

1 not only the live sightings, but he was very disturbed about
2 an upcoming press conference I had scheduled at the national
3 press building about the Wall Street Journal article.

4 Q. And when he said he wanted to meet with you, what did
5 you respond?

6 A. I agreed. I agreed to meet with him.

7 Q. Did you contact your attorneys?

8 A. I think, I am not positive, but I think I contacted
9 my attorney at that time who was going to represent me at the
10 press conference who is Bill Bennett, but I don't, I am not
11 clear on that.

12 Q. Who went to the meeting with Childress?

13 A. No one. He insisted that just me and him.

14 Q. Where did you meet?

15 A. At a bar in Arlington, about two or three blocks from
16 where I work. This guy had some kind of pull. This was
17 during happy hour pretty much and we went in there and that
18 whole bar was shut down. We were the only two people in
19 there, besides, there was a couple of other people I mean, but
20 no other patrons were in that bar.

21 Q. What time of day was it?

22 A. It was after work, after I had finished, so it would
23 have to have been after 5.

24 Q. Had you ever seen Mr. Childress before?

25 A. No I had not.

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1 Q. How did you know it was Mr. Childress?

2 A. I had seen photographs. I hadn't seen him personally. I take that back. I had seen some photographs of
3 him in the newsletters, in those POW newsletters.

4 Q. Did he give you any identification? Did he show you
5 any identification?

6 A. I believe he did, yes.

7 Q. Did he give you a business card?

8 A. Yes he did.

9 Q. Did you keep it?

10 A. I did at the time.

11 Q. Do you still have it?

12 A. I may. I may have it.

13 Q. Would you look for that and see if you do still have
14 it?

15 A. Sure.

16 Q. Describe to me what happened at that meeting? What
17 did you say to him and what did he say to you, as best you can
18 recall?

19 A. He was very distressed that, about the Wall Street
20 Journal article.

21 Q. Is that what he said, I am very distressed about the
22 Wall Street Journal article?

23 A. He used the word upset.

24 Q. He said I am very upset about the Wall Street Journal

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1 article?

2 A. Yeah.

3 Q. What did you say?

4 A. I didn't say anything.

5 Q. What did he say?

6 A. He wanted to, he wanted to know who initiated it, who
7 introduced me to Bill Paul, and I told him I did my own, you
8 know my own accord. Nobody helped. He wanted to know how I
9 knew Bill Paul and I told him that I did not know him. I just
10 picked his name from the Wall Street Journal article that the
11 man had written and I got in touch with the Wall Street
12 Journal and asked to speak to him and I went from there.

13 But in fact, I did lie to him about that. The person
14 who introduced me to Bill Paul was, at that time was Governor
15 Bill Hendon, Congressman, I am sorry. Congressman Bill
16 Hendon.

17 Q. He might like to be a Governor, but he has never.

18 Tell me about the conversation you had with Mr. Childress?

19 A. He wanted to know what type of detail, in what depth
20 of detail did I go into my sightings, my sightings with Bill
21 Paul and I told him, nothing more than the sightings
22 themselves, just the basic numbers, and the location, and the
23 year; and he wanted to know if Bill Paul was the only one that
24 had a copy. Did he make a tape, and I replied to him, that I
25 don't really know if I should be answering any of these

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1 questions without counsel.

2 I said, I don't understand your questioning here and
3 he said that his concern was that there were delicate
4 negotiations going on between Vietnam and the United States
5 about the remaining possibility of live Americans still in
6 South East Asia, and that that Wall Street Journal article had
7 seriously harmed and possibly broken down those negotiations.
8 I said, well, what's done is done, there is nothing we can do
9 about that.

10 He asked me, he says, you are still on active duty?
11 I said, yes I am. He said, what? He asked me if I felt, on
12 whose advice that I went on, and I said it was a matter of
13 conscience as anything, what had been told to me, and what
14 occurred, and nothing had been done and it was just a burden,
15 a burden of my own guilt and the knowledge and I felt that all
16 the people that I had told throughout the years, I didn't see
17 anybody else come out and I just felt for my own sake of
18 sanity really that I had to tell somebody.

19 He said, why didn't you come to us? And I told him,
20 well, I said, you people always knew where I was, I never knew
21 who you were or where you were. And he started on the press
22 conference and he said, that, first he went on that these
23 people, these POW/MIA groups, families, that they were only
24 using me; and that they were going to get me in serious
25 trouble.

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1 He started quoting international law, that I was
2 withholding evidence, and it could be considered, that there
3 was a possibility that because I withheld evidence of live
4 Americans in South East Asia for X number of years, that I
5 could be held responsible, if anything happened to these
6 people and there would be, if there was a war crimes tribunal
7 set up that I could have some very serious charges levelled
8 against me.

9 Q. Did you consider you were being threatened at that
10 point?

11 A. Absolutely.

12 Q. What did he tell you you should do?

13 A. He told me that I should recant. He wanted me to
14 recant the Wall Street article and to work with DIA, submit to
15 a full debriefing with DIA.

16 Q. What did you respond to that?

17 A. I told him that I would confer with my lawyer and as
18 far as recanting, that I wasn't going to recant anything.

19 Q. What was his attitude? Was he angry, was he sad?

20 A. When we first started out he was very polite and when
21 I wasn't doing what, I guess I wasn't reacting the way he
22 wanted me to react, the way he expected, he told me that, well
23 first he started making promises. He said, I can help you.

24 He says, I have a direct line to the White House. He
25 says, whatever you need, whatever you want. I can get for

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1 you, if you just work with us. I was telling him, no, I said,
2 there is nothing you really have that I want, I need. I
3 said the only thing I want and that you can do is get those
4 people home. He said we are trying to do that, but you are
5 interfering with that. I said, well I don't believe I am.

6 I told him, I said, it was the media, and the
7 knowledge that I was there that got me out and that reason I
8 am here and I am totally convinced that once those, when it is
9 made known that those people are still there, then that's
10 going to help them the same way it did me. And he said, no,
11 those people are -- he phrased it -- he said, those people
12 that you think are there, were not in the same position that
13 you were.

14 He said, you were very lucky and he says, you know
15 that. Oh he says, did you know that the way you got out, he
16 says, you know, there's -- you shut the door on the
17 possibility that anyone else may ever have the opportunity
18 that you did. At that time, and I said, yeah I realize that.
19 He says, VID, the security in Vietnam tightened up. He asked
20 me, he said, did you think about that? Did you think about
21 that when you passed the note? No, not really.

22 He said, well do you think about it now? No. He
23 said, well you should. And, then he said, you are still on
24 active duty. I said, yeah, on the appeals. He says, do you
25 know that you can be called back to Camp Lejeune within 24-

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1 hour notice? I said, yes, I know that. He says, you knew
2 that, and still you went ahead with the Wall Street Journal
3 article? Yes.

4 He says, you know that now and you are still going
5 ahead with the press conference? I said, yes. And he said,
6 is anybody paying you to do this? Did the Wall Street Journal
7 pay you any money? No. He said, I don't understand why you
8 would do this, with nothing. It just brings, it disrupts your
9 life. Haven't you, you have got a home? You have got a job?
10 Why are you doing this? It totally disrupts your life? Why
11 did you do this?

12 I said, it's a matter of conscience. And he says, oh
13 yeah, I remember I think I have seen a tape where you said
14 that once. That you remained in Vietnam as a matter of
15 conscience? When he said that, and I got his entire attitude
16 in one gulp then, and I told him, I think we had better cut
17 this short right now.

18 Q. I am sorry. What you said doesn't mean the same
19 thing to me that it, words don't mean the same to me?

20 A. Okay, in the propaganda tape which we just saw?

21 Q. Yes.

22 A. One of the questions that was asked me was, why
23 didn't you go home in 1973 with the rest of the prisoners?

24 Q. Right.

25 A. And as was instructed by the Vietnamese for me to say

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1 my response was, as a matter of conscience.

2 Q. I see, so what you, what Mr. Childress was doing was
3 throwing back that sham tape in your face?

4 A. Yes.

5 Q. The one that you had been forced to make?

6 A. That's correct.

7 Q. And saying as if you had done it voluntarily?

8 A. That's correct.

9 Q. How long did this conversation last?

10 A. 1/2 hour, 45 minutes, possibly.

11 Q. Have you told me all that you can now recall about
12 that conversation?

13 A. That particular conversation. I had other
14 conversations with him over the phone.

15 Q. Is that all you can recall of that conversation that
16 you had in person?

17 A. He was very angry at the end of it. He was very
18 upset. He told me my life would be turned upside down, that I
19 should very seriously consider cooperating with him and
20 recanting the story in the Wall Street Journal. I can't
21 remember everything of the conversation. I was just really -
22 - I would have to think about the whole -- it was, he went,
23 the conversation went, he went from friendly, to kind of
24 matter of fact, to try to put guilt on me, to threatening me.

25 That's the way that, pretty much the way the

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1 conversation ended.

2 Q. You did have the press conference later, didn't you?

3 A. Yes I did.

4 Q. And you later attempted to cooperate with the DIA did
5 you not?

6 A. Yes I did.

7 Q. And you have had as many debriefings by the DIA as
8 they have asked you to have, haven't you?

9 A. Yes, I have cooperated fully.

10 Q. In fact you have been debriefed for days on end, have
11 you not?

12 A. Yes, originally when it was still under appeals, my
13 lawyers, my counsel's concern was the years that the court
14 martial didn't deal with so there was requested immunity, to
15 be able to, so I could be able to speak freely about anything
16 and everything with DIA. It was requested that I be given
17 immunity from those years, from '73 up to '79 to, so that
18 would give me the freedom to give them any information that I
19 had.

20 Q. To be specific, immunity apart from those things that
21 Garwood had been convicted of in his court martial?

22 A. Yes. But they wouldn't give it, said absolutely not,
23 they were willing to not debrief me at all.

24 Q. They would rather not have the information than give
25 you the immunity that would have allowed you to talk?

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1 A. Yes, that's exactly the stance they took.

2 Q. And you went forward anyway without an immunity and
3 just told them all the information you could?

4 A. Yes.

5 Q. You said that you gave them a list of names at some
6 point, do you recall that?

7 A. Yes.

8 Q. And they told you they came back to you that none of
9 the individuals who were listed in that list of names were?

10 A. Correlated with their data bank. They couldn't
11 correlate the names to anything on their list.

12 Q. And some time after you got that information that
13 none of the names correlated with their data bank. Now were
14 these names that you had seen after 1973, names of people you
15 had seen after 1973?

16 A. These are names that I picked up from '73 all the way
17 to '79, I picked up from basically just eavesdropping.

18 Q. Eavesdropping on your captors?

19 A. Yes.

20 Q. Talking about other prisoners?

21 A. On my captors talking, also names that ARVN's had
22 picked up on work details.

23 Q. Approximately how many names were there?

24 A. 11, 12, somewhere in that neighborhood.

25 Q. You gave those names to DIA?

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1 A. Yes, to DIA, to National League of Families, and to
2 Congressman Bill Hendon, those were the -- actually, I only
3 gave one list. I gave one list to Congressman Bill Hendon,
4 and he from my understanding, he made one list available to
5 DIA and one list available to the National League of Families.

6 Q. You got, DIA reported back to you, that no one on the
7 list you had given correlated to the information they had in
8 their data base?

9 A. That's true.

10 Q. To be accurate the names you gave weren't full names
11 like John P. Jones?

12 A. No.

13 Q. They were partial names like Jones, or John P., or
14 sometimes nicknames?

15 A. That's correct.

16 Q. It was rarely that you gave a whole name like Earl?

17 A. No.

18 Q. Earl whatever his name his, Earl Clyde Weatherman;
19 and at some point after DIA had told you that none of the
20 names correlated to the names they had in their database did
21 you receive something in the mail?

22 A. Yes, about 1-1/2 to 2 months ago, I received a list
23 of names of remains that had been returned.

24 Q. Remains now, not individuals, but remains that had
25 been returned?

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1 A. Remains that had been returned from 1979 to date, and
2 four of those names were circled and four of the names that
3 were circled were amongst the list that I had given to
4 Congressman Hendon back in 1985, I believe it was.

5 Q. And it had been Colonel Thai who had told you, just
6 before you left Vietnam, that the way people would be returned
7 would be by remains, not leaving like you would, that had
8 happened hadn't it?

9 A. Yes.

10 Q. Did that make you concerned about the information
11 that you had given?

12 A. Yes.

13 Q. And in fact, the fact that those names that you had
14 given and now were on the returned names -- I am sorry were on
15 the names of remains that were returned, did that make you
16 question the DIA database?

17 A. I had several concerns. All the information that I
18 have given DIA, when I heard that DIA and saw that DIA was
19 going to Vietnam and presenting Vietnam with various documents
20 and evidence, I couldn't believe, I couldn't believe what I
21 was seeing, or what I was hearing because I knew -- I knew
22 what the Vietnamese would do. They would make sure there was
23 no evidence.

24 Q. So you thought that, it's your belief that when the
25 DIA goes to Vietnam and presents them with these names, that

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1 Vietnam will just make sure the people aren't alive anymore?

2 A. That's correct, and it's my fear, my fear on that,
3 that it will come back, whether it will be through the
4 families of those people, or some government official that
5 will point the finger at me, that I was responsible for that.

6 Q. But you have only given the information to DIA for
7 them to attempt to get these people back?

8 A. I didn't give DIA, I didn't give it directly to DIA,
9 I gave it to Congressman Bill Hendon and he was to give it to
10 the proper authorities.

11 Q. Okay, just to close that circle, the proper
12 authorities are the DIA, so --

13 A. Yes.

14 Q. You know, you shouldn't feel responsibility for
15 seeing that that information goes to DIA because DIA needs
16 that information to get it to the Vietnamese in some form. All
17 right let's go off the record for a minute.

18 (Discussion off the record.)

19 MR. CODINHA: Back on the record.

20 BY Mr. CODINHA:

21 Q. You indicated you had further telephone conversations
22 with Childress after the initial conversation. When did those
23 telephone conversations take place?

24 A. They took place, they had to do with the upcoming or
25 trying to establish a meeting with DIA.

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1 Q. About these, you reporting these live sightings?
2 A. Yes, and it was regarding amnesty.

3 Q. Immunity?

4 A. I am sorry, immunity, not amnesty, immunity, yes.

5 Q. And was that the discussion you have just explained
6 to us, that they were unwilling to give immunity, even though
7 you could give them the information?

8 A. Yes, it was a whole day of phone calls between
9 Childress who claimed he was actively in a meeting and that he
10 was running back and forth to the White House and that the
11 conclusion was that they could -- actually I heard from
12 Vaughan. I was one phone with Vaughan and one phone with Mr.
13 Childress, and it was back and forth all day at work there
14 between my counsel and Mr. Childress.

15 Then my counsel finally informed me that there had
16 been a blanket rejection as far as immunity was concerned,
17 that they were under no circumstances whatsoever going to give
18 me immunity for anything.

19 Q. Did you have any other phone calls with Childress
20 relating to this subject?

21 A. No, after that subject was shut down, no. I believe
22 that is the last time I heard from him.

23 Q. Have you had other conversations with other
24 administration officials at other times, either in person or
25 by telephone?

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1 A. Yes.

2 Q. And would Mr. Shields have been one of those people?

3 A. Yes, I met Mr. Shields, I didn't know who he was, I
4 met Mr. Shields within, just a month, maybe a month -- not
5 even a month, probably about a month of my return to the
6 United States.

7 Q. That was back in 1979?

8 A. That's correct. That would have been around April, I
9 believe it was April 1979, yes.

10 Q. Who did you know Mr. Shields to be?

11 A. I thought he was a friend of Dermott Foley, my
12 counsel at the time.

13 Q. Have you since learned who Mr. Shields was?

14 A. Yes, I have.

15 Q. Who did you learn him to be?

16 A. That Dr. Roger Shields, former head of NSC during the
17 time of Operation Homecoming.

18 Q. Did you meet him in person or did you meet him or was
19 there a telephone conversation?

20 A. In person.

21 Q. Where did the meeting take place?

22 A. In the office of Dermott Foley in New York City.

23 Q. Who was present at that meeting?

24 A. Myself, Dermott Foley and Roger Shields.

25 Q. What took place?

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1 A. He was there, he introduced himself to me, and told
2 me that he was an employee -- he worked for the World Bank and
3 it didn't mean a whole bunch to me. And but anyway I started,
4 we just -- Dermott started talking and I was there for the
5 purpose of giving Dermott information, a debriefing and Roger
6 Shields was right there.

7 Dermott got called out of the office. We weren't in
8 the office, we were in the library room of the law offices
9 there, that is where we were doing the debriefing. Dermott
10 had his taperecorder out and all of that, and we had just
11 gotten start and Dermott got called out of the office and then
12 Roger Shields told me that -- he asked me, he says, do you
13 have knowledge of other prisoners? I said yes.

14 He said, American? I said yes. He said, I didn't
15 hear that and you didn't say that. I said why? He said,
16 there was a very good chance that nothing is going to happen,
17 and he said that will open a whole new can of worms. He said,
18 you don't talk to anybody, he said, including Dermott about
19 any other Americans that you saw and I thought it was kind of
20 strange.

21 But again, I thought he was a lawyer or something,
22 and I was told by my parents to cooperate fully, anything they
23 told me to say, say it, and anything not to say, don't say it.

24 Dermott came back and Roger left the room, Mr.
25 Shields left the room and I asked Dermott who he was. And he

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1 said, he is a friend of his, that he had helped him on several
2 cases, international corporate cases. I said, why doesn't he
3 want me talking about other American prisoners?

4 He said, did he say that to you? I said, yes, he
5 did. He said, well, he is concerned about your well-being.
6 He said that is a very explosive -- I can't remember exactly
7 what words he used or the terms, but he used explosive
8 something here, to even mention that. He said it's not
9 pertinent to what we are faced with and it can only hinder a
10 case, not help it. He said, that's a new can of worms. He
11 said anything you want to tell me, he said, fine, if it will
12 help you.

13 And then he went on, I have a brother that is
14 missing, missing in action, and he said, Bobby, as your
15 attorney, I am not going to ask you whether or not you have
16 heard or seen my brother. I thought that was kind of strange.

17 He said, what I am concerned with right now is
18 whether or not the government, the U.S. Marine Corps is going
19 to bring charges against you or not and I have to prepare a
20 case for that. I have to prepare a defense, and he said,
21 don't go talking to anybody about anything that happened after
22 1973. Anything you saw or heard, what you did, nothing, it's
23 very, very dangerous.

24 Q. Now besides the conversation you had with Dr. Roger
25 Shields, and the conversation you had with Richard Childress,

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1 did you have any other conversations with any administration
2 officials who told you not to talk about living Americans?

3 A. Who told me not to talk about living Americans? I am
4 trying to remember an instance when I met with Congressman Ben
5 Gilman and Congressman Wolfe, but I think, if I remember
6 correctly, Foley controlled that and --

7 Q. Is that the April 4, 1979 interview you had with
8 Wolfe and Gilman?

9 A. I believe that was it, yes, it sounds right. I am
10 still at Great Lakes Naval Hospital. And Foley would not
11 actually let me respond to them. He did all the responding
12 and this frustrated both Congressman Gilman and Congressman
13 Wolfe. And Dermott kept telling them that once everything was
14 cleared and it was clear that would not be any charges filed
15 against me, then I would be more than willing and happy to
16 talk to them.

17 Q. You have since been debriefed a number of times by
18 DIA.

19 A. That's correct.

20 Q. By DIA agents, and have you talked to them about the
21 living Americans you saw?

22 A. Yes, I have.

23 Q. Did it appear to you in those interviews that the DIA
24 agents who debriefed you, credited your story?

25 A. No, actually the debriefings -- the part that I got

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1 from each debriefing really was they were trying to pick it
2 apart, not gather information. They were more interested, it
3 seemed like they more interested in like -- a sighting, what
4 time of day? Was it sunshine or was it raining? What color
5 was the wood? What color was the tile? How many people on
6 the streets? How many bicycles? What kind of bicycles?
7 Where were they made? I mean, it was, where is this street in
8 reference to this street in Hanoi? There was much more time
9 spent on this than actually the live sightings themselves.

10 And in the meeting in Ocracoke, half way through the
11 debriefing they suddenly blurted out and told me that one of
12 the persons that I had been close and had buried, that his
13 body had been brought back.

14 Q. Is that Russ Grissett?

15 A. Yes, and it upset me quite a bit. They had known
16 this for a couple of months, but had saved it for that time to
17 tell me. I didn't understand the purpose of why they did
18 that. They could have very easily have told me or sent me or
19 called me while I was at home and not have waited until I got
20 to Ocracoke in the middle of those debriefings to do that.

21 Q. Do you think they specifically did it to upset you?

22 A. Yes, I do.

23 MR. CODINHA: All right. Unless there is anything
24 you would like to add right now, Mr. Taylor, what I would like
25 to adjourn this to Senate Security and conclude there.

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1 (Whereupon, at 3:20 p.m., the taking of the instant
2 deposition ceased.)

3

4

5 Signature of the Witness

6 SUBSCRIBED AND SWORN TO BEFORE ME this _____
7 day of _____, 19_____.

8

9 Notary Public

10 My Commission Expires _____.

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WASHINGTON, D.C. 20005
(202) 289-2260
(800) FOR DEPO

CERTIFICATE OF REPORTER

UNITED STATES OF AMERICA) ss:

DISTRICT OF COLUMBIA)

I, RAYMOND R. HEER, III, the officer before whom the foregoing deposition was taken, do hereby certify that the witness whose testimony appears in the foregoing deposition was duly sworn by me; that the testimony of said witness was taken by me to the best of my ability and thereafter reduced to typewriting under my direction; that I am neither counsel for, related to, nor employed by any of the parties to the action in which this deposition was taken, and further that I am not a relative or employee of any attorney or counsel employed by the parties thereto, nor financially or otherwise interested in the outcome of the action.

Raymond R. Heer III

*Notary Public in and for
the District of Columbia*

My commission expires: 5-31-94