

WITNESS STATEMENT

For use of this form, see AR 195-10 - TB PMG 3; the proponent agency is Office of The Provost Marshal General.

70-CID011-00013

PLACE Chu Lai, RVN	DATE 16 Nov 69	TIME 1330	FILE NUMBER 70-CID011-00013
LAST NAME, FIRST NAME, MIDDLE NAME FEIER, 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 FEIER

WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

At 0930 hours on 16 Nov 69 this investigator, Investigator HEISLER, and 1LT John Christopher Wood, 635th LID, Americal Division, APO SF 96374, proceeded by helicopter to Son My village, Quang Ngai province, Republic of Vietnam, to interview possible survivors of the My Lai (4) (Tu Cung) incident who have been relocated in Son My village.

The following persons were interviewed:

- (a) Do Tan NHON, former hamlet chief of My Lai (4) during the incident, 29 years old, presently residing in Son My village, Quang Ngai province, Vietnam. NHON was not present during the incident at My Lai (4) but was at Son Tinh. All information obtained from NHON was passed on to him by the survivors of My Lai (4). NHON stated that prior to entry of the allied troops into My Lai (4) the village was subjected to (4). By legal definition My Lai (4) is classified as a hamlet and not a village. Hereafter My Lai (4) will be referred to as the hamlet of Tu Cung. NHON could not say how many persons if any were killed by the artillery fire. According to NHON, a platoon of 30 men moved into position at 200 meters west of the hamlet (see position 5 circled in blue). This platoon fired from that position into the village, and subsequently entered the village. Another platoon took its place outside the village. The platoon that had entered the village proceeded to gather the people up into three groups. The first group was in the eastern outskirts of the village indicated by 1 circled in blue. NHON stated that there the people were forced into a ditch approximately 4 meters wide. This group consisted of approximately 120. The second group identified by number 2 circled in blue was in the southeast section of the hamlet along a trail. They were left in a ditch. This group consisted of approximately 130 people. The third group was in the southern outskirts of the hamlet and is indicated by the number 3 circled in blue, and consisted of approximately 120 people. NHON was not able to state how many civilians were killed throughout the hamlet. NHON knew that they were American soldiers, but he did not know exactly what unit, but he did know that they were the ones that shot the 370 Vietnamese civilians.
- (b) Do CHUC, 48 years old, resident of Tu Cung hamlet at the time of the incident and presently residing at Son My village, Quang Ngai province, Republic of Vietnam, who was present during the shooting of the non-combatants and was hiding to the left of the scene depicted on color photograph #16. CHUC's position is indicated on the attached map by roman numeral 1, and the location of the scene depicted by color photograph #16 is indicated on the attached map as arabic number 2 circled in blue. This does not coincide with the 130 people mentioned by NHON. CHUC stated that the Americans entered the hamlet and killed the civilians. The farmers were eating and the Americans shot them. The civilians were gathered in three places and then shot. There were 370 civilians that were executed. CHUC was hiding near the rice field near the hamlet, and crouched down to avoid being killed. CHUC observed the Americans shoot the civilians and push them into the ditch.

EXHIBIT	INITIALS OF PERSON MAKING STATEMENT	PAGE 1 OF 3 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 INITIALIZED, 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.

DANIELS

STATEMENT OF ANDRE C R ELLER TAKEN AT CHU LAI, RVN DATED 10 Nov 69, CONTINUED:

- Some of those who were not killed in the first volley and tried to crawl out of the ditch were pushed back into the ditch and shot. CHUC identified colored picture number 16 as being depicted on the attached drawing by number ~~15~~ 2 circled in blue. He further identified colored photograph number 15. The persons depicted on this photograph were executed at the location on the drawing indicated by number 4 circled in blue. He identified further on this picture the woman in the foreground in the red blouse as being Pham Thi SO, 56 years old, residing in Tu Cung, Quang Ngai province, Republic of Vietnam. He also identified in the same picture the girl in the black pajamas with her right hand trying to fasten her blouse as Do Thi CAM, 26 years old, formerly residing at Tu Cung, Quang Ngai province, Republic of Vietnam. In addition CHUC identified the little boy on the arm of the girl in the black pajamas as being Do TRAT, 5 years old, formerly residing in Tu Cung. Will check later if CAM was married and if the boy TRAT was her child.
- (c) Do HOAI, 40 years old, a resident of Tu Cung, Quang Ngai province, Republic of Vietnam, now residing at Son My village. HOAI was hiding in position roman numeral 2 when he was gathered up by the Americans and put in the group of people indicated by numeral 3 circled in blue on the attached drawing. When the American shot the group, he fell under some of the civilians. His shirt was all bloody, and he pretended to be dead. He got up and ran after the shooting was over. HOAI identified the person depicted on color picture number 7 as Do MO, 70 years old, further identification unknown.
- During the interview of NHON, when he was shown color photograph number 15, he stated that the little girl with the white blouse in the left of the picture was his daughter Do Thi KIM BE, seven years old. (Wives and children under Vietnamese custom do not bear their father's last name. The girl is the daughter of NHON). The woman whose face is partially shown and whose right arm is trying to protect KIM BE was identified by NHON as being his mother, Nguyen Thi CUNG, 54 years old.

A drawing was made by NHON and is attached to this statement. The drawing was translated by LIT WOOD.

Interview of NHON also revealed that there are ten people in Son My village who were present during the incident at Tu Cung hamlet. They will be interviewed in detail at a later date. He also indicated that there are five people in Son My village who buried the dead. They will also be interviewed at a later date. The burial sites of the victims are stretched from the east of the village along the south outskirts.

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

Andre C R Eller

70-CID011-00013

STATEMENT (Continued)

*This section
not
used
by*

AFFIDAVIT

I, ANDRE C R JENNER

HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT 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 Christ

JOHN CHRISTOPHER WOOD

635th MID, Americal Division

APO SF 96374

ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

INITIALS OF PERSON MAKING STATEMENT

André C R Jenner

(Signature of Person Making Statement)

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 16 day of Nov, 19 69 at Chu Lai, RVN

Brian Jan Heisler

(Signature of Person Administering Oath)

BRIAN JAN HEISLER

(Typed Name of Person Administering Oath)

ART 136 (b) (4) UCMJ (1963)

(Authority To Administer Oaths)