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

Q. In Thac Ba? Or in your camp?

A. Yes. And they were trucked out to Thac Ba. And they were telling me -- actually they were laughing and joking about when they made these barges, kind of like rafts, to float this stuff over to this island. And the problems that they were loading them up too heavy and they were sinking. And they would have to go out there -- and they would have to swim out there and bring them back to land, one by one, and retrieve these and then do it all over again. And they said -- the drivers said it was funny, it was comical. They get half way out, almost to the island, and they'd have motor problems. They had a little motor and it was attached to a dinghy, the motor that powered this dinghy, and with which they would tow this raft full of tile or brick. And the motor had a lot of problems -- keeping the motor running. And just things like that. And so I learned about that they were building a camp over there. And then when the sister generator -- when that arrived there, well, one of the truck drivers told me. I asked him, I said, where's that generator going to be set up? And he said, Thac Ba. And I naturally thought that since they had ordered me to put together and assemble this generator here, that I would assemble that one also. But I didn't. They used the ARVN's that helped me
assemble the generator, and then in Trai-1, they used those same ARVN's to assemble the generator at Thac Ba. I didn't go. So I knew about it and its existence. I did not know what type of prison system they had there or who was incarcerated there at that time.

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

A. Yes.

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

A. Yes, I did.

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

A. Pretty much, yes.

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

A. Yes and no.

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

A. Yes.

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

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

Q. And when did they indicate this had happened?
A. 1976.

Q. That he had escaped?
A. Yes.

Q. But you had the discussion with them some time
between Tet of '77 and before you went to Thac Ba? Or did it
continue after that?
A. It was in that general time frame.

Q. Did they tell you what the American prisoner's name
was?
A. Yes, they did, but I don't remember it now.

Q. Do you recall anything?
A. I remember they said it was a captain. That he had
escaped through the help of -- through Vietnamese who it was
later determined to be working for the CIA. They were CIA
ground informants.

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

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

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

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

Q. Would you spell that?
A. L-a-n-g S-o-n.

Q. What did they tell you about the secret convoy?
A. That there were several criminals -- were transferred secretly to a secret location in Lang Son. That these people -- they didn't say whether they were American or what, they just used the word criminals. That these people had been transferred to a secret location underground, secret, special location underground, for security reasons.

Q. Were these your drivers?
A. And the guards, the guards and the personnel, and the drivers had to meet the highest security -- well, direct translation, had to meet the highest security.

Q. Were these your drivers who were telling you this or other people?
A. No, my drivers.

They came to a point where they were actually -- they expressed sympathy towards me, and that I was alone. And they loosened up a little bit in discussing other camps and Americans that I don't believe that they actually witnessed, but only knew about. They didn't understand why I was being held separate from the rest of the people. They felt that it would have been more humane if I would have been put together with these people, so I could have had some friends, as they
Q. Did you ever ask to be put together with those people?
A. Yes.
Q. And who did you ask?
A. He came down from Cuc Quan Phap. He inquired about my health and how I was doing.
Q. Was that Colonel Thai?
A. No, it was someone out of his office. He held rank of lieutenant colonel. This was in mid-'75, approximately mid-'75. I told him I knew there were other Americans in other camps, and he asked me how I knew that, and what did I base it on. And I told him that was through the POW grapevine, and he tried to establish who told me that, and how I learned that, et cetera, et cetera, and what did I know. And I said it was common knowledge through the POW grapevine, and I said I just wanted to know why I can't be with these people.

They're my people, we understand each other, and I said, if I'm going to die here, I wanted to be with my own people. I said at least I could be able to exchange stories or religion together, and I told him I was very lonely, and he just said, well -- he said, that's impossible. He said, you can never be put together with anybody, and he just said, your treacherous past has caught up with you and you can no longer
be trusted. I didn't really understand what he was talking about.

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

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

A. No.

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

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

Q. Was he under Col. Thai?

A. Yes. Out of the same office. The reason he came to the camp -- I remember the reason he came to the camp, there was an epidemic in the camp of which over 100 ARVN's died.

Q. An epidemic of what?

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

Q. When in 1975 was that?
A. Late -- late '75. I think the fall, October, November, somewhere in there. But every last one of them died.

Q. Was the lieutenant colonel a doctor?
A. No. He brought doctors with him.
Q. Is that who you related to after the virus struck?
A. No, over half of them already died before they even got there.

Q. Did you have other conversations with any other officers in South Vietnam, or in Vietnam, or in North Vietnam, about American prisoners?
A. With officers?
Q. Yes. Now, you told me about this lieutenant colonel. That you haven't already told me about?
A. With Xuan, Lt. Col. Xuan.
Q. When did that take place?
A. That took place both at Bat Bat and at Yen Bai.
Q. Have you told me about either of those conversations?
A. No.
Q. And what was the conversation you had with Lt. Col. Xuan at Bat Bat?
A. After Operation Homecoming, he came to the camp and
he came over, and he was inquiring basically to my health and
my mental well being. And I asked him -- I said, why are all
of the Americans -- why are all of the other Americans -- why
did you let them go home and not me? And he just very frankly
said, you're not the only one. And you don't think Vietnam
would be so foolish as to turn over everybody and then have
the United States continue to bomb Vietnam?

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

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

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

Q. Anybody you recognized and could name?

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

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

A. The same. The people that he was with, most of
them, all the time there were new faces.

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

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

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

A. Yes.

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

A. Yes.

Q. Who took you?

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

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

A. I was still in Yen Bai. I was still part of Yen
Q. But was it unusual you would be taken by people you
didn’t know to some other location?
A. No, not unusual at all.
Q. So just whoever showed up and needed to take you?
A. Well, they had papers and they had orders to do so.
And usually, the assistant commander would come down and tell
me, or call me up there and tell me that I would be going with
this individual.
Q. Did the assistant commander tell you who you were
going to be going with?
A. Yes.
Q. And on the occasion you went to Thac Ba, did he tell
you?
A. Yes.
Q. Is this the first time you’d ever seen that
individual?
A. I can’t even remember his face. I don’t know. I
really don’t know.
Q. How many people -- how did you get to Thac Ba?
A. By jeep, well, by jeep to -- to that area of Thac Ba
Island.
Q. How many people in the jeep?
A. Well, there was one jeep, and one motorcycle with a
sidecar. Five in the jeep, and three on the sidecar, or on
the motorcycle with the sidecar. It was Chinese.

Q. So one riding it and two in the sidecar?
A. No. One riding it, one behind the driver, and one in the sidecar.

Q. And in the jeep there were five people?
A. Yes.

Q. There was a driver and who else?
A. A driver, one officer, and two guards.

Q. Guards on either side of you?
A. That's right.

Q. And you were in the middle?
A. That's right.

Q. And you didn't know any of the seven people who were on that trip?
A. I had seen the driver. I had seen him because he brought his vehicle to the motor pool and had the oil changed, and had it serviced.

Q. So he was one of the regular drivers?
A. Yes, but he wasn't there at that camp, he was at the other camp, and so the only time that he came to that camp, when I saw him, is when he brought the vehicle there to have it serviced. I mean, I never struck up a conversation. He usually dropped the vehicle off and went up to the command.

Q. What time of the day or night did you go to Thac Ba?
A. About mid-morning.
Q. How long a time did it take you to get there?
A. We arrived there about noon, or thereabouts.
Q. And when you arrived, what did you observe about Thac Ba? Describe it physically.
A. There was a lake.
Q. How big a lake, could you see the other side?
A. You could see the highland, yes.
Q. Could you see across the lake?
A. No.
Q. So it was a large lake?
A. Yes. I could across the lake to the island, but not across the lake. No.
Q. Okay, I'm missing something here. You could see across the lake to the island, but not across the whole lake?
A. Right.
Q. So was the island in the center of the lake, or was it off to the side?
A. There were several islands.
Q. I'm going to pull this Exhibit No. 6 over, and if you could, would use our good marker and put where Thac Ba is located? We've got 1, 2, and 3 on there already.
A. It is approximately about here.
Q. Would you number that number 4, and the 776 district you said took in a large area? Would you just a circle around what you believe to be the entire 776 camp?
[Pause.]

[Recess.]

BY MR. CODINHA:

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

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

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

A. Yes.

Q. Were there civilians living in there too?

A. Yes.

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

A. No, I do not.

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

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

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

BY MR. CODINHA:

Q. So the island wasn't man-made, but the lake was man-made?
A. Yes, which formed the island.

Q. And how was the lake formed?
A. It was dammed. It was dammed up somewhere, which backed up the water.

Q. Was there a river or something that fed into it?
A. I don't know.

Q. And is this on the Red River?
A. No. Not to my knowledge, no. I don't think so.

Q. But the Red River runs by Yen Bai?
A. Because this water was very clear. It was -- the Red River is very muddy or red, that's why they call it the Red River. It looks very dirty, clay.

Q. The Red River runs by Yen Bai, doesn't it?
A. Right down through the middle of it.

Q. And Thac Ba was clear lake?
A. Yes, very clear. The water was very clear.

Q. Could you tell how deep it was?
A. Only from the banks. It went from shallow to deep, and to where you couldn't see the bottom. The bottom was -- the bottom of the lake, you could see stumps where there were once trees, grass or moss. You could see that it was, or once
wasn't a lake. I mean, just from the tree stumps. Nobody got
underneath the water and cut the trees down.

Q. Do you know when Thac Ba was flooded?
A. No, I don't.

Q. How large was the island?
A. I don't know that either.

Q. Can you make any estimate of the size?
A. No, I can't.

Q. And how much of a shoreline did it appear to have, that you could see? I mean, could you see to the end of the island as you looked at it?
A. Not really the end. The island, from my viewpoint, was such that it was jagged, and so the trees and brush would obstruct me once I got to the island, from seeing, or even close to it, from seeing just actually the end of it. I mean, it would break up jagged, and it wasn't round, like there was no beach or nothing like that. It was all trees and overgrown. Shrubs, trees, bushes, and so there was no end or no point where I could determine that that was the end of the island or not.

Q. As you approached, did you see anything built on the island?
A. As I got closer, yes.

Q. What could you see built?
A. It was under the tree line. There were structures
that were made of masonry and brick.

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

Q. How large were the structures?
A. They were long in length, and they had doors. Like each one was like a motel would be set up.

Q. Could you tell what purpose they served by looking at them?
A. No.

Q. Did you later find out what purpose they served?
A. Yes. They housed these people.

Q. What was the material they were constructed of?
A. Brick, mortar, and the roof was red tile. But the red tile, it had -- it looked like somebody had taken mud or something and discolored it, so that you could see the red tile on the edges. I knew where the tile came from, it came from Yen Bai, but it was discolored.

Q. Have you ever been shown aerial photographs of this area?
A. Yes, but the views that I was shown -- yes. Yes, they said that it was Thac Ba. Yes.

Q. Did you recognize it?

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

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

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

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

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

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

A. Yes.

Q. Or are you talking about a dime size?

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

Q. So in looking at the aerial photographs, you weren't able to say that's Thac Ba Lake, I recognize that?
A. No, I was not.

Q. Who showed you the photographs?

A. Gary Sedow and Bob Hyp.

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

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

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

A. No.

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

A. That type of map, no.

(Discussion off the record.)

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

BY MR. CODINHA:

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

A. The DIA analyst, yes.

Q. Was it with Senator Smith?

A. Yes, in the presence of Senator Smith. My attorneys at that time was Vaughan Taylor and George Cripner. And also in the room was Chuck Trowbridge, Gary Sedow, Bob Hyp, and who
was that colonel -- I can't think of his name -- Gonzalez, Colonel Gonzalez.

Q. And that was the first time you mentioned Thac Ba?
A. That is correct.

Q. And you indicated when you were off the record --
A. That was the first time I mentioned Thac Ba to DIA. That wasn't the first time I mentioned it.

Q. You indicated when we were off the record that they didn't seem surprised to hear about Thac Ba Lake.
A. They didn't seem surprised about anything I said.

Q. And then there was a later time at Ocracoke, when photographs of what you were told was Thac Ba Lake were shown to you. Is that right?
A. Yes, that's correct.

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

Q. And you were asked to identify which island you had gone to?
A. Yes.

Q. Did you ask for larger photographs?
A. No, I didn’t. I wasn’t even sure what they were showing me was Thac Ba Lake.

Q. Did you tell them that?
A. In a roundabout way, yes, because other photographs
they showed me of other areas -- and they told me this was
that area, I did not even recognize it at all.

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

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

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

And there was a good deal of time spent on their
part, trying to figure out how these photographs pieced
together, as if they were ignorant themselves of the way in
which Thac Ba Lake really would appear in reality, as if they
did not even understand their own photographs, which lent to a
substantial amount of confusion in the room that day.
you said there was more than one island. How many islands did
you see?

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

Q. How could you tell it was an island?

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

Q. So someone told you?

A. Yes.

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

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

Q. But someone told you it was an island?

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

Q. It was a man-made island?

A. Yes. It was dammed up.

MR. TAYLOR: Do you mean it was a man-made island or
a man-made lake?
MR. CODINHA: I think what I will do is, I will cover that when we get up to that period of time.

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

BY MR. CODINHA:

Q. Okay, you got to Thac Ba Island, and how did you get to the island?
A. By dinghy.
Q. And who went with you to the island?
A. There were two guards, the officer, and there was one individual with the dinghy who operated the motor.
Q. How long a time did it take you to get to the island by dinghy?
A. Maybe 20 minutes, something like that.
Q. When you arrived at the island, what time of day was it?
A. Right around noon.
Q. Did you see any people when you arrived at the island?
A. When I first arrived, no. They took me straight to the generator shack, and it was when I took a rest, or when I took a break and I went out the doors, and just kind of was squatting, and I looked up at the other buildings and was looking, and caucasians came out and was standing in the buildings and was kind of milling around there.
Q. Now you'll have to describe the area. You'd gone into the area where the generator was. How large a building was that?

A. Approximately about 30 feet long, about 14 foot wide, and about 14 by 30.

Q. It was a rectangular building?

A. Yes.

Q. Where was it in relation to the shoreline of the lake?

A. Maybe 150, 200 feet from the lake.

Q. And where were the other buildings in relationship to that building?

A. They were built up on the hill, about, I don’t know, maybe 75 -- maybe 75, 50, 75, 100 feet from the generators.

Q. How many buildings were there?

A. I only saw two.

Q. How large were those buildings?

A. I'm totally guessing here. I could give an estimate.

Q. Give me an estimate.

A. Maybe 14 by 70, 14 by 80, something like that.

Q. Were they parallel to the building with the generator?

A. Pretty much, not quite, almost.

Q. How much of the buildings could you see?

A. The building behind the one that I was observing,
the roof line, mainly the roof line and just the end of it
when I was leaving. The building that was facing the
generator, I could see the entire building.

Q. And you said it had a series of doors, like a motel?
A. Yes.

Q. Did it have windows also?
A. No, it didn't have windows in the front. I don't
know if it had windows on the other side or not.

Q. How many doors did you see?
A. About a dozen.

Q. And you said you saw caucasians. What were the
lighting conditions when you were looking up the hill?
A. It was an overcast, but not that poor.

Q. Was there anything between you and the building
where you saw the caucasians?
A. Some trees.

Q. How many trees?
A. I don't know. It was scattered throughout there.

Q. Were there like a single tree and then a space, and
then another single tree, or was it a glade, or was it thickly
forested?
A. It had been cleared of the underbrush, but I think
the trees were native.

Q. About how many feet were between trees, could you
tell?
A. It varied. Some trees were very close together, and some were maybe 10, 15 feet apart.
Q. Did you have any trouble seeing the people you were looking at?
A. Not really, not much.
Q. How long a time did you spend looking at them?
A. Not very long. A matter of minutes.
Q. How many did you see? How many caucasians did you see?
A. Three, four, five. That's just not as fresh in my memory as it used to be. I remember three for sure, but there were people that would kind of go back and forth in the doorways. I don't want to do any guessing here. Three definitely. I believe more.
Q. And how many of the doorways appeared to be occupied, could you tell?
A. No, not really.
Q. Were the doors open or shut?
A. Some were shut, some were open, and some looked like they didn't have any doors at all.
Q. Was anyone with you when you saw these caucasians?
A. No.
Q. And you were about 75 feet away from them?
A. Approximately, maybe 100 feet -- in that area. I'm a bad judge of distance, though. It was far enough away I
Q. What could you tell about the caucasians when you looked at them?
A. They were dressed very similar and looked to be in the same garb, and the same people as I’d seen in the boxcar.
Q. Well, they were dressed similar, in other words, they had the light blue windbreakers on?
A. Yes. No. Some of them had windbreakers, some of the had the shirts, short-sleeve shirts.
Q. Again, light blue?
A. Yes, light blue. Yes.
Q. And the trouser-type pants?
A. Yes.
Q. What about their -- could you see whether they had facial hair?
A. Yes, kind a like light beards, you know, like they hadn’t shaved in a couple -- 2, 3 days.
Q. Could you see anything about their hair, color of hair? Did you see any redheads?
A. No.
Q. Did you see any blondes?
A. I just can’t remember the color of their hair.
Q. Did you see the man with one leg?
A. No.
Q. You indicated that you thought they were the same
people you’d seen in the boxcar.

A. Yes.

Q. What about them, when you looked at them, made you think they were the same people you’d seen in the boxcar?

A. The proximity matched, the clothes matched. They fit the time frame.

Q. Well, wasn’t that basically the standard prison uniform they were wearing, for American prisoners?

A. They changed uniforms. They wore the same clothes that I did pretty much, except mine were darker. Mine was a darker blue. I don’t know. The ARVN standard uniform was striped, like striped pajamas. I don’t really know what their prison uniform was. I don’t know if I’m qualified to say that, because my -- I had -- as well as other prisoners I knew, had various types of prison garb, I mean, as far as colors.

They were either pajama-type or kind of trousers with pockets, but it was a real thin material, a real thin cloth material. From a distance it looked like you were wearing khaki, but it is not khaki material. It is real thin material.

Q. What else about these caucasians, when you looked at them, made you think they were the same people from the boxcars?

A. That was just my conclusion. It was the same area;
it wasn't that far actually, from where -- it wasn't that far at all from where the boxcars were -- we ran into the boxcar situation. It just fit. It was common knowledge that there was a prison camp there and it was part of 776.

Q. Well, the boxcar was seen in October of '76, and now this is the summer of '77?

A. Approximately around June, July, somewhere in there -- May, June, July.

Q. So that was still within the same time frame as far as you were concerned, to make these the same prisoners?

A. Yeah.

Q. Well, the boxcar, you said you had seen substantially more prisoners?

A. Yes.

Q. But now you only were seeing three, four, or five prisoners?

A. Yes. I was only out there a matter of minutes, and these were the people -- I don't think these people even thought I was an American. I don't even know if they even believed I was.

Q. Did they see you?

A. Yes.

Q. Did you hear them talking?

A. Yes, I did.

Q. What language were they speaking?
A. They were speaking English. I don't recall what the conversation was now.

Q. Did they make any comment about you?

A. I don't believe -- I could hear them talking, but I don't think I made out what they were saying. I don't remember.

Q. Were these the Americans who thought you were a Cuban?

A. No. That was at a warehouse in Gia Lam.

Q. After you saw these individuals, what did you do next?

A. That's not what I did. The officer was in charge. He came to the door. He looked up and seen those people and I was sitting there, and he told me to get back in and he closed the door, and he asked me if it could be repaired, and I said, no, it was burnt up. And he said fine, and so we left and went back in the dinghy and went back. He took me back to the camp.

Q. Did he have any conversation with you about the prisoners you had seen?

A. No.

Q. Did you have any conversation with him?

A. Absolutely not.

Q. Was there any question in your mind that the prisoners you'd seen were Americans?
A. At that time, there were questions in my mind, no.
Q. Is there a question now?
A. Doubt.
Q. What makes you doubt now, if you were sure then?
A. Basically, because people have instilled doubt in my mind.
Q. But you were sure then?
A. Yes.
Q. Have you seen anything that makes you believe they weren’t Americans?
A. No.
Q. Did you have any conversations with your black-market driver and guard about the Americans at Thac Ba?
A. I’m sure we probably did. They didn’t know much about Thac Ba themselves. Most of what I learned about Thac Ba was from the ARVN’s, the ARVN work force. They used the ARVN’s to do any labor and construction.
Q. Did the ARVN’s say anything about the Americans at Thac Ba?
A. Nothing significant. Nothing that I didn’t already know.

No one, to my knowledge, was able to talk with them or be that close to them to be able to converse with them. A lot of people saw them.
Q. Who were the people who saw them?
A. The ARVN's.

Q. Do you know the names of any ARVN's who saw them?

A. I did then, but there's no names that come to recollection now.

Q. Did the lieutenant general see them?

A. No. The generals never went out of the camp.

Q. Did any ARVN who has come to the United States see them, if you know?

A. I don't know that.

Q. Did you have conversations with the ARVN's about having seen American prisoners at Thac Ba?

A. In passing, yeah. Well, it was joking because of the thatched hut -- mud hooch that I lived in. One of them said that I should demand from the camp commander quarters like the other Americans over in Thac Ba, because they were cement mortar structures with tile roofs, et cetera.

Q. Did they ever tell you -- did the ARVN tell you how many Americans were at Thac Ba?

A. No.

Q. Did you ask?

A. I don't remember. It was one of those things, that it as a no-no, something that wasn't to be discussed. It was made very clear, you know, from the boxcar incident and from the precaution and the attitudes of the guards, and the officers and cadre that took me to Thac Ba, it's just
something that wasn’t to be discussed, and we didn’t.

These people that guarded this camp, that took over the division, these people were sappers. I mean, these were not just simple guards, and when they said -- or said don’t talk about something, or you didn’t see something, you didn’t and you don’t, and that was just it. It was just too dangerous a situation to even risk it, especially for me at this time. I didn’t, because of my other activities. I wasn’t going to jeopardize my other activities by throwing any type of suspicion on me to where they would curtail or confine me. And so I didn’t even risk talking about it.

Like I said, I really wasn’t that interested. It was -- personal curiosity just went as far as I knew they were there, not so much as how many or what they were doing there. But at that time I -- that’s as far as my curiosity went. I requested to, you know, be with them. It was denied. Said it was impossible, forget it, it’ll never happen. And so it was gone. It went out of my head pretty much.

Q. Did you request to be with the prisoners at Thac Ba, or were you talking about the Bat Bat and Yen Bai?

A. I didn’t care. Any. One other American would have been fine with me. It didn’t have to be with a group, just one more. Just another one, you know, put us together. I didn’t care.

Q. After the Thac Ba Lake incident, did you have
occasion to see Americans after the Thac Ba Lake incident in the summer of '77?
A. In the time proximity in which I'm not absolutely sure. In Hanoi at Ly Nam De, 17 Ly Nam De.
Q. So, summer of '77?
A. Maybe towards the fall. I would say toward the fall, '77.
Q. 17 Ly Nam De?
A. Yes, that is correct.
Q. And how did you happen to be at 17 Ly Nam De?
A. I was on a mission. They took me in to fix a truck, a vehicle -- a vehicle was broke down, and at the same time, to pick up supplies -- spare parts from the Gai Lam warehouse.
Q. Who were you with?
A. There was no black market around that day. I wasn’t with the normal people. I wasn’t with the normal people or the regular driver, but when we got into Hanoi, it was late, so we stayed at 17 Ly Nam De. And the next day, I went out and repaired the vehicle.
All it was, I remember the vehicle. It was a jeep. All it was, was the gas tank. You had to smack it for it to get to working. It got stuck sometimes and you just had to hit it. You had to rap it for it to get pumping gas. It wouldn’t get any gas. Basically, all it took was a couple of raps with a hammer.
Q. Did you stay at the same place at 17 Ly Nam De that you had stayed before?
A. Yes.
Q. The same room?
A. I believe so.
Q. Was Sweeney's bed still there?
A. No. Sweeney's bed was never at Ly Nam De.
Q. Oh, I'm sorry. Where was Sweeney's bed?
A. At Ha Dong.
Q. I'm sorry. I'm beginning to forget.
But you had stayed at Ly Nam De before. You'd been there 2 nights?
A. Yes, when I was transferred to -- actually, I'd stayed at Ly Nam De numerous times. Every time we went to Hanoi, pretty much -- if we couldn't make it back to Yen Bai before late, because every time we would come to Hanoi, they would have to report to Ba Duong Thang. And every time, before we left Hanoi, they had to report to Ba Duong Thang.
Q. So after you'd stayed overnight, and after you'd repaired the jeep, what happened?
A. We went out to -- no. Yes. We went out and picked up spare parts and came back. And by the time we did all this -- we repaired the jeep, picked up the spare parts -- they decided that we would spend one more night at Ly Nam De, and then head back to Yen Bai very early the following morning.
Well, when we got there it was early enough in the evening. It was partially light, you know, like dusk. It wasn't quite dusk. And the driver -- I don't remember if the guard -- I think the guard was there too. Anyway, discussion -- they asked me if I knew how to play ping-pong, and I said, yeah.

I'd played ping-pong. They had ping-pong tables for recreation for the prisoners inside the motor pool, and so they were going to take me up to the rec room to play ping-pong, and we entered the building. I entered first, and the guard and driver behind me. I'm pretty sure the driver was behind me. There was no one in front of me. I went in first. Anyway, I had to go up two flights of steps.

As you went in, you went up one flight, and then there was a landing and you turned around and come back up this way, up another flight. And as I got up that flight of stairs and started to turn right, there was a guard. There was an NVA sitting in a chair there with an AK-47, and he saw me and he immediately jumped up and wanted to know what I was doing there. And I don't remember, the guard or the driver, one of them was right behind me, and he just told him that we were going to the rec room to play ping-pong, and the guard said no, he cannot come up here, he cannot be here. And about the same time, caucasian, he stuck his head out the door, almost down at the end of the hallway.
Q. How far away was it?
A. Maybe 30, 40 feet, something like that.
Q. How long did his head stay outside the door?
A. Quite awhile.
Q. How long is quite awhile?
A. I didn’t stay there very long. I mean, when the guard started yelling and stuff. This guy looked in pretty bad shape. He was either real sick or malnourished. His face was very sunk in, beard, sandy haired, reclining hairline. He looked in pretty bad shape.
Q. How much of him could you see?
A. His head part, up to about his shoulders, part of his shoulder.
Q. Could you tell from the way he was how tall he was?
A. No. It looked like he might be half sitting down, half standing up or something.
Q. When you say he looked like he was in bad shape, was he bleeding?
A. No, just very thin, malnourished. It reminded me very much of the situation in South Vietnam, the way the camps were in South Vietnam.
Q. Did he say anything?
A. No.
Q. Were there any Vietnamese with him?
A. Just the guard.
Q. But the guard was dealing with you?
A. Yes, he wanted me out of there.
Q. Was the guard's back to this guy who stuck his head out?
A. Yes.
Q. Were there any other guards there?
A. I don't remember any. There were some people. Some people did come out of the rec room.
Q. Where was the rec room in respect to where the caucasian was?
A. The first room as you got to the landing of the stairs, you turn -- you got up, there was a hallway and you just turn right there. It was right there.
Q. Had you been in the rec room before?
A. Yes.
Q. And had you used the ping-pong tables before?
A. Yes.
Q. Was there a mess hall or kitchen in 17 Ly Nam De?
A. Yes. Yes, there was.
Q. Where people used to eat?
A. Yes.
Q. Did you used to eat in that kitchen?
A. Yes, I did.
Q. And when you were with your guards, would you come in and go to a table and sit and eat with them?
A. I ate after the camp personnel did. After they finished eating, then I ate there. I wouldn't eat with them. I ate after they did.

Q. So the guards, your guards would eat first?

A. Everybody in the whole compound, whoever was in the compound that was NVA or -- they would all eat together first, and then if -- me and the ARVN's would eat after the guards did.

Q. Were there ARVN's at 17 Ly Nam De?

A. Yes, there were ARVN's there. I don't know what camp they came from. They used them for maintenance -- work force.

Q. Was this mess hall at 17 Ly Nam De -- would you like get a tray or get a plate of food?

A. No.

Q. How did it work?

A. You took your bowl with you. You had a bowl and chopsticks, and you took those with you wherever you went. It was ceramic, kind of -- yeah, it was a ceramic bowl, and chopsticks made out of bamboo, and basically anywhere you went, you took those with you. And what you usually had was a basket of rice, cooked rice, some boiled vegetable, and usually dried fish, dried salted fish, and that was the meal. On occasion, they had tea, green tea.

Q. How long did you see the caucasian at 17 Ly Nam De,
this time in the summer or fall of 1977?

A. Maybe a minute.

Q. Did you know who that was?

A. No.

Q. Have you been able to determine who it was?

A. No, I haven’t.

Q. Were you shown pictures by DIA to see if you could?

A. Yes, I was.

Q. Were you able to make any identification at all?

A. No. The pictures they showed me were young, like they had just come out of boot camp.

Q. After this incident, did you have occasion American POW’s -- either see or come in contact with American POW’s, following this fall of 1977 incident?

A. Yes.

Q. When was the next time? And let’s go off the record first.

(Discussion off the record.)

MR. CODINHA: Why don’t we break for the day?

(Whereupon, at 5:50 p.m., the deposition in the above-entitled matter was recessed, to be resumed on Thursday, January 23, 1992.)
DEPOSITION OF ROBERT GARWOOD

Thursday, January 23, 1992

U.S. Senate
Select Committee on
POW/MIA Affairs
Washington, D.C.

Continued deposition of ROBERT GARWOOD, a witness herein, called for examination by counsel for the Select Committee, pursuant to notice, the witness having been duly sworn by RAYMOND R. HEER, a Notary Public in and for the District of Columbia, taken at the office of Hon. Robert D. Smith, Room SD-336, Dirksen Senate Office Building, commencing at 9:45 a.m., and the proceedings being taken down by Stenomask by RAYMOND R. HEER, and transcribed under his direction.

PRESENT:

HON. ROBERT C. SMITH
U.S. Senator from New Hampshire

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INDEX

Examination by Counsel for the

ROBERT GARWOOD

Committee

By Mr. Codinha

358
Whereupon,

ROBERT GARWOOD

was called as a witness by counsel for the committee and, having been duly previously sworn by the Notary Public, was further examined and testified as follows:

CONTINUED EXAMINATION BY COUNSEL FOR THE COMMITTEE

BY MR. CODINHA:

Q. Good morning, Mr. Garwood. This is our third morning, so I don't have to remind you you're still under oath.

Have you had an opportunity to think about what you testified to yesterday? And if so, are there any changes in your testimony, or corrections, or alterations, or improvements, or deletions you would like to make?

A. The year of 1977 -- so much happened in 1977 that now a lot of things tend to run together. And there have just been some doubts in my mind as to the specific dates.

Q. In 1977?

A. Yes, as the events took place -- I remember the events. I have no problems with those. It is just the exact time period. The more I think about it, or the more I dwell on the dates, or say the month -- like the time-frames, okay? The year, I have no problem with that.

But spring -- whereas you know, 5, 6 years ago I
could narrow it down practically to the day, now I have
trouble narrowing it down even to the month. The events, I
have no problem with.

Q. Did you keep notes 5 or 6 years ago when you could
remember this?
A. I have never kept notes.

Q. So what you're telling me, is basically your memory,
as you recall it from 10 or 12 or 14 years ago?
A. Yes -- I've never kept notes for the specific
purpose I didn't want anything like that falling into the
media or wherever. I didn't have any place secure to keep
them and so I never kept them.

Q. Yesterday, we completed Thac Ba Lake -- at least the
summer of 1977 -- Thac Ba Lake incident. And I think after
that you said after you went back to Thac Ba Lake -- I'm
sorry, after you had left Thac Ba Lake, I asked you when was
the next occasion you had an opportunity to come into contact
with American POWs. And I don't recall when that was.
So why don't we start there today, after Thac Ba
Lake?

(Pause.)

MR. TAYLOR: Bill, perhaps it would help -- my notes
reflect you got into the sighting at 17 Ly Nam De Street,
concerning the ping pong table.

MR. CODINHA: Yes, I have that.
MR. TAYLOR: That's where you guys ended up.

BY MR. CODINHA:

Q. You told us you had occasion to go to 17 Ly Nam De and you had been the first through the door, and you had gone up the stairs, the second flight of stairs, and you had seen a guard at the top of the stairs.

At that point, the guard had some conversation with you, and a POW -- or, strike that -- a caucasian leaned out from down the hall. Do you recall that?

A. Yes.

Q. And I think that is where we stopped yesterday. And I asked you for a description of that caucasian. And you had told me that he had a receding hairline; he had sandy hair; he had a growth of beard; and that he looked -- and you didn't use the term emaciated, but I would characterize it as emaciated. You said he wasn't in good shape. Do you recall that?

A. When I say he wasn't in good shape, I only compare it to -- I can only compare it to what my health was then.

All right, I wasn't -- I considered myself healthy at the time, even though my weight was only about 130 -- approximately 130, 135.

And he looked to be much thinner than me.

His -- you know, his face sunken in, his eyes -- that's the only way I can -- you know, if he was healthy and he looked
fat -- he just looked weaker than myself.

Q. Okay, were you able to make any
determination -- other than he was -- was he light-skinned,
dark-skinned caucasian?

A. No, caucasian --

Q. How long a time did you get a look at him?

A. A very short period of time. The guard was quite
upset that I was even there. I came unannounced -- 30
seconds, maybe? I don't know.

Q. Is there any question in your mind that that person
was a caucasian?

A. No, no question. None at all.

Q. Were you able to make any determination whether that
person was in custody or was free to move around?

A. There was no question the individual was in custody,
basically because he was there. That building was controlled
by Cuc Quan Phap. That was part of their compound, or
whatever. And the only people outside the Army that were
there were myself and ARVN prisoners. I never saw -- I never
witnessed any civilians in the compound.

Q. Now, the ARVN prisoners -- you described yesterday
that I asked you whether you ever ate at 17 Ly Nam De?

A. Yes.

Q. Do you recall that?

A. Yes.
Q. And you told me that you did. And I think you told me yesterday that what would happen is the North Vietnamese guards would eat first --
A. Yes.
Q. -- and then you and the ARVN prisoners would eat after that?
A. That's correct.
Q. Do you recall that happening, that you and the ARVN prisoners would eat after that?
A. Of course.
Q. And on how many occasions would that have happened, that you and the ARVN prisoners would eat after that?
A. Well, when the ARVNs were in the camp -- or in the compound, then we'd eat. But most of the time I ate by myself.
Q. On the occasions that you ate with the ARVN prisoners, do you recall -- were they dressed in the typical, ARVN prison guard -- prison garb?
A. No, no they weren't.
Q. How were they dressed?
A. The same garb only without the stripes. It was all red. It was all kind of a -- not burgundy.
Q. Was that a different color than the uniforms of the NVA guards?
A. Oh, absolutely.
Q. Okay, and what color were their uniforms?
A. Olive, drab green.
Q. And the Cuc Quan Phap guards that were there, did they normally dress in uniforms at 17 Ly Nam De?
A. Always.
Q. Would one looking at the ARVN prisoners -- just from the way they were dressed -- know that they weren't -- that they weren't guards?
A. Absolutely.
Q. Okay, so then there'd be no question that somebody might mistake them for North Vietnamese army?
A. No question.
Q. Do you recall any occasions in 1977 when you ate with the NVA guards -- when you ate with the North Vietnamese guards as opposed to the ARVN prisoners?
A. The only time I ever ate with the guards was when we were in transit.
Q. Would Ly Nam De be considered "in transit"?
A. No.
Q. So that would be a location, rather than some place that you were stopping off at.
A. Right.
Q. So then you have no memory of eating with the guards at 17 Ly Nam De?
A. Drinking tea -- I don't know if that would be