

O 050604Z JUN 69
FM COMSEVENTHFLT
TO COMASWGRU ONE
INFO ACNB

CNO
SECNAV
JAG
CINCPACFLT
CINCPAC
FOCAF
COMNAVPHIL
COMCRUDESPAC
COMASWFORPAC
USDAO CANBERRA
NAVSTA SUBIC
COMCRUDESFLT THREE
COMDESRON FOURTEEN
USS KEARSARGE
BT
UNCLAS

BOARD OF INVESTIGATION INTO COLLISION OF USS FRANK E. EVANS AND HMAS MELBOURNE

A. COMSEVENTHFLT 030012Z JUN 69 NOTAL

B. JAG MANUAL

1. REF A IS CANCELLED.

2. A BOARD OF INVESTIGATION IS HEREBY APPOINTED IN ACCORDANCE WITH SECTION 0602 OF REF B TO INQUIRE INTO ALL THE CIRCUMSTANCES SURROUNDING THE COLLISION OF USS FRANK E. EVANS (DD-754) AND HMAS MELBOURNE (CVS-21) IN THE SOUTH CHINA SEA ON 3 JUN 1969. THE INVESTIGATION WILL COMMENCE ON BOARD USS KEARSARGE (CVS-33) OR SUCH OTHER PLACE DESIGNATED BY THE SENIOR MEMBER AS SOON AS PRACTICABLE.

3. THE BOARD SHALL CONSIST OF REAR ADMIRAL JEROME H. KING JR., USN, 106967/1100 AS SENIOR MEMBER AND REAR ADMIRAL HUGH DAVID STEVENSON, RAN, CAPTAIN KENNETH WILLIAM SHANDS, RAN, CAPTAIN JOHN DAVIDSON, RAN, CAPTAIN STEPHEN L. RUSK, USN, 270161/1100 AND CAPTAIN CLYDE B. ANDERSON, USN, 165623/1100 AS MEMBERS. CAPTAIN HORACE B. ROBERTSON, JAGC, USN, 447857/2500, A LAWYER QUALIFIED IN THE SENSE 27(A) OF THE UNIFORM CODE OF MILITARY JUSTICE, IS HEREBY DESIGNATED COUNSEL FOR THE BOARD AND COMMANDER HAROLD H. GLASS, QC, RANVR IS DESIGNATED ASSISTANT COUNSEL

4. THE BOARD IS DIRECTED TO INQUIRE INTO ALL THE FACTS AND CIRCUMSTANCES CONNECTED WITH THE COLLISION. THE BOARD SHALL SUBMIT ITS FINDINGS OF FACTS OPINIONS AND RECOMMENDATIONS IN DUPLICATE ORIGINAL REPORTS FORWARDED TO COMSEVENTHFLT AND ACNB.

5. NO PARTIES WILL BE DESIGNATED BY THE BOARD OF INVESTIGATION. TESTIMONY WILL BE TAKEN UNDER OATH AND A VERBATIM TRANSCRIPT OF THE TESTIMONY WILL BE MADE. ALL WITNESSES SHALL BE ACCORDED THEIR RIGHTS UNDER ARTICLE 31, UNIFORM CODE OF MILITARY JUSTICE. U.S. NAVAL PERSONNEL APPEARING AS WITNESSES SUSPECTED OF AN OFFENSE, MISCONDUCT OR IMPROPER PERFORMANCE OF DUTY SHALL BE GIVEN THE ADVICE AND WARNING CONTAINED IN SECTION 0606D (2) OF REF B. ANY RAN PERSONNEL APPEARING AS WITNESSES BEFORE THE BOARD WILL BE INDIVIDUALLY ADVISED HE IS PRIVILEGED TO REFUSE TO ANSWER ANY QUESTION THE ANSWER TO WHICH MAY TEND TO EXPOSE HIM TO ANY PENALTY OR FORFEITURE AND THAT IT WILL BE FOR HIM TO RAISE THE OBJECTION AND FOR THE BOARD TO DECIDE IF HE MUST ANSWER THE QUESTION OR NOT.

6. COMMANDING OFFICER, USS KEARSARGE (CVS-33) WILL ARRANGE FOR THE NECESSARY REPORTERS AND PROVIDE SUCH OTHER CLERICAL ASSISTANCE AS MAY BE NEEDED.

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INFO RAYNN/ACNB
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RUYN SYB/CINCPACFLT
RUYN SYA/COMNAVPHL
RUYN SYB/COMCRUDESPAC
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RAYNG/FOCAF
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BOARD OF INVESTIGATION INTO COLLISION OF USS FANK E. EVANS AND
HMAS MELBOURNE
A. COMSEVENTHFLT 050604Z JUN 69

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1. PARAGRAPH 5 OF REF A IS HEREBY MODIFIED. THE BOARD MAY RECEIVE AS
EVIDENCE ANY UNSWORN STATEMENTS CONSIDERED BY THE BOARD TO BE USEFUL
TO A COMPLETE UNDERSTANDING OF THE CIRCUMSTANCES OF THE COLLISION.

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