

TOAN

PLACE Quang Ngai, RVN	DATE 15 Nov 69	TIME 1105	FILE NUMBER 69-CID011-00014
LAST NAME, FIRST NAME, MIDDLE NAME FEHER, ANDRE CARL RICHARD	SOCIAL SECURITY ACCOUNT NO.		GRADE CW4
ORGANIZATION OR ADDRESS Det A, 8th MP Gp (CI), APO SF 96243			

SWORN STATEMENT

I, ANDRE C R FEHER, WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

At approximately 0830 hours, 15 Nov 69, I interviewed BG Nguyen Van TOAN, the commanding general of the 2d ARVN Infantry Division in his office. The interview upon request of the Senior MACV advisor was held in an informal manner. Present during the interview were the Senior MACV advisor, COL SACHERS, Investigator Brian Heisler, and 1LT John Christopher WOOD, SSAN: , 635th MID, Americal Division, APO 96374, who acted as an interpreter. BG TOAN stated that he had heard about the incident at My Lai (4) and had instructed COL KHIEN, the Province Chief, to investigate the matter. He further stated that COL KHIEN knew more about the incident than he did. The investigation ordered by BG TOAN is reflected in the report from 1LT Tran Ngoc TAN to the Quang Ngai Province Chief, report no 181/HC/ST/M. A Viet Cong pamphlet entitled the "American Devils Devulge their true Form" and a statement referring to the letter from The Son Tinh district chief to the Quang Ngai province chief, dated 14 Apr 68, was forwarded by BG TOAN to an officer in the Americal Division. BG TOAN stated that he asked the Americal Division to look into it, and if it was true, not to let it happen again. According to BG TOAN, the investigation conducted by his people was based solely on hearsay, since investigators could not enter the village. BG TOAN was not aware of any answer from the Americal Division. BG TOAN was interested, and willing to cooperate, but was not overly eager to commit his own people to any further investigation. He further stated that all the people in the area at that time were either Viet Cong or Viet Cong sympathizers, and he did not express too much concern about their fate. He did not seem outwardly concerned. This view was shared by myself, HEISLER and WOOD. The General was further asked to assist in the location of the AWOL SGT MINH, and promised to do what he could. At approximately 1000 hours COL TON THAT KHIEN, Province Chief of Quang Ngai, was interviewed and stated that two months after My Lai (4) he attempted to enter the village to investigate the incident, but at this time the area was still under VC control, and consequently he was not able to get in. KHIEN was told that a lot of non-combatants had been killed, and was told by a man he met outside the village that if he went a little closer to the village, he could see the graves. It has to be stressed that in dealing with the Vietnamese, My Lai (4) should be indicated to them as Tu Cung, the popular name for the village. KHIEN did not want have the incident come to light, because the VC held this area, and he did not want to provide them with additional propaganda. KHIEN further stated that he did not want the incident to be publicized, since this would adversely affect the national policy. Since KHIEN's cooperation is highly necessary for the interview of the survivors, I did not press for more detailed information from him concerning his part in the investigation. From the interview of TOAN and KHIEN it has been established that an incident did occur, and that they were aware of it, and the incident was written off as Viet Cong Propaganda so as not to blemish national policy. At 1100 interviewed Nguyen Duc TE, Census Grievance Chief for Quang Ngai since 1965. TE explained through 1LT WOOD that he was not the one who had reported the incident to the Province Chief as KHIEN had indicated. TE indicated that perhaps a member of his

EXHIBIT	INITIALS OF PERSON MAKING STATEMENT <i>AF</i>	PAGE 1 OF <u>3</u> PAGES
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF TAKEN AT DATED CONTINUED." THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT AND BE INITIALED AS "PAGE OF PAGES." WHEN ADDITIONAL PAGES ARE UTILIZED, THE BACK OF PAGE 1 WILL BE LINED OUT, AND THE STATEMENT WILL BE CONCLUDED ON THE REVERSE SIDE OF ANOTHER COPY OF THIS FORM.

DA FORM 2823
1 JAN 68

8 Cadre which he would try to locate for us would be able to give more information. At 1115 through LT WOOD interviewed TA LINH VIEN, a member of the Cadre of the Census Grievance Committee. VIEN confirmed earlier statements that Tu Cung hamlet had been a VC stronghold for many years. He further stated that prior to the operation on 16 Mar 68 in Tu Cung, allied airplanes had made broadcasts over the area urging civilians to move to a secure area. During the operation, VIEN stated that approximately 200 civilians predominantly old men, women and children, were caught in a crossfire between the allied troops and the VC. VIEN was not physically present, but learned this through hearsay. VIEN was specifically asked if any allied troops had grouped civilians together and shot them. VIEN stated that he had no knowledge of this. VIEN was asked if there were any survivors, and he stated that there were some and that they had been resettled in Son My village near hill 85. The name of the village chief since 1965 of Son My village is Do Dinh LUYEN. The hamlet chief of Tu Cung (My Lai 4), Do Tan NHON, and the hamlet chief of My Lai (5) was Nguyen Tan HAI. A short interview of the village chief of the village chief, LUYEN, revealed that 370 women, children, and old men were shot in the My Lai incident, and that there are family graves located in several adjacent rice paddies, and that there might be several old men alive who helped dig the graves. 13

//////END OF STATEMENT//////

Thdu C. R. L. S.

This section not used

AFFIDAVIT

I, ANDRE C R FEHER

HAVE READ OR HAVE HAD READ TO ME THIS STATE-

MENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE 3. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

WITNESSES:

John Wood

JOHN CHRISTOPHER WOOD

635th MID, Americal Division

APO SF 96374

ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

Andre C R Feher
(Signature of Person Making Statement)

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 15 day of NOV, 1969 at Quang Ngai, RVN

Brian Jan Heiser
(Signature of Person Administering Oath)

BRIAN JAN HEISER

(Typed Name of Person Administering Oath)

ART 136 (b) (4) UCMJ (1968)

(Authority To Administer Oaths)

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PAGE OF PAGES