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[Signature]

ERRATA SHEET

FINDINGS OF FACT AND OPINIONS

<u>PAGE</u>	<u>FINDING NO.</u>	<u>LINE NO.</u>	<u>CHANGE</u>
5	26	1	"25" should read "24"
6	48	2	"Both" should read "either" "and" should read "or"
6	53	1	"51" should read "52"
8	73	3	"verticle" should read "vertical"
9	85 and 86	2	Delete all between "16 knots" and reference in 85 and insert same at end of 86 after "205"
9	98	1	"Her" should read "MELBOURNE's"
10	106	2	Add "160" after "F CORPEN"
11	128	1 and 2	"120" and "122" should read "122" and "124"
11	130	1	"LT" should read "LTJG"
12	133f	2	"5" should read "e"
16	218	2	"section" should read "UNREP Station"
16	222	1 and 2	Delete all after "(C-206-E)"
17	226	2	"after they" should read "FUCHS thought he"
19	277	1	Insert "which" after "(831 and 823)"
25	362	2	"Commander" should read "Commanding Officer"
26	3	3	Delete "so"
28	31	5	Correct spelling of "reduced"
29	40	1	"close quarter" should read "close-quarters"

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FINDINGS OF FACT

EVENTS PRIOR TO COLLISION

Command and Control, and Tactical Documents

1. (U) On the early morning of 3 June 1969, USS FRANK E. EVANS (DD-754) and HMAS MELBOURNE were taking part in SEATO Exercise Sea Spirit in the South China Sea (R,p. 3).
2. (U) On 2-3 June HMAS MELBOURNE was commanded by Captain John P. Stevenson, RAN (R,p. 76).
3. (U) On 2-3 June USS FRANK E. EVANS (DD-754) was commanded by Commander Albert S. McLemore, USN (R,p. 43).
4. (U) USS FRANK E. EVANS (DD-754) (hereafter EVANS) and HMAS MELBOURNE (hereafter MELBOURNE) were part of Exercise Task Group 472.1 and Task Unit 472.1.0, which comprised an identical group of ships (hereafter referred to as "MELBOURNE Task Group") (Exhibit 1).
5. (U) Other ships in Task Group 472.1 and Task Unit 472.1.0 were USS JAMES E. KYES (DD-787), USS EVERETT F. LARSON (DD-830), HMNZS BLACKPOOL, and HMS CLEOPATRA (Exhibit 1).
6. (U) Exercise command of the Task Group was vested in Rear Admiral G.J.B. CRABB, C.B.E., D.S.C., Flag Officer Commanding, H.M. Australian Fleet (FOCAF), embarked in MELBOURNE as CTF 472 and CTG 472.1 (R,p. 3; Exhibit 1).
7. (U) The testimony of RADM Crabb CTF 472 and CTG 472.1 and of Capt Stevenson (CTU 472.1.0 and CO MELBOURNE) indicates their understanding that the latter did not assume tactical command of TG 472.1 until about 021530Z (R,p. 24, 82).
8. (U) In his capacity as CTU 472.1.0, CO MELBOURNE was directed by a Tactical Primary signalled order of CTG 472.1 at about 020715Z, to assume tactical command of TG 472.1 (Exhibit 27, p. 1).
9. (U) According to Tactical Primary logs from 020715Z to collision at about 022015Z, tactical command of TG 472.1 was exercised by CTU 472.1.0 without interruption except for the period 021402Z-021449Z when CTG 472.1 issued direct to the Screen Commander (CTU 472.1.2) four signalled orders concerning a Surface Attack Group Exercise then in progress. No evidence pertaining to visual or TG Common signalling was sought by the board (Exhibit 27, p. 1-8).
10. (U) During the period from midnight 2-3 June to the time of the collision, tactical command of Task Group 472.1 and Task Unit 472.1.0 was being exercised by the Commanding Officer, HMAS MELBOURNE (hereafter CO MELBOURNE) in his capacity as CTU 472.1.0 (R,p. 8; R,p. 82).
11. (U) Screen Commander was CTU 472.1.2 (Commander Destroyer Squadron TWENTY-THREE) in USS JAMES E. KYES (Exhibit 1).
12. (U) The effective operation order for the MELBOURNE Task Group was CTF 472 (FOCAF) OpOrder 1/69 (Exhibit 1).
13. (U) Tactical doctrine applicable to the maneuvers and evolutions involved during the period relevant to this investigation was laid down in the OpOrder itself, in the pamphlet Maritime Operating Procedures (MOP) prepared for the exercise (Exhibit 2) and in ATP 1(A), Vols. 1 and 2 (through change 4). A complete listing of publications made effective for Exercise Sea Spirit is contained in Annex G of the OpOrder (Exhibit 1).
14. (U) In addition to the tactical publications listed in finding of fact number 13, CO HMAS MELBOURNE had, in accordance with CTF 472 OpOrder 1/69, prepared and distributed to the escorts a pamphlet entitled "HMAS MELBOURNE Escort Handout" (Exhibit 17) which described additional procedures for MELBOURNE escorts (R,p. 79; Exhibit 1).
15. (C) FOCAF OPORDER 1/69 contained zigzag plans considered appropriate for the operation because he was uncertain whether every participant in the exercise would have ATP-3 (R,p. 36; Exhibit 1).
16. (C) Zigzag plans in FOCAF OPORDER 1/69 were extracted from ATP-3 but were not identified as to their source (Exhibit 1).
17. (U) FOCAF OPORDER 1/69 did not contain zigzag doctrine (Exhibit 1).
18. (C) CO MELBOURNE, CO EVANS and those watch officers of MELBOURNE, EVANS, and BLACKPOOL who testified understood that ATP-3 series was the basic reference for zigzag doctrine (R,p. 96, 208, 223, 277, 315, 323).

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19. (C) ATP-3(A) had superseded ATP-3 several months previously in USN ships but had not yet been distributed to RAN ships (R,p. 208, 323, 541).

20. (C) ATP-3 and ATP-3(A) vary widely both as to specific zigzag plans and to some extent as to important aspects of execution (Examination of documents).

21. (C) Neither ATP-3 nor ATP-3(A) was authorized for use during this exercise (Exhibit 1).

22. (C) No tactical publication effective for Exercise Sea Spirit contained a definition of the term "patrol" in the sense of patrolling an ASW sector screen (Review of documents).

23. (U) CO EVANS standing night orders (USS FRANK E. EVANS (DD-754) Instruction 3121.1A), which were a part of the night orders for 2-3 June 1969, included, inter alia, the following provisions as to calling the Commanding Officer:
"3. . . .
" . ***
t. Call me and the Navigator under the following circumstances:
"(1) When in doubt as to the safe position or the course of the ship.
"(2) If you change course or speed for any reason.
* * *
"u. Call me under the following additional circumstances:
"(1) . . .
"(2) When any changes are made to the formation of which FRANK E. EVANS is a part.
* * *
"(7) Should the question of whether to call me or inform me of something ever enters your thoughts" (Exhibit 13).

24. (U) Paragraph 3t(2) of the standing night order had been modified by CO EVANS to delete the requirements that the Commanding Officer and Navigator be called for course and speed changes made solely for the purpose of patrolling a screen assignment (R,p. 49, 56).

25. (U) CO EVANS standing night orders had been under revision since 1 February 1969, and the revised draft (Exhibit 13) included the amendment referred to in finding of fact number 24 (Exhibit 13).

26. (U) Except for the change described in finding of fact number 25, the type-written orders had not been modified, verbally or otherwise, and the other handwritten changes on Exhibit 13 had not been put into effect (R,p. 49).

27. (U) a. All officers of EVANS standing Bridge or CIC Watches had been required to sign the Captain's Standing Night Orders by way of acknowledgement that they had been read and understood.
b. The requirements of the CO EVANS in practice accorded with the wording of the Standing Night Orders (R,p. 201, 317, 322).
c. There is some evidence that LTJG Ramsey did not believe the Captain required that he be called invariably when the ship was ordered to change station (Exhibit 101).
d. The basis for such belief could not be investigated or established.

Status of Ships

28. (C) From 022236G ships in the MELBOURNE Task Group were in the following formation:
Main body and guide - MELBOURNE
ASW Screen (Symmetrical about a bearing of 220°) - CLEOPATRA, BLACKPOOL and EVANS in adjacent 40 degree sectors from 160° to 280° between 3000 and 5000 yards from MELBOURNE.
JAMES E. KYES and EVERETT F. LARSON in adjacent 30° sectors from 190°-250°, between 7000 and 10,000 yards from MELBOURNE (R,p. 133; Exhibit 26).

29. (C) EVANS was assigned a sector with outer bearings 240°(t) to 280°(t), range 3000 to 5000 yards, from MELBOURNE (R,p. 133; Exhibits 26, 28).

30. (U) EVANS was the right flank escort of the inner sector screen (R,p. 61, 114, 133; Exhibits 26, 28).

31. (C) When a sector screen was ordered, the Maritime Operating Procedures required screen ships to "patrol widely throughout their sectors" (Exhibit 2, p. D-4).

32. (U) Instructions to escorts prohibited them from approaching closer than 500 yards to the boundary of an adjacent occupied sector (Exhibit 2, p. D-4).

33. (U) From shortly after 2300G, 2 June, MELBOURNE Task Group had been on base course 220°(t) when zigzagging, speed 18 knots (R,p. 83; Exhibit 27).

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34. (U) On 2 June 1969 and 3 June 1969 until the time of collision, EVANS was in general condition of readiness III, engineering condition of readiness II, with both main generators on the line, and engineering plant in split plant operation, including the electrical load (R.p. 48, 51, 115).

35. (U) After darkness on 2 June 1969 and until the time of collision EVANS at sea routine required Material Condition "Yoke" with "darker ship". Yoke and Xray fittings opened for any reason during this condition were to be noted in a closure log maintained on the Bridge (R.p. 48, 222).

36. (U) At the time of the collision, at least two main deck "Yoke" fittings (hatch 1 - 136) and a door in the after deckhouse, starboard side (1 - 135 - 1) were open. It is not known whether these were recorded in the closure log (R.p. 447, 557).

37. (U) At about 2100G, 2 June, CO EVANS had promulgated his night orders for the night of 2-3 June (R.p. 40).

38. (U) CO EVANS night orders for the night of 2-3 June were lost as a result of the collision (R.p. 49).

39. (U) CO EVANS retired to his sea cabin for the night sometime after midnight (R.p. 52).

40. (U) CO EVANS' sea cabin was located between the pilot house and CIC (R.p. 57-58, Exhibit 14).

41. (U) MELBOURNE's program for flying operations during the period from 0600H, 2 June, to 0800G, 3 June, had been promulgated to the task group by signals (Exhibit 19).

42. (U) The program provided for the recovery of a fixed wing (S2E) aircraft at 0330G on 3 June (Exhibit 19).

43. (U) CO EVANS night orders gave no special instructions that he should be called in connection with MELBOURNE's scheduled flying operation which he recalled was scheduled for the time frame of 0300G to 0330G (R.p. 52).

44. (U) When so informed, it was his practice to make a decision whether to be on the bridge or not in the light of all relevant considerations including the difficulty of the maneuver, time of day, whether the ships were darkened or not and to some extent which officer had the deck watch (R.p. 587-8).

45. (U) It was not the invariable practice of CO EVANS to be on the bridge when informed that his ship was changing station at night (R.p. 63; 587-8).

46. (U) CO EVANS' night orders for 2-3 June enjoined watch officers to review the rules for zigzagging but did not refer to any specific publication as being applicable under the circumstances (R.p. 201, p. 541).

47. (U) At about 0300G, 3 June the weather in the vicinity of the MELBOURNE Task Group was as follows:

Sea - glassy calm
Wind - practically none
Visibility - unrestricted
Clouds - scattered
Light - bright moonlight except where cloud cover created shadows (moon azimuth about 170°(t), altitude 22°) (R.p. 84, 121, 155).

48. (U) Commencing at 1505G, 2 June, the MELBOURNE Task Group had been zigzagging using both plan 13S and 17S at various times. The zigzag was from time to time discontinued and later resumed (Exhibit 27).

49. (U) At 2308G, 2 June, MELBOURNE was ordered by signal from CTU 472.1.0 to zigzag according to Plan 13S, base course 220°. The MELBOURNE Task Group was an information addressee (Exhibit 27).

50. (C) Zigzag plan 13S is a three hour, short leg plan, taken from Annex D, CTF 472 (FOCAF) OPORD 1/69 (Exhibit 1).

51. (U) Zigzagging was discontinued during the period 0206G to 0215G 3 June. It was again discontinued at 0246G and resumed at 0255G 3 June (Exhibit 27).

52. (U) The "Execute to follow" signal for MELBOURNE to resume previous zigzag had been sent by CTU 472.1.0 (CO MELBOURNE) on the Primary Tactical Circuit (Voice) info TU 472.1.2 (Screen) at 0253G (Exhibit 27).

53. (U) The signal in finding of fact number 51 was executed with similar addressal at 0255G (Exhibit 27).

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54. (U) Both the "Excute to follow" and "execute" signals were received for only by MELBOURNE, no other station being required to receipt (Exhibit 27).

55. (U) Assignment to duty as rescue destroyer in the MELBOURNE Task Group was normally promulgated for a 24 hours period by the Task Group Commander by means of a message entitled OPGEN Alfa (R, p. 24).

56. (U) The OPGEN Alfa message covering the period from completion of replenishment, 2 June, until 0800H, 3 June, designated BLACKPOOL as rescue destroyer (Exhibit 15).

57.a. (U) At 1808G, 2 June, CTU 472.1.0 asked the Screen Commander on PRITAC to detail a unit for rescue destroyer duties (Exhibit 27).

b. (U) At 1808G, 2 June, the Screen Commander, on PRITAC, designated EVANS to assume duty as rescue destroyer. No duration for such duty was stated. PRITAC logs do not indicate that this signal was received by EVANS (Exhibit 27).

c. (U) At 1813G, the Screen Commander and EVANS exchanged messages on the subject of EVANS assuming duty as rescue destroyer (Exhibit 27).

d. (U) Although PRITAC logs do not clearly indicate that EVANS understood the messages 1808G and 1813G regarding assignment as rescue destroyer, both the OOD and CIC Watch Officer of EVANS for the 1800-2000 watch on 2 June recall receiving a message designating FRANK E. EVANS as rescue destroyer (R, p. 312, 321).

e. (U) The 1800-2000 OOD of EVANS informed CO EVANS, of the receipt of the message designating EVANS as rescue destroyer (R, p. 312).

f. (U) CO EVANS mentioned to the 2000-2400, 2 June, OOD that EVANS was rescue destroyer again (R, p. 201).

58. (C) During the period from the receipt of the signal designating EVANS as rescue destroyer at 1808G, 2 June, and the "form column" signal at about 0309G, 3 June, EVANS had been directed by PRITAC to leave and return to her screen station and to take rescue destroyer station as follows:

<u>SIGNAL TO FORM COLUMN FROM SCREEN</u>	<u>SIGNAL TO TAKE RESDES STATION</u>	<u>SIGNAL TO FORM COLUMN</u>	<u>SIGNAL TO RETURN TO SCREEN</u>
1816G	1831G 1842G	1837G	1846G
1953G	1957G		2003G
2048G	2056G	2107G 2209G* 2213G* 2221G*	
	2258G		2301G

(NOTE: * Movements out of column unknown as signals not reflected in PRITAC logs (Exhibit 27).)

59. (U) During the same period no other ship performed duties as rescue destroyer in the MELBOURNE Task Group (Exhibit 27).

60. (U) CO MELBOURNE was on the bridge from about 0307G until after the collision (R, p. 85, 168).

61. (U) Bridge Watch Officers of MELBOURNE at this time were LT Russell D. Lamb, RAN, Officer of the Watch, and Acting Sub-Lieutenant Viacheslav Vorobieff, RAN, Second Officer of the Watch (R, p. 84, 166).

62. (U) EVANS bridge watch officers were LTJG Ronald C. Ramsey, USN, Officer of the Deck, and LTJG James A. Hopson, IV, USN, Junior Officer of the Deck, the latter having the conn (R, p. 114, 116, 117).

63. (U) LTJG Ramsey had been standing watch as an underway officer of the deck (Fleet Operations) for about four months, and his formal designation as OOD (Fleet Operations) had been signed about ten days prior to the collision (R, p. 53, 56).

64. (U) LTJG Hopson had been aboard EVANS approximately 19 months during which period he had stood JOOD and CIC watches underway. He was not a qualified underway OOD (R, p. 111, 112).

65. (U) At 0307G MELBOURNE changed course to 260°(T) in accordance with zigzag Plan 13S (R, p. 85; Exhibit 1; Annex D).

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66. (U) The next scheduled zigzag turn was at 0313G to course 240°(T) (Exhibit 1; Annex D).

Lights

67. (U) The MELBOURNE Task Group was steaming darkened ship except as required for flight operations (R, p. 84).

68. (U) MELBOURNE, while conducting night helicopter operations had displayed lighting in accordance with doctrine contained in Maritime Operating Procedure (PX 39) in effect for SEA SPIRIT as did other ships in TU 472.1.0 (Exhibit 17, 27).

69. (U) MELBOURNE had conducted fixed wing flying operations during the period 1800-2300G on 2 June and conformed to lighting measures prescribed for the exercise and as stated in the Escort Handout (Exhibit 17, 27).

70. (U) The three groups of moonlights on the mast illuminate the forward, center and aft sections of the flight deck and any one or all of the three groups can be turned on (R, p. 168, 288).

71. (U) When moonlighting is turned on to illuminate the flight deck forward the 00W on the bridge would be aware of it (R, p. 169).

72. (U) The sources of "moonlighting" are not themselves visible from other ships, but the light they shed, and the objects they illuminate are visible from some distance away (R, p. 189, 288, 467; Exhibit 17).

73. (U) MELBOURNE's red masthead or obstruction lights were turned off after the 0304G helicopter launch and were off at the time of collision as were the Flying Lights on the mast and three red verticle droplights on the stern (Exhibit 17, 27).

74. (U) The center group of MELBOURNE's flight deck "moonlighting" and possibly the after group were on at the time of collision and for a period of four or five minutes before (R, p. 284).

75. (U) Although the 00W in MELBOURNE is normally informed when moonlighting is turned on, the middle watch 00W, LT Lamb, was not aware that the center group had been turned on (R, p. 176).

"Form Column" Signal to Collision

76. (U) At approximately 0310G, CTU 472.1.0 sent a signal over PRITAC action to TU 472.1.0 directing MELBOURNE and EVANS to form column in sequence MELBOURNE, EVANS at standard distance (Exhibit 27).

77. (U) The signal to "Form Column" was sent by the delayed executive method, the "Execute to Follow" signal having been sent about 0309G and the "Execute" at about 0310G (Exhibit 27).

78. (U) The signal to form column at standard distance was the signal used uniformly by MELBOURNE to position an escort astern prior to its taking rescue destroyer (plane guard) station (R, p. 85, 313; Exhibit 27).

79. (U) These signals required EVANS to station herself 1000 yards astern of MELBOURNE.

80. (U) Both the "Execute to Follow" signal and the "Execute" signal were received, understood and receipted for by the OOD of EVANS (R, p. 117, 118).

81. (U) At the time EVANS commenced her maneuver MELBOURNE was on course of 260°, 18 knots, and remained so until shortly before collision (R, p. 85, 86, 87, 167, 169).

82. (U) EVANS' exact position relative to MELBOURNE is not determinable from the conflicting evidence presented to the board. The best estimation that the board has been able to make is that EVANS was at a range of about 3700 yards within an arc of bearing from MELBOURNE 230°-240° (R, p. 117).

83. (U) EVANS' exact heading at the time she commenced her maneuver is not determinable from the evidence presented to the board. The ship had been patrolling station and was swinging right under 3°-5° of right rudder. The best estimation of her heading that the board has been able to make is some degrees higher than 220° and probably not more than 260° (R, p. 85, 125, 168).

84. (U) EVANS' ship's speed during the "Form Column" maneuver as from 0311G was 22 knots. LTJG Hopson knew this but LTJG Ramsey believed it to be 20 knots (R, p. 117; Exhibits 69 and 101).

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