

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

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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?

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.

[The document referred to was marked Garwood Exhibit No. 7 for 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 O. 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.

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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 interact 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.