

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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AFTERNOON SESSION

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

Whereupon,

ROBERT GARWOOD,

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

EXAMINATION BY MR. CODINHA RESUMED

BY MR. CODINHA:

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

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

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

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

A. In or about that time, yes.

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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

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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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1 that I would be willing -- if he could get the clothes to do
2 so, I would be willing to go into the hotels and buy these
3 commodities for you and give them to you so you could take
4 them home to your family and have a good Tet, a good new year.
5 And at first they were very hesitant because, well, that's
6 treason. That is basically what it boiled down to. If I had
7 been caught in these hotels and they found out that I was
8 incarcerated within the Cuc Qn the Cuc Quan Phap system, that
9 these guards would be in very, very serious trouble. And so I
10 worked it out and said, we'll work it out this way, I said.
11 If I'm caught, for the first time, I said if I'm caught, I
12 will just tell them that I did it on my own. You guys turned
13 your backs and I beat feet to the hotel. That you knew
14 nothing absolutely about it. And they talked it over and got
15 more relaxed, and they believed me, that I would do what I
16 said I would do.

17 Q. Why did they believe you?

18 A. They were just that desperate, that's all. The
19 situation then in Vietnam -- Vietnam was no longer at war with
20 anybody per se, and actually during the war years, Vietnam,
21 North Vietnam especially, was much better off as far as
22 commodities. And there was not really a -- they didn't lack
23 of anything from rice to clothes because of all the aid that
24 came from various countries, Russia, China, Poland, et cetera.
25 But that was all cut off after the fall of Saigon. And so

1 they had to tighten up.

2 Q. What kind of clothes did they get you to go into the
3 hotel?

4 A. They got me a pair of Levi's. They weren't really
5 Levi's but --

6 Q. Blue jeans?

7 A. Blue jeans. And a t-shirt. And the first time
8 around I used a t-shirt, levi's, what looked like similar to a
9 baseball cap, and flip-flops.

10 Q. Did that make you look like other foreigners who
11 were in Vietnam?

12 A. Pretty much.

13 Q. By this time, in '77, were there a lot of other
14 Caucasians in Vietnam?

15 A. Yes. They were around all over the place.

16 Q. How could you tell the difference between a
17 Caucasian who was in Vietnam who wasn't a prisoner, and a
18 Caucasian in Vietnam who was a prisoner? How could you tell?

19 A. By the way -- the very relaxed demeanor. They were
20 joyful, the laughter, there didn't seem to be any escorts or
21 anything, any guards or anybody around. They seemed to have
22 very free movement. It was just their whole demeanor. You
23 could tell. It's observation. You could tell who was and who
24 wasn't.

25 Q. Now, the two guards. There were two guards that you

1 discussed this black market scheme with, were there not?

2 A. Well, when I refer to two guards, it was one guard
3 and the driver, the driver of the vehicle.

4 Q. I assume that that guard and that driver you bonded
5 with in some way. Do you know their names?

6 A. Yes.

7 Q. You're hesitating. Do you not remember their names
8 or do you not want to tell their names?

9 A. Why don't we take a short recess?

10 MR. CODINHA: Sure.

11 [Recess.]

12 BY MR. CODINHA:

13 Q. What did you want to say?

14 A. I had to think about that a few minutes. And that
15 was only in -- I was considering the families of these two
16 people who were also involved in the black market activities,
17 and my only concern was their well being. But I stopped and I
18 went out and had to think about it a minute. And weighed why
19 we're here, the reason we're here, far outweighs any concern
20 that I can have for these people and so I'm just going to go
21 ahead and give you the names.

22 Q. And what was the guard's name?

23 A. Kien.

24 Q. And how do you spell that?

25 A. K-i-e-n.

1 Q. And was that the whole name you knew him by?

2 A. I knew his whole name. The middle name was Van. V-
3 a-n. Tran. T-r-a-n.

4 Q. So it's Tran Van Kien? And where was he from, do
5 you know?

6 A. Hanoi.

7 Q. And do you know anything about his family? What
8 business they were in? Where they might have lived?

9 A. They sold commodities on the streets of Hanoi.

10 Q. Do you know anything else about Tran Van Kien?

11 A. He was married. Had one child at that time.

12 Q. How old was he?

13 A. How old was Kien?

14 Q. Yes.

15 A. About 27, 28. Something like that.

16 Q. Any distinguishing features about him?

17 A. He didn't like the military. What he told me about
18 his livelihood -- he was a high school graduate. He grew
19 up -- the way he grew up, he grew up in the streets of Hanoi.
20 While growing up before, he was drafted into the army. He
21 loved the Western -- he loved to dress like Westerners. He
22 liked to listen to Saigon music, the popular music of Saigon,
23 which was forbidden in North Vietnam to listen to. Even
24 though he was married and had a child, he also had a
25 girlfriend, which he saw occasionally in Yen Bai, who was a

1 local. I met some members of his family.

2 Q. When would you have met members of his family?

3 A. When I bought commodities from the hotel and gave
4 them to him. And these commodities would immediately be taken
5 and transferred to his family members.

6 Q. Do you remember where he lived?

7 A. We went to the house several times. It was on the
8 outskirts of Hanoi. It was near a dike. On the other side of
9 the dike was a river. About -- by jeep about 15 minutes from
10 Hanoi.

11 Q. Do you remember the name of the area?

12 A. I don't right now. It was towards Gai Lam.

13 Q. Anything else that you might tell us to help us
14 identify this person? What rank was he?

15 A. Sergeant.

16 Q. North Vietnamese?

17 A. Yes.

18 Q. Regular army?

19 A. Yes.

20 Q. Cuc Quan Phap?

21 A. Yes.

22 Q. Anything else you can recall about him?

23 A. Nothing comes to mind at present.

24 Q. The driver. Do you remember his name?

25 A. Quy.

1 Q. How do you spell that?

2 A. Q-u-y.

3 Q. What was his full name, do you recall?

4 A. I don't recall.

5 Q. Do you know where he lived?

6 A. Hanoi.

7 Q. Do you know anything about him?

8 A. Not too much. I met his brother once. His brother
9 was a civilian and worked in -- he worked in a factory. His
10 brother worked in bicycle factory. Let's see. He had three
11 sisters. His father was a cook or a chef.

12 Q. For whom?

13 A. For the government. His mother sold commodities on
14 the streets of Hanoi, had a little shop.

15 Q. Do you know what it was called?

16 A. Yes, I do. Cha Mo. C-h-a M-o.

17 Q. Is that one word?

18 A. It's two words.

19 Q. And where was that located?

20 A. In Hanoi, not too far from the lake in the center of
21 Hanoi. Right down the street from the Tourister Hotel, which
22 is right across the street from Lake Bo Ho.

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

24 A. B-o H-o.

25 Q. Do you remember what kind of commodities she sold?

1 A. Anything from combs, soap, cloth, whiskey, rice,
2 fruit.

3 Q. Was her store right on the main street?

4 A. No. It was in the market. Cha Mo is a big open
5 market, a big open marketplace.

6 Q. So when you say the name of her store was Cha Mo --

7 A. That was the area, the marketplace.

8 Q. And Cha Mo means marketplace?

9 A. Yes. And she had a stall.

10 Q. What else do you remember about Quy's family?

11 A. His family was at one time -- they were -- his
12 family was considered among the rich of Hanoi until the money
13 exchange in '75. And there was a money exchange. They
14 changed money. They went -- everything was confiscated from
15 them by the government and they had to start all over again.

16 Q. How old was Quy?

17 A. He was young. A couple of years younger than Kien.
18 25, 26, something like that.

19 Q. What rank was he?

20 A. Corporal.

21 Q. Can you remember anything else that may be useful
22 for us to be able to find him?

23 A. The last I heard they were both dead.

24 Q. What was the source of that piece of information?

25 A. That source was brought out -- I learned of that in

1 1985 from Lieutenant General Phat.

2 Q. P-h-a-t?

3 A. Yes.

4 Q. Who was Lieutenant General Phat?

5 A. Lieutenant General Phat was my immediate superior in
6 the Prison Camp Complex 776. He was also a prisoner through
7 the chain of command.

8 Q. He was your immediate superior?

9 A. Yes.

10 Q. Was he an ARVN?

11 A. Yes.

12 Q. Why were you reporting to ARVN?

13 A. Because there were no Americans.

14 Q. When did you start reporting to ARVN?

15 A. It was in the fall, about September -- approximately
16 September of 1976.

17 Q. And how did it happen that you started reporting to
18 Lieutenant General Phat?

19 A. When the camp -- this is when the camp expanded and
20 went to battalion level. They made a camp there. It
21 comprised of where I was. It comprised of all former general
22 staff of the Saigon administration. Lieutenant General Phat
23 was the highest ranking. There were, I remember, three
24 generals and a whole bunch of colonels and light colonels, and
25 what had been set up, it was secretly set up -- a chain of

1 A. I was telling the ARVN that I worked -- and actually
2 on some occasions volunteered to work -- for an increase in
3 rations and tried every way I could to enhance or create
4 circumstances so that it would allow me to get outside the
5 camp and get more exposure, and hoping that I could make some
6 type of contact or someone would see me of these foreign
7 delegations that were coming and going throughout Vietnam.

8 Q. How were the ARVN prisoners treated by the North
9 Vietnamese?

10 A. As new prisoners. Very harshly when they first
11 arrived. Very threatening. There were beatings. There were
12 executions. Long interrogations. Very hard work details.
13 They were treated as new prisoners. Very harsh. Very, very
14 hard. A lot of them were singled out. The ones that were
15 executed, the ones that were singled out. And there were
16 public executions. In other words, they gathered the whole
17 camp and they ran a list of the crimes that over the years
18 they had committed against the Vietnamese people. That they
19 were in no way deserving of leniency and decided that they
20 could not be re-educated, and they were too hard core. And
21 then they were executed. It was quite often. Almost nightly
22 you would hear screams of people in the distance that broke
23 the silence of the night. The beatings and the torture. This
24 was a daily and nightly thing.

25 Q. You have told me that the black market activities

1 that you entered into first occurred around Tet of '77?

2 A. That is correct.

3 Q. And you also told me earlier today there had been a
4 change in the prison guards, in the way they rotated when you
5 were at 776. Do you recall that the prison guards tended to
6 stay there more than rotating?

7 A. Yes. They didn't rotate. They stayed. They were
8 stationed there. There was an occasional transfer in and out,
9 but no more rotation.

10 Q. When did the guards tend to be stationed there full
11 time, as opposed to rotating?

12 A. Well, when I was transferred to Yen Bai, at the
13 company level -- those people that were there at the company
14 level were stationed there. I mean, there was no rotation.

15 Q. There was no rotation, even among the camps? The 20
16 different camps?

17 A. No.

18 Q. So the guards that you had would be the guards that
19 you would have full time?

20 A. Yes. It was only occasionally they would transfer
21 out and someone else would transfer in.

22 Q. How many guards were attached to you?

23 A. I fell under the whole company, the whole
24 detachment. So there was no one guard that was really -- all
25 right, to me there was one -- actually there was two. There

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1 was two guards that were always right there in the motor pool.
2 And they changed out, one or the other. Kien -- he was
3 assigned to only -- he was only my guard when I left the camp
4 area. While I was in the camp, I fell under the authority of
5 all of the guards.

6 Q. And how many guards would there have been watching
7 the motor pool?

8 A. At one time or another, all of them. It was
9 increased. It was actually dependant upon how many ARVN's
10 were in the motor pool -- were working in the motor pool.

11 Q. How many ARVN's would work in the motor pool?

12 A. About a dozen.

13 Q. And, say when there was a full complement of a dozen
14 in there and you, how many guards were watching you?

15 A. There would be about six. Five to six armed guards
16 and they would just be walking around, basically.

17 Q. At this time, were you still living in the hooch?

18 A. Yes.

19 Q. Alone?

20 A. Yes.

21 Q. And you would go back there every night?

22 A. My hooch was right straight across the road from the
23 motor pool.

24 Q. So you just walked across to your hooch.

25 A. Right.

1 Q. The ARVN, would they stay together in groups?

2 A. They would go back to their camps at the end of the
3 work day.

4 Q. Were they allowed to talk to each other?

5 A. Yes.

6 Q. Were you allowed to talk to the ARVN's?

7 A. Yes.

8 Q. Now, there came a period of time --

9 A. But only in Vietnamese, not in English. They
10 forbade us to speak any English.

11 Q. Could the ARVN speak English?

12 A. Yes.

13 Q. What was the rationale behind preventing you from
14 speaking English?

15 A. The guards couldn't understand what we were talking
16 about.

17 Q. Between the Tet of '77 and the summer of '77, on how
18 many occasions did you have to enter into these black market
19 activities that you described?

20 A. It averaged once a month. Sometimes twice a month.
21 It depended on the activity of the camp. If there was a lot
22 of high ranking cadre in the camp, we wouldn't try to attempt
23 it. It was only when there was -- usually, most of the time
24 when we attempted it would be when the vice commandant was in
25 the camp and not when the commandant himself.

1 Q. Now, was this commandant in charge of all 776, or
2 was he just in charge of your camp?

3 A. Lien Trai-1.

4 Q. All 20 of the groups?

5 A. Yes.

6 Q. Did that include Thac Ba?

7 A. I don't know. I really don't know.

8 Q. When you left camp, the guard that would go with you
9 was Kien?

10 A. Yes.

11 Q. Would the driver always be Quy?

12 A. Yes, unless he wasn't available. If he wasn't
13 there -- I left the camp a lot. And it wasn't just Kien or
14 Quy. But the only time that I would go on black market runs
15 was when Kien and Quy and myself were together.

16 Q. Were there any other guards that became involved in
17 the black market scheme with you?

18 A. Not with me, but with them. There was one officer,
19 a second lieutenant.

20 Q. Who was that?

21 A. I didn't know his real name, I only knew him by Sao,
22 Mr. Six.

23 Q. And he had a Vietnamese name?

24 A. Yes, but I didn't know it.

25 Q. You used a Vietnamese term, Sao?

1 A. Sao.

2 Q. And what involvement did he have in the black market
3 scheme?

4 A. Money.

5 Q. He provided the money?

6 A. Yes.

7 Q. Do you know what his job was at camp besides
8 providing money to you?

9 A. He never provided it to me.

10 Q. To the black market scheme?

11 A. Something to do with re-education.

12 Q. Was he also executed?

13 A. I never heard anything about him. Actually, I
14 didn't even ask about him.

15 Q. Between the time you started the black market
16 activities, in or around Tet of '77 and the summer of '77, had
17 you had occasion to see any American prisoners before you went
18 to Thac Ba?

19 A. My memory tells me no, but my instincts say yes. My
20 memory tells me that I didn't have another sighting until the
21 fall or late '77. The two sightings kind of blend together.

22 Q. Well, let's try to get to the one that you think
23 your memory tells you is first. Is that the summer of '77 at
24 Thac Ba?

25 A. Yes.

1 Q. What were you doing? Now, Thac Ba was the place
2 where this sister generator was to the one you had put in in
3 the camp.

4 A. Yes.

5 Q. And how did it happen that you had to go to Thac Ba?

6 A. I was called up to the command of Lien Trai-1, and
7 was told that the generator on Thac Ba -- the gas motor had
8 malfunctioned or burned up, and they were unable to start the
9 turbine diesel. They needed the gas engine to kick start the
10 turbo and they wanted me to go out there to see if I could
11 repair it, or if it could be repaired, because they were
12 having a lot of problems trying to start it by hand. You can
13 imagine with 600 pounds of pressure. And they basically told
14 me to go out and look at it.

15 Q. And this was in the summer of '77?

16 A. Approximately, yes.

17 Q. Had you ever been to Thac Ba before that?

18 A. No.

19 Q. Did you know what Thac Ba was?

20 A. Only in conversation.

21 Q. Conversation with whom?

22 A. The guards -- well, it wasn't the guards. The
23 drivers and the ARVN's.

24 Q. What did the drivers tell you about Thac Ba?

25 A. This was during -- when the camp was being built out

1 there. The bricks and the tile for the roof were made right
2 there in the camp.

3 Q. In Thac Ba? Or in your camp?

4 A. Yes. And they were trucked out to Thac Ba. And
5 they were telling me -- actually they were laughing and joking
6 about when they made these barges, kind of like rafts, to
7 float this stuff over to this island. And the problems that
8 they were loading them up too heavy and they were sinking.
9 And they would have to go out there -- and they would have to
10 swim out there and bring them back to land, one by one, and
11 retrieve these and then do it all over again. And they
12 said -- the drivers said it was funny, it was comical. They
13 get half way out, almost to the island, and they'd have motor
14 problems. They had a little motor and it was attached to a
15 dinghy, the motor that powered this dinghy, and with which
16 they would tow this raft full of tile or brick. And the motor
17 had a lot of problems -- keeping the motor running. And just
18 things like that. And so I learned about that they were
19 building a camp over there. And then when the sister
20 generator -- when that arrived there, well, one of the truck
21 drivers told me. I asked him, I said, where's that generator
22 going to be set up? And he said, Thac Ba. And I naturally
23 thought that since they had ordered me to put together and
24 assemble this generator here, that I would assemble that one
25 also. But I didn't. They used the ARVN's that helped me

1 assemble the generator, and then in Trai-1, they used those
2 same ARVN's to assemble the generator at Thac Ba. I didn't
3 go. So I knew about it and its existence. I did not know
4 what type of prison system they had there or who was
5 incarcerated there at that time.

6 Q. You were, for lack of a better term, partners. Kien
7 and Quy.

8 A. Yes.

9 Q. It is accurate to say that you became friendlier
10 with them than you had with your other guards?

11 A. Yes, I did.

12 Q. Did you have, when you were travelling with them and
13 there were only the three of you in the car or in the jeep,
14 were you able to have fairly free conversations?

15 A. Pretty much, yes.

16 Q. Did they treat you as almost an equal when you were
17 just the three of you in the jeep?

18 A. Yes and no.

19 Q. But did you feel any limitation in their abilities
20 to talk to you at that time? Did you feel they hesitated to
21 talk to you about any subject?

22 A. Yes.

23 Q. What subject did you feel they hesitated to talk to
24 you about?

25 A. I asked them what happened to -- what was

1 happening -- if they heard anything about what was happening
2 at Bat Bat Prison Camp and Son Tay Prison Camp. And Bat --
3 they talked pretty freely. I learned that there was a
4 prisoner that escaped Bat Bat and through the help of some
5 Vietnamese had made it all the way to Hai Phong before he was
6 re-captured. He was an American.

7 Q. And when did they indicate this had happened?

8 A. 1976.

9 Q. That he had escaped?

10 A. Yes.

11 Q. But you had the discussion with them some time
12 between Tet of '77 and before you went to Thac Ba? Or did it
13 continue after that?

14 A. It was in that general time frame.

15 Q. Did they tell you what the American prisoner's name
16 was?

17 A. Yes, they did, but I don't remember it now.

18 Q. Do you recall anything?

19 A. I remember they said it was a captain. That he had
20 escaped through the help of -- through Vietnamese who it was
21 later determined to be working for the CIA. They were CIA
22 ground informants.

23 Q. That is what your driver and guard told you?

24 A. Yes.

25 Q. And he had been at Bat Bat?

1 A. No. He had -- I don't remember them saying he had
2 been at Bat Bat. You see, what they did is the guards and the
3 drivers and whatever, when they came from these other camps,
4 always the drivers -- usually they're the ones that like to
5 talk a lot -- usually anything they've heard or seen they
6 would discuss with the other drivers or any news from Hanoi
7 they would bring up. And so this was second hand from the
8 drivers when they go into Hanoi. And every time we went into
9 Hanoi, we had to report at Ba Duong Thang that we were in
10 Hanoi and what we were there for. Well, when we were there,
11 they had kind of like a little rec room, and it was drivers --
12 that's where they hung out. And they talked, et cetera, et
13 cetera, and exchanged information about one camp to another.
14 But the way they were talking about it, this was a big thing
15 within the Cuc Quan Phap about this individual escaping and
16 making it all the way to Hai Phong before he was re-captured.
17 They also told me that in Bat Bat, that there were a lot --
18 they didn't use the word American -- there were a lot of
19 foreigners, Europeans, detained there. These people were
20 caught in hiding in Saigon and the Da Nang areas. This was
21 later -- five, six months after the fall of Saigon.

22 Q. What else did they tell you about American
23 prisoners?

24 A. On one occasion there was a discussion about a
25 secret convoy from Lang Son province in the middle of the

1 night.

2 Q. Would you spell that?

3 A. L-a-n-g S-o-n.

4 Q. What did they tell you about the secret convoy?

5 A. That there were several criminals -- were
6 transferred secretly to a secret location in Lang Son. That
7 these people -- they didn't say whether they were American or
8 what, they just used the word criminals. That these people
9 had been transferred to a secret location underground,
10 secret, special location underground, for security reasons.

11 Q. Were these your drivers?

12 A. And the guards, the guards and the personnel, and
13 the drivers had to meet the highest security -- well, direct
14 translation, had to meet the highest security.

15 Q. Were these your drivers who were telling you this or
16 other people?

17 A. No, my drivers.

18 They came to a point where they were actually --
19 they expressed sympathy towards me, and that I was alone. And
20 they loosened up a little bit in discussing other camps and
21 Americans that I don't believe that they actually witnessed,
22 but only knew about. They didn't understand why I was being
23 held separate from the rest of the people. They felt that it
24 would have been more humane if I would have been put together
25 with these people, so I could have had some friends, as they

1 put it.

2 Q. Did you ever ask to be put together with those
3 people?

4 A. Yes.

5 Q. And who did you ask?

6 A. He came down from Cuc Quan Phap. He inquired about
7 my health and how I was doing.

8 Q. Was that Colonel Thai?

9 A. No, it was someone out of his office. He held rank
10 of lieutenant colonel. This was in mid-'75, approximately
11 mid-'75. I told him I knew there were other Americans in
12 other camps, and he asked me how I knew that, and what did I
13 base it on. And I told him that was through the POW
14 grapevine, and he tried to establish who told me that, and how
15 I learned that, et cetera, et cetera, and what did I know.
16 And I said it was common knowledge through the POW grapevine,
17 and I said I just wanted to know why I can't be with these
18 people.

19 They're my people, we understand each other, and I
20 said, if I'm going to die here, I wanted to be with my own
21 people. I said at least I could be able to exchange stories
22 or religion together, and I told him I was very lonely, and he
23 just said, well -- he said, that's impossible. He said, you
24 can never be put together with anybody, and he just said, your
25 treacherous past has caught up with you and you can no longer

1 be trusted. I didn't really understand what he was talking
2 about.

3 The only thing I could understand that he was
4 talking about was the incident that had took place in South
5 Vietnam, which, by that time, was 5 or 6 years ago. That I
6 hadn't attempted to escape or anything, or hit any guards or
7 anything, and I really didn't really understand what he was
8 talking about when he talked about my treacherous past that
9 had proven I couldn't be trusted. And he said that was
10 impossible, that that could never be.

11 Q. What was that Lieutenant Colonel's name, do you
12 know?

13 A. No.

14 Q. Was that the only time you ever saw him?

15 A. No. I saw him in and about the camp. He
16 occasionally would be there.

17 Q. Was he under Col. Thai?

18 A. Yes. Out of the same office. The reason he came to
19 the camp -- I remember the reason he came to the camp, there
20 was an epidemic in the camp of which over 100 ARVNs died.

21 Q. An epidemic of what?

22 A. I don't know, but these were the same ARVNs -- these
23 were the same ARVNs that built Thac Ba prison camp. They
24 called it a mud virus. They quarantined the camps right when
25 these people came back. They came back into camp and they

1 immediately quarantined the camp.

2 Q. When in 1975 was that?

3 A. Late -- late '75. I think the fall, October,
4 November, somewhere in there. But every last one of them
5 died.

6 Q. Was the lieutenant colonel a doctor?

7 A. No. He brought doctors with him.

8 Q. Is that who you related to after the virus struck?

9 A. No, over half of them already died before they even
10 got there.

11 Q. Did you have other conversations with any other
12 officers in South Vietnam, or in Vietnam, or in North Vietnam,
13 about American prisoners?

14 A. With officers?

15 Q. Yes. Now, you told me about this lieutenant
16 colonel. That you haven't already told me about?

17 A. With Xuan, Lt. Col. Xuan.

18 Q. When did that take place?

19 A. That took place both at Bat Bat and at Yen Bai.

20 Q. Have you told me about either of those
21 conversations?

22 A. No.

23 Q. And what was the conversation you had with Lt. Col.
24 Xuan at Bat Bat?

25 A. After Operation Homecoming, he came to the camp and

1 he came over, and he was inquiring basically to my health and
2 my mental well being. And I asked him -- I said, why are all
3 of the Americans -- why are all of the other Americans -- why
4 did you let them go home and not me? And he just very frankly
5 said, you're not the only one. And you don't think Vietnam
6 would be so foolish as to turn over everybody and then have
7 the United States continue to bomb Vietnam?

8 And I asked him -- I said, well, can I join these
9 people? And he said, why, do you want to? And I said, yes,
10 and he said, well, I will talk to my superiors about it, but I
11 doubt it. And that was pretty much it, and then when I met
12 him, I talked to him again about it actually. I reminded him
13 of that conversation that we had had a couple of years before
14 at Yen Bai. And his response was, I couldn't. He said that
15 he had no control over it. He said he had no control over it.
16 I have no control over your destiny, is what he said.

17 Q. When you had the conversation with Lt. Col. Xuan at
18 Bat Bat, was anyone else present?

19 A. Yes. He always had one or two officers with him.

20 Q. Anybody you recognized and could name?

21 A. No, these are people that came down from Cuc Quan
22 Phap with him.

23 Q. How about at the time you had the conversation at
24 Yen Bai?

25 A. The same. The people that he was with, most of

1 them, all the time there were new faces.

2 Q. Did it ever make any sense to you why they were
3 keeping a marine PFC, Robert Garwood, and letting other people
4 go home?

5 A. No, it didn't. They, from South to North Vietnam --
6 I had a very hard time convincing them that I was a marine
7 PFC. They never seemed to believe that story. They believed
8 that I was CIA-trained, and they did not believe and did not
9 understand how I could learn Vietnamese so fluently, and so
10 accurately, so quickly. They just didn't accept that I
11 learned it in the prison camp.

12 Q. Turning now to your summer of 1977, Thac Ba Island,
13 is this the first time you went to Thac Ba?

14 A. Yes.

15 Q. And you've already described the circumstances
16 leading up to having to go, that you were told you were going
17 to fix a generator there?

18 A. Yes.

19 Q. Who took you?

20 A. I didn't know the people. The people -- I believe
21 the people that took me there were the people that were
22 stationed on Thac Ba Island.

23 Q. Was that unusual that you would be taken from Yen
24 Bai?

25 A. I was still in Yen Bai. I was still part of Yen

1 Bai.

2 Q. But was it unusual you would be taken by people you
3 didn't know to some other location?

4 A. No, not unusual at all.

5 Q. So just whoever showed up and needed to take you?

6 A. Well, they had papers and they had orders to do so.
7 And usually, the assistant commander would come down and tell
8 me, or call me up there and tell me that I would be going with
9 this individual.

10 Q. Did the assistant commander tell you who you were
11 going to be going with?

12 A. Yes.

13 Q. And on the occasion you went to Thac Ba, did he tell
14 you?

15 A. Yes.

16 Q. Is this the first time you'd ever seen that
17 individual?

18 A. I can't even remember his face. I don't know. I
19 really don't know.

20 Q. How many people -- how did you get to Thac Ba?

21 A. By jeep, well, by jeep to -- to that area of Thac Ba
22 Island.

23 Q. How many people in the jeep?

24 A. Well, there was one jeep, and one motorcycle with a
25 sidecar. Five in the jeep, and three on the sidecar, or on

1 the motorcycle with the sidecar. It was Chinese.

2 Q. So one riding it and two in the sidecar?

3 A. No. One riding it, one behind the driver, and one
4 in the sidecar.

5 Q. And in the jeep there were five people?

6 A. Yes.

7 Q. There was a driver and who else?

8 A. A driver, one officer, and two guards.

9 Q. Guards on either side of you?

10 A. That's right.

11 Q. And you were in the middle?

12 A. That's right.

13 Q. And you didn't know any of the seven people who were
14 on that trip?

15 A. I had seen the driver. I had seen him because he
16 brought his vehicle to the motor pool and had the oil changed,
17 and had it serviced.

18 Q. So he was one of the regular drivers?

19 A. Yes, but he wasn't there at that camp, he was at the
20 other camp, and so the only time that he came to that camp,
21 when I saw him, is when he brought the vehicle there to have
22 it serviced. I mean, I never struck up a conversation. He
23 usually dropped the vehicle off and went up to the command.

24 Q. What time of the day or night did you go to Thac Ba?

25 A. About mid-morning.

1 Q. How long a time did it take you to get there?

2 A. We arrived there about noon, or thereabouts.

3 Q. And when you arrived, what did you observe about

4 Thac Ba? Describe it physically.

5 A. There was a lake.

6 Q. How big a lake, could you see the other side?

7 A. You could see the highland, yes.

8 Q. Could you see across the lake?

9 A. No.

10 Q. So it was a large lake?

11 A. Yes. I could across the lake to the island, but not
12 across the lake. No.

13 Q. Okay, I'm missing something here. You could see
14 across the lake to the island, but not across the whole lake?

15 A. Right.

16 Q. So was the island in the center of the lake, or was
17 it off to the side?

18 A. There were several islands.

19 Q. I'm going to pull this Exhibit No. 6 over, and if
20 you could, would use our good marker and put where Thac Ba is
21 located? We've got 1, 2, and 3 on there already.

22 A. It is approximately about here.

23 Q. Would you number that number 4, and the 776 district
24 you said took in a large area? Would you just a circle around
25 what you believe to be the entire 776 camp?

1 [Pause.]

2 [Recess.]

3 BY MR. CODINHA:

4 Q. Back on the record. On Garwood 6, you have now
5 drawn a parallelogram, or a trapezoid around the area where
6 you said encompassed camp 5, if that 776?

7 A. That encompassed the Duan, 776, or division -- 776
8 division and the camps were broken up into battalions 5. Lien
9 Trai 1, Lien Trai 2, Lien Trai 3, Lien Trai 4, and Lien
10 Trai 5.

11 Q. Now, that's a large segment of space that you've
12 indicated was for this camp area.

13 A. Yes.

14 Q. Were there civilians living in there too?

15 A. Yes.

16 Q. And do you know how much -- how populous this area
17 is?

18 A. No, I do not.

19 Q. Now, over what distances were you allowed to travel
20 within that area that you've shown?

21 A. Only Lien Trai 1, the division headquarters area,
22 the Thac Ba area, and the Hanoi area.

23 Q. Now, going to Thac Ba Island, you started to
24 describe it. A little earlier today, you said as you arrived
25 at Thac Ba Island, you could see the island and the lake, and

1 you said there was more than one island. How many islands did
2 you see?

3 A. I'm not sure of that, because my viewpoint, it
4 looked as though one island -- you could leap from one island
5 to the other. I mean, that is just my viewpoint. That is
6 what it looked like, but as you got to the island, the islands
7 disappeared behind the island to which I was taken to, and so
8 I was never taken to the other islands, or had another point
9 of view.

10 Q. How could you tell it was an island?

11 A. There was the body of water, plus I was told it was
12 an island.

13 Q. So someone told you?

14 A. Yes.

15 Q. Because I was trying to determine how you could tell
16 it wasn't just a peninsula sticking out into the water.

17 A. Actually, from my point of view, you couldn't tell
18 that it wasn't.

19 Q. But someone told you it was an island?

20 A. Yes. They told me it was an island. Actually, they
21 even told me how the island was formed. It was man-made.

22 Q. It was a man-made island?

23 A. Yes. It was dammed up.

24 MR. TAYLOR: Do you mean it was a man-made island or
25 a man-made lake?

1 THE WITNESS: A man-made lake.

2 BY MR. CODINHA:

3 Q. So the island wasn't man-made, but the lake was
4 man-made?

5 A. Yes, which formed the island.

6 Q. And how was the lake formed?

7 A. It was dammed. It was dammed up somewhere, which
8 backed up the water.

9 Q. Was there a river or something that fed into it?

10 A. I don't know.

11 Q. And is this on the Red River?

12 A. No. Not to my knowledge, no. I don't think so.

13 Q. But the Red River runs by Yen Bai?

14 A. Because this water was very clear. It was -- the
15 Red River is very muddy or red, that's why they call it the
16 Red River. It looks very dirty, clay.

17 Q. The Red River runs by Yen Bai, doesn't it?

18 A. Right down through the middle of it.

19 Q. And Thac Ba was clear lake?

20 A. Yes, very clear. The water was very clear.

21 Q. Could you tell how deep it was?

22 A. Only from the banks. It went from shallow to deep,
23 and to where you couldn't see the bottom. The bottom was --
24 the bottom of the lake, you could see stumps where there were
25 once trees, grass or moss. You could see that it was, or once

1 wasn't a lake. I mean, just from the tree stumps. Nobody got
2 underneath the water and cut the trees down.

3 Q. Do you know when Thac Ba was flooded?

4 A. No, I don't.

5 Q. How large was the island?

6 A. I don't know that either.

7 Q. Can you make any estimate of the size?

8 A. No, I can't.

9 Q. And how much of a shoreline did it appear to have,
10 that you could see? I mean, could you see to the end of the
11 island as you looked at it?

12 A. Not really the end. The island, from my viewpoint,
13 was such that it was jagged, and so the trees and brush would
14 obstruct me once I got to the island, from seeing, or even
15 close to it, from seeing just actually the end of it. I mean,
16 it would break up jagged, and it wasn't round, like there was
17 no beach or nothing like that. It was all trees and
18 overgrown. Shrubs, trees, bushes, and so there was no end or
19 no point where I could determine that that was the end of the
20 island or not.

21 Q. As you approached, did you see anything built on the
22 island?

23 A. As I got closer, yes.

24 Q. What could you see built?

25 A. It was under the tree line. There were structures

1 that were made of masonry and brick.

2 Q. How large were the structures?

3 A. Well, actually the only structure I really could see
4 and not that clearly, was a structure that has the generator
5 itself, and I had to go up kind of a winding path to get to
6 the generator, and once I got close to the generator, then I
7 could see the other structures. If memory serves me, there
8 were two on a hill, and by on a hill I mean just above the
9 generator, to the right of it.

10 Q. How large were the structures?

11 A. They were long in length, and they had doors. Like
12 each one was like a motel would be set up.

13 Q. Could you tell what purpose they served by looking
14 at them?

15 A. No.

16 Q. Did you later find out what purpose they served?

17 A. Yes. They housed these people.

18 Q. What was the material they were constructed of?

19 A. Brick, mortar, and the roof was red tile. But the
20 red tile, it had -- it looked like somebody had taken mud or
21 something and discolored it, so that you could see the red
22 tile on the edges. I knew where the tile came from, it came
23 from Yen Bai, but it was discolored.

24 Q. Have you ever been shown aerial photographs of this
25 area?

1 A. Yes, but the views that I was shown -- yes. Yes,
2 they said that it was Thac Ba. Yes.

3 Q. Did you recognize it?

4 A. No. And the aerial photo that was shown me, it
5 wasn't close. I wasn't a close-up shot. I looked like it was
6 taken from outer space or something. It was that far away.

7 Q. And could you tell how big the lake was, as you
8 looked at it in the photograph? How much of the photograph
9 did the lake take?

10 A. If memory serves me right, I think it shows pretty
11 much of the lake, and it showed a lot of islands, a lot of
12 little islands. A lot of them.

13 Q. Were you able to tell whether that had been the
14 place you'd been?

15 A. There's no way. The islands are like dots. From
16 the photographs they showed me, the islands were like little
17 dots.

18 Q. When you say dot, are you talking about the size of
19 the point of a pen?

20 A. Yes.

21 Q. Or are you talking about a dime size?

22 A. No. About the size of a point of a pen, maybe just
23 a period, you know.

24 Q. So in looking at the aerial photographs, you weren't
25 able to say that's Thac Ba Lake, I recognize that?

1 A. No, I was not.

2 Q. Who showed you the photographs?

3 A. Gary Sedow and Bob Hyp.

4 Q. And how were they able to determine where they
5 should get photographs of?

6 A. I have no idea. They just brought them out and told
7 me this is -- this is Thac Ba Lake, and these are the islands,
8 which was -- which one of these islands did you go to?

9 Q. Let me see if I understand. You mean they didn't
10 show you a map like I did first, and ask you to circle where
11 you were and then show you photography of that area?

12 A. No.

13 Q. Did they ever show you a map and ask you to point
14 out where you were?

15 A. That type of map, no.

16 (Discussion off the record.)

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

18 BY MR. CODINHA:

19 Q. Do you recall the first time that you discussed Thac
20 Ba Lake with the DIA or Gary Sedow?

21 A. The DIA analyst, yes.

22 Q. Was it with Senator Smith?

23 A. Yes, in the presence of Senator Smith. My attorneys
24 at that time was Vaughan Taylor and George Cripner. And also
25 in the room was Chuck Trowbridge, Gary Sedow, Bob Hyp, and who

1 was that colonel -- I can't think of his name -- Gonzalez,
2 Colonel Gonzalez.

3 Q. And that was the first time you mentioned Thac Ba?

4 A. That is correct.

5 Q. And you indicated when you were off the record --

6 A. That was the first time I mentioned Thac Ba to DIA.

7 That wasn't the first time I mentioned it.

8 Q. You indicated when we were off the record that they
9 didn't seem surprised to hear about Thac Ba Lake.

10 A. They didn't seem surprised about anything I said.

11 Q. And then there was a later time at Ocracoke, when
12 photographs of what you were told was Thac Ba Lake were shown
13 to you. Is that right?

14 A. Yes, that's correct.

15 Q. And that is the one where you described the islands
16 were the size of the point of my pen?

17 A. Yes.

18 Q. And you were asked to identify which island you had
19 gone to?

20 A. Yes.

21 Q. Did you ask for larger photographs?

22 A. No, I didn't. I wasn't even sure what they were
23 showing me was Thac Ba Lake.

24 Q. Did you tell them that?

25 A. In a roundabout way, yes, because other photographs

1 they showed me of other areas -- and they told me this was
2 that area, I did not even recognize it at all.

3 Q. Well, they showed you one of Yen Bai?

4 A. I recognized that. I did recognize that, but the
5 other ones they showed me, I did not recognize any of them. I
6 mean, the structures, even the streets. It was different,
7 like Ly Nam De, they showed me ground photographs as well as
8 aerial photographs of what they claimed was Ly Nam De, and
9 some of the buildings look similar, but nothing was -- the
10 whole street, nothing was as I remembered it. It didn't look
11 quite the same.

12 MR. TAYLOR: Let me interject something here. I
13 think it would be wise to also go in with Bobby to the lack
14 clarity that DIA had, or at least pretended to have,
15 concerning their own understanding with regard to this
16 photography. The pictures of the lake were actually two or
17 three different photographs that needs to be placed together
18 to make a composite of the lake, because a single photograph,
19 apparently, would not have encompassed the entire lake area.

20 And there was a good deal of time spent on their
21 part, trying to figure out how these photographs pieced
22 together, as if they were ignorant themselves of the way in
23 which Thac Ba Lake really would appear in reality, as if they
24 did not even understand their own photographs, which lent to a
25 substantial amount of confusion in the room that day.

1 MR. CODINHA: I think what I will do is, I will
2 cover that when we get up to that period of time.

3 MR. TAYLOR: I wanted you mainly to be aware of that
4 happening.

5 BY MR. CODINHA:

6 Q. Okay, you got to Thac Ba Island, and how did you get
7 to the island?

8 A. By dinghy.

9 Q. And who went with you to the island?

10 A. There were two guards, the officer, and there was
11 one individual with the dinghy who operated the motor.

12 Q. How long a time did it take you to get to the island
13 by dinghy?

14 A. Maybe 20 minutes, something like that.

15 Q. When you arrived at the island, what time of day was
16 it?

17 A. Right around noon.

18 Q. Did you see any people when you arrived at the
19 island?

20 A. When I first arrived, no. They took me straight to
21 the generator shack, and it was when I took a rest, or when I
22 took a break and I went out the doors, and just kind of was
23 squatting, and I looked up at the other buildings and was
24 looking, and caucasians came out and was standing in the
25 buildings and was kind of milling around there.