it would you be
10 allowed on?

11 A. Just within the same camp, the old camp 5, that was
12 it. And the only time I was taken -- it broke into camps.
13 What happened, 776, it went from company level to battalion
14 level. As far as the command, the command was right there.
15 It took over the new command, the battalion command took over
16 the company command.

17 Q. Tell me about the command structure of 776.

18 A. Oh, my god, it was huge.

19 Q. Who was on top, if you know?

20 A. It was a colonel.

21 Q. Colonel who?

22 A. It was a lieutenant colonel. I cannot remember the
23 man's name, it will come to me.

24 Q. Under him, what was the structure, if you know?

25 A. It had about 50 or 60 officers.

1 Q. Do you remember any of them?

2 A. I remember some of them.

3 Q. The ones you remember, would you tell me?

4 A. Trang, T-r-a-n-g, Dai Uy, a captain.

5 Q. And what was his role?

6 A. I don't know, he was just one of the officers, a re-
7 education officer I guess.

8 Q. Anybody else you know from 776?

9 A. Trung, T-r-u-n-g, a first lieutenant.

10 Q. And what was his role?

11 A. Guard commander.

12 Q. Anyone else you can recall?

13 A. Xuyen.

14 Q. The same Xuyen?

15 A. X-u-y-e-n, a lieutenant guard commander. Khoat,
16 K-h-o-a-t, in charge of something like special services. He
17 was in charge of entertainment, I guess.

18 Q. Do you know what rank he was?

19 A. Yes, second lieutenant. No, actually, he was kind
20 of similar to a warrant officer. Can we break? I have some
21 names written down.

22 MR. CODINHA: Why don't we go off the record for a
23 minute?

24 [Pause.]

25 BY MR. CODINHA:

1 Q. Mr. Garwood, you have presented me with two pieces
2 of paper which I gave you the originals back. Why don't we
3 mark that as the next exhibit, which I believe will be
4 Exhibit 7.

5 [The document referred to was
6 marked Garwood Exhibit No. 7 for
7 identification.]

8 BY MR. CODINHA:

9 Q. And what does Exhibit 7 show, what is the left-hand
10 column of Exhibit 7?

11 A. Let me give just a short explanation of Exhibit 7,
12 the left-hand column. The list of names comprises the entire
13 camp administration, their names and their function, of camp
14 ST-18.

15 Q. Where was that?

16 A. This was in South Vietnam from the periods of 1967
17 to 1969, of which several American prisoners of war who had
18 been captured in South Vietnam died and were buried within
19 this camp administration, all of which have been returned
20 except Captain William F. Eisenbraun, who passed away in
21 September 17, 1967.

22 Q. Mr. Garwood, I would like to move from this unless
23 these names appear later in your testimony. Do any of these
24 guards appear later in the testimony?

25 A. No.

1 Q. Then I think it may be useful just to pass over that
2 information for the time being. Going to the names on the
3 right-hand side of the page, what are they?

4 A. These are the people that were in charge of the
5 special services of 776.

6 Q. And would you just read those names down from that
7 list.

8 A. Khoat, K-h-o-a-t, lieutenant or second lieutenant.
9 He was in charge of special services, having to do with all
10 recreational functions within the camp, or within 776.

11 Q. Who is next on the list?

12 A. His assistant, named Hung, H-u-n-g, he was the
13 projectionist, he ran the projector. He ran it, as well as
14 maintenance for it.

15 Q. And what rank was he?

16 A. Sergeant.

17 Q. And who is the third name?

18 A. Quan, is a generator, he ran the generator.

19 Q. What rank was he?

20 A. A sergeant.

21 Q. And there is a name under it, Truc, captain.

22 A. He was the immediate superior of Khoat. He was the
23 immediate superior.

24 Q. When did you write the names on the list on
25 Exhibit 7?

1 A. Approximately about a month ago.

2 Q. And what the purpose of listing those names?

3 A. The purpose of -- for a brief period of time I was
4 assigned to work with these people in maintaining and
5 repairing the generator, maintenance of the generator.

6 Q. At Yen Bai?

7 A. At 776, and on occasion I had to go with -- when
8 Quan was not available, for whatever reason, to run this
9 generator, they took me with them to the various camps
10 throughout 776 to run the generator in showing films.

11 Q. Now you were describing to me the 30 square mile
12 camp. Did you become aware that there were other American
13 prisoners kept at 776?

14 A. Not, no, not at this time. Later, when 776 got even
15 bigger yet.

16 Q. But as of --

17 A. When it reached division level.

18 Q. Which was about July of 1976?

19 A. No, it wasn't until 1977.

20 Q. So it is still battalion level?

21 A. Yes.

22 Q. And there were no American prisoners besides
23 yourself that you were aware of that were kept there through
24 October of 1976?

25 A. None other than myself, no.

1 Q. Now, you started to tell me a little earlier this
2 morning that in the fall of 1976, you had occasion to see some
3 American POW's. Do you recall starting to say that?

4 A. Yes.

5 Q. And you said you saw them in Yen Bai, the town?

6 A. That is correct, well, the outskirts of the town,
7 about 6 or 7 kilometers south of Yen Bai.

8 Q. What was the circumstance that you were out of the
9 prison camp?

10 A. I had been taken out of the prison camp in the
11 middle of the night to repair a vehicle that had broken down
12 and was loaded with produce, that was coming into the camp. I
13 was taken to repair the vehicle.

14 Q. And do you know when this occurred?

15 A. Approximately right around October, I guess.

16 Q. What year?

17 A. It was right after 776 was formed, it would have to
18 be '76, if my memory serves me correct.

19 Q. And who was with you -- well, strike that. You were
20 taken out in the middle of the night, and who took you out?

21 A. One lieutenant, a driver and one guard.

22 Q. Did you say attendant or lieutenant?

23 A. A lieutenant.

24 Q. A driver and a guard?

25 A. Yes.

1 Q. Who was the lieutenant that was with you, if you
2 recall?

3 A. I do not recall his name.

4 Q. Would you recall who the driver was who was with
5 you?

6 A. It was an American Jeep, a 38-A1. He brought the
7 vehicle up from South Vietnam, the same driver. I can't
8 remember his name. I can see him, but I can't remember his
9 name. He remained at the camp for quite some kind, and the
10 guard, I didn't know.

11 Q. Okay, what time of night did they take you? You say
12 the middle of the night.

13 A. I'm guessing it was around midnight, or thereafter.

14 Q. What kind of night was it?

15 A. It was clear, cool, but not cold.

16 Q. Where did you go in the Jeep?

17 A. I was taken. We left from -- well, they got me up
18 from my hooch, put me in the Jeep, and it was explained to me
19 that a deuce and a half, an American truck, all of the
20 vehicles now within 776 were American vehicles -- were U.S.
21 military vehicles and I had been assigned to repair and
22 maintenance of these vehicles.

23 Q. When had that begun?

24 A. That had begun late July, '76, when the vehicles
25 started coming -- well, when they started breaking down. They

1 had a shortage of personnel, or no one that knew how to repair
2 the vehicles. There was a motor pool that was set up and
3 myself and about a dozen ARVN prisoners were assigned for the
4 maintenance and upkeep of the vehicles.

5 Q. Were you in charge of this?

6 A. I was made -- in reality, my knowledge of vehicles
7 was practically zilch, but I didn't let on that I didn't know
8 that much mechanically, but thought I did.

9 Q. What was the reason you didn't let on that you
10 didn't know anything?

11 A. For the freedom, just to be able to move about, to
12 be able to interreact and to talk with, work with the ARVN
13 prisoners.

14 Q. And did this give you the opportunity to interact
15 and to work with ARVN prisoners?

16 A. Yes.

17 Q. And you could speak Vietnamese to them? Were you
18 allowed to talk to them?

19 A. Oh, yes.

20 Q. Did they tell you anything about American prisoners?

21 A. They told me that there had been lot of Americans
22 captured in the fall of Saigon and Da Nang, and various other
23 towns, and that they had been taken away. Several of them
24 told me that they had seen other Americans, yes, and that they
25 would probably be coming to this camp.

1 Q. Do you recall any of the names of any of the ARVN
2 people who told you that?

3 A. I'd have to think about that, not at this time.

4 Q. Has anybody ever asked you that question before?

5 A. No.

6 Q. Mr. Garwood, has anybody asked you these same
7 questions from DIA, or anybody who has interviewed you before,
8 about who the individuals were, who were your guards or
9 prisoners?

10 A. No. Well, possibly, maybe about the camp commander.
11 But no, it's like they already knew.

12 Q. When you were taken out to Yen Bai town --

13 MR. TAYLOR: Let me go back to one thing, if I could
14 clarify. You just added gratuitously the words, it's as if
15 they already knew. Isn't that just supposition on your part?
16 There was no discussion with those people?

17 THE WITNESS: There was no discussion and the reason
18 I came to that conclusion is because they showed me aerial
19 photographs of the camp and they pinpointed to where my hooch
20 was.

21 MR. TAYLOR: But that was just total supposition on
22 your part when you answered that it's as if they already knew.
23 They never discussed these matters with you at all?

24 THE WITNESS: No, not that I remember.

25 MR. TAYLOR: And as Bill has just asked you, they

1 didn't ask you any questions other than perhaps who the
2 ultimate camp commander was at these various camps, isn't that
3 right?

4 THE WITNESS: That's true.

5 BY MR. CODINHA:

6 Q. You say you were shown aerial photos of this camp,
7 Yen Bai?

8 A. Yes.

9 Q. Was this the only camp you were shown the aerial
10 photos of?

11 A. No. No, it wasn't. There were other aerial photos
12 that were shown to me of camps which I had no knowledge of.

13 Q. Had you requested to see the aerial photos of Yen
14 Bai?

15 A. No, they just brought them out. They brought out
16 various aerial photos and asked me if I recognized anything in
17 the photos.

18 Q. Who showed them to you?

19 A. Mr. Gary Sedow, and Mr. Bob Hyp.

20 Q. That's H-y-p?

21 A. That is correct.

22 Q. And do you know where that took place?

23 A. At the debriefing on Ocracoke, 1988.

24 Q. The aerial photos that they showed you of Yen
25 Bai, could you tell whether it was at the company level, or

1 the battalion level, or the division level, when you looked at
2 the photos?

3 A. They only showed me the aerial photo of -- the
4 buildings were no longer there, but there was -- they had torn
5 down the buildings and moved them, but what was left was, you
6 could still see the outlines of where the buildings were. It
7 was of the battalion headquarters area.

8 Q. When you say that they were able to point out to the
9 hooch that you were in --

10 A. Yes.

11 Q. -- is that just a grandiose statement, or were they
12 actually able to point out to the hooch that you had been in?

13 A. No, he pointed to it and said, you lived right here,
14 right? I said, yes, I did. I just verified it.

15 Q. Had you ever told them where you lived?

16 A. No.

17 Q. Do you know what the source of information they had
18 as to where you lived?

19 A. They claimed that they knew where I was at all
20 times.

21 Q. Down to what hooch you were in?

22 A. Yes. Then they said they knew where I was at during
23 my entire -- they said they knew everything and where I was
24 at, and what I was doing during my entire 13-1/2 years in
25 Vietnam.

1 Q. Let's go back to in Yen Bai town, in October of
2 1976. Do you remember when, during the month, this incident
3 occurred, the breakdown of the truck?

4 A. What day of the month?

5 Q. When in the month, was it early in the month, the
6 middle of the month, late in the month?

7 A. I'm not really sure it was October. It was the
8 fall. I'm just relying -- in order to remember dates and
9 times, what I have to do is to try to remember back, something
10 significant that happened, and then go from there.

11 Q. What are you using to remember the October 1976 time
12 frame?

13 A. The changing from Camp 5 to 776. The administration
14 from company to battalion level, from when that was formed,
15 and from when that was formed to when the company level,
16 Camp 5, when it moved out and the new people came in and took
17 over, and just the mass confusion, and all the Vietnamese
18 prisoners. The truck loads and truck loads of Vietnamese
19 prisoners that were brought in, it was just -- there was a lot
20 of commotion.

21 It was during this time frame to where, from the
22 period of where there was all of this commotion to where it
23 started to settle down, and from that, and then they set up
24 the motor pool. And when they set up the motor pool, and
25 then, because when they set up the motor pool, I wasn't

1 allowed -- I still wasn't allowed to leave the camp, and due
2 to the lack of fuel, rationing, what they used to do is they
3 take one vehicle to go out and two another vehicles back to
4 the camp for repair.

5 And due to the lack of fuel, they found it was
6 better to take the mechanic directly to the vehicle that was
7 broken down and try to repair the vehicle, to at least get it
8 running, so it can get back to the camp under its own power,
9 and then only if you could not get the vehicle running, then
10 they would use another vehicle to tow that vehicle back. And
11 I'm using that to try to establish a time frame.

12 Q. Okay, describe to me what happened on that October
13 night in 1976, when you went out to Yen Bai town.

14 A. We came across the ferry and went up into Yen Bai
15 town, and it was pretty quiet, pretty deserted actually, and
16 the only people that you really saw walking around, every once
17 in a while you would see a bicycle or whatever, which was
18 normal for that time of night, and then the yellow jackets
19 were the police -- went through the town, followed Route 1,
20 along side the Red River, and about 5, 6, 7 kilometers out of
21 town, the whole area was lit up like daylight. And I came up
22 on -- it was a train. The train tracks were to the left, as I
23 was going out of town, or to the left there was a train with
24 several boxcars.

25 Q. How many boxcars?

1 A. I'm not sure. I didn't count them. I'm just
2 guessing, maybe 20.

3 Q. When you say it was lit up like daylight, how was it
4 lit?

5 A. On open trucks they had generators with spotlights.

6 Q. Had you ever seen anything like that before?

7 A. No. Well, in the United States, yes.

8 Q. How many open trucks with generators and spotlights?

9 A. Several, I didn't count them. Enough, there was
10 quite a few.

11 Q. Did it draw your attention to that?

12 A. Absolutely. It was -- something was going on.

13 Q. Did it look like a circus or something was going on,
14 like what they do for an opening of a movie here where they
15 have spotlights in the air?

16 A. No, not that kind. The spotlights, all of them were
17 trained on the train itself, on the boxcars. And the
18 boxcars -- unloading from the boxcars were Vietnamese, most in
19 civilian clothes. A few were in South Vietnamese uniforms,
20 but very few -- most all were in civilian clothes.

21 Q. Were they prisoners?

22 A. Yes, they were definitely prisoners. There were
23 guards on top of the boxcars. There were NVA guards on top of
24 all the boxcars. There were guards and made a complete
25 circle, literally a wall, almost a complete wall all way

1 around the train, where they train had stopped. There were
2 trucks, jeeps, motorcycles with sidecars, all over the place.

3 These people were falling out. They were packed,
4 just literally. There were people just literally packed in
5 these boxcars. I mean, it was incredible. They must have had
6 100 people in a boxcar is what it looked like. I don't know
7 exactly how many. There were bodies laid out. There were
8 some people looked like they were dead, or died, or whatever.
9 They had been laid out on the ground.

10 Q. What was causing the train to stop?

11 A. I have no idea. The train was stopped.

12 Q. Was the engine still running, or was it just dead?

13 A. I don't remember. I don't know.

14 Q. Were you brought out to look at this?

15 A. No. I don't think the people that were taking me to
16 the duty I was to perform even knew about it. They didn't act
17 like -- they acted as surprised as I was.

18 Q. What was the reason you had to stop?

19 A. The guards, they blocked the road.

20 Q. Because the road was blocked?

21 A. Yes, there were guards in the road to stop the
22 vehicle.

23 Q. And how far away were you from the boxcars when they
24 stopped the vehicle?

25 A. From the road to the boxcars is about, oh, I don't

1 know, maybe 100, 150 feet maybe. I'm not sure. I'm not a
2 very good -- I don't estimate distances very well.

3 Q. In terms of this room, if you were to estimate how
4 many of these rooms across?

5 A. Maybe 10.

6 Q. And this room, I would estimate, is about 30-odd
7 feet across. So when you stopped, where were you located in
8 the jeep?

9 A. I was sitting behind the driver, directly behind the
10 driver.

11 Q. Was it a covered jeep, or an open jeep?

12 A. An open jeep.

13 Q. And was there any problem with visibility, that you
14 couldn't see?

15 A. No. Well, yes there was, because, like I said, I
16 had to look through the guards. They had completely circled,
17 the NVA troops had completely circled from the first boxcar to
18 the last boxcar. They had completely made a circle.

19 Q. How many NVA troops were around there?

20 A. God, I don't know. 100 or more, probably battalion
21 strength.

22 Q. When you were sitting in the car, or in the jeep,
23 were you higher than the troops, or at the same level as the
24 troops?

25 A. Pretty much, pretty close to the same level.

1 Standing up, I was able to look over their heads, literally.
2 Sitting down, they were actually blocking my view.

3 Q. And so you saw all the Vietnamese getting out of the
4 boxcars and the bodies laying on the ground?

5 A. They were laying the bodies on the ground.

6 Q. And what else did you see?

7 A. They were all unloaded and orders were barked out
8 for them to fall into formation, and they did so. And then
9 there was one boxcar that was not opened. It was pretty close
10 to the center of the train, the boxcars, and one of the guards
11 or someone, well, he had an AK-47 strapped over his shoulder.
12 Some orders were barked out and he went up and unlatched that
13 boxcar and slid open the door. When he slid open the
14 door -- and these Caucasians started falling out.

15 Q. And it was about the center car?

16 A. Yes. One of the individuals looked to have been
17 missing a leg. I remember it was his right leg, from the knee
18 down. They all wore the same type of clothing, blue jackets
19 like windbreakers, and blue pants, and blue shirts, light
20 blue, similar to that of, say, a maintenance, you know, a
21 maintenance personnel.

22 Q. Where was the door that opened on the boxcar? In
23 the middle of the boxcar?

24 A. Pretty close to the middle, yes. When it was open,
25 the opening was right in the middle, yes.

1 Q. And was there a double door that opened? Did it
2 slide?

3 A. No, a single.

4 Q. It was a single door. Did it open out, or did it
5 slide?

6 A. It slid.

7 Q. Was there any marking on the train or on that car?

8 A. None that I remember.

9 Q. What color was the car, can you recall the boxcar?

10 A. Kind of dark in color, I'm not sure. It was dark.
11 I don't know if it was black or dark green.

12 Q. How far away were you from the boxcar when the door
13 was opened?

14 A. About 15 lengths of this room, maybe a little more.

15 Q. And we said this room is about 30 feet?

16 A. Yes.

17 Q. Were you parallel to the train, were you facing the
18 train, were you perpendicular?

19 A. No, it was diagonal, diagonal to the car, to the
20 middle car. I was about, oh, maybe the fourth or fifth boxcar
21 in, parallel with it.

22 Q. You were parallel to the fourth or fifth boxcar in?

23 A. Yes.

24 Q. And between you and the boxcar, what was there? Was
25 it open space?

1 A. Guards, open space.

2 Q. But the land itself, had the guards not been there,
3 it would have been open space?

4 A. Yes.

5 Q. And then there were guards. Were the guards in a
6 single row around, or were they milling about?

7 A. No. It was a single row -- well, they were in a
8 single row all the way around it.

9 Q. Did you have any trouble seeing the boxcar with the
10 Caucasians in it?

11 A. No. I stood up, and at one point, even got out of
12 the jeep.

13 Q. When you stood up, had the door to the boxcar
14 already been opened?

15 A. I stood up, and the boxcar -- when they started
16 opening the boxcar.

17 Q. What was your reason for standing up when they
18 started opening the boxcar?

19 A. Curiosity.

20 Q. Had you stood up when they were opening the boxcar
21 with the Vietnamese in it?

22 A. Not really stood up, just, you know, just raised
23 myself up enough to see them. I could see them between the
24 heads of the guards.

25 Q. What drew your curiosity to that center boxcar?

- 1 A. It was the last one opened.
- 2 Q. So all the others had been opened first?
- 3 A. Yes.
- 4 Q. And were the Vietnamese prisoners milling around?
- 5 A. No.
- 6 Q. Were they in formation?
- 7 A. Pretty much. I mean, rag-tag formation, but yes.
- 8 Q. Were there any Vietnamese prisoners in front of the
- 9 boxcar, the last boxcar that was opened, the boxcar with the
- 10 Caucasians?
- 11 A. No. Actually, what happened before that is that
- 12 before that boxcar was opened, the boxcars adjoining both
- 13 sides of that last boxcar that was opened, the Vietnamese
- 14 prisoners were made to move away, almost two boxcars from that
- 15 boxcar on both sides.
- 16 Q. So you saw that happen?
- 17 A. Yes.
- 18 Q. And did that draw your attention to it?
- 19 A. It was curiosity, yes, I guess.
- 20 Q. Was it noisy that night?
- 21 A. No.
- 22 Q. Were there prisoners talking?
- 23 A. Yeah, but not loudly.
- 24 Q. Were the guards talking?
- 25 A. No.

1 Q. Were the generators making a lot of noise?

2 A. Yes. Well, not a lot of noise. I mean, you could
3 tell they were running, not enough to -- well, when the
4 officers, you know, they barked out orders and stuff, you
5 could still -- you could hear it.

6 Q. When the -- strike that. The open-bed trucks with
7 the generators and lights on them --

8 A. Yes.

9 Q. -- how many of those were there?

10 A. Several, I didn't count them. Several. At least
11 10, maybe more.

12 Q. Was there any other light from any other source,
13 besides the trucks with the generators?

14 A. I don't know.

15 Q. I'm not familiar with Vietnam, were there street
16 lights?

17 A. No.

18 Q. Was there a town right there that had lights on for
19 stores or anything?

20 A. Lights on for stores are just kerosene lamps. No.

21 Q. Even in the town of Yen Bai, it would be kerosene
22 lamps and not electricity?

23 A. There was electricity in Yen Bai town, but it was
24 limited. I think there was some street lamps down by the
25 ferry. There were some areas that were lit up.

1 Q. But there were none near the train where you were?

2 A. Not to my knowledge, no. That was way out of town.

3 Q. Was this a railroad crossing where they had stopped?

4 A. No, it was parallel with the road.

5 Q. And so you were running parallel to the train?

6 A. That is true, yes.

7 Q. When you saw -- well, strike that. When did you see
8 the first Caucasian at this point?

9 A. They just started falling out as soon as the door
10 was open.

11 Q. They fell out?

12 A. Jumped out, I mean, not literally fell out. They
13 started jumping out, jumping down.

14 Q. So the door gets opened, and did you see the
15 Caucasians when they were inside the boxcar?

16 A. Not too well. It was shaded dark.

17 Q. And you say they jumped down?

18 A. Jumped down, crawled down.

19 Q. Was there any platform they could get out on?

20 A. No. They hung onto the floor of the car to brace
21 themselves and went down.

22 Q. And was this a typical boxcar that rides 4 or 5 feet
23 above the track?

24 A. Yes.

25 Q. How many Caucasians did you see get out of the

1 boxcar?

2 A. The milled around a lot. I would estimate between
3 about 30, give or take a couple. They never got any type of
4 formation or anything, just kind of bunched together and
5 milled around.

6 Q. Where was your lieutenant, the lieutenant who
7 brought you while this was going on?

8 A. He was watching this also.

9 Q. In your car?

10 A. Yes. Well, no. He had gotten out.

11 Q. Where did he go?

12 A. He stood right behind the guards.

13 Q. How close were the guards to you at that point?

14 A. From here to the sofa.

15 Q. So you're talking about 20 feet?

16 A. Approximately.

17 Q. Where was your driver?

18 A. He was out of the vehicle also.

19 Q. Was he over with the lieutenant?

20 A. I don't remember where he was.

21 Q. And where was your guard?

22 A. Right beside me. He never left me.

23 Q. Was he armed?

24 A. Yes.

25 Q. Were the guards who opened the boxcar armed?

1 A. Yes.

2 Q. Were they North Vietnamese regular guards?

3 A. They looked to be. They looked to be the same, out
4 of the same division as the sapper troops. They were very
5 well disciplined. It wasn't like the guards that I'd been
6 accustomed to. They were very -- they all wore insignias.

7 Q. What insignias did they wear?

8 A. The guards?

9 Q. Yes.

10 A. The enlisted insignia. It's red with a yellow
11 border. It is like a piece of felt or something that they
12 wear on their lapels.

13 Q. Did they have any regimentation indication?

14 A. No.

15 Q. On their uniforms?

16 A. No.

17 Q. How long did it take the 30 or so Caucasians to get
18 out of the boxcar?

19 A. I don't know, 5 minutes, maybe a little more, give
20 or take a few minutes.

21 Q. When the first Caucasians got out of the boxcar,
22 what did they do?

23 A. Helped the other people.

24 Q. So the first out helped the people who were left
25 inside?

1 A. Yes.

2 Q. And could you make any observations of the
3 Caucasians at this time, as to what they looked like, what
4 their physical condition was?

5 A. They didn't really look that bad. Thin, most of
6 them were thin. None of them that I remember had full beards.
7 It looked like they had maybe a couple, 2 or 3 days growth of
8 beard, looked tired. They looked very tired.

9 Q. From the distance you were, you could see they
10 looked tired? How could you tell that?

11 A. Their movements. They weren't quick or spry, and
12 their language when they spoke, it was kind of like a tired
13 person, frustration, anger. That's how I determined that they
14 were Americans, is because they were using -- they were using
15 English. They were speaking English, but they were using
16 English four-letter words, which I hadn't heard in a long
17 time. They thought they were in China.

18 Q. So the Caucasians got out of the boxcar. Did they
19 start talking before?

20 A. They were yelling and screaming while they were
21 getting out.

22 Q. What were they yelling and screaming while they were
23 getting out?

24 A. Oh, where in the fuck are we, probably in fucking
25 China.

1 Q. Anything else you recall that they said?

2 A. I caught bits and pieces. They complained about the
3 lights being too bright.

4 Q. What was said about the lights being too bright?

5 A. Just that, they complained about the lights being
6 too bright in their eyes. The lights evidently were focused
7 on them in such a way that we could see them, but they
8 couldn't see us.

9 Q. What makes you say that?

10 A. Because they were doing this, trying to do this to
11 see what was out there.

12 Q. When you make a hand movement, you just indicated
13 you were shading your eyes?

14 A. Yes.

15 Q. And peering out?

16 A. Yes.

17 Q. And so that made you believe that they -- that the
18 prisoners couldn't see you, although you could see the
19 prisoners?

20 A. Right.

21 Q. What else did you hear the Caucasian prisoners
22 saying?

23 A. They complained of being hungry and thirsty, and
24 hot.

25 Q. Was it a hot night, this was October?

1 A. Well, no, but again, I had been riding in an open
2 jeep, but I wasn't cold. It was cool, but not cold. I would
3 imagine that they would have been hot in a closed boxcar.

4 Q. You said one of them appeared to be missing a leg.
5 What can you recall about that?

6 A. Yes, from the knee down. They lifted him out.

7 Q. Which leg, do you remember whether it was right or
8 left?

9 A. Right. Right leg.

10 Q. Who lifted him down?

11 A. His comrades, the other people.

12 Q. What could you see about him missing a leg?

13 A. It appeared, the way he got out, and two of them
14 just lifted him down.

15 Q. Did they form a basket to lift him down, or did they
16 grab him by the arms? What can you recall?

17 A. No. They kind -- of under the shoulder, and under
18 his thigh.

19 Q. And was that a Caucasian?

20 A. Yes.

21 Q. That appeared to be missing a right leg from the
22 knee down?

23 A. Yes.

24 Q. How could you tell it was from the knee down as
25 opposed to the whole leg?

1 A. Because when they lifted down by his thighs, you
2 could clearly see, pretty well clearly see his left foot was
3 intact. You could see that. It was almost straight out when
4 they lifted him. His left leg went almost straight out,
5 whereas his right leg, it was -- it just wasn't there. I
6 mean, you couldn't see it. I mean, they lifted him from the
7 boxcar down. It was like 4 or 5 feet.

8 Q. Could you see bandages on his right leg?

9 A. No. He had trousers. There were trousers on.

10 Q. And were the trousers hanging limp, or were they
11 pinned up?

12 A. They had to be pinned up.

13 Q. But you could definitely see that there was not a
14 leg there?

15 A. Right.

16 Q. From the knee down?

17 A. Yes.

18 Q. What did they do with the prisoner who was missing
19 the leg, when they took him down?

20 A. They set him on the ground.

21 Q. And he was on the ground, he wasn't standing up on
22 one leg?

23 A. No.

24 Q. For how long a time had you been observing the scene
25 to this point?

1 A. I'm not sure. Just until they had -- I don't know
2 if they had unloaded everybody yet or not, but my attention
3 was diverted to the officer that was in charge of me. He was
4 in a shouting match with some officer from the guard
5 detachment, about -- the officer that I was with, he wanted
6 to go through to get to the vehicle where our destination to
7 repair this vehicle -- and get back, and this guy wouldn't let
8 him go through, and there was some arguing going back and
9 forth. And about the same time, he looked over and saw me,
10 and he came over and stood and looked at me, and he asked my
11 officer where we were from, and the officer told him, and he
12 said, well, what is he doing here? And he told him, and he
13 wanted to know -- the officer that was talking to the officer
14 that was in charge of me wanted to know who the individual was
15 that authorized me to be out of the camp.

16 Q. And who was that?

17 A. The camp commander, but anyway he wanted his name,
18 and he ordered my guard -- he told him to get me back in the
19 jeep. I was outside the jeep then.

20 Q. When had you gotten out of the jeep?

21 A. When I stood up, when I stood up and I saw the
22 people falling out. The guard had gotten out and went around
23 the front of the jeep, and I just followed him.

24 Q. Could you get a better view from the front of the
25 jeep, than where you were?

1 A. Pretty much the same. Pretty much the same view. I
2 thought I would, but I didn't.

3 Q. What then happened, when the second officer was
4 talking to your officer?

5 A. They went, wow, when he saw me and I heard him ask
6 those questions, and then they went away from me, and there
7 was some more discussion going on and this one officer was
8 waving his arms.

9 Q. Which officer was waving his arms, the one guarding
10 you?

11 A. No, the other one, and he was very upset and you
12 could tell that just from the motions, and then the officer
13 that was escorting me came back over. He told me to get back
14 in the vehicle, and everybody got back in the vehicle and we
15 turned the vehicle around and went to Yen Bai, or to camp 776.

16 Q. And so you didn't go repair the truck?

17 A. And on the way back, as we were waiting to cross the
18 ferry, the officer turned to me and asked me -- he said, what
19 do you think you saw?

20 Q. This is the officer who was with you, who was in
21 charge of you?

22 A. Yes. And I said, I don't know. The people that
23 surrendered. And he said, how do you know that? And I said,
24 I don't. I said, I just guessed they were coming to our camp.
25 He said, you don't know that, and I said no. And he said,

1 what else did you see? And I said I saw the Caucasians.

2 Q. You said you saw Caucasians?

3 A. Yes.

4 Q. Did you say you said you saw Americans?

5 A. No, I didn't say Americans.

6 Q. Why didn't you say Americans?

7 A. The atmosphere had become very tight. I sensed
8 danger.

9 Q. Why didn't you feel it was dangerous to say you had
10 seen Caucasians?

11 A. Why didn't I?

12 Q. Yes.

13 A. The Caucasians could have been Russians, Cubans,
14 whomever.

15 Q. And not as prisoners?

16 A. No. He knew what I saw. He wanted my response as
17 to what I saw. I knew what he was after and I knew what he
18 wanted, but I wasn't going to say what he wanted me to say, or
19 he expected me to say.

20 I wasn't going to jeopardize the freedom I had
21 acquired through being able to get out of the camp by saying
22 yes. I saw those Americans pile out of the car. Where did
23 they come from? I mean, I wasn't going to say that, it was
24 just too dangerous. There was nothing I could do to help
25 those people. I really quite honestly didn't even care about

1 them. I was curious about them.

2 Q. Why did you even acknowledge you had seen
3 Caucasians? Wouldn't you have been better off to say I saw
4 prisoners?

5 A. No, I really didn't think about it that much at the
6 time. No, I don't know. It was instantaneous.

7 Q. What did he respond when you said you had seen
8 Caucasians?

9 A. He said, well, who do you think those people were?

10 Q. What did you say?

11 A. I said, I don't know. And he said, did you hear
12 them talking? Do you understand the language? I said, no. I
13 couldn't understand them very well. I couldn't grasp it. I
14 don't know, it might have been French. And he said, well, he
15 said, for your own safety and security, you saw nothing, you
16 heard nothing. And I said, okay, no problem. I didn't see
17 anything. I didn't hear anything. And one of the commanders,
18 the next day, one of the commanders came down and -- to the
19 motor pool, and took me aside and asked me about the previous
20 night's incident.

21 He asked me if anyone had approached me, if anyone
22 had said anything to me, if I had asked anyone any questions,
23 and what I observed. And I told him no one asked me anything,
24 no one told me anything. No one talked to me, I didn't ask
25 anybody anything, and I really didn't see anything. I saw a

1 train with boxcars and a bunch of people in formation on the
2 grounds. That's about it. He said, did you come to any
3 conclusions of who those people were? And I said no, it was
4 none of my business, and he just said good, and it was
5 dropped.

6 Q. Was that commander the lieutenant colonel you told
7 me about?

8 A. Yes.

9 Q. Do you remember what his name was?

10 A. He was unusually big for a Vietnamese. He was close
11 to 6 foot tall, if not 6 foot tall. And he looked like he
12 might be even of Chinese descent or something. He was huge.
13 He was a huge man for a Vietnamese, approximately mid-50's,
14 heavy-set, broad shoulders. His name will come to me. I
15 didn't have that much contact with the man.

16 Q. The lieutenant who was in your jeep that night. Do
17 you remember his name?

18 A. He was with supply. Again, I didn't have much
19 contact with this individual there, either. I knew he had
20 something to do with supply, camp supply.

21 Q. But you don't recall his name?

22 A. I'm sure it was mentioned at one time or another.
23 For me to remember names, it would have had to have been
24 someone that I almost had daily contact with and had at least
25 had either discussions or interacted with in one way or

1 another.

2 Q. You have told me one Caucasian was missing his right
3 leg from the knee down. Was he dark haired, blonde haired?
4 Could you tell?

5 A. Not really. It was the way the light -- they were
6 older. All of them looked to be older than I was.

7 Q. And how old were you?

8 A. At that time?

9 Q. And this is October of '76.

10 A. About 28, 29.

11 Q. And when you say older, are you talking
12 substantially older, like 40's?

13 A. Yes, 40's, maybe mid-40's.

14 Q. Were they all Caucasians or were there any blacks in
15 the group?

16 A. I didn't see any blacks.

17 Q. Can you remember anything else distinguishing about
18 any of the individuals, the Caucasians who got off the boxcar
19 that night? You said the one was missing a right leg from the
20 knee down.

21 A. I didn't get to look at them that much. Most of my
22 attention was focused on that individual because, I guess, the
23 leg was missing. Prior to that, there had been a lot of talk
24 within the camp about Americans that were captured in Saigon,
25 that they had found were hidden. The civilians were hiding

1 them out.

2 And I came to the conclusion that these were these people
3 or part of them. There were supposed to be a lot of them.

4 Q. Did the camp say how many they captured?

5 A. No. There were no numbers. They just said there
6 was a lot.

7 Q. Did you interpret a lot to mean --

8 A. That could be anywhere from 10 to 200. There was no
9 specific numbers given. But there was a lot of talk about
10 that.

11 Q. When you left the boxcar that night, was it still
12 standing where it had been?

13 A. Yes.

14 Q. Were the prisoners still outside?

15 A. Yes.

16 Q. Were the prisoners still milling around?

17 A. Yes.

18 Q. From the time you first saw the first Caucasian
19 until the time you left, how much time elapsed?

20 A. Ten minutes, approximately.

21 Q. And during the 10 minutes that elapsed, I think you
22 said there was about 10 or 15 lengths.

23 A. Probably about 15 room lengths at an angle.

24 Q. And we've already said the room length is about 30
25 feet. So that's 300.

1 A. Probably about 300 or more feet.

2 Q. 300 of more feet away.

3 A. Yes.

4 Q. For how much of the time were you looking at the
5 people, the Caucasians, as opposed to looking at the incident
6 that was taking place between your lieutenant and the --

7 A. Two or three minutes during my entire -- I was
8 basically just focusing on everything that was going on and
9 wasn't trained just on the Caucasians. I was taking in the
10 whole scene. I didn't just stare at the Caucasians for the
11 entire 10 minutes. I was looking at everything that was going
12 on.

13 Q. Did those Caucasians ever show up at Camp 776?

14 A. Not the 776 at battalion level, but at 776 division
15 level.

16 Q. So those prisoners showed up at Camp 776 where you
17 were later?

18 A. Not where I was at, Thac Ba.

19 Q. Thac Ba is still within Camp 776?

20 A. Division.

21 Q. Division, but not within the camp environs of 30
22 square miles?

23 A. No.

24 MR. CODINHA: I think this may be a good place to break
25 for lunch.

1 [Whereupon, at 1:10 p.m., the deposition recessed for
2 lunch, to be reconvened that same day at 3:10 p.m.]
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1 AFTERNOON SESSION

2 [Time Noted: 3:10 p.m.]

3 Whereupon,

4 ROBERT GARWOOD,

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

8 EXAMINATION BY MR. CODINHA RESUMED

9 BY MR. CODINHA:

10 Q. I apologize for being late, Mr. Garwood. I think
11 when we stopped last, we had just gotten -- you were at Thac
12 Ba and we were at the point where you had seen the 30 or so
13 Americans or Caucasians, POW's you believe to be Americans,
14 having come out of the boxcar and you'd had some conversations
15 both with the lieutenant going back to the camp, and, the next
16 day, with the commandant of the camp, relating to them.

17 Did you have any further conversations following your
18 conversation with the commandant about these American
19 prisoners?

20 A. Not at that time. I heeded the advice before it
21 became a problem and I didn't pursue it or try to engage in
22 any conversation about these people.

23 Q. Now, this happened in October of 1976, as near as
24 you could recall?

25 A. In or about that time, yes.

1 Q. When did Camp 776 go to --

2 A. Division status?

3 Q. -- division status, thank you.

4 A. Spring of '77.

5 Q. When you say it went to division status, what do you
6 mean?

7 A. Battalion strength to division strength, as far as
8 the guard personnel, the administration, the organization.
9 The headquarters was moved from -- the camp I was in at that
10 time was referred to at battalion level to out in the city of
11 Yen Bai, or town of Yen Bai.

12 Q. The headquarters?

13 A. Yes. The headquarters no longer remained within the
14 prison camp itself. It was separate.

15 Q. Now, from the time that you had become a part of the
16 motor pool, as you described, until the spring of 1977, had
17 your duties changed any or were you still part of the motor
18 pool?

19 A. I was part of the motor pool. They had only
20 broadened, expanded, because by this time they had set up
21 several battalions, five within this division. And each of
22 these battalions were divided up themselves into separate
23 camps of company strength. The prison population increased
24 from 30 to about 45, 50, 60,000 prisoners which covered an
25 area from Cao Bang, C-a-o B-a-n-g, Lao Cai, L-a-o C-a-i, Son

1 La, S-o-n L-a, Nghia Lo, N-g-h-i-a L-o. I have to think about
2 the other areas.

3 But camp No. 5, which was 776, it broke down. This was
4 the main headquarters for -- this became camp -- there were
5 several camps. There was 20 different camps called
6 intercamps, approximately about 20 camps, small camps
7 throughout the area.

8 The camps expanded all the way from the Red River to
9 where I was, where original Camp 5, all the back into the
10 mountain ranges, approximately 15, 17 cliques. That's just in
11 that area alone. That's just the camp that I was in.

12 Then there were the other battalions in the other
13 provinces. But the headquarters for the entire prison system
14 was in the city of Yen Bai.

15 Q. Now when the camp had gone to division strength, how
16 much area was encompassed by Camp 5?

17 A. Camp 5?

18 Q. Or 776.

19 A. Oh, my god. All the way up to the Chinese border.
20 I don't know. I can't even guess.

21 Q. Let me see if I have correctly interpreted what you
22 just told me. When you're talking about division 776, are you
23 talking about the responsibility that division 776 had for a
24 certain land area or are you saying that the prison camp
25 itself extended up to the Chinese border? Or they may be one

1 and the same thing.

2 A. The camp became so large -- what had happened is
3 they had taken, in South Vietnam and then in various areas in
4 North Vietnam, what they had done is, they had grouped, they
5 had all these separate prison systems. They had brought them
6 together and made one large prison population.

7 Q. Is that like Cao Bang, Lao Cai, Son La?

8 A. Yeah, these are provinces, yes.

9 Q. Were they also prisons or were they just provinces?

10 A. There's prisons within those provinces.

11 Q. And all those provinces, you say there were 20 of
12 them, that fell under 776 jurisdiction.

13 A. No, 20 -- in my camp alone, there were 20 camps, 20
14 prison camps, 21, 22, something like that.

15 Q. Now in your camp alone, where there were 20
16 different prison camps, who was kept at the 20 separate prison
17 camps? Were you kept at one yourself?

18 A. Yes. Well, I was kept there with the motor pool. I
19 was not incarcerated with -- in the same administration, but
20 not inside the compound with the ARVN prisoners. I was kept
21 separate, outside those people. Worked with them, but --

22 Q. Okay, when you had described this camp to me before,
23 I think you told me -- I'm sorry, how many ARVN prisoners were
24 being held at that camp?

25 A. I can only give an estimate. This was after

1 division or battalion?

2 Q. Well, at battalion, you said it was 100 to 200.

3 A. No, that was company.

4 Q. I'm sorry, the company, it was 100 to 200.

5 A. That was when it was Camp 5.

6 Q. Right. Then it went up to --

7 A. Battalion.

8 Q. -- battalion and how many ARVN prisoners were
9 kept there then?

10 A. When it was full strength, approximately about from
11 1500 to 2000 per camp and approximately about 20 camps. No,
12 that's incorrect, because there were small camps and larger
13 camps. It was about 13,000, somewhere in there.

14 Q. And when it went up to division strength, how many
15 prisoners?

16 A. When it went up to division strength, it went up a
17 little bit, but only, not much. My camp, the other camps got
18 bigger. All the camps grouped together. There were about
19 60,000 prisoners. Not just mine, but all of them together.

20 Q. Of those 60,000 prisoners, how many did you get to
21 see?

22 A. Only the ones within Lien Trai Mot, Enter Lien, I
23 can't, it slipped my mind, the translation to English for
24 Lien. But Camp 1, that became Camp 1 of Lien Trai Mot.
25 Lien -- group, no. I don't know how to translate that. I can

1 spell it, L-i-e-n T-r-a-i M-o-t. And I traveled to almost
2 every camp within that --

3 Q. Lien Trai Mot?

4 A. Yes.

5 Q. Now, in Lien Trai Mot, which was Camp 1, is that the
6 one that had 20 camps in it?

7 A. Yes. I think there was more like 21 or 22.

8 Q. Okay. How many prisoners were in that camp?

9 A. Grouped together, entirely?

10 Q. Yes, in the entire 20.

11 A. About 17,000.

12 Q. Of the 17,000, how many do you think you got to see?

13 A. Of the Vietnamese prisoners?

14 Q. Of prisoners that were held?

15 A. The entire prison population? All the camps, how
16 many of the prisoners did I actually see? I don't know. Over
17 a two-year period, probably at one time or another, probably
18 all of them. If I didn't see them, they saw me.

19 Q. Did you see any American prisoners being held during
20 that period of time in Camp No. 1, other than yourself?

21 A. Over that two-year period?

22 Q. Yes.

23 A. Yes. I again saw these same people, well, I believe
24 to be the same people. I got a closer look at these people in
25 1977. It was after division was set up. It escapes me right

1 now what month that was. It was warm, so it wasn't during the
2 rainy season.

3 But I had, in December of '76, I had put together and set
4 up an electric generator. It was 50 kilowatts, 60 kilohertz
5 generator, made by Czechoslovakia in Lien Trai Mot. There was
6 a sister generator on Thac Ba Island.

7 Q. How do you spell Thac Ba?

8 A. T-h-a-c B-a.

9 Q. How did you know there was a sister generator on
10 Thac Ba Island?

11 A. Because both generators came to -- they were boxed.
12 Both of them came to Lien Trai-1 and one was set up there. I
13 set that one up. And then the ARVN's that helped me set that
14 one up at Lien Trai-1, they went over to Thac Ba and set that
15 one up over in Thac Ba.

16 And what happened is any maintenance, when these would
17 break down, then I was responsible for the maintenance of
18 these.

19 Q. Okay. In October of 1976, you saw prisoners in the
20 railroad cars and I believe you said 30 prisoners, give or
21 take, one of them missing a leg.

22 A. That's correct.

23 Q. And the next time you saw an American prisoner was
24 after the division had been set up in the spring of 1977? Am
25 I getting this right?

1 A. Probably more closer to the summer. It was warm.

2 Q. So after the spring, and you think it might have
3 been the summer?

4 A. Or close to it, somewhere in that area, yeah, about
5 the middle of the year.

6 Q. I guess the question I'm asking is, is that the next
7 time you saw Americans? From October 1976, which was in the
8 railroad car, the next time you saw living Americans was the
9 summer of 1977?

10 A. Sorry for hesitating, but within very close to the
11 same time frame, I saw other individuals I believe to be
12 Americans at Ly Nam De and I have a problem right now
13 remembering which took place first, Thac Ba or Ly Nam De.
14 Over a period of time, they seem to blend together.

15 Q. Let me ask you, did you see some at Gia Lam?

16 A. Gia Lam?

17 Q. Gia Lam, prior to then.

18 A. No, it was after that.

19 Q. Let's go, then, without binding ourselves, to the
20 next time you saw them. We are sometime in the summer of '77.
21 Did you pretty much have the ability, by the summer of '77, to
22 move about freely within the prison camp?

23 A. Yes and no.

24 Q. Why don't you explain that.

25 A. Because of the relationships that I had established

1 with the guards, and that was the activities in the black
2 market, I created circumstances which would get me out of the
3 camp. As far as the camp administration knew, anything I did
4 or everywhere I went, it was legit. In other words, it was a
5 necessity. And for mechanical purposes only.

6 Q. When you say mechanical purposes, you mean to fix a
7 truck, to fix a generator, to get something working that was
8 broken?

9 A. Yes. And for the purposes of the black market
10 activities, we used to fake breakdowns and fake breakdowns are
11 very easy. They incorporated other people, drivers, et
12 cetera, and literally paid them money or goods to call in a
13 breakdown when they were in or around Hanoi. And when that
14 would happen, then they would take me from Yen Bai to Hanoi to
15 repair the vehicle. And every time I went to Hanoi, I also
16 took a list with me of spare parts that I needed to get from
17 the Gai Lam warehouse that was being brought out from South
18 Vietnam and stored or stockpiled at this warehouse there. And
19 I would make up a list of things that I needed, like
20 generators, batteries, tires, et cetera, and take these back
21 to the camp.

22 Q. When did the first so-called black market activities
23 begin?

24 A. Just before Tet, 1977. About a week before Tet.

25 Q. So that would be late January, early February in

1 '77?

2 A. That is correct.

3 Q. And would you just explain again what the
4 circumstances were that lead to the black market activities?
5 There was a shortage of materials in Vietnam?

6 A. Yes. Commodities. Simple commodities -- soap,
7 clothing, things like candy, cigarettes, wine, whisky -- very
8 much in demand at this time. They just weren't available.
9 The only place they were available or were made available were
10 in the hotels, which were where foreign visitors to Vietnam
11 lived. These are the only places that these commodities were
12 plentiful. And the only people that could get in and out of
13 these hotels were foreigners. They were staffed by Vietnamese
14 intelligence personnel. And they had guards and the whole
15 thing. And so none of the -- anyone outside that staff,
16 Vietnamese, could not get in or anywhere near those hotels.
17 Only foreigners.

18 Q. How did the first occasion on which there was a
19 black market activity occur?

20 A. I initiated it. And it was through -- basically
21 through curiosity and questioning. Over the radio I heard
22 about a lot of these delegations that were coming to Vietnam,
23 and through talking with the guards, and et cetera, I inquired
24 as to where did they stay and basically what were their
25 activities. And what the guards knew, they explained to me

1 and then they explained their lifestyle, that Vietnam had
2 stocked these hotels to try to maintain some type of European
3 lifestyle for these people. And there was a little bitterness
4 in their voice when they said that, because when Vietnam is so
5 hungry, any of these foreigners come here and they eat, drink
6 and be merry, not realizing that the Vietnamese people are
7 starving. And I asked -- I said, why don't you guys who are
8 military, why couldn't you just walk into the hotels and buy
9 some of this stuff? And they said, oh, no, we can't do it.
10 It's off limits. It's a very serious offense to be caught in,
11 around, or near any of these hotels. And that most of these
12 hotels, they are staffed with Vietnamese intelligence. They
13 said even down to the cleaning people are Vietnamese
14 intelligence. And they said the only people that can move or
15 come and go freely there are the foreigners that come to visit
16 Vietnam or the people who are assigned or staffed in Vietnam,
17 as Cubans, Russians, Czechs, Poles, et cetera. They live in
18 these hotels. And I immediately came up with a brainstorm and
19 said, well, I look like a foreigner. And they said, without a
20 doubt. So I volunteered. I said I would be willing to help
21 you guys if you want, I said, because they were complaining
22 that Tet was coming up and they had nothing to offer their
23 ancestors. There is a tradition in Tet in Vietnam that they
24 have to make an offering to their ancestors. It is supposed
25 to be good luck. And so I offered, basically, my services,

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