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A. The state of changes in the two basic tactical publications is one of some concern. I believe that the Royal Navy units obtain their changes fairly speedily, but are normally one ahead of the Australians and New Zealanders. There was some signal debate prior to CINCPACFLT deciding that change 4 would be the change for the exercise. There was some signal comment to obtain change 6. In fact we did obtain change 6, but it was - it was not inserted because it arrived within a week preceeding the exercise.

Q. Then it would appear that if a decision had been made to use change 6 for the period of the exercise, it would have been received only a few days prior to the exercise.

A. By Australian units.

Q. By certain units.

A. That is correct, sir.

Q. Therefore there would have been required a learning process in order to use change 6.

A. That's correct, sir.

Q. Is it not true then that the use of any particular version, whether change 4 or change 5 or change 6, would have meant that some units in the exercise would have been required to use a publication with which they were not familiar?

A. Yes, this is correct.

Q. Mr. Arundel in the preparation of FOCAP's Operation Order 1/69, certain zigzag plan diagrams taken from ATP 3, I believe, were inserted. Is that correct?

A. That's correct.

Q. Was consideration given to the insertion in that Op Order of any zigzag rules?

A. Not by me, sir.

Q. To your knowledge was consideration given to inclusion of zigzag rules on the part of anyone else?

A. I can't really answer that question, sir, because I wasn't handling the ASW section.

Q. Are the zigzag diagrams in the ASW section?

A. I can't recall the exact portion of the Op Order, sir.

(FOCAP's Op Order 1/69, Exhibit 1, was given to the witness to refresh his recollection).

Q. Mr. Arundel, you have reviewed FOCAP's Op Order 1/69, Exhibit 1. Can you say whether the zigzag diagrams are in the ASW section?

A. Yes, they are in the ASW section, sir.

Q. Can you say whether the basic zigzag rules are in that section?

A. There are no rules for zigzag in this section, sir.

Q. Mr. Arundel, returning to the document which you have prepared, Exhibit 27, new version which you have just submitted. You have for a particular period of time, namely from 020550Z to 022018Z, examined the logs of at least five ships - five ships and certain commands. Do any of the logs used as a basis for this document record transmissions heard on the Task Group 472.1 Pri Tac....

A. Yes, they do, sir.

Q. which did not originate with any ships or command of Task Group 472.1?

A. If I recall there were two signals which are not featured here, in which - Task Group 472.3 includes a call sign from one unit of 472.1. Does this answer the question, sir.

Q. No, let me restate the question. During the period of time covered by this document, is it true that ships and command other than those in Task Group 472.1 were using the same frequency as was being used by Pri Tac Circuit of Task Unit 472.1?

A. Yes that's correct, sir. The convoy group in other words was using the same Comm Plan.

Q. Do any of the logs which you combed in order to get the material displayed in this document record any transmission of any kind from Task Group 472.3 or any other source on this circuit.

A. Two logs do, sir. MELBOURNE's and FOCAP's.

Q. And what do they record?

A. What appears to be a complete diary of transmission from the convoy group. There's no evidence of interference.

Q. Is it possible that a ship in Task Unit 472.1 other than MELBOURNE, could have heard any of these other transmissions?

A. I can say it is most unlikely, sir. Because the height of MELBOURNE's mast was certainly more than that of any other unit in the group. And from 2000 onwards the groups were considerably displaced. I'm not sure of the exact distance but I think it was between the order of 20 or 30 miles. And UHF communications should have suffered at this range and in fact there is no - virtually no record of the convoy groups tactical communications from that time, from 2000.

Q. And you're speaking in ZULU time?

A. I'm sorry I'm speaking in local time.

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Q. So that from 2000 local time or 1900Z, it is your view if I understand correctly, that interference was most unlikely?

A. It was most unlikely. I'd like to mention too that there was a SAG Exercise that ended at approximately midnight and there was some jamming - deliberate jamming in this exercise. But this is of no consequence now.

Q. That's a separate subject?

A. I would like very, very quickly though to give a positive answer to that question by skimming through MELBOURNE's log or FOCAF's log to establish whether, in fact, there was any sign of the convoy's communication.

Senior Member: Very well.

(The senior member directs the witness be given the aforementioned logs and the witness then scans them for the appropriate material).

Witness: Sir, there's a very brief mention of call signs which I recognize as being the convoy group at 1750Z 1650Z, but from the record it's indistinct because only two or three groups are recorded. There is more communication then recorded, prior to 1500Z.

Q. So that the latest recorded instance of communication on this circuit from outside this Task Group 472.1, is at what time?

A. I believe it's 1810, sir. A Record XRAY EIGHT THIS IS OSCAR NINE BRAVO BRAVO TWENTY SEVEN.

Q. Is that 1810Z.

A. Yes, the log is in ZULU time, sir.

Q. Who is the apparent originator of the transmission in question?

A. The call sign for DANAE from the CTU, XRAY EIGHT and OSCAR NINE. The signal is telling BRONSTEIN to assume the duty of rescue destroyer.

Q. More generally, Mr. Arundel, have you received from any source, reports of difficulties experienced by those participating in the exercise as a result of the use of a particular tactical primary frequency by more than one task group at the same time?

A. I feel that this is a difficult question to answer because I would have believed we would have experienced considerable difficulty. I have had no occasion, to my knowledge, to receive a signal in which this problem has been manifested. I did in fact - FOCAF made a signal to yourself, sir, asking if you wanted to stay on your existing COMPLAN or change at half time. The answer was that you were going to stay on your particular frequency - COMPLAN which was separate from the convoy's. But during the first half of the exercise when FOCAF's group and the convoy group were working in proximity, there was much communication, of course, but I don't believe it was ever a difficulty. It was a case of one ship or two units perhaps, perhaps the screen commander and the Task Group Commander using that circuit. And this was rigidly adhered to, and it was successful.

Q. It is true then that you have received no complaints as to general interference by this procedure of having more than one Task Group from time to time on the same frequency.

A. That is correct, sir. It's possible, sir, that somebody may have commented in their post exercise report and I would not be aware of it, I'd like to mention that fact.

Q. Is it true that FOCAF has called for rather comprehensive post exercise reports covering among other things, communications?

A. Yes, sir.

Q. From all participants in the exercise?

A. That is correct.

Senior Member: The board has no further questions of this witness at this time.

Counsel for the Board: Sir, we have one unfinished task. We would ask that Exhibit 27 (Revised), be admitted into evidence and that it be substituted for Exhibit 27, previously admitted.

Senior Member: Make it so.

Counsel for the Board: Counsel has questions of this witness on another subject, but in view of the hour we will defer to the Board's wishes and adjourn till tomorrow morning if that is the board's wish.

Senior Member: This Board is adjourned for today until tomorrow morning at 0830 and immediately after our review of today's testimony, we would be in a position to meet with Mr. Arundel if counsel is ready at that time.

Counsel for the board: And we might express the board's thanks to Lieutenant Borman, who participated with Lieutenant Commander Arundel on this project.

Senior Member: Well I should like to state something on the record on that score. It's quite clear that this document has required a great deal of painstaking work and we are indeed indebted to you, Mr. Arundel, and you, Mr. Borman, for that work which I'm sure has taken many long hours in the past few days. Thank you very much.

The Board recessed at 1740 hours, 20 June 1969.

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TWELFTH DAY

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The board reconvened in executive session at 0830 hours, 21 June 1969. During this session the board reviewed and approved the prior day's transcript and made executive decisions as to future proceedings of the board.

The board recessed at 1036 hours, 21 June 1969.

The board reconvened in closed session at 1041 hours, 21 June 1969.

All persons connected with the board who were present when the board adjourned were again present.

Lieutenant Commander Richard James Arthur Tagg Arundel, Royal Australian Navy, was recalled by counsel for the board, was reminded that he was still under oath, and testified as follows:

EXAMINATION BY COUNSEL FOR THE BOARD

Questions by counsel for the board:

Q. LCDR Arundel, this again is closed session of the board. The board has several questions it would like to ask in closed session which will be followed by an open session to develop certain matters within your knowledge which are of an unclassified nature in the opinion of the board. LCDR Arundel, following the collision between EVANS and MELBOURNE, did you, in your capacity as FOCAF Communications Officer, take any action with respect to classified and crypto material which might have been recovered either on board the MELBOURNE or in that water?

A. Yes, sir, I did.

Q. Would you describe that action please?

A. First of all, the signal was initiated informing all ships to report any classified material recovered by the American units to COMDESRON 23 and Commonwealth units to FOCAF under seal. It must have been half an hour after the collision that I walked around the flight deck and forecastle area, where I found a certain amount of classified material. Signals were then made relating to what was found.

Q. What was the result of the messages that were sent?

A. I am not aware of what was collected from the American units, but Commonwealth units forwarded a certain amount of material under seal to me. American units forwarded any material found directly to KYES and I was not aware of that. Some material was recovered and forwarded under seal to me from Commonwealth units including a publication which I saw a few minutes ago. Subsequently, the following day, a publication was found on the fluke of the port anchor. This was not classified to my knowledge.

Q. Did you, either through this process of forwarding to you, or by your own search, discover any cryptographic material?

A. Yes, sir. The only cryptographic material that I found was in fact a fragment of a shackle code.

Q. Was it the shackle code in use? And where was that found?

A. It was found on the flight deck - some on the flight deck and some on the forecastle - of MELBOURNE.

Q. And who found that?

A. I did.

Q. To your knowledge was any other cryptographic material found by any other units involved in the search?

A. I can't answer that. To my knowledge, that is, none was found.

Q. Have you had a chance to examine the shackle code which you recovered?

A. Yes, I have, sir.

Q. Have you compared it against the shackle code which, to your knowledge, was in effect for the period?

A. Yes. And it ties in with the tables of the current shackle code, sir.

Q. And to what date does it tie in?

A. Days 4, 5, and 7.

Q. Of what month?

A. The month of June.

Q. And were those the days which would have been effective for the PX-39 exercises?

A. They were not effective at this time.

Q. Were they in the same volume as was effective at the time of that exercise?

A. Yes, they were. I would like to mention that the first material that was located, in fact, was put in an envelope. Later I found that one of the survivors was the Registered Publications Officer. I found him in - a normal mental state and I gave him the envelope - the first envelope of classified material found. Subsequently, smaller amounts of material were given to CDR McClaran of COMASW Group ONE Command, and also Captain Moore.

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Q: Are the fragments of the shackle code which you have before you included in the material which was given to Captain Moore and CDR McClaran?

A: The material that I have here was given to both, I believe LT Murphy, by name, and CDR McClaran.

Counsel for the board: Counsel would ask that this material would collectively be identified as Exhibit 56 and admitted into evidence, substituting a photograph thereof in the permanent record.

EXAMINATION BY COUNSEL FOR THE BOARD (Cont'd)

Questions by counsel for the board:

Q: Included in the material you have is a match box. Could you identify the match box?

A: Well, I can identify it as similar to a match box which I obtained on the foremastle to include small tatters of crypto and other - what appeared to be classified material.

Q: And did you use this as a container for the fragments which you found?

A: Yes, sir. I did.

Senior Member: This may be admitted, counsel.

EXAMINATION BY COUNSEL FOR THE BOARD (Cont'd)

Questions by counsel for the board:

Q: LCDR Arundel, if you could answer these questions within the classification of Confidential we ask you to do so. If not, please advise counsel. What is the security classification of the document that advises ships to which edition of the shackle code is in force in the task group?

A: Confidential. It is in fact, Annex GOLF to the OpOrder.

Q: What is the designation of the document to which the scraps were compared? Security classification - what is the issue?

A: SMSP TX 501 JULIET.

Q: LCDR Arundel, was there any other debris in the vicinity of the tattered shackle code pages?

A: A certain amount of what appeared to be - or it was classified. It appeared to me to be tatters from the FOCAP OpOrder because of the reproduced printing and also what appeared to be to me at first glance, something like ATP-1 ALFA. However, I believe on a very cursory examination this morning, it is not 1 ALFA, but possibly...Correction, that's Volume I I am referring to. It could have been Volume II. It could have been ATP-3. It's a similar sort of page.

Q: What portion of the page are you referring to?

A: I'm referring to the bottom edges, where the publication says Change Number 2. It appears to be the standard sort of ATP format.

Q: Was any text included in the portions you saw?

A: I believe not enough from, from my examination, to tell me what the publication was.

Q: Were these pages properly safeguarded?

A: They were, yes, sir. The two publications which were complete, which I mentioned, one was found on the fluke of the port anchor, and it appeared to be a gunnery system check-off manual and the other one I understand was a TRIG publication for the Korean Area.

EXAMINATION BY THE BOARD

Questions by a member (ADM Stevenson):

Q: Which publication?

A: I understand it was a gunnery TRIG publication.

Counsel for the board: Could you speak up, sir?

LCDR Arundel: I understand it was a trigonometric....

Questions by the senior member:

Q: I cannot understand from that word alone what kind of information is contained in the publication.

A: I don't know myself, sir. I was advised that was what it was.

EXAMINATION BY COUNSEL FOR THE BOARD (Cont'd)

Questions by counsel for the board:

Q: Could you identify any types of debris what were in the vicinity of the recovered shackle code fragment?

A: Other than the publications which I have mentioned, I don't recall seeing any unclassified material. I did see a few labels associated with equipment which were also included in this small collection.

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Q: LCDR Arundel, let me back up for purposes of clarification. With respect to the search you made on the forecastle and flight deck forward could you again, as specifically as you can at this time, identify the items which you personally observed and recovered?

A: Yes, sir. I made two tours. In the first tour of the flight deck and forecastle I found tatters of what is the SEATO numeral code - tatters of possibly ATP - - -

Q: That is what we have introduced in another exhibit, is that correct?

A: That is correct. A couple of labels for equipment and a couple of tatters of paper which appear to have come from one of FOCAF's OpOrders.

Q: Can you identify the specific place that you recovered each of these?

A: Yes, one of the tatters of the shackle code was found on the flight deck in the vicinity of the wreckage on the port side and the remainder was embedded in the wreckage on the forecastle, generally, with a few feet of the point of impact.

Q: Port or starboard?

A: On the port side. I might add that these are very small fragments. There were also little pieces, like confetti, which were quite unrecognizable - just pieces of confetti which were splattered around the bulkheads.

Q: LCDR Arundel, you have before you a number of fragments of documents plus a name tag or a label from a piece of equipment. Does that constitute the items you recovered from the forecastle and flight deck section, except for the publications which you returned to the custodian?

A: Yes, it does.

Counsel for the board: At this time, sir, we would like those identified as Exhibit 57 and admitted into evidence. We will substitute a photograph for them in the record, if that is satisfactory.

Senior Member: Make it so.

EXAMINATION BY THE COUNSEL FOR THE BOARD (Cont'd)

Questions by counsel for the board?

Q: You also indicated earlier that something entitled a TRIG table was recovered - or a TRIG list. Is that correct?

A: Yes, sir.

Q: Do I understand that that was not recovered from the forecastle or flight deck of MELBOURNE, but was delivered to you by a unit which recovered it in the water. Is that correct?

A: Yes, that is correct. It came from CLEOPATRA.

Q: Thank you.

Counsel for the board: Sir, counsel have no further questions for classified session.

Senior Member: The board has no further questions. Let us assume open hearing.

Counsel for the board: Before the board goes into open session, LCDR Arundel, you are at this time given the opportunity to add anything that you believe is relevant to the board's proceedings of a classified nature which has not been brought out by prior questions. Do you have such a statement?

LCDR Arundel: I have nothing to add, sir, except a comment to something I testified to last night, concerning the detail of a signal from another group. It occurred to me afterward that in fact, it was not from the convoy group, but in fact KEARSARGE's group. This meant that KEARSARGE's group was apparently on the circuit at that time. I hadn't appreciate this point. The point was that instead of just Task Group 472.1 and 472.3, which is the convoy group, being on the circuit, also we had 472.2. I don't know the reason for this, sir. I understood that after breaking away from the BAS that 472.2 would revert to its own COM Plan, which was BRAVO XRAY. It's merely a point clarifying the signal.

Counsel for the board: Very well, LCDR Arundel, we will take a short recess and then resume in public session.

The board recessed at 1113 hours, 21 June 1969.

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The board reconvened at 1122 hours, 21 June 1969.

All persons who were present when the board recessed were again present.

Senior Member: The hearing is now open.

Counsel for the board: This is an open hearing. Anyone who may be a witness in this case should withdraw from the room.

Senior Member: During closed session, with LCDR Arundel, Royal Australian Navy, as witness, the board has received classified testimony concerning the following: An expanded translation and analysis of the Primary Tactical Circuit logs of Task Group 472.1 for 2-3 June; classified Tactical publications in use by Task Force 472; communications quality; and classified debris recovered after the collision. Counsel may proceed.

LCDR Richard James Tagg Arundel, Royal Australian Navy, was recalled by counsel for the board, was reminded that he was still under oath and testified as follows:

EXAMINATION BY COUNSEL FOR THE BOARD

Questions by counsel for the board:

Q. LCDR Arundel, in your capacity as FOCAF's Communications Officer for Exercise Sea Spirit, did you have the opportunity to observe the status - the quality of communications within that exercise group?

A. Yes, sir. It was my responsibility to supervise all communications aspects.

Q. Have you received any post exercise reports as to communications quality and procedure?

A. I have received one or two. There are others which I have not seen, which I am aware have been sent to FOCAF.

Q. Are you aware, from your own observation, as to the quality of the communications during the period?

A. I'm well aware, sir, of the quality of communications.

Q. Is there anything that you can say in this unclassified session as to the quality of communications?

A. From my observations and from a very close scrutiny of the tactical logs, it's my opinion that the tactical voice communications were of a very high standard. I might mention that the ship would be responsible for initiating most of the traffic would be the ship of the task group commander, task unit commander, which in this case was MELBOURNE. And her signals have been examined very, very closely. I find them in perfectly satisfactory procedural order.

Q. Apart from procedure, were communications satisfactory in your opinion - Communication reception?

A. This aspect has been examined as well. Several logs are very complete and precise and give an indication of the amount of traffic which is on the principal tactical maneuvering circuit. It is apparent from this record that the circuit was not overloaded.

Q. Based on either your general examination, or your detailed examination of the records during the exercise, were you able to conclude anything as to EVANS' communications practices and procedures?

A. There is no indication that there was any deficiency in the EVANS' communications - radio communications. In fact, as I previously testified, it was my impression early in the exercise that EVANS was a very fine radio communications ship. And I had nothing to give me any cause for concern in that regard.

Counsel for the board: If the board has no further questions on that aspect of this witness' testimony, I would like to proceed in another area with him at this time?

Senior Member: Please do.

EXAMINATION BY COUNSEL FOR THE BOARD (Cont'd)

Questions by counsel for the board:

Q. LCDR Arundel, during the period of approximately midnight until the time of collision on 3 June, where were you?

A. I was the FOCAF's Duty Staff Officer in the Operations Room of HMAS MELBOURNE.

Q. And do you recall, from your own recollection, what the group disposition and course and speed were during that period?

A. Yes, sir.

Q. Would you state the disposition in general terms - unclassified?

A. The screen was displaced ahead of the carrier on the base course - am I allowed to give details?

Q. You may give the base course, the speed and the zigzag plan number.

A. I was aware that the base course was 220, but MELBOURNE was zigzagging in accordance with the prescribed zigzag plan 13 SIERRA.

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Q. What was the source of that zigzag plan?
A. The source of this plan was FOCAF's Operation Order.

Q. Do you recall the base speed of the formation?
A. I believe the base speed was 18 knots.

Q. And the zero hour for the zigzag plan?
A. The zero hour was 2300, local time.

Q. Say again?
A. That was the previous night.

Q. Do you recall a signal being sent to EVANS anytime during that period to take rescue destroyer station?
A. Yes. I do remember it well.

Q. And approximately what time was that?
A. Approximately 9 or 10 minutes past 3.

Senior Member: Counsel the question was do you recall a signal telling EVANS to take rescue destroyer station. I suggest it be put to the witness again, so he may review his answer.

EXAMINATION BY COUNSEL FOR THE BOARD (Cont'd)

Questions by counsel for the board:

Q. Maybe I can rephrase it by saying, do you recall a signal to EVANS requiring a change of station by her?
A. That is correct, sir.

Q. Do you recall what the signal was?
A. Yes, I do.

Q. Will you state it please?
A. The way in which it was...

Q. Will you state the meaning of the signal?
A. The meaning of the signal was, from MELBOURNE as CTU to EVANS, take station - correction - form column at standard distance in the order MELBOURNE - EVANS.

Q. And what was that distance?
A. That distance would be 1000 yards astern of carrier.

Q. And where were you at the time that this signal was given?
A. I was sitting beside the Tactical Operator who was copying and recording on a circuit in the Operations Room.

Q. In the Operations Room?
A. Yes.

Q. Did you actually hear the radio message or was it reported to you by the Tactical Operator?
A. It was reported to me. I asked for a repetition because I wasn't satisfied with the way he had described it to me. This is purely a communications facet.

Q. And did the repetition clarify?
A. His description clarified what I required.

Q. And what circuit did this message...
A. Tactical Primary.

Q. At that time, what do you recall as to the next event?
A. The next event was a, I believe, a call from the bridge, and I believe it was the Captain's voice, saying, "Watch EVANS, she appears to be on a steady bearing."

Q. And how was that call from the bridge received in the Operations Room?
A. It was receipted by the Plot Operator in the Operations Room.

Q. Maybe my question wasn't clear. Over what type of a circuit was it received in the Operations Room - a loudspeaker?
A. Loudspeaker, yes.

Q. Did you recognize the Captain's voice?
A. Again, this is after the event, but I think it was the Captain's voice.

Q. Did you take any action at that time upon receiving that message?
A. Yes. I said to the Plot Operator at the time, "Have you got EVANS?" and his reply was, "Yes, I'm watching it."

Q. And what was the next occurrence as far as you observed?
A. The next occurrence was, in fact, a signal reported to me, sent from MELBOURNE as CTU to EVANS, stating, "You are on a collision course."

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Q. Did you receive a report of any signal intervening between the original signal to take column and the one stating, "You are on a collision course?"

A. Yes. There was a signal made from MELBOURNE as CTU to EVANS, giving a course.

Q. And what was the course that was stated?

A. The course as stated was decoded as 260.

Q. And can you recall the approximate interval between the three signals you have now indicated were sent?

A. I can't give an answer to that, sir. It was a matter of 1 or 2 minutes.

Q. And the message you heard from the bridge, which you tentatively identified as being the Captain's voice, did that go over an internal or external circuit?

A. An internal circuit.

Q. What action did you take when you heard - when the message to EVANS was reported to you - "You are on a collision course?"

A. Well, my immediate reaction was to look at the radar and to try to establish a picture of the screen and EVANS in relation to the course of MELBOURNE.

Q. Were you able to identify the EVANS on the radar scope?

A. Yes, I was.

Q. Can you give a range and bearing to EVANS from MELBOURNE at that time?

A. Well, again this is very difficult, because it is now after the event, but at the time I thought it was about 260 and about 2000 yards.

Q. 260 being a true bearing?

A. A true bearing.

Q. Did you use a bearing cursor and range ring to determine the bearing and range or did you do it by eye?

A. By eye.

Q. And do you recall the scale the scope was on at that time?

A. After the event, yes.

Q. What was the scale?

A. The scale was 4 miles.

Q. Going back now to a question of the message received from the Tactical Operator. Am I to understand that you asked for clarification in the way he stated the signal because that was incorrect, or that the signal as received was incorrect? Could you clarify that?

A. I'm sorry. I didn't mean to infer that the signal was incorrect. As Communications Officer, I am in a habit of insisting that the Tactical Operator is explicit in reporting the tactical signals on the basis that if they are not exactly right, they are totally wrong. And I wasn't satisfied with the way he put it to me. It's as simple as that.

Q. And it was solely the Tactical Operator hearing the signal whom you were correcting, is that correct? The Tactical Operator hearing the signal in the Ops Room and reporting it to you, is that correct?

A. Yes.

Q. It was not the Tactical Operator who actually sent the signal?

A. No. Not at all. It was merely the fact that the operator had recorded correctly and had not described the matter in a prescribed manner.

Q. And going back to your action in looking at the radar scope. Did you at any time make a plot on the radar scope?

A. No. I did not.

Q. By grease pencil or other means?

A. No. I did not.

Q. Did the plotter make such a mark as to EVANS and MELBOURNE?

A. He recorded on the horizontal plot certain positions, because that's his duty.

Q. By horizontal plot, you mean the LOP?

A. Yes. That is correct. Principally trying to understand the picture and, of course, the presentation of the radar paint looked a little strange in that it was pointing directly at the ship. This is not unusual of course, but I half believed that the ship was a little slow in reacting to the signal.

Q. By the ship, you mean which ship?

A. I mean the EVANS. I think to continue this point, as FOCAF's Staff Officer, it is incumbent upon me to report a situation as it is developing within a few seconds of observing the situation. I then reported directly to the Admiral that EVANS was reported on a collision course taking up her station astern of MELBOURNE.

Q. Did you make that report personally or by telephone?

A. I made it personally.

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Q. Where did you have to go to make that report?
A. To the Admiral's cabin - the Admiral's sea cabin.

Q. So am I to understand that you were then absent from the Operations Room for a short period of time?
A. Yes. That is correct.

Q. Could you fix, for the board's benefit, by events, the time you departed and time you returned to the Operations Room?
A. I believe, in time, it couldn't have been more than 15 or 20 seconds.

Q. What do you recall as the last event prior to your leaving the Operations Room?
A. I believe the last event was the signal made by MELBOURNE, as CTU, to EVANS that she was on a collision course.

Q. And I believe you stated you followed that by a look at the radar scope?
A. Yes.

Q. And you left after doing that, is that correct?
A. Yes.

Q. Following notifying the Admiral, did you return to the Operations Room?
A. Yes, sir, I did.

Q. What was the first event you recall upon your return to the Operations Room?
A. I immediately asked, "Where is EVANS?" There was a pause. I asked again and the Plot Operator said, "She is merging." This confused me a little, as I had seen her on the radar plot some seconds before, at what I thought was about 2000 yards.

Q. Can you connect any radio messages with your return to the Operations Room?
A. Yes. Almost immediately the Tactical Operator turned and reported that MELBOURNE was going hard left and then almost, what appears in my mind to be almost the same breath, said, "And EVANS is going hard right." And this in fact is the way he wrote it down in his log.

Q. Did he indicate to you which message was received first?
A. Well, as I said, my memory of it is that he reported MELBOURNE's signal to me first and this corresponds in fact with the log. This is my memory of the incident. In fact there were other aspects when the logs were examined.

Q. LCDR Arundel, I believe you prepared a statement shortly after the event. Would you like to examine that statement? Would it refresh your recollection if you examine it at this time?
A. I believe it might.

Counsel for the board handed the witness his statement.

Q. Have you had an opportunity to examine the document?
A. Yes, sir.

Q. Is your recollection refreshed at this time?
A. As well as possible.

Q. Inviting your attention again to the moment you returned to the Operations Room, would you like to answer again the radio messages that you recall being reported to you at that time?

A. The Tactical Operator, sir, reported some seconds after I returned to the Operations Room, "MELBOURNE is going hard left," and again what in my memory appears to be seconds, saying, "EVANS is going hard right."

Q. Did he indicate to you whether those messages were received contemporaneously with his report or may have been received while you were gone?

A. The manner in which he reported them to me, and my memory of the incident, is such that as an operator sitting down writing, he had half turned and he was making the report, I believe for the first time.

Q. Was he also making the report to someone else in addition to you?
A. Well, he was speaking his signal to the Operations Room Officer and myself.

Q. So the report was not solely to you? In other words, there were other people to whom his reports were addressed?
A. I believe so, sir.

Q. I would like to retrace the steps here a short distance. At this time that you looked at the radar for the first time, you indicated that the paint was pointed directly at the ship. Would you explain a little more fully exactly how you determined this from the radar paint of EVANS? You may use the paper and felt tipped pen to draw it if you would like.

The witness moved to the easel.

Q. Would you put an "M" for MELBOURNE, please?
A. (The witness did as directed). The screen displaced (sic) and I recall seeing this paint which is a radar paint - an echo. It appeared to be a slight line that points over this way or that way. By this way and that way, it's close range, and I would have expected that if the ship were moving that I might have seen a different type of paint. This confused me slightly because

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I wasn't sure of whether it was in fact still another ship in the screen. As the paint was laying like this, and MELBOURNE's course appeared to be almost directly in line with it - that caused me to make the decision to call the Admiral, because I wasn't happy with the situation.

Counsel for the board: Sir, with your permission, we will identify that as Exhibit 58 and requests it's admission into evidence. But before it is admitted, LCDR Arundel, was there any indication in the echo of EVANS's wake?

A. Sir, I really didn't have time to examine this detail.

Q. Was the ship's heading marker on the scope turned on or off?

A. It was off, to my memory.

Counsel for the board: Under those circumstances, sir, we request its admission as Exhibit 58.

Senior Member: So be it.

EXAMINATION BY COUNSEL FOR THE BOARD (Cont'd)

Questions by counsel for the board:

Q. Now returning to the time you indicated that you went to call the Admiral, what was the route and distance you had to take to reach him?

A. The Admiral's sea cabin is some 30 paces aft of the Operations Room on the same deck.

Q. And when you arrived there, was it necessary to wake the Admiral or was he already awake?
A. Yes, I knocked on the door, flung it open and he awakened immediately. I reported to him as I testified previously, "EVANS is reported on a collision course taking up station astern of MELBOURNE."

Q. Did he say anything to you?

A. Yes, he immediately said, "Oh, my God," and jumped out of bed immediately and followed me out. He then went to the Flag Bridge. I went to the Operations Room.

Q. Did you have the opportunity to observe EVANS?

A. I went directly back to the Operations Room and on my right side, as I would have gone in the Operations Room, there is the open door leading to the Flag Bridge.

Q. And what field of vision did you have through that door?

A. I think it is difficult to answer exactly because the Flag Bridge is glassed and one could see something in the field vision of green 30 to green 150.

Q. Did you see anything that you thought might be EVANS through that door?

A. Well, again in picking up the event, I believe I did see a shape. I was so interested in getting back to the Operations Room and getting the picture again, as reported to the Admiral, that I didn't think about this many details.

Q. Did you see any lights on the ship?

A. Well, again it's difficult to remember. It was a fleeting glimpse, but I thought I did see lights, but I cannot make a positive statement. I can recognize in my mind its shape, that's all.

Q. Can you describe the shape?

A. Well, I thought I could see an outline, but it is so difficult to describe this, because I had no belief that it would be seconds to a collision. In fact I felt that EVANS was just a little slow to react and this.... I'm accustomed to observing, with respect, that American ships are a little slower to react to tactical signals than Commonwealth ships. This is not a criticism, it is just something which I have in my mind as a communicator. And I fully believe that she was about to react.

Q. I'm not trying to get you to answer the questions which are not within your knowledge, but the board is quite interested in the observations you had. Did you have any impression as to the direction the shape you saw was proceeding?

A. I can't give anything concrete. I passed the space which leads onto the Flag Bridge, and I didn't go back there until the moment of the impact.

Q. And you indicated that you had an impression that there were lights. Can you recall what types of lights?

A. Well, I couldn't answer that, sir.

Q. And following that, you did return to the Operations Room. And a clarifying question on the set-up in the Operations Room. Are there any radio circuits which are on speakers rather than headsets in the Operations Room?

A. Any number of circuits can be put on a loudspeaker.

Q. Well, on this particular night, was the Primary Tactical Circuit on a speaker?

A. Yes, but the speaker was turned down.

Q. Did you hear any transmissions over the Primary Tactical Circuit?

A. I heard them in a low tone, because the speaker was turned down.

Q. Were you able to distinguish the message which you heard on them?

A. No, I didn't in this case.

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Q. Returning to the point when you entered the Operations Room again, you indicated that the Tactical Operator informed you of two signals and that you were informed that the plots had merged. What was the next event that you recall following that?

A. I went to the radar plot and tried to see how the situation had developed. I couldn't recognize EVANS. I then went to the Tactical Operator and said, "Have you any more signals." He was writing furiously and said, "No." Then I went aft in the Operations Room to look at the plot again, because the plot had recently been reestablished.

Q. By the plot you mean the LOP?

A. I mean the LOP, yes. And there was not sufficient time there to grasp what was going on. Thoughts were occurring to me at that very moment and then there was the impact.

Q. What did you do at that time?

A. I realized that the Admiral wasn't in the Operations Room, he was on the Flag Bridge. I rushed out to the Flag Bridge and there it was.

Q. And what did you see?

A. I saw EVANS' stern over and what appeared to be a propellor out of the water and steam rising from a boiler which had burst. And then memory of the impact as to sensation, I remember it was like a saw going into a log - grinding noise followed by a thump. I recognized that what I believe to have been the boiler because it sounded just like an explosion and I saw the steam rising, covering the flight deck and, in fact, it flooded the Flag Bridge and forced me to duck.

Q. Could you give the board an estimate of the force of the impact as you felt it?

A. Well, my impression was that we had bumped and that it was an alongside bump and that it was just a simple touch. It was almost as though you were cutting butter - a similar sensation.

Q. Almost as though you were?

A. Cutting butter.

Q. Did you continue to observe EVANS?

A. For a second or two. The front of the flight deck was shrouded in steam. I didn't realize that the bow had been sheared off at this stage and the stern came in very rapidly on the starboard side. The Admiral reacted very quickly and very calmly and said, "We must get help immediately," which I thought was an admirable summing up of the situation.

Q. Were you able to make an estimate as to the angle between the two ships at the moment that you saw them?

A. It appeared to me at the moment, I thought, to be a right angle collision.

Q. You indicated that EVANS rolled on her side. Can you estimate the degree of roll that you observed?

A. I thought it was only about 30 or 40 degrees.

Q. But you did see the port.... Was it the port propellor out of the water?

A. Yes, and the side. There was a lot of light from the steam and I presume that there was still some flame from the boiler which was reflected and made the scene quite lit up.

Q. Can you estimate what portion of EVANS you were seeing - the limits of the portion you were seeing?

A. At the moment that I saw the impact it was well down under the prow of the bow,... MELBOURNE's bow. I fleetingly recognized a funnel, the rest, of course, within seconds, as the stern began to come in on the starboard side.

Q. Did you, at any time, hear any sound signals from either ship?

A. Yes, I did. On my way from reporting to the Admiral, on my way back to the Operations Room, I heard the two blasts.

Q. From which ship?

A. From the MELBOURNE.

Q. Did you hear any from EVANS?

A. No, I heard nothing.

Q. Did you hear any of the rudder orders given on board MELBOURNE?

A. No. I would not have been in a position to hear them unless another speaker had been used by error.

Q. You indicated that just prior to collision you looked at the LOP, Local Operations Plot, and that it had just been restarted, I believe. Is that correct?

A. Yes, that is correct.

Q. Do you recall how many minutes it had been going at the time of collision?

A. Only after the event. It was some 6 or 8 minutes.

Q. LCDR Arundel, with respect to the operation of the Primary Tactical Circuit, is there a difference between Commonwealth and U.S. Navy ships as to the persons who speak on the circuit?

A. My understanding is that there is. The difference is that in Commonwealth Navies, the Tactical Operator is a trained sailor, and I understand that in the United States Navy, the custom is for an officer only to man the circuit, although it is recorded by a sailor.

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Q. And would it normally be in - if I'm getting outside the area of your knowledge, you may say so - in the Commonwealth ships then, it would not be a normal practice for the person who hears a message on the Primary Tactical Circuit to actually give a wheel or engine order in response thereto. Is that correct?

A. Could you make that statement again?

Q. In Commonwealth ships, then, the person who actually hears the message would not normally be the one who would give a wheel or engine order in response to that. Is that correct?

A. In this size - in this particular force, there would be no possibility of the Tactical Operator giving helm orders.

Q. But in USN ships, there would be the practice, would there not, that the officer who actually heard the message on the radio would be the one to respond by wheel or engine order, if such action was required?

A. If he was the sole officer on the bridge, certainly. But my understanding is that there is another officer who may be conning the ship as opposed to the second who may be recording tactical signals.

Q. In connection with those last two questions, would it not be normal then, and if it's within your knowledge, that the USN officer who had the conn would normally hear a signal on the Primary Tactical Circuit?

A. I believe that he would. To my knowledge, American speakers, which of course we have in three DDGs, are very good and I believe that with the bridge that you have, for instance in the EVANS - I believe that he probably would hear all tactical signals.

Q. And in view of that situation, do you believe that perhaps your broad generalization as to the action time may need qualification?

A. Yes. In qualifying this, I mean that it is probable, the way I see it, that in USN units the signal would be received and then interpreted by officers who are not trained in interpreting communications as rapidly as a trained Tactical Operator. Namely, they have to go to a book or they should go to a book and determine the exact meaning of a signal. I think this implies a delay.

Q. Do I interpret that to mean that a Tactical Operator would not go to a book to interpret a message?

A. No, I don't mean that at all. I mean that he is much more familiar with the book and with procedures and that he will, by virtue of his training as a specialist, give an answer very quickly.

Q. Are not there certain well known tactical signals which all officers who stand watches would normally know?

A. Oh, yes. This is so.

Q. Going back to the question of the shape you saw while returning from the Admiral's sea cabin, could you give a relative bearing at the time you observed that shape?

A. I believe it was between Green 30 to Green 40.

Senior Member: I have a question.

Counsel for the board: Yes, sir.

EXAMINATION BY THE BOARD

Questions by the senior member:

Q. Mr. Arundel, are you intimately familiar with the details of the training of Commonwealth Tactical Operators?

A. Yes, sir.

Q. Are you intimately familiar with the details of training of United States Officers of the Deck?

A. No, I'm not.

Counsel for the board: I have no further questions.

Senior Member: No further questions.

Counsel for the board: LCDR Arundel, you are privileged at this time to make any further statement covering anything relating to the subject matter of the investigation that you think should be a matter of record in connection therewith which has not been fully brought out by the previous questions. Do you have such a statement?

LCDR Arundel: No, I don't.

The witness was warned, excused, and withdrew from the hearing room.

Senior Member: We will recess until 1345.

The board recessed at 1215 hours, 21 June 1969.

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The board reconvened at 1402 hours, 21 June 1969.

All persons connected with the board, who were present when the board recessed, were again present.

Counsel for the board: This is an open hearing and anyone who may expect to be called as a witness should withdraw from the room. At this time counsel for the board calls Lieutenant (Junior grade) Covert.

Lieutenant (Junior grade) Jefferey W. Covert, U.S. Naval Reserve, was called as a witness by counsel for the board, was sworn and examined as follows:

EXAMINATION BY COUNSEL FOR THE BOARD

Questions by counsel for the board:

Counsel for the board: Mr. Covert, you have been called as a witness for this investigation, which is inquiring into the circumstances surrounding the collision of HMAS MELBOURNE and USS FRANK E. EVANS, because it is understood that you have evidence which may assist the board in its investigation. You are advised that the evidence is being received in open session of the board, and that disclosure of classified information is not authorized during open session. Should the answer to any question which you are asked require you to disclose classified information, you are requested not to answer the question, but to advise the board that the answer would require you to disclose classified information. In such cases, you will later be given an opportunity to testify as to classified information in closed session. If, however, you can answer the question either in part or in general terms without disclosing specific classified details, you should do so, and advise the board of your desire to amplify in later closed session. Under United States law no witness may be compelled to answer any question the answer to which may tend to incriminate him, and you may refuse to answer any question. Do you understand what I have read?

LT Covert: Yes, sir.

Q. Would you state your name, your grade, and your present organization?

A. Jefferey William Covert, Lieutenant (jg), United States Naval Reserve. I am presently attached to USS FRANK E. EVANS (DD-754).

Q. Were you so attached on the early morning of 3 June 1969?

A. Yes, sir. I was.

Q. Would you state briefly, for the board, your naval background?

A. I was commissioned in January 1967 after having attended Purdue University going through the NROTC Program. Reported to the EVANS in February 1967. Was assigned duty as Electrical Officer for about two months, then went to ten weeks school in Damage Control at Treasure Island. I then reported back on board the ship as Damage Control Assistant and in November of 1968 was given the job of Chief Engineer.

Q. And have you held the job of Chief Engineer since that time?

A. Yes, sir. I have.

Q. Would you indicate what type of watch standing experience you have had on board USS EVANS?

A. As soon as I reported on board, I began standing Junior Officer of the Watch or Junior Officer of the Deck under instruction, for approximately three weeks. I then stood Junior Officer of the Watch, Junior Officer of the Deck along with.....

Counsel for the board: Could you speak a little more slowly and a little louder.

A. My first watch standing was as Junior Officer of the Deck under instruction. I then stood some Combat watches under instruction and then stood both Junior Officer of the Deck and CIC Watch Officer watches. About April of 1968, I started standing OOD independent.

Q. Independent steaming?

A. Yes, sir. And in August, I believe it was, OOD in Fleet Operations.

Q. That is August 1968?

A. 1968. Yes, sir. I don't remember the exact month. It was after we had come out of the yard and started our fleet operations.

Q. Have you stood Officer of the Deck watches in Fleet Operations continuously since August 1968?

A. Yes, sir. I stood two weeks of Combat watch sometime during that period, but the rest of them were Officer of the Deck, sir.

Q. We understand that during that period EVANS has been engaged in general ASW Carrier Group operations, is that correct as a general statement as to the type of operations?

A. Yes, sir.

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Q. Early in the evening of 2 June 1969, were you assigned to any particular watch?

A. Yes, sir. I had the 1800 to 2000 watch as Officer of the Deck.

Q. Where is that watch stood?

A. It is stood on the open bridge.

Q. During that period what was the situation as regards to disposition, base course, base speed, zigzagging and like factors?

A. Say your last again. Please, sir.

Q. And like factors.

A. We were in an Anti-Submarine Screen.

Q. With what other units?

A. When I relieved the watch I believe there was KYES - JAMES E. KYES - and EVERETT F. LARSON - the only two ships in the formation besides MELBOURNE.

Q. What was the base course of the formation?

A. I believe the base course was 220, but I'm not certain.

Q. Do you recall whether or not the formation was zigzagging?

A. Yes, sir.

Q. Do you recall the number of the plan?

A. I'm sure it was Plan 17.

Q. What was the source of the plan? From what document was it taken, if you recall?

A. The one I used on the bridge was taken from the OPORDER I believe - if I could see one. (Counsel for the board handing the witness a document), Yes, sir.

Q. FOCAF OPORDER 1-69; Exhibit 1?

A. Yes, sir.

Q. In what type of activities was the formation engaged during the period of your watch?

A. At the beginning of the watch there was only JAMES E. KYES and the LARSON and the EVANS in the screen with MELBOURNE. During the watch BLACKPOOL and CLEOPATRA joined. I don't know what time this was. I just know that it was taking place sometime during the watch. The EVANS was ordered to plane guard station twice, I believe. On my watch we went once. The first time we returned to station. The second time we went to station, I was relieved before we had been told to resume our screening station.

Q. And had you received any prior notification that EVANS was designated as rescue destroyer?

A. Yes.

Q. By what means had you received that?

A. We received it over the Primary Tactical Circuit.

Q. Do you recall who you received it from and about what time?

A. The best, as I can recall about the time, it was still light.

Q. Was it while you were on watch?

A. Yes. It was while I was on watch.

Q. Do you recall from what Commander you received the notification?

A. I believe it came from the Task Group Commander through the Screen Commander, asking him to designate someone. From the Screen Commander it came to us. It came to the EVANS.

Q. Do you recall whether the Captain was on the bridge at the time you received this?

A. I don't believe that he was on the bridge at the time I received it. He was on the bridge very shortly afterwards.

Q. Did you inform him of the receipt of the message?

A. Yes, sir. I did not receipt for it on the bridge. Combat receipted for it.

Q. But you did hear it on the loudspeaker?

A. Yes, sir.

Q. Without disclosing the exact text of the message was it a message in plain language or was it a message in code?

A. It was a message in code.

Q. Was it a message from the signal book?

A. Yes, sir.

Q. Do you recall whether or not the formation continued its zigzag while you took plane guard station?

A. This is the initial.....

Q. The initial time.

A. The initial time, no, sir. To my best recollection they had stopped zigzagging at that time.

Q. How about the second time?

A. The second time I am sure.

Q. You're sure of what?

A. That we had stopped zigzagging.

Q. Mu questions may have been a little imprecise in one area. I understand that the initial signal received by a designated plane guard is not to take plane guard station. Could you state the nature of the exact signal you received?

A. It was to assume duties as rescue destroyer.

Q. And when you received the word, in a specific case, what signal did you receive?

A. Then we were told to take station astern.

Q. And from that station?

A. We went to a rescue destroyer station.

Q. In other words, it was a two-step process. Is that correct?

A. Yes, sir.

Q. And the first one was a "Formation ONE" followed by a rescue destroyer station. Is that correct?

A. Yes, sir.

Q. And that was the system used in both cases?

A. Yes, sir. The only difference was when I first assumed duties as rescue destroyer.

Q. No specific action was required at that time - that was merely an informative message?

A. Yes, sir. There was no time start and no time stop connected with the message.

Q. What did you understand it meant as to a time period you were designated?

A. I assumed they were talking about the next flight, - the next flight course. The next time he flew, he wanted us to take rescue destroyer station.

Q. Did you attach any significance to it as being an assignment for a longer period of time?

A. No, sir.

Q. Was there, between the time you received the "Formation ONE" the first time and the time you received it the second time, about the time you were being relieved, an intervening signal designating plane guard again?

A. No, sir.

Q. Did you find that there were any particular differences in the manner in which you were required to take station astern of the carrier, between MELBOURNE and the practices to which you were accustomed with the KEARSARGE?

A. Yes, sir. The first night that we were with MELBOURNE the situation was very similar to the KEARSARGE's situation. He had a ship stationed astern of him or astern of him when he would be on his flight course, and we would have to just move up to the plane guard station and when he was through with his duties, slide back. We did this the first night with MELBOURNE. From then on, the ship had to come up from forward of the carrier around to the MELBOURNE's stern.

Q. Did this create any difficulty for you as an Officer of the Deck?

A. No. The only difficulties was that it took us a little longer to get back to station sometimes.

Q. You mean after completion?

A. After we had finished completion of our plane guard duties.

Q. Why was that?

A. His flight course, the majority of the time, had been near to his base course. We always had to go at a speed greater than he did. If he was going at 22 knots and we were at 25, it would take a little while before we got to station.

Q. Your relative speed was quite small?

A. Yes, sir.

Q. Prior to the commencement of exercise Sea Spirit, had you had an opportunity to familiarize yourself with the tactical publications governing that exercise?

A. Yes, sir.

Q. Did you have the opportunity to read the operation order?

A. This one (witness indicating Exhibit 1)?

Q. Yes.

A. Yes, sir.

Q. Are you familiar with a publication or a pamphlet entitled HMAS MELBOURNE Escort Handout?

A. Yes, sir.

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Q. Did you see it prior to the operation?

A. Yes, sir.

Q. With respect to communications during your watch from 18 to 2000, did you experience any difficulties?

A. We had difficulty on the first signal - the one to assume duties as rescue destroyer stations. I was not able to receipt for it on the bridge. I called the CIC Watch Officer and asked him to take my guard on that circuit, which he did. Then I switched my transmitters over to another remote unit up there and had the circuit back up on the bridge, I would say, within a minute.

Q. Was that the result of any general communications difficulties within the force or solely on USS EVANS?

A. That was a FRANK E. EVANS problem. It was just a bad handset.

Q. Would you state whether or not there were any difficulties in the transmission or receipt of messages within the force during your watch - to your knowledge?

A. No, sir. We had two task groups working on the same circuit and that could have caused some trouble, but it never caused any trouble on my watch.

Q. In your opinion, was the circuit well controlled?

A. In my opinion the circuit was too noisy, too many transmissions.

Q. Did this cause your ship any difficulties?

A. No, sir.

Q. Maybe you better amplify a little bit on your previous answer?

A. Which one, Captain?

Q. Concerning a little noise on the circuit.

A. Oh, I meant there were a lot of transmissions taking place with the transmission from the other task groups and our transmissions, and there were some transmissions that our carrier group, when we were working with the KEARSARGE, that we were not familiar with - had not heard before. This didn't cause any trouble except she would give a lot more signals than the KEARSARGE would give. The signals were information that I feel was informative. There were an awful lot of signals.

Q. Did the information that you received help you out?

A. Yes, sir. I think it helped more than it hindered.

Q. Where was the Primary Tactical Net controlled during your watch - within FRANK E. EVANS?

A. It was on the bridge.

Q. Who had the job of speaking on the Primary Tactical Circuit?

A. My Junior Officer.

Q. Were you able to hear the transmissions yourself?

A. Yes, sir.

Counsel for the board: Counsel has no further questions of this witness at this stage, sir. The witness will be a witness later as to post-collision matters. We have no questions that we anticipate require answering in a classified session.

EXAMINATION BY THE BOARD

Questions by the senior member:

Q. Mr. Covert, was it your practice to retain the conn yourself throughout your watch in general?

A. No, sir. Not unless the situation deteriorated to the point that I didn't think the Junior Officer knew what he was doing.

Q. Did you then share the conn with the Junior Officer of the Deck? Share the time during your watch with the Junior Officer of the Deck as to who had the conn?

A. Yes, sir. I think a lot of it depended on what we were doing and who the Junior Officer of the Deck was.

Q. What is the purpose of giving the conn to the Junior Officer of the Deck?

A. For training.

Q. You stated that the Junior Officer of the Deck had the responsibility of guarding the PRITAC circuit for EVANS. Did he retain that responsibility at all times during the watch?

A. No, sir. On my particular watch, the one watch we were talking about, the 1800 to 2000 watch, I remember him having the guard. That was not always a hard and fast rule.

Q. What is the usual practice?

A. I don't think there was a usual practice.

Q. Was it clear that someone always had the responsibility for guarding that circuit?

A. Yes, sir.

Q. But on some occasions it would be someone other than the Junior Officer of the Deck?

A. Yes, sir. Officer of the Deck or Junior Officer of the Deck.

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Q. Would it depend upon who had the conn at the time?
A. Yes, sir. I believe it would have.

Q. Could you describe that?
A. I don't feel that the Junior Officer of the Deck could take the conn and the circuits at the same time.

Q. So that he would have one or the other responsibility?
A. Yes, sir.

Q. On your watches?
A. Yes, sir.

Q. Do you know whether other Officers of the Deck of EVANS had the same practice?
A. Yes, sir, I believe they did. I can't say for certain. We discussed this matter and the general consensus was the way we were going to run our watches. That is the way it was coming off.

Q. Would you describe the practice in effect on your watches for asking the Captain to come to the bridge? How was that message sent to the Captain if it had been determined that he should be asked to come to the bridge?

A. If I felt the Captain's presence was required on the bridge, I would call him in his stateroom or in the wardroom or wherever he happened to be. Explain the situation to him and if I felt he should be on the bridge I would ask him to come to the bridge. Also, if he felt the situation warranted coming to the bridge, he would come to the bridge.

Q. What was the practice of keeping the Captain advised of signals effecting FRANK E. EVANS duty assignments or station?

A. I told him every signal I ever received. The rule was to inform the Captain of any changes in formation, any changes that would affect the ship, and any changes that would affect the position of the ship in formation.

Q. You have pointed out that in the FOCAF OORDER there are some zigzag plan diagrams?
A. Yes, sir.

Q. Are there zigzag rules in that OORDER?
A. Not that I can recall.

Q. What was the effective publication during exercise Sea Spirit for zigzag rules?
A. I believe that it would have been ATP 3.

Q. ATP 3, are you certain of that?
A. Yes, sir.

Q. What did you use for reference, if any publication, during your watches on zigzag rules?
A. The one that I just mentioned, I thought. I am pretty sure that that's the title of it 'Antisubmarine Evasive Steering'.

Q. Antisubmarine Evasive Steering?
A. Yes, sir.

Q. Do you know whether ATP 3(A) was on board FRANK E. EVANS?
A. Now I am confused. I did not know that there were two different designations between ATP 3 and ATP 3(A).

Q. Is it possible that the publication that you referred to could have been either ATP 3 or ATP 3(A)?
A. Yes, sir.

Q. On the bridge of FRANK E. EVANS, was it customary to have certain classified publications available for ready reference?
A. Yes, sir.

Q. Was it customary to inventory these at regular intervals?
A. Yes, sir.

Q. At what interval?
A. The Junior Officer of the Deck would inventory them on each watch.

Q. The Junior Officer of the Deck?
A. Yes, sir.

Q. On each watch?
A. Yes, sir.

Q. Who was the Junior Officer of the Deck on your watch?
A. Lieutenant (jg) Stever.

Q. Would you spell that please?
A. S-T-E-V-E-R.

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Q. Did you have ATP 1(A), Volume I, on the bridge during your watch?
A. Yes, sir.

Q. Do you know what change was in effect for Exercise Sea Spirit?
A. Up to change four.

Q. Did sunset occur during your 1800 to 2000 watch on 2 June?
A. Yes, sir. It did.

Q. After sunset, what lighting measure was in effect for screening ships? If you can't give me the nomenclature of the lighting measure itself, could you describe what ships lights were being shown by ships in the screen?

A. No, sir. I don't remember what lighting measure we were ordered into. I believe I remember it being one lighting measure switching back to another sort, two or three times - if I remember correctly.

Q. The changes in lighting measure, I presume, were dependent upon the progress of flying operations?

A. Yes, sir.

Q. Were there any particular lighting measures, in regard to rescue destroyers, that were prescribed for screening destroyers when they are in the screen?

A. Not unless the destroyer went to a certain type of lighting measure.

Q. Can you describe it?

A. We had red truck lights, dimmed side lights, dimmed red and green running lights.

Q. Did you in FRANK E. EVANS, at any time during your watch, use stern or overtaking light?

A. That light should have been dimmed.

Q. Would you say your complete answer again? I'll give you the question again.

A. Right, sir.

Q. Did you in FRANK E. EVANS, at any time during your watch on the 1800 to 2000 watch on 2 June, have occasion to use or show a stern light or overtaking light?

A. We used a dimmed stern light.

Q. On what occasion?

A. When we were astern of the carrier or in a plane guard station.

Q. Did you use that light when you were in position in the screen?

A. If the carrier was conducting flight operations, yes.

Q. Were there occasions on the watch that we are speaking about, when he was conducting flight operations, when you were not in rescue destroyer station or astern of him?

A. Could you repeat your question, please, Admiral?

Q. During the 1800 to 2000 watch on 2 June, were there occasions when he was conducting flight operations from MELBOURNE while FRANK E. EVANS was not in rescue destroyer station or not astern of him?

A. I believe we used them when we were in our screening station.

Q. Mr. Covert, I am not trying to trick you. I am trying to get some precise information. Were there occasions when flying operations were being conducted when FRANK E. EVANS was in the screen rather than astern or on plane guard station?

A. No, sir.

Q. When you were in the screen were there occasions when you used the stern light or overtaking light - when that was burning in FRANK E. EVANS?

A. Yes, sir, there were times.

Q. And on those occasions were you also showing running lights?

A. Yes, sir.

Q. And the occasions were in the watch we are talking about, the 18 to 20 watch on 2 June?

A. That's correct.

Q. Do you recall the time of sunset that night?

A. No, sir.

Q. Approximately?

A. The time is confused because we changed times into a different time zone.

Q. Were the night orders for that night available to you during your watch?

A. No, sir.

Q. Did you have instructions on the permissible CPA of the carrier?

A. Never closer than 2,000 yards across his bow. Never approaching forward of his beam below 2,000 yards. If we were going to stations we were to cross under her stern 1,500 yards.

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Q. Was there any specific distance that was prescribed for CPA on the beam of the carrier?
A. I believe that was always 1,500 yards. I always tried to hold myself to 2,000 yards. Unless the tactical situation was such that.... My own personal rule is 2,000 yards.

Q. Is that applied to the beam aspect only or to any aspect?
A. From the beam forward.

Q. You have stated that the practice of stationing the plane guard destroyer astern of the carrier and giving the plane guard destroyer a screen station astern of the carrier was used in some operations of FRANK E. EVANS?
A. Yes, sir.

Q. And that the practice adopted for part of the exercise Sea Spirit did not give you, as an Officer of the Deck, any particular trouble?
A. No, sir.

Q. Would you say there is any difference between the two practices as regards other specific factors such as fuel consumption, or safety or any other specific area?
A. As far as fuel consumption there was quite a, it would seem to me that it would be more economical. . .

Q. Which is more economical?
A. To have the ship stationed astern of the carrier. It would be a quicker method of having a rescue destroyer on station. He wouldn't have to go so far. It wouldn't take him quite as long to get there. I don't think, safety I would think, it might be a little bit safer but I don't think that is a valid point.

Q. Upon being notified that your ship, FRANK E. EVANS, was designated to be the rescue destroyer would you state what preparatory actions should be taken?
A. Now we are talking about this one particular incident the 18 to 20 watch or in a general sense?

Q. General sense?
A. We had stationed our plane guard detail....

Q. Consisting of what?
A. Consisting of a watch up on the forecastle, a group of men ready for a ship type rescue; also stationing the people in the proximity of the motor whale boat, had the motor whale boat at the rail, if they wanted to use the boat type rescue. And as soon as we did get on station we would follow the lighting measures set by the carrier, follow his example.

Q. Would it be desirable to notify the engineroom of this assignment?
A. I don't think so. When we went to plane guard destroyer stations the OOD's would usually lower superheat to 750 degrees. My night orders to the engineer usually would state that we would be in plane guard position, and the ship was used to plane guard. The OOD would call down. I wouldn't say that it was a rule. I always did it on my watch - tell them that we were going to plane guard station. It was not a hard and fast rule.

Q. You did so because you being Engineering Officer were close to their problems, is that correct?
A. Yes, sir.

Q. Were there other people in the ship that you would notify that the ship had been assigned rescue destroyer duty or plane guard duty?
A. I would notify the Captain. That would be just a regular notification, I did it for any other signal.

Q. How were the various details you have mentioned stationed? By what means did they receive the information that they were to be stationed?
A. In daylight hours we passed the word over our general announcing system. They came up on sound powered phone circuits talking to the talker on the bridge. After taps at night we kept a messenger and a phone talker on the circuit continuously, and if we went to plane guard station he would - the messenger - would go down and wake them up or if we had a lot of plane guard duties at night and could expect them quite regularly, we would keep the watch up continuously.

Q. On the night of 2 June was any reference made in your orders as Engineering Officer to the Engineering Department concerning rescue destroyer assignment?
A. No, sir.

Q. Is that, as you said previously, because you believed the assignment was for the next flying operation only?
A. No, I don't think that had any bearing. I just didn't write them in there. I had told them the previous night what the general concept of operations was going to be, what we could be expected to do and more or less to be prepared for anything. I didn't feel myself that there was any need to. I felt that the watch down there could react if we had to stop, backdown, whatever. The signal giving us the duties - I did not take it to be a long term or short term assignment. I took it for right now that is where we are going and we'll see what is next.

Q. Did you mean by that that you did not know of any termination time on such assignment?
A. At that time?

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Q. Yes.

A. No, sir, I would assume that it would have terminated when they ordered us back to our screening station.

Q. Then subsequently you got another signal which ordered you to go back to astern of the carrier?

A. Yes, sir.

Q. And that was not preceded by another signal saying assume duty as rescue destroyer?

A. No, sir. I remember telling my relief that we had gone to plane guard twice and I imagine we'll go again.

Q. If I understand you correctly, you weren't sure of the termination time of this of susceptibility to this assignment?

A. No, sir, I wasn't.

Senior Member: The board has no further questions for this witness at this time.

Counsel for the board: I have one, sir.

EXAMINATION BY COUNSEL FOR THE BOARD

Questions by counsel for the board:

Q. You indicated that when you took the lighting measures prescribed by the carrier when in plane guard, you turned on the red and green running lights, did you also turn on the white range lights?

A. No, sir. We had a red truck light; we had aircraft obstruction lights.

Q. So the lights you turned on were the red and green side lights, the red truck lights and the overtaking light, is that the total lighting?

A. Yes, sir, and they were in a dimmed condition.

Q. All of them except the truck lights?

A. No, sir. They were bright. I might add that this lighting measure was not set until I was astern of the carrier. If she had gone into lighting measure and I was still taking station, I would wait until I was on station or astern or past the beam into my turn.

EXAMINATION BY THE BOARD

Questions by a member (CAPT Rusk):

Q. The lighting arrangement which you have just spoken of was dimmed side lighting. Can you activate that only by a master switch or do you have to do that in every case?

A. To go from a bright condition to a dim condition?

Q. No. From a full navigation lighting indication, from masthead to range light to side lights, once you have illuminated those in order to comply with the carrier's requirement on lighting measurement, and only, as you said, use side lights and stern light, dim or bright, can you, at some panel arrangement, continue just that arrangement by on and off switch or do you have to go back through the whole lighting arrangement?

A. No, sir. You have to set them back up again. All the lights are controlled by an individual switch. There is a master switch for all running lights - range light, masthead light, side lights and stern lights. Individually, one can turn off the range light or masthead light. That is an individual process, light by light.

Q. Light by light?

A. Yes, sir.

Q. Then, if you turned off the masthead and range light by their individual switches can you then turn off the master on and off and thereby setting up your side lights and stern lights on and off individually?

A. Yes, sir.

Counsel for the board: At this time, Mr. Covert, you are privileged to make any other statement covering anything related to the subject matter of the inquiry that you think should be a matter of record in connection therewith, which has not fully been brought out by the previous questioning. At this time I would limit that offer to subjects dealing with pre-collision matters. We will call you back later as to post-collision. Do you have anything to state under that invitation at this time?

LTJG COVERT: No, sir, I don't.

The witness was duly warned, excused and withdrew from the hearing room.

Senior Member: We will have a brief recess.

The board recessed at 1456 hours, 21 June 1969.

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The board reconvened in open session at 1512 hours, 21 June 1969.

All persons connected with the board were present when the board recessed were again present.

Counsel for the board: The board is convened in open session and counsel points out that if there is any persons present who knows himself to be a witness or feels that he may be called as a witness, he is not entitled to be present and he should withdraw.

Lieutenant Gerald W. Dunne, United States Navy, was called as a witness by counsel for the board, was sworn and testified as follows:

EXAMINATION BY COUNSEL FOR THE BOARD

Questions by counsel for the board:

Q. Lieutenant Dunne, you have been called as a witness for this board of investigation which is inquiring into the circumstances surrounding the collision of HMAS MELBOURNE and USS FRANK E. EVANS because it is understood that you may have evidence that will assist the board in its investigation. You are advised that the evidence is being received in open session of the board and that disclosure of classified information is not authorized during open session. Should the answer to any question that you are asked require you to disclose classified information, you are requested not to answer the question but to advise the board that the answer would require you to disclose classified information. In such cases you will later be given the opportunity to testify as to the classified information in closed session. However, if you can answer the question either in part or in general terms without disclosing specific classified details you should do so advising the board of your desire to amplify in later closed sessions. Under United States law, no witness may be compelled to answer any question the answer to which may tend to incriminate him, and you may refuse to answer any such question. Would you state your name, grade and present organization?

A. Gerald William Dunne, Lieutenant, U.S. Navy, USS FRANK E. EVANS.

Q. And were you assigned to USS FRANK E. EVANS on 2 and 3 June 1969?

A. Yes, sir.

Q. How long have you been assigned to USS FRANK E. EVANS?

A. Since May 15th, 1968.

Q. Would you briefly describe for the board your previous naval experience?

A. I graduated from the Naval Academy in June of 1964. From there I was assigned to the U.S. cruiser TOPEKA. I was the Radio Division Officer on that ship and I stood bridge watches on that cruiser.

Q. In what capacity did you stand bridge watches?

A. I was as OOD after about a year and a half on board there. From there I went to the U.S. destroyer COLLETT as Communications Officer. I had three jobs on that ship at various different times - ASW Officer, Communications Officer and Navigator. I stood bridge watches as OOD on the COLLETT. From the COLLETT I went to USS FRANK E. EVANS as Operations Officer.

Q. And have you served continuously as Operations Officer on USS FRANK E. EVANS?

A. Yes, sir.

Q. When did you first qualify as an OOD underway for fleet operations?

A. About one month before I left the cruiser TOPEKA, in 1966 I believe it was. I don't remember the exact month.

Q. Were you qualified as Officer of the Deck, Fleet Operations Underway, in USS COLLETT?

A. Yes, sir.

Q. And for how long did you stand such watches on board that ship?

A. For about 18 months, sir.

Q. Have you stood such watches on FRANK E. EVANS since coming on board?

A. Yes, sir.

Q. In addition to your duties as a watch officer and Operations Officer did you also serve as the Senior Watch Officer?

A. Yes, sir.

Q. What did the duties of the office embrace?

A. I wrote up the officer's watch bill for the CO's and XO's approval, and I supervised the enlisted watch bills which were written up by another officer.

Q. Did you have any duties with respect to the training of the Officers of the Deck and other watch standers?

A. Yes, sir.

Q. Would you describe what those duties were?

A. I was generally in charge of the officer training under the CO and XO.

Q. How did you carry out those duties of instruction of the Officers of the Deck and other officer watch standers?

A. You mean how did an officer become qualified as Officer of the Deck on the EVANS?

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Q. What training did you give them as Senior Watch Officer?

A. We had tactical schools in the wardroom on a regular basis. Depending on operations, of course, we usually tried to get in at least one or two a week.

Q. Who did you use as instructors for such training?

A. Depending on the subject matter, usually the officer who was most familiar with it on board. I was the instructor on many occasions. The CO and the XO were and also the other officers when we had various topics that were covered.

Q. Specifically directing your attention to the exercise known as SEA SPIRIT, were any tactical schools or conferences held in preparation for that exercise?

A. Yes, sir.

Q. Would you describe the nature of those sessions?

A. Approximately a two hour session, with all the officers on board in the wardroom, was held when we were in Manila. We covered the different operation orders that would govern the exercise. We didn't go into any great detail. I went through each Op Order and pointed out the areas that I thought were important to the watch standers to read and study over before they stood their watches prior to the exercise. The CO also instructed us to be more careful than usual, I believe is the way he put it, since we would be operating with ships of different navies and that extra caution would be required.

Q. Are you familiar with the pamphlet labeled Maritime Operating Procedures?

A. Yes, sir. It's one of the pamphlets we went over.

Q. Was that covered in the instruction?

A. Yes, sir. Not in great detail, though.

Q. Are you familiar with a pamphlet labeled HMAS MELBOURNE Escort Hand-Out?

A. Yes, sir. We had two copies on board. All the officers that were standing bridge watches were required to read it. The enlisted supervisors in CIC were required to read it, and all the evaluators in CIC. There was a copy on the bridge and in CIC.

Q. At what times?

A. Pardon me?

Q. When were there copies on the bridge?

A. At all times after the exercise started.

Q. Was a copy of FOCAF's Operation Order and Maritime Operating Procedures also on the bridge?

A. Yes, sir.

Q. And in CIC?

A. Yes, sir.

Q. Was there a requirement that all watch standing Officers read these publications prior to the commencement of the transit phase of SEA SPIRIT?

A. All the officers were instructed to read the operation orders. That's with the exception of the Supply Officer of course.

Q. Did he stand any watches in CIC or on the bridge?

A. No, sir.

Q. Directing your attention to the evening of 2 June, were you assigned a watch?

A. Yes, sir.

Q. What watch was that?

A. I was the evaluator in CIC.

Q. And what do the duties of evaluator include?

A. Overall charge of the operations in CIC.

Q. And what period was that watch?

A. From 1800 to 2000. It was a three hour watch that night because of the time change.

Q. At the time you assumed the watch, do you recall the basic disposition of the formation in which FRANK E. EVANS was?

A. I believe we were in a three ship screen in front of the MELBOURNE, with the KYES and the LARSON.

Q. And what was the base course and speed if you recall?

A. I can't say.

Q. Do you recall whether or not the formation was zigzagging?

A. Yes, sir. It was zigzagging.

Q. Do you recall the number of the plan and from what source it was taken?

A. I don't recall the number of the plan, sir, but it was from FOCAF's Op Order 1/69.

Q. Did the disposition stay the same during the entire watch?

A. No, sir. We went to plan guard station once, maybe twice. I'm not sure.

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Q. Prior to going to plane guard station, had you received any signal indicating that EVANS was assigned as plane guard?

A. Yes, sir.

Q. Do you recall the nature of the signal and from whom it was received?

A. I believe it was from MELBOURNE, and the signal is out of the signal book - I believe that's classified.

Q. Yes, don't give the exact signal. Could you give the sense of the signal?

A. Assume duties as rescue destroyer, sir.

Q. Do you recall whether or not a duration was established for that assignment?

A. I don't believe it was, sir.

Q. How did you interpret it as to duration?

A. Well, I assumed, until they assigned someone else. I didn't really have any idea how long he wanted us to act as rescue destroyer that night.

Q. You indicated that at least once during your watch, and perhaps twice, EVANS took plane guard station. What were the exact signals you received for that evolution?

A. The exact signals out of the book, sir?

Q. The meaning of the signals?

A. I can't remember specifically each time, but I can remember the way that it was done most of the time. I can't say it was done exactly this way these times, he normally would advise us what his flight course would be and tell us to go to station astern of him to get into a column formation and he would give us another signal that would tell us to move over. I believe it was 220 degrees relative from the carrier, just before he was going to launch his aircraft.

Q. Do you recall the approximate time that you were ordered to take Formation ONE - if that was the signal - the first time?

A. No, sir. I don't.

Q. Do you recall how long you remained either in column astern of the carrier or in plane guard station during the first event?

A. I would guess about 15 or 20 minutes, sir. I'm not sure.

Q. Do you recall whether the formation continued zigzagging or ceased zigzagging during this period?

A. We ceased zigzagging during the flight operations, but right after flight operations we commenced zigzagging.

Q. Was that prior to the time that you had resumed screen station?

A. Yes, sir.

Q. That question had an assumption built into it. It assumed that you were ordered back to screen station. Is that correct?

A. A. Yes, sir.

Q. Going back to the notification you received that FRANK E. EVANS was assigned as plane guard. Do you recall over what circuit that was received?

A. I believe it was over the Primary Tactical Circuit.

Q. Do you recall who acknowledged the signal?

A. The Officer of the Deck.

Q. Is that normal practice on EVANS for the Primary Tactical Circuit to be handled on the bridge?

A. Yes, sir.

Q. Who keeps the log?

A. Either the OOD or the JOOD.

Q. Is the log kept in CIC also?

A. Yes, sir.

Q. Was the Commanding Officer in CIC at anytime during your watch?

A. I know he was on the bridge, but I don't recall whether he came into CIC or not, sir.

Q. Does CIC have any duty of notification of the Commanding Officer on evolutions?

A. No, sir.

Q. Who does that duty fall to?

A. The Officer of the Deck.

Q. You were standing CIC watch this particular night. Was that a normal watch for you or do you alternate between there and the bridge?

A. I alternate, sometimes. Mr. Covert and I switched a few watches this time, with the Captain's approval, to give Mr. Covert a little more exposure in CIC. He is the Engineering Officer and he doesn't get much of an opportunity to operate in CIC.

Q. And did you stand Officer of the Deck watches on the bridge during exercise SEA SPIRIT?

A. Yes, sir.

Q. Approximately how many?

A. Two, I believe. I also stood Officer of the Deck watches during replenishments.

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Q. You were the special sea detail Officer of the Deck?

A. Yes, sir.

Q. Between the time you came aboard and the time of SEA SPIRIT, you had stood a large number of Officer of the Deck watches?

A. Yes, sir.

Q. Had you stood Officer of the Deck watches more than CIC?

A. I would say about the same number of times.

Q. You consider that you are familiar with the practices of the Officer of the Deck on FRANK E. EVANS as to ship doctrine and procedures?

A. Yes, sir.

Q. Could you state the practice ~~was~~ as to notification of the Captain when the ship received a tactical signal which affected it?

A. We were instructed to notify the Captain anytime we changed station.

Q. How about changes of course and speed?

A. Changes of base course and speed, yes, sir. I didn't inform the captain every time we changed course or a zigzag plan or something like that. I let him know we were zigzagging and base course.

Q. Was that with his approval - your not notifying him?

A. Yes, sir.

Q. How about changes in connection with patrolling station - patrolling a sector when assigned a screen?

A. No, sir. I didn't notify him. I would be calling him every five minutes.

Q. Was he aware that you were not calling him?

A. Yes, sir.

Q. Was there any other occasions when you would not notify the captain of a change in course and speed?

A. If I got an immediate execute signal, I would normally start my maneuver and have the JOOD or somebody else call the captain. I wouldn't do it in order not to be distracted while I was changing course.

Q. What was the normal procedure ^{WFC} for notifying the captain under those circumstances?

A. You would notify him right away.

Q. How would you do it?

A. Well, I always know where the captain was. Whenever he would leave the bridge, he would tell you where he was going - almost always.

Q. Suppose you needed the captain there for an emergency situation, how would you get him there?

A. I would pass the word for him over the IMC.

Q. Other than FRANK E. EVANS changing position during your watch, were there other changes in the disposition of the formation during your watch?

A. Yes, sir. The BLACKFOOL and the CLEOPATRA rejoined the formation.

Q. And what station did EVANS take when that occurred.

A. I believe there were three ships in a close screen and two ships in an advance screen. We were the furthest right ship in the close screen.

Q. Had you been the furthest right ship for the entire watch?

A. Yes, sir.

Q. Except when you were ordered to the other station?

A. Yes, sir.

Q. In case of changing station when the captain was not on the bridge, what was your procedure when the signal was not an immediate execute?

A. Call the captain and tell him what the signal was and what I planned on doing.

Q. What was his practice with respect to coming to the bridge in response to such calls?

A. A good number of times he would come up, and other times when he was confident that the situation was well in hand, he would not come to the bridge. In other words, an easy change of station or shifting one station ~~one~~ way or something.

Q. Are you aware of any prescribed closest point of approach, CPA, for approach to a carrier within FRANK E. EVANS?

A. Yes, sir. We were always told never to get within 2000 yards of a carrier's bow under any circumstances.

Q. How about approaches at the beam?

A. A thousand yards.

Q. You indicated, Mr. Dunne, that the zigzag plan you were following was taken from FOCAF's Operation Order, I believe?

A. Yes, sir.

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Q. Did that operation order, to your knowledge, contain any doctrine for the application of zigzag plans? If you would like to review the Op Order we have it.

A. I can pretty safely say it did not, sir.

Q. Under those circumstances, if a question of interpretation came up, to what publication would you turn?

A. ATP 3.

Q. To your knowledge, was ATP 3 available on the bridge and in CIC during exercise SEA SPIRIT?

A. We had only one copy. It was in CIC, sir.

Q. And can you say certainly it was ATP 3 and not ATP 3(A)?

A. No, I can say with certainty it was the one we received about three months ago. When we got the publication, I can remember we had a tactical school on zigzagging.

Q. Was it a brand new publication?

A. Yes, sir. It was.

Q. When FRANK E. EVANS received a signal to change position in the formation was it normal practice for CIC to make recommendations as to course and speed?

A. Yes, sir.

Q. Did this include occasions when EVANS was in a screen ahead and was ordered to Formation ONE?

A. Yes, sir.

Q. When you were Officer of the Deck, did you receive such recommendations uniformly?

A. There were times when you didn't. You would have to get on CIC to get your information a little quicker, but most of the time we got a recommendation.

Counsel for the board: Counsel has no further questions..

EXAMINATION BY MEMBERS OF THE BOARD

Questions by the senior member:

Q. Mr. Dunne, in connection with tactical school on ATP 3(A) which you said was received a few months ago, could you visualize in your mind the situation at that tactical school and tell me the names of the officers who were present?

A. I can't say for certain. Most of the officers were there. Possibly there were people on watch - we were at sea when we had it - that weren't there, but I can't remember their names, sir.

Q. Do you recall whether Mr. Hopson was present?

A. No, sir.

Q. Do you recall whether Mr. Ramsey was present?

A. No, sir.

Q. Do you recall whether that session concerning ATP 3(A) covered the situation under which zigzagging is to be automatically ceased due to receipt or execution of a tactical signal?

A. I can't say for absolute certainty, sir, but I believe it did.

Q. Can you say what are the principal differences between the new publication ATP 3(A) and the one which preceded it? It would be necessary to be aware of classification in this regard? Just tell me if you think you can tell the principal difference?

A. As I recall, most of the rules were the same. Possibly the plans were different. I can't really say.

Q. Do you know whether the copy of ATP 3(A) that was used in the school session had an errata change, or an interim change or any pen and ink change of any kind?

A. I don't believe it did when we had the tactical school, sir. It may have come later. We had the school shortly after we received the pub.

Q. Mr. Dunne, did you ever have occasion to instruct the watch officers in the use of binoculars, or were you present when such instruction was given to watch officers?

A. The only thing I can say is I instructed my JOODs when I was officer of the deck, but never as a general training session do I remember instructions on the use of binoculars.

Q. Could you describe the principal points that you would cover in your instruction to the Junior Officer of the Deck?

A. Just make sure you had them set when you came up on watch, clean them if they were dirty and make sure you always had them around your neck. I know sometimes people like to take them off because they're heavy.

Q. Mr. Dunne, did you instruct the officers in the art of looking through the binoculars frequently. As the matter stands now, Mr. Dunne, the record indicates that you were simply concerned with the officers having them around their neck. Surely you were also concerned with them having them around their neck for the purpose of using them?

A. Yes, sir. Certainly. I always told them to keep their eyes out in front and use them. That's what they are there for.

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Q. During any of your Officer of the Deck watches, did LTJG Ramsey stand with you on the bridge.
A. I believe he did in one or two occasions.

Q. Have you stood watches with LTJG Hopson?
A. Yes, sir.

Q. While you were in CIC on the evening of 2 June, was the surface search radar operating normally?
A. Yes, sir.

Q. Did you observe any problem with the true bearing input to the surface search radar?
A. No, sir. I didn't.

Q. Could you describe the procedures for qualifying Officers of the Deck in FRANK E. EVANS?
A. Whenever a new officer would come aboard, first, we would give him the COMCRUDESPEC general information course. We tried to get a lesson out of each man every two weeks. Again depending on how busy we were as to our operational commitments, we would have him stand JOD watches. We had a FRANK E. EVANS instruction with required reading material on it and practical factors for these people to get checked off. And of course the main thing was when the captain gained enough confidence in the man to let him stand a watch.

Q. Was it part of your duty as Senior Watch Officer to supervise this training?
A. Yes, sir.

Q. Prior to qualification, was it expected of you, that you would submit a recommendation concerning the readiness of a given individual as to his qualification?
A. Not exactly a recommendation. When somebody was ready and the captain hadn't mentioned it to me before I would ask the captain what he thinks about this man standing watches.

Q. Suppose you were standing watches as Officer of the Deck and the handset on your Primary Tactical Circuit was suddenly noticed to be defective and you had an incoming signal to receipt for, what would you do?

A. Call CIC. We have a ten channel transmitter in combat you can dial the You can set ten frequencies in it ahead of time, and you normally have the Primary Tactical Circuit in one of these channels. I would call CIC and tell them to dial it in and roger for the signal.

Q. Do you recall this happening during the 1800 to 2000 watch on 2 June?
A. Yes, sir. MELBOURNE gave us a signal and something happened to the transmitter on the bridge. I dialed it in in CIC and rogered for it from CIC and told the bridge that I had done so.

Q. Did something happen to the transmitter?
A. I'm not really sure what happened. The OOD called down to radio and got it straightened out shortly after that. I don't know what the nature of the problem was.

Q. Do you recall what the signal was?
A. No, sir.

Q. Does CIC keep a plot of ships in company on the plotting head on the surface radar scope?
A. Yes, sir.

Q. Does the bridge keep a plot?
A. I always do, sir. I'm fairly sure most of them do. We have a surface status board where we always kept the formation plot on there - the present disposition of the ships.

Senior Member: The board has no further questions.

EXAMINATION BY COUNSEL FOR THE BOARD

Questions by counsel for the board:

Q. Mr. Dunne, during my earlier examination, I ask you if CIC made recommendations as to courses and speeds for changes of station and you indicated they did?
A. Yes, sir.

Q. Was it normal to track the path of the ship en route to a new station and to make recommendations as to courses and speeds?
A. Yes, sir.

Q. Was that your practice while in CIC?
A. Yes, sir.

Q. Was that the practice you enforced while you were OOD?
A. Yes, sir.

Q. As to assignment of plane guard, what did you pass on to your relief as to plane guard assignment, if you can recall?
A. I believe I told him that we had gone to plane guard twice and expected to go again.

Q. Did you do this on the basis of having gone twice or on the basis of a signal received earlier?
A. On the basis of the fact that we had gone twice.

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Counsel for the board: We have no further questions

Senior Member: Do you expect to have a classified session?

Counsel for the board : We have no specific questions. Do you have information that you feel should be heard in a classified session?

Witness: No, sir.

Counsel for the board: Mr. Danne, as I said earlier, the board would like to consider these proceedings in two phases at this point. It has been asking questions concerning precollision and with respect to those matters you are informed that you are privileged to make any further statement covering anything related to the subject matter of the investigation that you think should be a matter of record in connection therewith which has not been fully brought out by the previous questions. Do you have anything to add?

Witness: No, sir.

The witness was duly warned concerning his testimony and withdraw from the board room.

Senior Member: We will have a ten minute recess.

The board recessed at 1555, 21 June 1969.

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The board reconvened at 1610 hours, 21 June 1969.

All members connected with the board who were present at the time of recess were again present.

Quartermaster Seaman Darrell L. JONES, U. S. Navy was called as a witness by counsel for the board, was duly sworn and testified as follows:

EXAMINATION BY COUNSEL FOR THE BOARD

Questions by counsel for the board (CDR Glass):

Q. You have been called as a witness for the board of investigation which is inquiring into the circumstances surrounding the collision of HMAS MELBOURNE and USS FRANK E. EVANS, because it is understood that you have evidence which may assist the board. Under United States Law, no witness may be compelled to answer any question, the answer to which may tend to incriminate him and you may refuse to answer any such questions. Do you understand that?

A. Yes, sir. I do.

Q. Will you state your full name, rate and organization?

A. Darrell Lynn Jones, SN, USS FRANK E. EVANS.

Q. And how long have you been in the U. S. Navy?

A. Two and one half years, sir.

Q. And how long have you been on board USS FRANK E. EVANS?

A. 2 years and 3 months.

Q. And on the night of 2 - 3 June, did you stand watch in USS EVANS?

A. Yes, sir. I did.

Q. When did that watch begin and end?

A. It began on the 2nd June, 2200, and ended on 3rd June, 0300.

Q. And what duties did you perform during that period of time?

A. I was Quartermaster of the Watch and I wrote in the Quartermaster's Log course changes and speed changes. I took the weather and every hour I went down to the chart house and took a loran fix.

Q. By whom were you relieved at 0300 on the morning of 3rd June?

A. QM3 Gary Vigue.

Q. And did he survive the collision?

A. No, sir. He didn't.

Q. During the period you were on watch, do you recall what was the base course of the formation or not?

A. No, sir. I do not.

Q. Do you recall whether the formation was zigzagging?

A. Yes, sir. It was.

Q. Was it doing that continuously or were these occasional interruptions?

A. The best I remember we were continuously zigzagging.

Q. And in addition to zigzagging, was EVANS also patrolling its sector?

A. Yes, sir. It was.

Q. What was the base speed of the formation, do you remember that?

A. Yes, sir. 18 knots.

Q. And at what speed was EVANS patrolling her sector?

A. I can't remember that, sir.

Q. Was it higher or kept down to the 18?

A. I couldn't say for sure, it could have been a little higher.

Q. During your period on watch do you recall that EVANS changed station?

A. No, sir.

Q. In particular, do you recall whether EVANS went to station as rescue destroyer?

A. No, sir. I can't recall while I was on watch.

Q. Can you recall where MELBOURNE was during your period on watch, in relation to EVANS?

A. Yes, sir. When I was relieved at 0300, the last time I saw MELBOURNE was about 2 miles off our port quarter.

Q. Was there anything else that you noticed at that time when you were relieved?

A. No, sir. Nothing that I can think of sir.

Q. Did you observe when you were relieved whether there were any lights showing in MELBOURNE?

A. No, sir. I couldn't remember.

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Q. Did you observe when you were relieved whether any lights were showing in EVANS?
A. No, sir. We had darkened ship when I was relieved. During my watch, we changed our lighting measures several times, from dim light - dim navigational lights to darkened ship, off and on.

Q. In what circumstances were you showing dim navigational lights?
A. I cannot remember, just whenever MELBOURNE dimmed hers, I believe.

Q. And you don't remember what operations were being performed when MELBOURNE dimmed her lights and you followed suit?
A. No, sir.

Q. Can you tell us what observations you made during your period on watch of the weather?
A. The sea was calm. There were just small swells. Maybe three feet were as high as they were. Hardly any waves at all. The sky was clear, maybe a few stratus clouds, but that's all. The temperature was about 85 degrees I believe. Sea water temperature was 76. I can't remember which direction the swells were coming from, same for the wind, I wouldn't be able to tell you that either.

Q. Well, you've done pretty well. Can you tell us about conditions of visibility?
A. You could see real good, I'd say ten miles.

Q. Is that with binoculars or not?
A. With binoculars.

Q. And did you have any difficulty with binoculars in determining the aspect of ships in company?

A. Are you asking me myself or for the rest of the people?

Q. You, yourself when you looked.
A. No, sir. I didn't sir.

Q. If you received a signal in the form "execute to follow", what was the procedure as regards calling the Captain, if it involved a change of station?

A. The Officer of the Deck would ring the Captain's Sea Cabin and tell him the course that we would be using to go to our station and what our new station would be.

Q. Did you at any time during your period on watch see MELBOURNE make any visual signals?
A. No, sir. Not that I can remember.

Q. During the period you were on watch, how often did you observe MELBOURNE and were she was in relation to EVANS?

A. I'd say maybe every 30 minutes I'd see MELBOURNE. The Quartermaster has to keep the log up, you know, every course change and everything and we were changing course so much that night that I had to stay on the log most of the time. I didn't have a chance to see her since she was back aft or to the side of us and I couldn't see her all the time.

Q. On these occasions when you saw her on the average of every 30 minutes, what was her bearing usually from EVANS?

A. The best I can remember it was relative from us, it was 270 or 180.

Q. What was the range at which you usually saw her?
A. About 3000 yards, sir.

Q. I think you have already told me that you didn't see any lights on MELBOURNE on any of these occasions.

A. Not that I can remember. She may have had some lights on, sir, but I can't remember.

Q. On these occasions when you saw her, how clearly could you do this?
A. I could see her clear. I could tell it was a carrier.

Q. Could you see clearly enough to determine in which direction she was heading?
A. Yes, sir.

Q. During your period on watch was the Captain called at any time within your knowledge?
A. I couldn't say for sure.

Q. Can you recall what officers were on watch on the bridge during your period on watch.
A. Yes, sir. From midnight till 0300 it was LTJG Ramsey and LTJG Hopson.

Q. And during the three hours that you shared the watch with those two officers, which of the two had the conn most of the time?

A. Mr. Ramsey had the conn all the way up till say 0200 and then Mr. Hopson took it.

Q. And from 0200 until you were relieved, what was the position as regards to the conn?
A. Mr. Hopson had the conn at that time, sir.

Q. When Mr. Hopson had the conn were you able to observe who was manning the Primary Tactical Circuit?

A. No, sir. I couldn't remember.

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Q. When Mr. Hopson had the conn can you recall what Mr. Ramsey was doing?

A. He was on the scope watching the station and also going out on the wing looking at the other ships, scanning the other ships and trying to keep station on everybody else and on the carrier. That was the same thing Mr. Hopson was doing also, sir. They were both trying to keep station on the carrier.

Q. You mean at 0200 they changed roles and what one had been doing before the other did and vice versa?

A. Well, until 0200 I remember that Mr. Hopson was on the Tactical Circuit. After 0200 I cannot say for sure who was on the circuit. I remember that Mr. Hopson had the conn around 0200, sir. They were both going out and looking at the carrier and taking bearings through the pelorus and also going to the radar repeater and getting the distances and bearings on that also, then working it out on the maneuvering boards.

Q. Can you remember on what scale the radar repeater was set?

A. No, sir. I don't look at that repeater. It would be in close, but I couldn't tell you how close, within 10 miles I'm sure.

Q. During your period on - well during the period from midnight to 0300 do you recall if many messages were received over the Primary Tactical Circuit?

A. No, sir. I couldn't remember.

Q. Can you remember whether any messages received had to be decoded as to call signs or shackle codes or things of that kind?

A. No, sir. I couldn't tell you for sure. I believe there were a couple.

Q. Do you recollect who it was who did the decoding when the need arose?

A. Well, when they did that both officers would work on them together on the open bridge. Usually the officer who had the Tactical Circuit would work on it and also CIC would send it out over the phone.

Q. Do you recall whether the officer who had the Primary Tactical Circuit would consult with the officer who had the conn about messages that had to be decoded?

A. Yes, sir.

Q. Was that the invariable practice or not?

A. Well, the Officer of the Deck would usually break it - the conning officer would usually break it. He would usually be the junior officer. He would be the one with the Tactical Circuit and when they got it, they would both look it up to make sure that they were breaking it - they both checked each other. They would get the answer from CIC also.

Q. How did CIC give the answer to them?

A. Over sound powered phones sir.

Q. Were there any communication difficulties experienced on the Primary Tactical Circuit while you were on watch?

A. No, sir. Not while I was on watch, sir.

Q. I want to ask you about red lights near the starboard doorway between the bridge wing and the pilot house. Do you understand the position of which I am asking?

A. You mean the wing?

Q. Near the starboard doorway, between the bridge wing and the pilot house?

A. The port running light would be the only one I know of.

Q. That's the only light in that particular vicinity, is it?

A. Yes, sir.

Q. Can you tell us whether that light was ^{at} any time during your time on watch?

A. Yes, sir. It was.

Q. In what circumstances was it burning?

A. Well it was burning - the dim navigational lights were ^{burning} ~~burning~~ at that time and also we went to normal navigational lights with full brightness.

Q. When were they brought to full brightness?

A. I wouldn't be able to tell you what time it was.

Q. Do you say that there was a light ^{burning} ~~burning~~ there all the time, either dimly or brightly?

A. Oh, no sir. Not all the time.

Q. Are you able to give us any help as to when it was made dim and when it was made bright and for what reasons?

A. No, sir. I wouldn't be able to tell you what time, but the reason we made it dim or bright and turn them off was because we were following the MELBOURNE and the rest of the screen.

Q. You followed their example?

A. Yes.

Q. Have you any recollection as to what proportion of the time you were on watch that light would have been burning in one form or another?

A. No, sir. I couldn't say.

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Q. There was a light, was there not, on the chart table?
A. Yes, sir.

Q. What color was that?
A. Red.

Q. Could it be seen from the starboard wing of the bridge? If it was on?
A. You might be able to from the starboard wing, but no further than that hardly at all.

Q. It wouldn't be visible outboard?
A. No, sir. It's a very dim light.

Q. Was it a directional light?
A. No, sir. Just a light for the charts so we could see the plots.

Q. Was it shaded?
A. Yes, sir.

Q. Was it generally kept on or only put on when used?
A. Yes, sir. It was kept on all night.

Q. I want to ask you about the location of the PRITAC Speaker. You understand?
A. Yes, sir. I do.

Q. Was it on the open bridge or in the pilot house?
A. The open bridge.

Q. And where was it on the open bridge? The forward part of the after part?
A. The bulkhead separating the pilot house from the bridge, it was on here.

Q. Port or starboard side?
A. I couldn't be able to tell you that. We have one on each side and I don't - one's a different circuit and I don't know which circuit they had at that time.

Q. When it turned up, were you able to hear the messages being broadcast.
A. Yes, sir.

Q. And was it turned up that night so that you could hear?
A. Yes, sir.

Q. Do you remember hearing any messages passed that night?
A. No, sir. I couldn't say for sure that I do remember.

Q. You recollect how the switches were arranged on the navigational lighting panel?
A. At 0300?

Q. During your watch. The way they were worked?
A. The way I had them worked was when we went to dim navigational lights I only had to throw the dimmer switch and leave the master switch on for all the lights. For Darken Ship all I did was turn the master switch off on the lighting panel and it turns off all the lights.

Q. You mean by that certain individual switches were left on all the time - left switched on?
A. Yes, sir. All the light switches were left turned on, like the stern light, the mast light, range light and port and starboard side running lights. They were always left on.

Q. Left on?
A. Yes, sir.

Q. If you switched off the master switch, there were no lights left burning?
A. Yes, sir. That's right.

Q. Now if you wanted to switch some of them on only, what procedures did you follow?
A. Well, I just turned on the master switch and flipped off the lights I wanted off.

Q. And at that stage did you have the selected lights turned on dim or bright?
A. You mean 0300, sir?

Q. No, no, I'm sorry. If you wanted to select some of the lights and bring them on in the dim position. How would you do that?

A. Well, just like if I wanted to turn on my port and starboard running light I just flip it on the on position and have my master switch on and if I wanted them dim I just switched them on dim also.

Q. How many positions are there with the dimming switch?
A. There are bright and dim only, sir.

Q. If you had your individual switches left on all the time, did you switch off the ones that you didn't want first or before you switched on the master switch or did you switch on the master switch first and switch off the ones that you didn't want?

A. I had the master switch off and which ever ones I wanted on I would turn them on and then turn the master back on.

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Q. Where was the switch for the red truck lights?
A. It was right below the other panel. The one with the stern lights, port and starboard running lights, right below them.

Q. Was it also controlled by the master switch or was it independent of it?
A. No, it was controlled by another master switch. There were two different panels right there.

Q. When you had your navigational lights turned on, whether dim or bright, which ones did you have burning?
A. Well, we had the range light, mast head, stern light, port and starboard running lights.

Q. Was there any time when you had the running lights and the overtaking lights burning dimly or brightly without the range and mast head light?
A. No, sir. Not that I can remember.

Q. So the five of them were always on or off, dimly or brightly, together?
A. Yes, sir.

Q. When you were relieved from watch at 0300, did you report to the officer of the deck?
A. No, sir.

Q. Is it your usual practice to do so or not?
A. No, sir. It isn't.

Q. Did you observe nonetheless which of the two officers appeared to have the conn when you were relieved at 0300?
A. Mr. Hopson, sir.

Q. Do you recollect what Mr. Ramsey was doing at that point of time?
A. No, sir, I don't.

Q. To whom do you make your report that the Quartermaster of the Watch has been relieved?
A. We did not report to anybody that we were being relieved. The other Quartermaster, we tell him everything that has been happening, the course changes and what all has been done and everything that has to be done on the next watch. He just takes it from there.

Q. And when you are assuming watch, to whom do you report?
A. We don't report to anyone, sir.

Q. So both on leaving and coming on watch you deal with the man who takes your place or whose place you are taking?
A. That's right, sir.

Q. And is that the practice that normally prevailed in USS EVANS?
A. Yes, sir.

Q. Where were you when the collision occurred?
A. I was in my rack, sir.

Q. And how were you affected by the collision?
A. I was knocked across the compartment.

Q. What did you do?
A. I got up and put my pants on and started for my GQ station.

Q. And where was that?
A. On the bridge, I'm the helmsman.

Q. How did you go - what was the route from your compartment to your GQ station?
A. Well I went up the inner passageway, the inner passageway of the ship.

Q. Where were you, which compartment?
A. OC compartment, it's back aft.

Q. How far is it from the stern?
A. I'd say maybe 20 yards.

Q. You came up a ladder did you? How many decks were you down?
A. One deck.

Q. And where did the ladder bring you out?
A. The passageway by the ship's store and the barber shop, back aft by the post office.

Q. And when you got on deck what did you observe?
A. Everybody was coming up out of the compartment and going to their GQ stations. I started up the passageway and I got up to about the after engine room, log room right there when a man said it was blocked off up there. So, I turned around and started going back the other way, I was going to find another route to the bridge. I opened the port hatch, going out the main deck, the last hatch aft, I went out on the main deck and I saw the carrier there. That was the first time I knew what had happened.

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Q. What did you see when you looked forward?
A. I didn't go far enough forward to see anything, he said it was blocked off up there and I didn't know exactly what he meant. I thought maybe men were getting stuff out or something, I didn't know. I just wanted to get up to the bridge as fast as I could, you know, I knew something was wrong and I knew I had to get to the bridge.

Q. Did you notice what had happened to the bow section of the destroyer? Could you see that?
A. No, sir. I didn't see that at all.

Q. Where was the carrier when you saw her in relation to the aft section?
A. The best I remember, her - when I looked out the port hatch, her bow was right into our side there.

Q. Well, did you eventually find your way onto the fantail?
A. Yes, sir. When I opened up the hatch aft I shut it as soon as I saw what happened. There were things falling and I didn't want to get hit by that. I went through the passageway to the starboard hatch and I opened it up and I saw people back on the fantail. We started helping people that were injured back on the fantail at that time. We tried to find life jackets and all for everybody.

Q. How many people were gathered on the fantail when you arrived there?
A. I'd say maybe 30 people when I arrived.

Q. Who was in charge of activities there?
A. The senior officer, Lieutenant Dunne.

Q. And what directions did he give to the people there?
A. After he found out what happened, he told everybody to kind of spread out on the fantail so it wouldn't put too much weight on one spot. We tried to get life jackets for everybody and take care of the injured. At the same time he was trying to get people up on the carrier.

Q. Were there many injured persons there?
A. Yes, sir. I'd say a few, maybe 10.

Q. Did you see what was done for them?
A. Yes, sir. They were being taken up on the port side to the carrier.

Q. How were they brought up on the deck of the carrier?
A. Well, I believe some were taken in stretchers and the others were climbing up by nets or ladders.

Q. During this time did you consider that the efforts were well directed?
A. Yes, sir.

Q. Was there any panic or did people maintain control of themselves?
A. No, sir, there was not any panic at all.

Q. Did you observe any particular acts of heroism yourself?
A. No, sir. Not any particular acts. I believe everybody just helped everybody as much as they could.

Q. How long was it before you were brought up or managed to get up on the MELBOURNE deck?
A. I'd say about 20 minutes.

Q. By that time were there any people left on the fantail?
A. Yes, sir. I'd say about 10 people.

Senior Member: The board has no further questions of Seaman Jones.

Counsel for the board (CDR Glass): The counsel has no further questions of this witness.

You are informed that you have an opportunity now to make a further statement relating to events before the collision or after. If you think there is something that has not already been brought out by questioning, is there anything you wish to add?
A. No, sir.

The witness was duly warned concerning his testimony and withdrew from the board room.

Seaman Apprentice Martin W. Vanwingen, U. S. Navy was called as a witness by counsel for the board, was duly sworn and testified as follows:

EXAMINATION BY COUNSEL FOR THE BOARD

Questions by counsel for the board (CDR Glass):

Q. Seaman Apprentice Vanwingen you have been called as a witness before the board which is inquiring into the circumstances surrounding the collision of HMAS MELBOURNE and USS FRANK E. EVANS because it is understood that you may have evidence which may assist this board in its investigation. I have to tell you that under United States Law, no witness may be compelled to answer any question the answer to which may tend to incriminate him, and that you may refuse to answer any such question.
A. I understand.

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Q. Will you please state your name, rate and organization?
A. Seaman Apprentice Martin William Vanwingen, aboard the destroyer FRANK E. EVANS.

Q. And when did you join the Navy?
A. August 14th, 1968.

Q. And when did you join the USS FRANK E. EVANS?
A. November 7th, 1968.

Q. And did you stand the watch on the night of the 2nd and 3rd of June?
A. Yes, I did, sir.

Q. During what period of time were you on watch?
A. Between 12 and 4, in the morning.

Q. And where were you stationed during that watch? What part of the ship?
A. Well, we had different jobs.

Q. All right, what duties were you performing during that watch?
A. I was on lee helm, JL, helm and after lookout.

Q. Now at the time of the collision, which duty of those many duties were you performing?
A. I was on after lookout.

Q. And when had you gone onto that position?
A. 0245.

Q. And did you remain there continuously on after lookout duty from 0245 till the time of the collision?
A. Yes, I did, sir.

Q. Now, where were you stationed in regards to the lookout?
A. On the ECM2 deck.

Q. And in the one position all the time?
A. Yes.

Q. And in that position what field of vision did you have?
A. From 090 to 270.

Q. And that's full 180 degrees through the stern of the ship?
A. Yes, sir.

Q. Were you using binoculars?
A. Well, part of the time, yes, sir.

Q. Do you remember whether that period, 0245 to the time of collision, there were any changes of course?
A. Yes, sir.

Q. When do you recollect course changes began?
A. Well, when I was coming up to the after lookout, we were on a course change then. And, just before the collision we were on a course change.

Q. Can you remember seeing any ships astern of EVANS, let's say between 0300 till the time of the collision?
A. That I can't say.

Q. You don't remember?
A. I don't remember, sir.

Q. Can you remember whether EVANS was on a steady course or was turning at the time of the collision?
A. She was making a starboard turn.

Q. Did you see any other ship in the vicinity of EVANS during the five minutes before the collision?
A. No, sir.

Q. How long before the collision was it when you first observed another ship in EVANS vicinity?
A. Just before the impact.

Q. And where was the ship you observed, just before the impact?
A. Off on the port side, just a little forward of 270.

Q. And how far away was the other ship then?
A. Not more than 15 or 20 feet.

Q. And what was the - did you see any lights on MELBOURNE at that stage?
A. No, sir. But then I wasn't looking at the flight deck I was looking at the bow.

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Q. Did you hear any whistle signals at this time.

A. No, sir.

Q. Did you see any lights showing on EVANS at this time?

A. I can't remember, sir.

Q. Do you remember any lights burning on EVANS during the time you were on watch that night?

A. I can't remember that either, sir.

Q. Can you carry the narrative forward please, from the time you first saw this ship just forward of 270 degrees and 15 feet or so away?

A. No.

Q. What did you see after that?

A. What I saw after that?

Q. Yes.

A. The ship hit and it gave me a slight jolt and I took a few steps to the port side to see what damage was done and then the ship started tilting and I grabbed onto something. When the ship rolled up again, we were right up against the MELBOURNE. I fell down when the ship tilted and I got up when the ship righted itself. I said to Secondary Conn.... I thought that their flight deck was going to rip into the ECM2 Deck. I still had the phones on so I said, "Secondary Conn out", waited a few seconds and then when I didn't hear no reply I put the phones down, went down the ladder to the helo deck which is just below the ECM2 Deck....

Q. Now at this stage when you got down to the lower deck, where were you in relation to the bow and stern of the destroyer? How far along were you, were you closer to the bow or the stern?

A. Well, close to the stern.

Q. Did you see what was happening to the bow section?

A. No. ECM2 Deck ladder was obstructing so you can't see forward. Then I went down the next ladder which was on the starboard side and when I hit the deck, I started going forward, then I saw there was nothing left of the forecastle. I turned around and went to the fantail where I was directed to just stay there.

Q. How many people were there at that time?

A. I estimate about 20.

Q. Coming back in the story for a moment. Did you hear any message passed over the JL talker before the impact occurred?

A. There was nothing said from JL to Combat or from Combat to JL.

Q. Did you hear any sound signals from MELBOURNE?

A. No, sir.

Q. You said that until the time of the collision you were wearing head phones over your ears?

A. One side, one was on and one was off.

Q. Did you hear anything said over that headset from any part of the ship?

A. No, sir.

Q. What parts of the ship could you hear if they sent any messages internally?

A. Forward lookout, JL, and combat.

Q. Not the bridge?

A. That's the JL.

Q. You heard no messages?

A. No messages at all.

Q. And you were in a position to hear them until what point of time?

A. Up till the point of impact, but there was nothing said.

Q. Can you tell us what events took place on the fantail after you got there, that you particularly remember?

A. After I got to the fantail, I went to after steering. They have a hole down there; you can look right down in there. There was another watch in there. When I got there he was coming out. Somebody told him to come out and he was coming out so I knew he was OK.

Q. Yes?

A. After I started moving around I knew It was I couldn't hardly move it. So there were a couple officers up there and I sat down for about 5 minutes. MELBOURNE had ropes tied to our stern from her stern and they had 2 ladders from their starboard side to our port side, and they had 2 or 3 of our men - I think they were burnt - going up the ladders already. So they asked if there were any more injured, and I walked over to the ladder and told them I had a bruised arm and they told me to go up the ladder. They tied a rope around me and I went up the ladder to the MELBOURNE.

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Q. And where did you go when you got on deck?
A. After I got up on the MELBOURNE, they took me to a room where they had a lot of cots and couches and I just sat there until they had a corpsman come over and he told me I just had a

Q. Well you stayed below did you and didn't see what was happening on deck?
A. No.

Counsel for the board (CDR Glass): The counsel have no further questions, perhaps the board does?

Senior Member: No.

The witness was duly warned concerning his testimony and withdrew from the board room.

Seaman Apprentice Sydney R. Baughman, U. S. Navy, was called as a witness by counsel for the board, was duly sworn and testified as follows:

EXAMINATION BY COUNSEL FOR THE BOARD

Questions by counsel for the board:

Q. Seaman Apprentice Baughman, you have been called as a witness before the board which is inquiring into the circumstances surrounding the collision of RMAS MELBOURNE and USS FRANK E. EVANS because it is understood that you may have evidence which may assist in it's investigation. I have to tell you that under United States Law, no witness may be compelled to answer any question, the answer to which may tend to incriminate him and that you may refuse to answer any such question. Do you understand what I have just said?

A. Yes, sir.

Q. Would you state your full name?

A. Sydney Robert Baughman.

Q. And what is your present grade?

A. SA.

Q. And your service number?

A. B84 47 52.

Q. And to what organization are you assigned?

A. USS FRANK E. EVANS.

Q. Were you assigned to that ship on the 2nd and 3rd of June?

A. Yes, sir.

Q. And to what division were you assigned?

A. 1st division.

Q. How long have you been in the Navy?

A. Since January 17th, 1968.

Q. And how long have you been assigned to USS FRANK E. EVANS?

A. Since April 6th, 1968.

Q. On the night of 2 and 3 June, were you assigned to a watch?

A. Yes, sir.

Q. And what hours were you on watch?

A. From 0000 until 0345.

Q. And just prior to 0300, what duties were you performing on that watch?

A. Starboard wing lookout.

Q. And where did you have your station as starboard lookout?

A. On the signal bridge above the pilot house.

Q. Was that on top of the pilot house?

A. Yes, sir.

Q. Did you have communications with anyone else on watch?

A. No, sir. The starboard wing lookout has binoculars.

Q. You did not have a sound powered phone?

A. No, sir.

Q. Was there also a port lookout?

A. Yes, sir.

Q. And where was he stationed?

A. He was stationed right across from me on the port side, and he had sound powered phones.

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Q. Did he also have binoculars?

A. Yes, sir.

Q. And how far were you apart?

A. About 5 feet, 6 feet.

Q. And how did you communicate with the bridge from your station?

A. I'd tell him if I had a contact. I'd tell him what positions are and angle...

Q. And what sector were you assigned as a lookout?

A. Pardon?

Q. What was your assigned area as lookout?

A. From 000 to 090.

Q. Recalling the period of about 0300, did you see anything in particular in your sector at that time?

A. Well, my port lookout spotted a submarine which he thought was a submarine. I looked at it and it was not a submarine, it was another ship. I told him to delay the last. At that time I started looking at this helo and that ship also.

Q. Did you observe what FRANK E. EVANS was doing at this time?

A. I knew about making the turn....

Q. In which direction was EVANS turning?

A. Starboard turn.

Q. Did you see MELBOURNE at this time?

A. That time, no. I was looking at the destroyer at the time we were turning.

Q. Was this destroyer ahead of EVANS?

A. It was at 030.

Q. Relative?

A. Yes, sir.

Q. And as you turned did it move off into the left, relative bearing?

A. Yes, sir. Off to the left.

Q. What was the first time you spotted MELBOURNE?

A. When it was about 800 yards away.

Q. How did you estimate that range?

A. Just looking at it. That's the only way you can estimate a range.

Q. And in which direction was MELBOURNE headed when you saw her?

A. About 030.

Q. Were you seeing MELBOURNE's starboard bow or MELBOURNE's port bow?

A. Starboard bow.

Q. And could you tell what MELBOURNE's course was doing at that time. Was she on a steady course or was she turning?

A. That I couldn't tell because - I couldn't tell.

Q. Did you see any lights on MELBOURNE?

A. At the time no.

Q. Had you previously seen any lights on MELBOURNE?

A. Before we collided, yeah.

Q. What was the first time you saw lights on MELBOURNE?

A. About approximately a minute before we collided. This was about 400 yards.

Q. How long would you estimate it was from the first time you saw MELBOURNE until the collision?

A. About a minute and a half to two minutes.

Q. And as I understand it you spotted lights on the MELBOURNE between that time and the time of collision. Is that right?

A. Yes, sir.

Q. And what lights did you see on MELBOURNE?

A. I saw red lights, mostly red lights. I didn't actually see the port or starboard running lights or the mast head lights, I just saw a bunch of lights on the flight deck.

Q. These were along the edge of the flight deck or somewhere else?

A. I couldn't really distinguish all of them, but I saw a lot of lights, red and green lights, mostly all red though.

Q. Did you see any white lights?

A. No, I don't think I did.

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Q. At any time before the collision, could you tell us if MELBOURNE changed course?
A. Just before the collision we - looked like they were making a hard right....

Q. Hard....
A. Hard left.

Q. At this time what was EVANS doing?
A. Making a hard right.

Q. And did you hear any whistle signals by either ship?
A. By MELBOURNE I heard a collision alarm and by our ship we heard nothing....

Q. By collision alarm would you describe what you heard?
A. Well it was a horn like and it went more like (witness demonstrated the approximate sound of a honking horn). It was sort of a high pitched note.

Q. Was it like the collision alarm on the EVANS?
A. Something similar, but not quite.

Q. Did you hear any signals from a steam whistle that you could identify? Any blasts of any sort?
A. No, sir.

Q. By either ship?
A. No, sir.

Q. At any time did you see any navigational lights on FRANK E. EVANS?
A. No, sir.

Q. Did you at any time report what you saw to the bridge?
A. Well the port lookout, I told him to report it and he tripped and got tangled up in the cord, I started yelling down and trying to help him at the same time, I knew then we were going to collide.

Q. And what was the name of the port lookout?
A. Glines (phonetic).

Q. And did he survive the
A. No, sir.

Q. Did anything else occur between the time that you have described where MELBOURNE was about 400 yards away and the collision?
A. No, sir.

Q. Would you describe the collision itself?
A. Well, I spotted the MELBOURNE. Well I didn't exactly spot it, the port lookout spotted it and I still had my binoculars on a ship that was off the starboard side. I tried to follow it but I couldn't, so....

Q. Let me interrupt, I'm sorry. You said "you saw it", what was the relative bearing from you?
A. MELBOURNE?

Q. Yes.
A. 340 about when I spotted it.

Q. And did that bearing change at any time before the collision?
A. No.

Q. It stayed at 340 relative even though EVANS was turning to the right?
A. Well more likely, yes, sir.

Q. Was the EVANS' turn to the right a hard turn or a shallow turn?
A. I'd say standard, about 20 degrees.

Q. 20 degrees rudder, is that what you are referring to?
A. I couldn't really distinguish because there was calm water, and everything, and the ship doesn't lean that much.

Q. Did the ship heel over?
A. When we made a hard right, the ship leaned a little bit.

Q. Was it leaning on this occasion?
A. No, sir. But you could see the bow moving to I saw a halo on the horizon which I could see go in a different angle position.

Q. And then how long was it before the collision occurred? From the time you previously described?
A. Maybe a minute.

Q. And what happened upon collision? What happened to you?
A. I don't know. The ship hit and I was thrown, who knows where really. I was under the ship the next thing I knew, trying to get out.

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Q. Were you in the water?
A. Yes, sir. I came up in a bunch of oil and swallowed a bunch of it and I was laying across a wooden deck grate.

Q. And how were you rescued?
A. By a boat with Australians.

Q. Do you know from what ship?
A. From the MELBOURNE.

Q. And how many other people were rescued in the same boat?
A. I couldn't tell you exactly. I was pretty sick from the oil and everything and vomiting. I'd say about 20 of us in that boat.

Q. To your knowledge were the ones in the boat from the forward section - or the bow section - of EVANS? Do you know?
A. Three that I know of from the bow section.

Q. Going back to the time when you mentioned seeing MELBOURNE at 800 yards. Was this the first time you saw her?

A. Yes, sir.

Q. Did you see any bright white lights on MELBOURNE?
A. No, sir.

Q. Were you injured in the collision at all?
A. My right leg is all.

Q. What type of injury did you have?
A.

Q. Did you see MELBOURNE actually begin a turn to the left? Can you identify a time when this occurred?

A. No, I can't.

Q. You indicated that when you got clear of the ship you were hanging onto a wooden grating, was it?

A. Yes, sir.

Q. Was there anyone else hanging onto the same grating?
A. Yes, sir. Two officers. Mr. Ramsey and Mr. Hopson.

Q. Had you served as helmsman at any time during your watch?
A. No, sir.

Q. Had you served as Lee Helmsman at any time during your watch. You know, on the Engineer's Telegraph.

A. No, sir.

Q. What other positions had you occupied during your watch?

A. I was a messenger and I was up on lookout for two hours. I think I was on secondary conn for an hour, then messenger and then I went up on lookout.

Q. When the port lookout called your attention to MELBOURNE, do you recall the relative bearing of MELBOURNE at that time?

A. About 330.

Q. And as I understand it, then it went to about 340 and remained there until the time of collision?

A. Roughly, I can't say. I wasn't looking I was just estimating at the relative bearing then.

Q. Could you tell where the carrier's bow struck your ship?
A. It looked about mid-ships.

Q. Did it appear to you that it was aft of where you were?

A. Yes, sir. It looked like it was coming right straight at me when I looked up and saw the heli. deck and then that's the last thing I remember.

Senior Member: Would you repeat your answer - I couldn't hear you?

A. Yes, sir. I distinguished that it was going to hit about where I was standing. I looked up and saw the flight deck and that is the last thing I remembered.

Q. Could you tell what part of the flight deck you were seeing?
A. The port side.

Q. Were you above the anchor? Did you ever see the anchor?
A. No, sir.

Q. May I retrace your steps back once more. Back to the time you were looking at the destroyer bearing about 030 relative, is that....

A. Yes, sir.

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Q. And how long after that was it when the port lookout called your attention to MELBOURNE?
A. About two minutes.

Q. And had you seen MELBOURNE at all before your attention was called to MELBOURNE?
A. No, sir.

Q. At the time your attention was called to MELBOURNE, can you as accurately as possible estimate the bearing and range at that time.
A. When I first spotted her?

Q. Yes.
A. Between 330 and 340 when I first saw her. It looked like we were going on plane guard. There was white water in front of him and I knew he was coming towards us.

Q. Do you have an estimate of the range?
A. Like I say, about 800 yards.

Q. Did you first spot MELBOURNE with the naked eye or with binoculars?
A. With my naked eye.

Q. Was it clear enough so that you could tell what course she was on without using the binoculars?
A. No, sir.

Q. Could you tell what part of MELBOURNE you were seeing with your naked eye?
A. Starboard side.

Q. What angle on the bow?
A. About 060.

Q. You would estimate your relative bearing from MELBOURNE as what?
A. You mean the way MELBOURNE was coming?

Q. If you were on the MELBOURNE at that point, what would your relative bearing had been....
A. About 050.

Q. Did your bearing of her change after looking at her with the binoculars?
A. Not so much really. It more or less stayed at that bearing.

Q. You continued to see approximately the same view until collision, is that it?
A. About 200 yards before collision, which was about 7 seconds, 10 seconds I saw MELBOURNE making a hard right and it began to change position then to about 290, then I saw the bow then.

Q. You got more in front of the MELBOURNE at the last minute, is that right?
A. Yes, sir.

Q. While you were in the water, hanging on the grate, did either Mr. Ransey or Mr. Hopson say anything at that time?
A. Not that I can remember, sir.

Q. In the fifteen minute period prior to the collision, did you ever see MELBOURNE in your sector of 000 to 090 relative?
A. No, sir.

Counsel for the board: Counsel has no further questions.

EXAMINATION BY THE BOARD

Questions by the senior member.

Q. Baughman, you recall that you said that perhaps one and a half to two minutes before the collision you saw some lights on MELBOURNE.
A. Yes, sir. Maybe almost a minute before the collision I saw the lights, not even a minute, even thirty seconds....

Q. So it wasn't a minute and a half to two minutes, it was a minute maybe less?
A. It was about a minute and a half to two minutes when I saw her before we collided, I saw the lights about 30 seconds to a minute before we collided.

Q. Were you looking through your binoculars when you saw the lights?
A. No, sir.

Q. Where were the lights?
A. On the flight deck. There were red lights. There is a post with red lights on that went up. I saw a bunch of red lights in the front of the carrier and that is all I can remember.

Q. Below the flight deck there are some openings which open onto the forecastle deck. Are you familiar with appearance of MELBOURNE ahead, other than the close look you got that night?
A. Not that I can remember.

Q. Well, below the flight deck level there are some openings, could these lights have been showing through these openings?
A. No, sir. I mostly saw the lights above on the flight deck.

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Q. Could you describe again as clearly as you can the sound you heard which you describe as a collision alarm?

A. It was an alarm that we are not familiar to. It was kind of a high pitch alarm (witness makes sounds to illustrate).

Admiral Stevenson: How many times?

A. I can't tell how many times.

Senior Member: The board has no further questions.

Counsel for the board: At this time you are privileged to make any further statement related to the subject matter of the investigation that you think should be a matter or record which has not been brought out by the previous questions. Do you have anything to add?

A. No, sir.

The witness was duly warned concerning his testimony and withdrew from the board room.

Senior Member: The board will adjourn for today and meet at the usual time Monday morning.

The board adjourned at 1742 hours, 21 June 1969.

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