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Q. Up to the time of 3 June had FRANK E. EVANS had any particular difficulties in exercises SEA SPIRIT to your knowledge?

A. No, sir.

Q. Had the screening and plane guarding procedures in use in the MELBOURNE group caused any problems for EVANS personnel or the ship?

A. No, sir, they were a little different that we had used before but there were no problems.

Q. Recalling the events of the night of 2 and 3 June, do you recall whether a night order book had been prepared for that night or not?

A. Yes, sir, there had been.

Q. And who had prepared it?

A. I had prepared the night order book for the Captain's approval.

Q. Let me interrupt your testimony at this point to indicate that should any question I ask you require classified information in its answer you should not answer it at that time but should advise the board of that fact and you will be given an opportunity to answer it in a later closed session. However if you can do so, you should answer the question in a general, unclassified way amplifying in a later closed session. Do you understand that?

A. Yes, sir.

Q. Do you recall any particular instruction that may have been in the night orders 2 and 3 June?

A. Nothing that stands out particularly as unusual other than...for some time we had been putting in some specific instructions about how close to come to the edges of our assigned screening area. I had written in a comment that a Surface Action Group was out, that we were to be on the alert for a possible simulated surface attack. Therefore, we were to have certain stations manned which would not have normally been manned in a night operation or a night steaming operation. There were the normal preprinted instructions which said when in doubt call me, speaking of calling the captain, and then of course I had in my navigational difficulties were encountered to ensure that I was called.

Q. Did you see the night orders after they were signed by the Captain?

A. No, sir, I did not.

Q. So you don't know whether he added any additional note or not?

A. No, sir, I do not.

Q. Within the parts prepared by you, did you have any specific instructions with regard to calling the Captain in any particular event in addition to those listed in the standing night orders?

A. No, sir, primarily because the standing night orders were fairly, I think, inclusive including the last admonition to, "If in doubt as to whether or not to call me, call me," that was in the standing night orders.

Q. Was it the Captain's practice normally to sign the night orders as you had written them?

A. I wouldn't say normal practice. He usually added one or two lines, sometimes more, of his own, of particular matters that were coming up that particularly interested him or that he wanted particular action taken. For example, if we were to be detached and I had indicated the detachment, he would sometimes go into a little greater detail and indicate with whom and route to take. He very often did add something to the night orders as written by me.

Q. Do you recall whether the night orders for two and three June included any mention of EVANS assignment as rescue destroyer or plane guard?

A. No, sir. There were no mention as I wrote the night orders about plane guard. There was mention of being prepared to zig zag at any time or to be prepared or to review the rules for zigzagging and ceasing of zigzagging.

Q. Where were those rules to be reviewed, in what publication?

A. They were in Allied Tactical Publication 3 or in the Allied Tactical Publication 1, Volume 1.

Q. You referred to two Allied Tactical Publications, 3 and 1. Was it to both of them or just to one?

A. The particular rules governing the starting and stopping of zigzags are included in ATP 3.

Q. 3 of 3(A)?

A. 3(A) sir, the current edition.

Q. And to your knowledge was that the publication that was in use on EVANS?

A. There were extracts of this publication in use as a part of the operation order under which we were operating.

Q. Going back to the question of plane guarding or rescue destroyer, do you recall whether EVANS had taken rescue destroyer station during the previous afternoon and evening?

A. No, sir, I don't recall.

Q. Do you recall whether a message had been received assigning EVANS this duty?

A. I don't recall such a message.

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Q. Would you normally have been notified of such a message in your capacity as Navigator or Executive Officer?

A. Yes, sir. It might not have been routed directly to me on the message board. However, it would have been delivered to my stateroom.

Q. Would you be called when EVANS was ordered to plane guard station or to "Formation One" in preparation for taking plane guard station?

A. No, not necessarily, unless this had entailed or had come about with a change in base course.

Q. As Navigator, was one of your responsibilities the supervision of the clocks on board?

A. Yes, sir, it was.

Q. Did you have any procedures for checking the accuracy of the clocks periodically?

A. Yes, sir. One of the duties of the quartermaster, or a quartermaster, was assigned as duty on a rotating basis to take a small record book, small 5 by 8 I believe, record book which listed all of the clocks on board the ship and this man was required to go around on a daily basis winding and setting all the clocks.

Q. Do you recall whether permanent records of that were kept.

A. They were kept in this record book, they were indications as to whether or not the clock had to be set.

Q. And do you know whether the record was preserved?

A. Not to my knowledge, sir. It was located in the same box that the chronometers were located in, what was in the chart house which was in the forward portion of the ship.

Q. Did you periodically check the book?

A. No, sir.

Q. Did you find that the quartermasters had regularly performed their duty?

A. Yes, sir, except somebody had inadvertently left my clock off.

Q. Did you straighten that out?

A. Yes, sir, it was a new clock.

Q. Was the forward engine room clock on the list?

A. Yes, sir.

Q. How about the after engine room?

A. I can't remember at the moment what clocks were on there because there were many clocks throughout the ship, but to the best of my knowledge all ship control stations clocks were listed.

Q. Do you recall the time of day such checks were normally made?

A. They were normally carried out in the forenoon.

Q. Do you recall whether any particular clocks had any gross errors in them?

A. No, sir, we had only had one and it had been the quarterdeck clock and it was retired from use and we were in the process of ordering a new one.

Q. Going back to the night orders, what was the general time frame when you usually wrote the night orders?

A. Usually I would start the writing of the night orders with the basic composition of the task group, etc., at approximately 1900, just prior to 8:00 reports. After taking 8:00 reports, I would get the list of "down" equipment" and we would talk over any proposed schedule requirements during the night such as preparations for replenishments or detachments etc., and after discussing these with the department heads or their departmental representatives at 8:00 reports, they would be reflected in the night orders. The night orders were normally signed ready for the Captain's signature by approximately 2000, 2030.

Q. Do you recall what time you wrote them on the night of 2 June?

A. Only within a wide time frame, it was between 20 and 2100 when they were finished for the Captain's signature.

Q. Do you recall what the formation course listed in the night orders was?

A. No, sir. I do not.

Q. Do you recall what zigzag plan was mentioned, if any?

A. No, sir, I do not.

Q. And do you recall whether the mention of reviewing the zigzag rules mentioned a specific publication?

A. No, sir, it did not.

Q. Does that mean you do not recollect or it did not?

A. It did not indicate what publication was to be referred to.

Counsel for the board: Sir, I'm about to move off into another broad area but noting the time I wonder if we could delay that until tomorrow?

Senior Member: Very well, we will adjourn for today and resume at the usual time tomorrow.

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

The board adjourned at 1730 hours, 26 June 1969.

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- SEVENTEENTH DAY -

The board reconvened in executive session at 0830 hours, 27 June 1969.

During this executive session the board reviewed and approved the prior day's transcript and planned future proceedings of the board.

The executive session adjourned at 0900 hours, 27 June 1969.

The board opened at 0920 hours, 27 June 1969.

All persons connected with the board who were present when the board adjourned, were again present. Counsel for the board stated that there were no prospective witnesses present in the board room.

Lieutenant Commander George L. McMichael, U.S. Navy, was recalled as a witness by counsel for the board, reminded of his previous oath and was examined as follows:

EXAMINATION BY COUNSEL FOR THE BOARD

Questions by counsel for the board:

Q. In your testimony yesterday, you indicated that you were the Navigator of the FRANK E. EVANS and that certain of the navigational records were lost in the collision.

A. Yes, sir.

Q. Subsequent to the loss of the bow section of FRANK E. EVANS, has it been possible to reconstruct the Speed-Revolutions Table?

A. Yes, sir. It has.

Q. Do you have a copy of such reconstruction?

A. I do so.

Q. In your opinion is that an accurate representation of the Speed-Revolution Table which was used at the time of the collision?

A. Yes, sir.

Counsel for the board: At this time, I ask that it be marked Exhibit 85 for identification and will tender it to the board for admission into evidence.

EXAMINATION BY THE BOARD

Questions by the senior member:

Q. What was the basis for the reconstruction?

A. The basis of the reconstruction is the memories of the Officers of the Deck who are still with us here in Subic.

Senior Member: Very well, so admitted.

EXAMINATION BY COUNSEL FOR THE BOARD

Questions by counsel for the board:

Q. Lieutenant Commander McMichael, we also developed in yesterday's testimony that you had prepared the Captain's Night Order Book - Night Orders - between the hours of 7 and 9, and they had been delivered to the Captain for signature. At approximately what time did you retire for the night?

A. I retired shortly before midnight the first time, after checking over traffic. Then about 1:15 or 1:20 I was called by the quartermaster, who was having some difficulty in obtaining a LORAN position. So I got up again at that time and went up and worked the LORAN position and returned to my stateroom at approximately a quarter of two.

Q. Do you recall the base course and speed of the formation at either the time you first retired, or at the time you returned to bed after getting a LORAN fix?

A. No, sir. I do not.

Q. Where is your stateroom?

A. My stateroom is located just forward of the wardroom on the port side - main deck level.

Q. Is there anyone else berthed in that same vicinity?

A. Yes, sir. There is another officer's stateroom directly across the centerline passageway from mine. However, we were a little over complement on Chief Petty Officers, so we had put two Chief Petty Officers in the stateroom directly across from mine.

Q. What were their names?

A. Master Chief Machinist's Mate Wright and Senior Chief Gunner's Mate Reilly.

Q. After retiring for the second time, what is your next recollection?

A. My next recollection is being thrown from my bunk amid a loud crashing sound, and finding myself lying on the deck.

Q. And at that time, what did you think had happened?

A. I was sure that a collision had occurred. I don't know why, but I knew that we had collided. I didn't realize the extent of the damage or the seriousness of it at that time, however.

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Q. What was the condition of your stateroom at that time?

A. Well, I really didn't know. As I say, I had been thrown out of my bunk and was lying on the deck, or so I thought. I stood up and reached for where my bunk light should have been and didn't find anything. There was total darkness. I then took a step forward where my desk should have been, pardon me, a step aft - forward in the direction I was facing - and rather than being on the deck I stepped into a hole. At that point, I still didn't know what the hole was. I stepped back, bracing myself, and then felt around with my foot to try to determine what had happened. I still felt that we possibly had struck a glancing blow with somebody and that possibly that portion of the deck house had been badly deformed. But I didn't realize, as I say, how serious it was. I looked up and saw a very faint ring of light, and recognized this to be light leak around the porthole cover in my stateroom. That was almost directly over my head. It should have been on a vertical bulkhead on the port side. So at this point I was pretty well oriented as to where the ship was. I would estimate that it was heeling over some 60 to 70 degrees.

Q. You indicated that it was almost totally dark?

A. Yes, sir.

Q. Is there any installed emergency illumination in that area?

A. No, sir.

Q. Did you have a flashlight or anything else to assist you?

A. I had a flashlight and I knew where it was. I don't think that it had seeped into my head really how far over we had rolled, because I did reach for my desk and it was where I thought it should be. I pulled open the drawer and the ship was heeled over so far that the contents of the drawer fell out and down through the opening in the bulkhead, which was under my feet at this time. So I was not able to retrieve a flashlight. I started to feel around for a second light that I knew was in another cabinet and at that point I heard water coming in below me, and decided that I had better try and find my way out without a flashlight.

Q. Could you tell where the water was coming from?

A. No, sir. The recollection is that the sound of water was below me. It could have been either water coming in through the joiner door at the end of the passageway, or it could have been spilling over the coaming from the Wardroom into the passageway. But I don't know for a fact.

Q. By "below," you would that have been on the starboard side of the ship?

A. It would have been midships... Not midships, centerline. The passageway is centerline and the sound was coming from the vicinity of this passageway.

Q. Could you feel any water at that time?

A. I didn't notice any as I lowered myself into the passageway. However, as soon as I made my way through the opening to the Wardroom itself, the water was up at or near the coaming level of that opening. It was necessary to swim across the wardroom to get out.

Q. Did you see either of the two Chief Petty Officers at this time?

A. No, sir. I didn't see them at that time. If I may back up for a moment.

Q. Yes.

A. Momentarily, after I found myself on the deck and was trying to orient myself, I heard Chief Wright calling to Reilly saying, "Are you all right, Reilly?" I heard a mumbled reply from Reilly and then I didn't hear anything more. I was looking for my flashlight. The next sound that I heard, after the water coming in, was a sound of voices - Reilly and Wright - somewhere aft of where I was. This would be in the Wardroom area. Apparently, they had just made it to the after port door leading out of the Wardroom. I called out, "Is anybody out there?" and Chief Wright replied, "This way, Commander." I followed his voice. They had gotten the door open and at this point, the water was high enough that you could not exit the ship on the main deck level. The easiest point of egress was through an opening to the second deck (sic), the normal opening with the ladder leading up to it. Both chiefs exited directly ahead of me and I followed them out this opening.

Q. Before we get to that point, you stepped, I believe, or lowered yourself through the door of your room into the midships passageway leading into the Wardroom?

A. It would have been the starboard joiner bulkhead of that passageway.

Q. Then how did you proceed from there into the Wardroom. Did you swim or did you walk?

A. I was walking in a semi-crouch from there. It was a half-crouch, half-crawl position, through into the Wardroom.

Q. Is there a door between that passageway and the Wardroom?

A. No, sir. There is not.

Q. Was there any illumination, either in that passageway, or in the Wardroom?

A. No, sir. There was not, except what light was coming through the open after port door.

Q. Is there any emergency illumination in either of those two spaces?

A. No, sir.

Q. There are no automatically actuated battle lanterns?

A. No, sir. In the Wardroom itself, there are mounts for four battle lanterns, which are used when the Wardroom is in use as an emergency dressing station. There are also....

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Q. You mean manually operated?

A. Yes, sir. They are. There are also relay operated lanterns in the Forward Fan Room which is just forward of this passageway. However, there were no relay operated battle lanterns in the passageway itself.

Q. Is there a door between that passageway and the forward space that you just mentioned?

A. Yes, sir, a joiner door.

Q. When you reached the Wardroom, which door did you head for?

A. I headed for the - what normally would have been the port after door leading out of the Wardroom. There is one at the port side and starboard side aft. I went out the one on the port side.

Q. Where does it lead to?

A. It leads into a passageway which is a vestibule at the top of the ladder coming up from the serving line of the mess decks. It joins with the passageway, lengthwise passageway, which runs down the port side of the ship.

Q. Did you see any other personnel at that point?

A. No, sir. I did not. At that point the water was up to the level... As I say, in the Wardroom where I swam from the one opening in the Wardroom to the door in the after port corner. I believe that at this point the mess decks were probably flooded.

Q. Could you tell whether the hatch leading down to the mess lines was open or closed?

A. No, sir. I didn't notice.

Q. And then when you reached that port after door of the Wardroom, was it open or closed?

A. It was open, sir.

Q. Would you state what you did from that point onward?

A. From there, as I say, the two chiefs had preceded me. I followed the same route that they had, which was up through this deck opening. You could not use the ladder which leads up to the O1 deck because, of course, it was lying over at a 90 degree angle by this time or close to it. So it was more half floating and half pulling up through this opening to the passageway outside the chart house which is on the O1 deck, just forward of radio. At this point, the door leading out to the weather deck was open. Both chiefs had climbed out and I climbed out. We stood on the side of the ship in the vicinity of the port hedgehog mounts.

Q. Could you see the two chiefs climb out or did you find them there after you got there?

A. I found them there after I got out.

Q. Were there any additional personnel there at that time?

A. No, sir. There were not.

Q. What was the next action you took?

A. I turned trying to get my bearings, and turned around to survey where we were and what had happened. The first thing that caught my eye and I think - well, it captured my attention and I couldn't look away for a matter of several seconds - was the sight of the mast lying flat in the water. At this point the ship was in a 90 degree roll and was lying perfectly flat in the water. The mast appeared to be intact and I just looked at it and said, "Oh, my God."

Q. How about the port yardarm?

A. I don't remember seeing it. I hadn't thought of it until you just mentioned it. But I am quite sure that if the port yardarm had been there I would have seen it. I don't remember seeing the port yardarm. I remember seeing the tripod - the two legs of the tripod mast.

Q. Were both legs out of the water?

A. They were lying in the water. This ship had, as I said, rolled over to about 90 degrees and was strongly, or markedly, stern down trim. It was so markedly stern down that I felt quite sure that the remainder of the ship was still attached. I didn't realize at this time that the ship had been cut in two.

Q. Could you see anything of the forward stack?

A. I don't remember seeing it, sir.

Q. Did you see anything of the bridge structure?

A. Again, I don't remember seeing the bridge structure at all. My attention was riveted first, as I say, on the mast itself - just the shock of seeing it lying in that position. Then I turned around and looked up and down the hull to see if there was anybody else out on the hull as we were. I did not pay any attention to the bridge structure or CIC structure or any of the deck house areas above me. The area that I was in, the immediate area, was apparently untouched.

Q. How about the port wings of the bridge itself, did you pay any attention to that?

A. No, sir. I did not.

Q. And when you looked up and down to see if you could see any personnel, did you see any?

A. No, sir. I did not.

Q. What was the ship doing at this time?

A. The ship was slowly capsizing. I think it was capsizing more slowly than I thought because it was also settling by the stern. My visual reference point was the mast, and the legs of the mast were going under water at an increasing rate. Thinking back on it, I think this was not solely the capsizing as I had first thought, but I think it was the combination of capsizing and sinking by the stern.

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Q. Did you observe the water around the ship?
A. Yes, sir.

Q. Was it disturbed and was there much debris in it?
A. No, sir. It was very easy to see, there was reflected moonlight on the water. I didn't see any considerable amount of debris. When I went into the water, in fact, I was looking for some debris to hold onto and there wasn't any in my vicinity.

Q. Did you observe the MELBOURNE at this time?
A. Not at this time. I didn't observe MELBOURNE until I had entered the water and swam clear of the ship.

Q. How did you enter the water?
A. I dove in, but it was diving from no more than a couple of feet above the water. It was no long dive into the water. The water level at this time had risen to within, well, my memory isn't too good for the period, but I would say not more than five feet from the skin of the ship where I was standing.

Q. Going back to your initial exit from your stateroom, was there any particular reason that you chose to go through the Wardroom rather than going forward through the fan room?

A. No, sir, other than it was probably an automatic reaction, in that that was the normal route that I followed when I left my stateroom to go topside or anywhere else. Secondly, I heard voices in that direction which tended to pull me in that direction. I am glad I didn't go the other way because the... If I had gone forward the only opening that I could have gotten out of would have been the port side door leading out onto the main deck from the fan room. To get there I would have had to climb, physically attempt to climb, up a vertical deck from the starboard side of the ship up to the port side and push open a heavy, watertight door.

Q. When you were exiting through the Wardroom at that time did you have any specific destination in mind?

A. No, sir. At that time, my purpose was getting out to somewhere where I could determine what destination I wanted to get. At that point I was, let us say, concerned for my life.

Q. You have described how you dove from the ship. What occurred after that?

A. I surfaced immediately and, as I say, I thought the after half of the ship was still attached. I have always heard of the things that happen when cold water hits boilers in sinking ships, so I had visions of this happening. So I rolled over on my back and started back-stroking away and in doing this it gave me an opportunity to watch the ship as it continued to roll over into a fully inverted position - fully capsized. The bow raised up out of the water to something like 50 to 60 degrees elevation and I could see, very clearly, the sonar dome and hull numbers. I had an impression I saw the forward portion of mount 51, the forward 5 inch mount, but it was hard to tell because I was looking at a very oblique angle with the gun mount on the far side. I continued swimming away as the ship sank. I looked at my watch as the bow went under and saw two things. One, that it indicated 17 or 18 minutes after the hour and, two, that I had broken the crystal and there was water entering the watch itself. I can't attest to the accuracy of the time keeping but I think that it was in that vicinity of about 18 minutes after when it went down.

Q. Did your watch continue to run after that time?

A. For about another ten minutes and then it stopped.

Q. Did you see any other personnel on the bow section of the ship at any time other than Chief Wright and Chief Reilly?

A. No, sir. I did not.

Q. How far do you estimate you had gotten from the ship before it sank?

A. At that point I wasn't thinking too well of estimating distances, and trying to think back I can only say that it was something in excess of 20 yards and something less than 60 or 70 yards. I was far enough away that I did not feel any suction or any feeling that I was being pulled down with the ship.

Q. Did you feel any surge of the water at all?

A. I could feel a swirling current of warm water. I don't know if that might have been water from the steaming boiler or heat from the engineering plant, but there was a... I could feel a current of warm water.

Q. Where were Chief Reilly and Chief Wright at this time?

A. Well, to go back again for a minute. We were standing on the side and as the ship was settling by the stern and rolling over, I looked forward and saw nobody. I said to nobody in particular, "We better get off, she's going." I turned around and Chief Reilly and Chief Wright were gone and I went. At this point, I thought we were the last three people to leave the ship, but I don't know this to be a fact.

Q. Did any of the three of you have life jackets?

A. No, sir. Let me retract that. I did not, but I did not notice either Chief Reilly or Chief Wright having one. I'm quite sure that they left the ship without life jackets.

Q. After the bow section of the ship went down, what did you do at that time?

A. Well, as the bow section was going down, it was the first time that I noticed MELBOURNE. I was on the opposite side of the bow section from MELBOURNE. I looked across the bow. If I looked directly at the bow as it was going down, it looked like about 15 to 20 degrees to the right of that, I could see MELBOURNE. The distance to MELBOURNE - again I am not used to estimating distances from the water level under those circumstances - but I would have guessed at something about 500 yards - 500 to 700 yards from where I was.

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Q. Did you see the stern section of FRANK E. EVANS?

A. No, sir. I didn't. Looking at MELBOURNE I did not look closely, because I had no interest at that point in what direction she was pointing. So I could not say which direction she was pointing. So I could not say which direction her bow was pointing, except that she was broadside, roughly broadside to me.

Q. Do you know which side you were seeing?

A. No, sir.

Q. Could you see any lights on MELBOURNE?

A. Yes, sir. I could see a brightly lighted flight deck area. That is how I recognized it as the MELBOURNE. But as to any distinguishable lights. No, sir. I did not see. One thing, on the question whether I had my life jacket or not, I had a life jacket, in fact I had two. I had an inflatable for general quarters and I had a kapok. But in the disorientation and the twisting of my room, I decided that it was better to go without one. I am a pretty good swimmer, and I would rather go out without the life jacket than spend the time trying to determine where it was.

Q. Did you observe any boats in the water at this time?

A. Not at this time, as the bow went down. But very, very shortly thereafter, just a matter of a few minutes - since my watch wasn't working I couldn't give a definitive time frame - I did see at least two helicopters in the air. They had bright lights in the forward portion. They were Wessex helicopters and they had bright lights and were apparently flying around and pin pointing people in the water with their lights. And shortly thereafter I saw what appeared to be a boat. I believe it was from MELBOURNE. It was not a Navy type motor whaleboat. It was one of MELBOURNE's boats, I believe, which was going around where the Wessex was pointing and was apparently picking up people.

Q. Going back a step, do you have any estimate of how long it was between the time between the collision and the sinking of the bow section?

A. My best estimate would be something in the vicinity of three minutes.

Q. How long did you remain in the water?

A. Again, my judgment of time at that period was somewhat distorted, but I would say probably not more than 10 or 12 minutes.

Q. Did anything occur of significance while you remained in the water?

A. Well, nothing really significant. I saw the helicopters pointing out people. They were apparently concentrating on the area furthest from the ship. They were getting people that were a long way away and I could see the boat going from point to point. At one point I thought the boat was coming over to pick me up. I waved, but it went on to pick somebody else up. I wasn't particularly worried at this time because the water was warm, and there was no problem in swimming. I saw a couple of other bobbing heads off to, well, as I faced MELBOURNE they were off to my left about 50 or 75 yards. I called to them to swim over to me as I started to swim over toward MELBOURNE. I thought that we could join up, but about that time a MELBOURNE boat picked those two up and moved on out further to pick up some more people. I decided that I might as well be doing something, so I started swimming toward MELBOURNE. As I was swimming toward MELBOURNE, I heard a sound behind me of a helicopter and the bright light of the helo. I turned around and saw a helicopter above me. He was lowering a sling and I got into the sling and was pulled out of the water.

Q. Did you have any debris or anything else to hang onto at any time?

A. Momentarily. There was a can of lube oil, a small 5 gallon type can of lube oil, partially empty, floating by. I took hold of it, and it was just neutral buoyancy. It was enough to hold it above water until I took hold of it and then it went under. I tried to lift it enough to get some water out of the hole in the top of the can and all that did was push me down under. So I abandoned the can and went on swimming.

Q. Was there any oil in the water?

A. There was some oil but it was lubricating oil. I did not notice any fuel oil, only lubricating oil. I base this both on the smell... I couldn't see, of course, whether there was a black film or anything, but it didn't smell like fuel oil, and when I got on board MELBOURNE and could see myself in a lighted room I didn't have any fuel oil stains.

Q. Did you have any lube oil on?

A. I had a little bit on my shirt. Yes, sir.

Q. How were you dressed during this entire period?

A. My shorts and shirt - T-shirt.

Q. When you were picked up by the helicopter where were you taken?

A. I was taken directly to the flight deck of MELBOURNE where I was deposited. I almost had to fight off MELBOURNE's first aid people. There were two litters there to pick me up and both were trying to tell me to lie down in the litter and I said, "I'm all right." Of course, with the Wessex still turned up and the rotors going, you couldn't hear anything, and they kept pointing down and I kept pointing across the flight deck. Finally, I stepped around them and headed off towards the island structure where a rating picked me up and led me into the island structure. I left the two people with their litters back there discussing it.

Q. Were you injured in any way?

A. I had a couple of minor scratches but nothing that required any medical attention.

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Q. While you were in the water did you hear any cries or conversation of any sort?

A. Yes, sir. I have to go way back for a minute. As the bow section was going under, I could hear a voice calling. It was unintelligible and it was closer to a scream than it was to just calling for help. It was a high-pitched call, and this sound ended when the bow went under. I don't know if it was somebody who was trapped in a portion of the structure, or if it was somebody in the vicinity of the bow section when it went under or when it went down.

Q. Could you see anyone in the immediate vicinity of the bow section?

A. No, sir. I did not.

Q. After you went on board MELBOURNE where were you taken?

A. I was first taken down to sick bay. They wanted to check over anything that I did not know that I had wrong with me. Then I requested that I be taken to the bridge. I was taken to the bridge where I reported my presence to the Captain.

Q. Did you see the Commanding Officer of FRANK E. EVANS at any time?

A. No, sir. At this point I was, well, convinced that Captain McLeMore was dead. I assumed this because, number one, I hadn't seen him. Number two, his sea cabin was on the side of the ship which was under water at the time I got up to the main deck. I just assumed that he was dead. I reported my presence to the CO of MELBOURNE, thinking that I was senior surviving officer.

Q. Was there any conversation between you two?

A. Only my reporting my presence there and him saying, "Why don't you go down and see what you can do for your men," or words to that effect.

Q. What did you do then in response to that suggestion?

A. I went below. I had already met up with the Hospital Corpsman. By chance the Hospital Corpsman aboard MELBOURNE, on exchange from USS KEARSARGE, had previously served aboard FRANK E. EVANS. So I had asked him to try to develop a muster of people as they came on board and were processed through the sick bay.

Senior Member: The board will recess.

The board recessed at 1012 hours, 27 June 1969.

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The board reconvened at 1022 hours, 27 June 1969.

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

LCDR George L. McMichael, U. S. Navy, was recalled as a witness 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. I would like to retrace your steps here one minute, back to the time you exited the Wardroom and went out through to the O1 level.

A. Yes, sir.

Q. Would you state again the reason that you went to the O1 level rather than going out the door on the main deck?

A. Well, the main reason that I went to the O1 level is because I could see light in that direction and I could hear the voices of the two chiefs who were going out that way ahead of me. There is a door on the main deck but I don't even remember seeing it as I went by. So it must have been closed or otherwise I would have seen an open patch of light and I would have headed for that I believe. Again, I think it was the instinct of survival, I think. I saw the light and I headed for the light.

Q. How did you get up to that next level? Up the bulkhead?

A. Yes, sir. I walked across the bulkhead and then, as best I can remember, stood on the handrail of the ladder which led up to the O1 deck. As I got up to the O1 deck still inside the structure of the ship on the bulkhead next to the chart house door, I don't know if it was Chief Wright or Chief Reilly, put a hand down and helped me to the skin of the ship.

Q. And when we recessed, we were at the point where you had seen the Captain on MELBOURNE and were proceeding to take care of the crew.

A. Yes, sir.

Q. The board has heard quite a bit of evidence on the treatment on board MELBOURNE, but would like to hear from you briefly as to the measures taken for obtaining a muster, determining survivors and such things as that.

A. The first step that I mentioned, was that we were trying to get a muster, as people were brought through sick bay. Initially I guess, the bulk of the people were being brought to sick bay, the ones that were brought back from the water. But then I discovered... Still at this point, I thought the after half of the ship had gone down. So I didn't realize there were any other people other than those who were in the water. About this time, I was told that some more of the crew were down in one of the messes of MELBOURNE. I don't know which one it was. And I was escorted down there where I found Mr. Dunne and some of the other officers present. And that was the first time that I found out that the stern was afloat and that they were taken off the stern. My First Class Personnelman was in this group of people and I asked the officers who were there, I don't remember who all was there, but there was a group of 4 or 5 officers, to coordinate with Cook, who was my personnelman, and attempt to get a complete muster. This was quite difficult because the crew had pretty well dispersed out amongst the various messes, berthing areas, sick bay, and so forth on board MELBOURNE. About this time MELBOURNE's personnel, I don't know who instigated it, but somebody started distributing notification forms for next of kin. These were filled out and the first count that we got of survivors which indicated as I remember 216, was based strictly on the count of pieces of paper that were turned in. They were not typed up in any sort of a muster list. When these were put on a single list it was found that there were certain duplications and some people had been counted more than once.

Q. Do you recall the approximate time that this first count of 216 was arrived at?

A. No, sir. I don't. As I say, my watch had stopped and throughout the day I had almost a total nonawareness of the passage of time. It would have been, though, prior to the time I got aboard - prior to the time I left MELBOURNE and went aboard EVERTT F. LARSON. I believe I did get to LARSON about 9 o'clock in the morning.

Q. Going back to your watch again. Prior to the time the crystal was broken and it stopped running, had it kept accurate time?

A. Yes, sir, it had.

Q. And when was the last time you recall setting it?

A. I set it the evening before, just before I went to bed, just prior to midnight. It was set by the clock in Radio.

Q. And is that clock kept set accurately?

A. Yes, sir. As I mentioned yesterday, all the clocks are reset by the quartermaster. But of course he got his time tick to check his chronometer from Radio. Radio reset their clocks whenever we got a time tick or any other time that they felt like getting a time check.

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Q. After you were on board MELBOURNE, did you make any subsequent salvage efforts as to the stern section of EVANS?

A. Yes, sir. After the Commanding Officer, Captain McLeMora, came aboard MELBOURNE, I accompanied him to the bridge where he reported his presence to the Captain of the MELBOURNE. He indicated at that time that he wanted to return to the stern section at the earliest practical moment. Commander Stevens, the Executive Officer, said he would attempt to make a boat available as early as possible. About this period in time the Chief Engineer, our Chief Engineer, LTJG Covert, came to me and asked if he could have my permission for himself and two others to return to the ship, to assist in salvage operations. At this time, we understood that there were some MELBOURNE personnel on board the stern section. Apparently they had been, but they left. I said, "Yes, permission granted, go ahead and take 2 volunteers."

Q. Did he give you any report as to the condition of the stern section?

A. No, sir, except to say that when he left, it looked as if they should be able to control flooding and should be able to keep the stern section afloat.

Q. Had you observed the stern section yourself by this time?

A. Yes, sir, from a range of some 2000 yards. All I could see is that it was well ^{down} by the head. And as I say, I gave him permission to go back. A very short while later, Commander Stevens returned and said a boat was available. I found out that in the interim, the Chief Engineer had already returned to the ship by other transportation. I don't know where he commandeered the boat, but he had already returned. So I got the Operations Officer, the Supply Officer, my Personnelman and the Damage Control Assistant, Mr. Lars, and we all got in the boat and proceeded towards the stern section of FRANK E. EVANS. As we were approaching, we were hailed by the Commanding Officer of the EVERETT F. LARSON, who called us alongside and said that he had been designated to take charge of operations at that time in trying to determine feasibility of salvage. He requested we not go on board until he received a report from his personnel already on the ship. He indicated, however, that our Chief Engineer and the two enlisted personnel with him were on board at this time. We accepted Captain Rilling's offer to come aboard LARSON and wait. We stayed aboard LARSON until she made up alongside the stern section of EVANS. And at this point our personnel started recovering our records. Some of the records had already been removed by LARSON, when there was some doubt that the ship would stay afloat. They had taken some pay records, personnel records, etc. - some of the more important records. Then when it looked like the flooding was controlled, they went back and made a more thorough inspection. The Personnelman collected all the personnel records and correspondence relating to personnel. The Disbursing Officer recovered his disbursing funds in his safe plus his blank checks, money orders, etc. The Operations Officer recovered the contents of his classified material safe, and inasmuch as possible, all classified or valuable or pilferable material was removed from the ship at this time. Shortly after we got alongside EVANS, we got a report from Mr. Covert who had personally inspected the after bulkhead of the Forward Engine Room and had inspected voids and stowage areas including magazines below the water line, and indicated that he felt that the ship...was not only were they able to stop flooding, to plug up the holes, but they were also able to commence dewatering - and he said that it looked to him that it looked feasible to undertake a tow somewhere to salvage what could be salvaged. Also at this time, by the way it was believed for Captain Rilling to bring LARSON alongside, was to rig casualty power to the hoist for our variable depth sonar in order to raise it to a position where the ship could be towed. It was hanging some distance down in the water.

Q. Did you yourself go aboard FRANK E. EVANS?

A. No, sir. I did not.

Q. Are you satisfied that appropriate measures were taken to remove records, classified material and personal effects that were left?

A. Yes, sir. I am. I was aboard and did - not a spot inventory, but a spot check of all material brought on board, and those few articles for example, from Ship's Office which were not there, I asked to be brought. To the best of my knowledge, we took off everything which was easily removable or appropriately removed at that time.

Q. And where was this material safeguarded?

A. It was placed in the in port cabin of Commanding Officer, LARSON under guard - officer guard.

Q. Have you received any subsequent reports after returning to Subic, as to pilferage on board the stern section?

A. Yes, sir. In one instance, an officer indicated that he had \$300.00 which was there when he left the stern section, but was not there when he returned.

Q. Is that the only instance that you know of?

A. That is the only instance that I can be sure of. Other people were missing minor articles but in the chaos that prevailed in, the after berthing areas. I would hesitate to say that anything was purposely pilfered. I think when we cleared out that section and when we came in here, the fact that we ended up with, I believe, 27 laundry bags full of personal gear of one type or another, is more likely where the personal belongings went. This material by the way, was turned over to the Naval Station.

Q. You have no firm basis that the money itself was pilfered, other than it was missing upon return?

A. Yes, sir.

Q. It could have been lost in the general chaos as well.

A. He also lost 2 FRANK E. EVANS lighters as well, alongside the money.

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Q. And how long did you remain in EVERETT F. LARSON?

A. Again, my time frame is in question. When I came aboard they were eating breakfast and I left as they were getting ready for lunch. I sent a message over to MELBOURNE to be passed to Commanding Officer, FRANK E. EVANS, giving a quick rundown of what transpired and saying unless otherwise directed I would get first available transportation back to MELBOURNE. At this same time or just a very few minutes thereafter, I was told by the Commanding Officer of LARSON that I had been directed to return to KEARSARGE rather than MELBOURNE. And only about 10 minutes later, I left LARSON enroute to KEARSARGE and immediately upon arrival reported to Commander, ASW Group One.

Q. What FRANK E. EVANS personnel remained either on the stern section of EVANS or in the LARSON at the time you left?

A. At the time I left, LT Dunne, the Operations Officer, LTJG Suhr, the Supply Officer, PNI Cook, my leading Personnelman, LTJG Lare, and LTJG Covert, remained either in LARSON or on EVANS.

Q. And at the time you left who was controlling the salvage operations?

A. The Commanding Officer of LARSON.

Q. You indicated that Mr. Covert went into the magazine, didn't you? Did he report their state to you?

A. Yes, sir. There were four rounds, 4 projectiles which had apparently been bounced out of their battens or out of their storage area, and were lying loose on the deck. Those four projectiles were jettisoned over the side and other than that, there was no apparent damage, and the magazine themselves were dry, as were all voids. One shaft alley was reported as partially flooded.

Q. Had the tug, TAWASA, moored alongside by the time you left?

A. No, sir.

Q. Subsequent to the initial personnel survivor count of 216, was another count made?

A. Yes, sir.

Q. Approximately when was this completed?

A. It was after the transfer of all survivors to KEARSARGE. It would have been in the midafternoon, I would say, of the 3rd of June.

Q. And what was the final count arrived at of the number of survivors?

A. 199 survivors, 74 lost.

Q. And of the 74, were the bodies of any recovered?

A. Yes, sir. One.

Q. And have you since that time compiled a list of the personnel on board?

A. Yes, sir. Such a list has been compiled and is the process of being typed up for submission to this board.

Q. When will it be ready?

A. Within the hour, possibly after the noon recess.

Q. At the time FRANK E. EVANS rolled over, just before she sank, the bow section that is, did you hear any noise of any kind?

A. Just a loud crashing sound. The closest thing approximating it was an automobile collision I was involved in many years ago.

Q. Did you hear any air rush out?

A. No, sir. None that I remember. I have a vague memory of a very short duration of a rush of steam. A whoosh or whistle of steam, but it was of a very short duration.

Q. Could the noise you heard have been the anchor chain shifting as the ship rolled over?

A. No, sir.

Q. Did you hear anything that you identified as the anchor chain shiftings?

A. I heard some sounds when the ship was actually sinking that I thought might have been the chain shifting in the chain locker. That was while I was in the water, while I was swimming and my head was in the water. I could hear sounds from within the hull of the ship. It sounded like either equipment or possibly the chain bouncing around at that time.

Q. Returning to the events prior to the collision, do you recall the projected track of the formation - the general direction of that track?

A. Yes, sir. I do.

Q. And for your eight o'clock position reports, the previous night, 2 June, do you recall what that projected track was?

A. No, sir. I don't. There was nothing to make it stand out in my mind. There was just another night and another 2000 posit. I remember it passed close to the combat pay and tax exemption zone but outside it.

Q. You don't know the general direction?

A. Yes, sir. Southwesterly.

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Q. Southwesterly. Do you know the speed of advance, approximately?
A. I do not recall.

Q. Do you recall the course and speed made good since the 12 o'clock report?
A. No, sir. I don't.

Q. You indicated that you were called sometime between then and 2 A.M.
A. Yes, sir. Shortly after 1 o'clock

Q. Who was on watch at that time on the bridge, the officers?
A. The watch at that time was Mr. Ramsey and Mr. Hopson.

Q. Do you recall who had the conn?
A. No, sir. I do not. I only stepped out on the bridge momentarily when I went up there. I took the posit that I had gotten, gave it to the Quartermaster of the Watch and to the watch in combat. Just stepped out long enough to look around and went back down below.

Q. Who were the officers on watch in CIC?
A. Mr. Brandon and Mr. Armstrong.

Q. Could you tell us the qualifications of each of the officers who were on watch during the midwatch?

A. Yes, sir. Starting with the most junior, it would have been Mr. Armstrong. He was an Ensign. However, he was a former 1st Class Electronics Technician - enlisted man. He had been aboard the ship for less than a year. However, he was well thought of in the ship and was a well-qualified CIC Watch Officer.

Q. Was he the top watch in CIC?
A. He was the CIC Watch Officer. The other officer present, Mr. Brandon, was senior to him. But Mr. Brandon's position was as Gunnery Liaison Officer, or GLO. And the supervision of the CIC Watch as such was Mr. Armstrong's.

Q. And what were his watch standing qualifications?
A. He had stood the same watches in CIC and rotated between CTC and JOOD on the bridge ever since he came aboard the ship. Well, this is true of all the officers in a normal 4 section watch underway. So every 4th watch they are up there for 4 hours, either as CIC Watch Officer or Junior Officer of the Deck.

Q. And had he officially qualified for any particular watches?
A. No, sir. Both Mr. Brandon and Mr. Armstrong were JOODs and, well, they were both considered qualified for CIC Watch Officer.

Q. Was there any formal process for qualifying CIC Watch Officers as there was for Officers of the Deck?

A. No, sir. It was no formal requirement. It was based on recommendation of the Operations Officer and as watched by the CIC Officer. I would present this to the Commanding Officer for inclusion on the Officer Data Control Report, ODCR.

Q. And then would you tell the board the qualifications of Mr. Brandon?

A. Mr. Brandon reported aboard last summer. Immediately he was assigned duties as First Lieutenant. And he was in all respects an outstanding officer. He was one as normally referred to as "head and shoulders officer." He had set about gaining qualifications as an Officer of the Deck. He had been slowed down some because he came aboard just after we entered the shipyard, so he had no opportunity during the summer last year to be underway. And then in refresher training, he also was unable to. But commencing with the underway period in November and December, and again in January, February and March, prior to deployment, he was making an active effort to expedite his qualifications. Just the 2 or 3 days before the time collision, I had informed him that the Captain and I had been discussing him, and it was our intention to send him prior to the end of the cruise, back to San Diego to go to the ASW Officer's School, to become the ship's ASW Officer.

Q. Do you have any knowledge as to whether either or both of these officers had completed the CRUDESPEC Officer's Indoctrination Course?

A. They were in the process. Each officer had the type commander's indoctrination course, or general information course. As each officer came aboard they were given the course and required to hand in their assignments. I don't in my own personal knowledge know how many of the assignments he had completed, but I know there were quite a few. For example, the Officer Tactical Schools that I mentioned yesterday, were the forum where a good share of the information that is put into these course books was discussed, and brought out in classroom type surroundings. So he would have had the benefit of both that and practical experience on the bridge and in CIC.

Q. Would you speak of the qualifications of LTJG Ramsey?

A. LTJG Ramsey was aboard the ship before I came aboard last year. He had been aboard a year and a half or so. He had been standing OOD I watches for quite a while. I don't remember exactly how long, and I lost my little informal record book. I had a small black book that I kept my comments on officers, primarily for writing fitness reports and notes for the Commanding Officer. He had just recently started standing his own OOD(F)...

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Q. "F" meaning Fleet?

A. Fleet Operations, yes, sir, watches. He had not been so qualified in writing. This was more an administrative matter than a matter of fact. Our ODCR was somewhat confused when they changed over to a computer of some sort, and we had not gotten several changes into the official records.

Q. Did you consider him in all respects qualified for OOD, Fleet Operations?

A. I personally felt that he was so qualified. When the senior watch officer presented to me a watch bill with him listed, or with him in the position of the OOD, during Fleet Operations, I had no qualms at all about taking this watch bill to the commanding officer, and recommending approval of the watch bill as it stood.

Q. To your knowledge, had the commanding officer approved his standing OOD Fleet Operations watches?

A. Yes, sir, he had.

Q. And do you recall how many such watches he may have stood prior to the 3rd of June?

A. No, sir, I do not.

Q. Had he stood them since the ship left the West Coast for its WESTPAC deployment?

A. As I remember, not for the entire period. It was - again my small black book with dates would be some help - it was sometime into the deployment before he was standing Fleet OOD type watches. Of course, at time too, during the break-in period, if you want to call it that, the watch bills were normally tailored so that if you had a comparatively new OOD then you would put on an older CIC Watch Officer, to check against the bridge watch in combat. We tried to maintain balance of the qualifications between the bridge and Combat teams.

Q. If then LT Ramsey was recently qualified, do you consider that ENS Armstrong was the balancing factor there?

A. Yes, sir, I do. ENS Armstrong, though as I say, he is a junior officer, was highly qualified, I felt, CIC Watch Officer. He was also Electronics Warfare Officer and he knew CIC better than many of the radarman.

Q. Was that from your personal observation?

A. Yes, sir.

Q. Did you observe him in performing top watch in CIC?

A. Yes, sir, and he was a very positive leader of the watch section.

Q. How about his recommendations to the officer of the deck?

A. He made recommendations when such were required or were normally called for and he made them in, normally, a positive manner. The recommendation usually went out on sound powered phone, and if the OOD questioned the recommendation, he would usually either call up on the 21MC or even step out on the bridge to pursue the point.

Q. Do you have any knowledge as to the accuracy of his recommendations?

A. I never saw him make what I would consider a gross mistake, or any mistake. Any two people sitting down and working out a maneuvering board solution will differ by a few degrees or a knot or a half of knot in speed, but never anything that would put you in an embarrassing situation.

Q. Would you comment on the qualifications of LTJG Ramsey. What were his primary duties on board?

A. He was the Communications Officer.

Q. What were his qualifications for that particular job?

A. He had been to Communication School and had been in the billet for about nine months, I believe. He had served as Assistant Communications Officer before that. And I felt that he was a well qualified Communications Officer.

Q. Do you feel he was well qualified in shackling and unshackling codes?

A. Yes, sir.

Q. Would you now speak to the qualifications of LTJG Hopson?

A. Sir, LTJG Hopson, was another officer who was aboard when I came aboard. He reported aboard a year ago last fall. Shortly after reporting aboard he was ordered to Engineering Officer's School in San Diego. When he got out of that school, which I believe is an eight week course, he returned to the ship and assumed duties as the Main Propulsion Assistant, which duties he had as of the day of the collision. He is still assigned as the MPA. He was with the ship throughout the yard period and throughout the refresher training period which followed the yard period and was on board for all underway periods following the yard period, and regularly standing CIC watches and JOOD watches underway.

Q. And what qualifications as officer of the deck had he attained?

A. He was still qualified as JOOD only.

Q. He had no underway qualifications as OOD?

A. No, sir. We were working on him, for example, well, as with the bulk of the officers, he had been given opportunities to handle the ship alongside. For example, at replenishments, refuelings, coming in and making up to a buoy, mooring alongside another ship in a nest. He had done all of these functions and had shown considerable improvement. Since we have been at sea regularly following the Christmas leave period.

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Q. Has his duties as Main Propulsion Assistant inhibited the process of qualifying him as OOD?

A. I think they may have, because, he took his duties as MPA seriously. He had perhaps more than the average officer's, or the average person's capacity for listening to the problems of others. I think he sometimes, in dealings with his subordinates, spent a lot of wasted effort in chasing down things for people. But it was all done in what he felt was a manner best for the men assigned to him. He always held the conditions under which his men worked and the problems they had as of prime importance to him as division officer.

Q. Do you recall whether there were any standing orders from the Commanding Officer, as to the closest approach the ship should make to a carrier?

A. No, sir, I don't remember any such in the standing orders.

Q. Do you recall if there were any directives of any sort to the officers of the deck on that subject?

A. Not in particular with carriers - with heavies in general. The Captain more than once said, and I had reiterated it on more than one occasion, "Don't turn towards the heavies."

Q. And where had this been said?

A. Various places. It had been said in tactical school sessions, speaking of ship maneuvering, ship handling sessions. About every other refueling on the bridge. Normally in a refueling situation, we had a conning officer and an officer of the deck, who had the deck, and another officer or two up there watching, the junior officer who had not done it themselves. And personally when I would be talking to such people who were just standing by watching the approaches, for an UNREP or making the initial join-up for UNREP - I couldn't say definitely which of the officers I told this, but I would say the majority of them I have said the same thing, "Don't turn towards the heavies."

Q. Were you ever given the conn in any of these maneuvering situations?

A. You mean to be taken away from somebody else - -

Q. No, sir.

A. Do it myself, yes, sir, I have.

Q. What did you consider to be the limits that you would approach a heavy ship, from the bow and other approaches?

A. Well, this would much depend on the situation of the moment. If I were coming from the opposite direction and I were on a steady course and steady speed, for example, on converging courses with a carrier who I was to fall in astern of to plane guard, I wouldn't hesitate and I haven't hesitated to pass within 2500 to 3000 yards on reciprocal courses, and then make the turn to fall in astern.

Q. How about if you were required to cross ahead, what would be the closest approach that you would consider permitted?

A. I would prefer not to lay down anything that would put me closer than 3000 to 4000 yards, and I'm quite sure the CO of the carrier would prefer me not to.

Q. LCDR McMichael, I have just handed you what purports to be the Standing Night Orders of FRANK E. EVANS, already admitted into evidence as Exhibit 13. Do you recognize that particular copy?

A. Yes, sir, I do.

Q. There are certain pen and ink changes on there. Would you state what they signify?

A. Yes, sir. The Standing Night Orders, as originally written in March of 1968, did not cover adequately some changed circumstances and as a result this was in the process of change and upgrading. For example, the nature of the screening that we did make it impractical to call the Commanding Officer for every course change. If you are patrolling station, you are changing course almost constantly. Also the section on Navigation and the responsibilities of the OOD with regard to safe navigation of the ship, were not as complete as we felt they should be. So those were being brought up to date.

Q. What was the status as to their being in effect at the time of the collision?

A. This set of Night Orders had not been promulgated. It was, well as the annotation across the top in my hand writing is "New rough, please," these were for submission to the Commanding Officer to be promulgated as an effective instruction of USS FRANK E. EVANS.

Q. As I to understand from that then, that the Night Orders, as printed or as typewritten there, unmodified by the handwritten notes, were the Night Orders that were in effect on the 3rd of June?

A. I believe they were, to the best of my knowledge, except as modified by the handwritten notes in the Night Order Book.

Q. And do you recall what handwritten notes were in there, that modified the Standing Night Orders?

A. Other than in my testimony yesterday, I would have to say over an extended period of both, well, the written notes and in responses to the OODs, as there were some modifications. For example, the question of notifying the Commanding Officer of all changes of course and speed. The Commanding Officer had made it know to OOD and I had made it known to them in my notes as Navigator, that it was not required that all changes in course and speed be reported. Only changes in course and speed other than those being used in patrolling station. For example, a change in formation, base course and speed, change in a zigzag plan in use, change in any of these which were going to effect an overall change in the track made good of the ship. The other thing is for example - -

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Q. Now, the part you were talking about. Those were the changes that would affect the notification of you as Navigator, or the Captain? Would you clarify that, please?

A. I wrote them in the Navigation section, saying that as Navigator I wanted to know changes in base course and base speed and to insure that these were properly noted in the quartermaster's notebook, as changes in base course and base speed. The Commanding Officer had also, verbally, and I don't remember whether this had been placed in the Night Orders at any time or not, that he also did not require every course and speed change. For example, in the situation of patrolling station.

Q. I would like to pin that down a little more precisely if we can. The written Night Orders as I understand it, required that the Captain be notified of each course and speed change, is that correct?

A. Yes, sir.

Q. Now, specifically under what circumstances had the Captain relaxed that requirement?

A. When patrolling station.

Q. Was that the only exception?

A. The only one to the best of my knowledge. There is one thing here that you can't say is really a course change. For example, a change to a new station. That was covered in the Night Orders, also. This of course entailed a course change but the course change as such was not reported. It would normally be "Captain, we have been ordered to plane guard station. I am coming right or I am coming left," or whatever to assume station.

Q. Did the Night Orders require that such a change be reported to the Captain?

A. Yes, sir. Any change in the formation required notification of the Commanding Officer.

Q. Do you have any knowledge as to whether this requirement was uniformly enforced by the Captain?

A. I have no knowledge of the uniformity of the enforcement. I know I have been present on various occasions when...on every occasion that I have been present he has been informed. I have not been when he wasn't.

Q. Does that include nights as well as days?

A. Yes, sir.

Q. And what was the normal procedure for informing the Captain in those cases?

A. Oftentimes he would be on the bridge, in which case it was just verbal walk over to his Captain's chair and tell him. After he had retired, it was by sound powered telephone with a buzzer in his sea cabin. Or if he were in the wardroom also by sound powered telephone and buzzer.

Q. I believe you indicated that LTJG Brandon was on watch as the Gunnery Liaison Officer, is that right?

A. Yes, sir.

Q. How often was it necessary to put a Gunnery Liaison Officer on watch during SEA SPIRIT?

A. We had one up there, as I remember, most of the time in SEA SPIRIT, as in the various phases of the work-up, we had gunnery exercises, etc, leading up to the actual departing for the major portion of SEA SPIRIT.

Q. During SEA SPIRIT did you always have two officer on watch in CIC?

A. No, not always.

Q. Who stood that watch when you didn't have an officer there?

A. Well, very seldom was it that there wasn't an officer available. The only times that I can think of were in straight steaming situations, not maneuvering, when we had a briefing, officers tactical school or exercise briefing, OpOrder briefing, or something like that, and we wanted the maximum number of officers available, in which case either of the two first class radarman, La Liberate or Lehman would be given the assignment as CIC Watch Officer.

Q. Would there be any officer in CIC during that period?

A. No. There have been times when there was no officer in CIC.

Q. Does that include during SEA SPIRIT?

A. I don't remember an instance when there were not any officers in Combat.

Q. Did all of your officer watch sections for Sea Spirit include two officers in CIC?

A. No. For example, we went to a straight Condition IV watch for the UNREP for the day preceding, in which case there was one officer in CIC.

Q. Did you always have a JOOD on the bridge?

A. Yes, sir, always.

Q. Going back to your statement that you were called about 0155 I believe, to take a Loran check. Do your quartermasters standing bridge watches normally take such fixes?

A. Yes, sir. But commencing last December and January, we rather got in the habit of taking hourly fixes and with Loran it doesn't take that long and it's a good way to keep track of your position and also keep track of changes in the Loran signal that if you only went down every 4 hours to take them, you might end up matching the wrong wave.

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Q. Were all your watch standing quartermasters qualified for this job?

A. Yes, sir.

Q. How about your JOODs?

A. The JOODs had a working knowledge and given the time would be able to work out a Loran fix. - I wouldn't say they were fully qualified in Loran navigation.

Q. Then I understand, it was really the quartermaster's function.

A. Yes, sir. The quartermasters were, because you had to leave the bridge in order to take a Loran fix. The Loran set is physically located in the charthouse which is on the 01 deck.

Q. And if the quartermaster could not get a fix, whom would he call?

A. He would notify the OOD and call me.

Q. Returning to the question of notification of the Captain. Do you know of any occasion when the Captain was not called by the OOD in accordance with his Standing Orders?

A. The only ones I know of, a few instances, but that was where the Captain called the bridge first. For example, you are about to go into a plane guard station, and the first thing you do before you head for station is get the word, we are going to, pass the word to station the plane guard detail. So the Captain on those occasions, I have seen him pick up the phone and call the bridge and ask them when flight ops were scheduled to commence or whatever. But other than that, I have no personal knowledge of instances wherein he was not notified.

Q. How soon after passing the word, would the Captain call the bridge under those circumstances?

A. Immediately. This would normally be when he was not in a location where he would normally be, for example, down in the Chief's quarters or passing through the ship's office. Somewhere when the OOD would probably be trying to call for him either in the wardroom or in his inport or in his sea cabin. And the times that I saw him call were usually when he was not in one of those three places.

Counsel for the board: Counsel has no further questions of this witness, sir.

Senior Member: The board has no questions for LCDR McMichael at this time.

Counsel for the board: Sir, we would like to recall him briefly for the introduction of the survivor and casualty list when that is completed in final form. LCDR McMichael, at this time, you are privileged 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, that has not been fully brought out by the previous questions. Do you have anything that you would like to add?

LCDR McMichael: No, sir, I do not.

The witness was duly warned, excused subject to recall, and withdrew from the board room.

Senior Member: We will have a brief recess.

The board recessed at 1119 hours, 27 June 1969.

The board reconvened at 1135 hours, 27 June 1969.

Senior Member: The hearing is open.

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

Counsel for the board (CDR Glass): The board is convened again in open session. It is noted that no persons likely to be witnesses are present.

LTJG Robert B. Suhr, U. S. Naval Reserve, 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 (CDR Glass):

Q. You have been called as a witness for this board of investigation because it is understood that you have evidence that may assist the board in its investigation. Under United States law no witness may be compelled to answer any question, the answer which may tend to incriminate him and you may refuse to answer any such question. Will you state your full name, grade and organization?

A. Robert Bruce Suhr, LTJG, Supply Corps, United States Naval Reserve, USS FRANK E. EVANS (DD-754).

Q. On what date were you commissioned in the U. S. Navy?

A. 17 August 1967.

Q. And when did you report on board USS EVANS for duty?

A. 6 April 1968.

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Q. And what had been your experience between those two dates?

A. I went to Supply Corps School at Athens, Georgia.

Q. What duties were you performing in USS EVANS?

A. I was the Supply and Disbursing Officer.

Q. And at the time of the collision, where were you?

A. I was asleep in one of the after staterooms, my stateroom.

Q. And what first brought the collision to your notice?

A. The first thing that I noticed, I awoke on the deck of my stateroom. I was lying in six inches of water.

Q. What was the state of illumination in your stateroom?

A. Very poor. I had a curtain which was the curtain between my stateroom and the passageway, quite near the head of my bunk. There was a battle lantern, an automatic battle lantern which had gone on in the passageway and I could see that that light was on. The curtain was somewhat transparent.

Q. And did you provide yourself with any other illumination?

A. Yes, sir. I did. I had a flashlight in one of my drawers which I immediately picked up.

Q. Were you able to detect the manner in which water was entering your compartment?

A. No, sir, I was not.

Q. What were the actions you performed before leaving your compartment?

A. Well, as I say, I awoke, and immediately stood up. My first reaction was I thought our air conditioner in After Officers Quarters had broken a water line, which it has done several times and we have had a little bit of water in the after passageway. That was my first reaction. I got up and grabbed my flashlight and reached down to pull one of my deck level drawers open because I knew that I had a tape recorder down there. By this time I had my flashlight in hand and as I pulled the drawer open, I noticed that although the water was on the deck, water was also running out of the top of my bunk. And - which was above the waterline, so I had the immediate impression - the first reaction, I thought we had a hole in the side of the ship - on my side of the ship and it was running out from there. I then put on my trousers and a pair of shoes and went out into the passageway.

Q. And did you meet any other persons there?

A. Yes, sir. I did. LTJG Garrison, whose stateroom door is immediately opposite mine in the passageway, was looking for his glasses and he didn't have a light. I stopped and helped him look for his light and just fortunately found it lying by the door.

Q. Helping him looking for his light or his glasses?

A. For his glasses, sir.

Q. And having found them, what did you then do?

A. We then went out. I went out the passageway forward and went out to the starboard side of the ship on the main deck.

Q. What did you notice when you arrived there?

A. Well, in a manner of speaking, I noticed that someone was saying that the front of the ship was gone. I heard this, but I was going forward on the ship expecting to go to my general quarters station, which is in Radio. As I went forward, I confirmed the fact that the forward portion of the ship was missing.

Q. And where did you then proceed?

A. I went back to the fantail of the ship.

Q. How many persons were present there when you arrived, approximately?

A. I would say 40 or 50.

Q. Did you observe any among them who were injured?

A. Yes, sir. There were several people that were on the fantail. One in particular was . . . Another one appeared . . . and was sitting on a bollard.

Apparently, as I say he was . . . he didn't seem too much in his senses. This was Chief Macayan.

Q. And did you render any medical aid to these men?

A. Yes, sir. I did.

Q. Would you tell us what you did?

A. Yes, sir. Several people came up to me and asked for help. They were cut, and some people were asking me to get help to the burned people. So I asked if they could try to find a first aid kit for me. Immediately someone had one, so we started looking through the first aid kit trying to find some pain killer. The one . . . person seemed to be in quite a bit of pain.

Q. Do you know what his name was?

A. Yes, sir. His name was Peters.

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Q. Would you continue to describe what aid you rendered?

A. Yes, sir. I looked through the bags of first aid equipment looking for some type of an injectible anesthetic. I couldn't find any. I did find, either it was aspirin or APCs, so I gave a quantity of these to Peters. And after that I stood up and yelled to all the people on the fantail, that if anybody had any wounds that I could perhaps bandage, come over there. I had several people come over that had head injuries, nothing real serious. The blood was running down on their clothing from their heads but it didn't appear to be anything too serious. All I did was to put some long bandages on them, to try to keep them as clean as possible.

Q. Was it your opinion, that with the resources you had, you were able to provide the first aid needed by the people on the fantail?

A. Yes, sir. Definitely.

Q. Did you take any action with regard to distribution of life preservers?

A. Yes, sir. I became involved in a little bit of a chain of life preservers. Where they were coming from, I really didn't know at the time. But I was just standing in the area after I had completed my first aid work, and I just started passing them out to insure that everyone had one.

Q. And was the situation reached, at some stage, that everyone had a life jacket?

A. I really can't answer that, Commander. I don't know. Everyone that I saw had one, but I easily could have missed one that did not.

Q. Was anything done by you in regard to liferafts?

A. Yes, sir. Upon completion of the distribution of the life preservers, several people were working on the starboard side of the ship. I went over and assisted them. The liferafts apparently had been lying on the main deck and they had to be lifted over the lifeline. They seemed to be having difficulty in getting them over the lifelines, so I went over there and assisted them in throwing one or perhaps two over. I don't recall whether it was one or two.

Q. In which direction were they thrown?

A. I was on the starboard side of the ship and I threw it off on that side.

Q. And did you observe whether it functioned properly or not?

A. Yes, sir, it did. It inflated. As I recall one of the men got down into the raft and they were looking for a paddle and I held my flashlight so that they could rummage around inside the liferaft. I believe it had some type of tent arrangement on it, which apparently does not come up automatically, that they were trying to look inside and determine where the paddles were located.

Q. Did it seem to you to be fully inflated?

A. Yes, sir. The ring itself, the exterior of the liferaft, seemed to be fully inflated.

Q. Returning for a moment to the question of first aid, did you have in the kit, available, any cream or other suitable medicament for treating burns?

A. I didn't see any in there, but I think that current philosophy on the treatment of burns, Commander, is not to use these immediately. It's actually been found recently to be bad policy to put this on until the true extent of the injury can be assessed. So I wouldn't have put any on even had I found any.

Q. And was it for that reason that you didn't look, and can't tell us whether it was there?

A. I didn't really look for it, sir. I looked for pain killer and that was all. I did not see any though.

Q. Can you describe for us the condition of people on the fantail as regards orderliness or otherwise?

A. Very orderly. No sign of panic whatsoever. People, I think, can only be characterized as in a daze, at least for the first portion of the time that we were back there. But very orderly, I would say.

Q. Was something done in regard to a lifeboat in your presence?

A. Yes, sir. We went back and people were trying to free the boat from the davit.

Q. Which boat was this?

A. The lifeboat.

Q. On which side?

A. On the starboard side. We have only one on the ship.

Q. Yes, I know. And?

A. This appeared to be unsuccessful. I just looked at that momentarily and then paid no more attention to it.

Q. Are you able to tell us what frustrated those efforts or not?

A. No, sir. I really am not.

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Q. What can you tell us with regard to the evacuation of people on the fantail to RMAS MELBOURNE?

A. Well, we were back there and I would say for about - I would guess 10 minutes. Of course, by this time everyone realized that we were right alongside the carrier and I think this helped to alleviate any panic which might have arisen. Then, at a point at which I'm not quite sure where it came, people started gravitating...to move up what I saw was the ECM deck. Most of the people had already left the fantail by this time. There was no one that required any type of first aid and everyone seemed to be moving. So I climbed up the ECM deck and over to the MELBOURNE.

Q. And what arrangements were made and transactions carried out when the survivors reached MELBOURNE?

A. Well, we were on the deck of MELBOURNE and we had quite a group by this time. I think most of the people were off the ship by this time. And there was an Australian officer, of what rank I have no idea, but I seemed to be the only officer on the deck at that time, so I asked him where he wanted us to go. He said, "Well, let's go down to the messdeck." So he provided someone to lead us down and I gathered all the people who were on the main deck, flight deck, of MELBOURNE and we started going down there. We just kept people in a continuous line and then led them down to MELBOURNE at which time coffee was given out and we started mustering procedures.

Q. Can you tell us anything about the filling in of next of kin forms?

A. Yes, sir. The members of the Australian Navy provided next of kin forms and were dispersing them throughout all the men, and requesting that they be filled out.

Q. Are you aware of an erroneous estimate having been made in the first place and the reasons for that? That is the estimate of the number of survivors?

A. Well, I think if you mean that perhaps more than one next of kin form was filled out, yes. In fact, I filled out two myself. Although I did tell the individual who gave me the second one that I had already filled one out, it was requested...An Australian officer said, "Fill one out again and we will sort them out, but we want to make sure we get one." This was requested, yes, sir. And that may have contributed to it, I am sure.

Q. And were the difficulties of determining the exact number in any way contributed to by the fact that people were in different compartments?

A. Very much so, and we can only characterize it, I think, as a very fluid state. Of course the people who were badly injured were taken directly to sick bay. Those who had come down with me were milling around. They were being clothed. The corpsman came down and called for all lesser injuries. Anyone who suspected themselves of having any type of injury to please come down to sick bay. Well, this happened right in the middle of the muster I was attempting to take, and it did make it rather difficult to get one.

Q. Until what hour did you remain in MELBOURNE?

A. Commander, I really can't answer that. My whole concept of time...but I would say, I would guess 2 hours. That would be my best guess, but that is very much subject to plus or minus an hour easily.

Q. And whenever it was, where did you go from MELBOURNE and by what means?

A. Well, we had the assembly of a salvage party. LCDR McMichael, LT Dunne, LTJG Lare and myself got on a boat with intention of going back to the ship, to attempt to salvage disbursing, other supply and personnel records. We stopped at the USS LARSON, at which time the LARSON's Commanding Officer told us we were not to proceed to the EVANS until he gave us specific permission. We boarded LARSON, stayed there for about 2 hours, I would say, waiting permission to go over to the ship.

Q. And when that time was up, how did you get to the ship?

A. I took a boat from LARSON over to the EVANS. She was lying about, I would say, 100 or 200 yards off the hulk at that time.

Q. And when you boarded the after section of EVANS, what actions did you take?

A. I went to my disbursing office and opened the safe and picked up - I had two suitcases at the time - I picked up as much of the money...Well, all of the cash, excluding change which I had and put it in the suitcases, and as many of the checks and money orders that I could carry, or as the suitcases would accommodate, and looked around to find any other records I felt that were critical and then went back to the boat and took the boat back to LARSON.

Q. What did you do about ship's stores and ship storerooms?

A. At that time, I did nothing about ship's stores and ship's storerooms, on that trip. I did make a second trip.

Q. When was that?

A. After the LARSON had come alongside the ship. I had in the meantime counted my funds with the Disbursing Officer of the LARSON and had turned the money over to him. And by that time we were directly alongside. I went back at that time.

Q. And what did you do on that second trip?

A. Well, I more or less picked up the remainder of the items - the remainder of the money orders, the remainder of the blank Treasury checks and any other items that I felt, you might say on second thoughts, would be critical should the after section sink.

Q. And have you taken all necessary actions promptly to account for the matters under your control in the ship?

A. Yes, sir. I have.

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Q. And may I ask, besides cash, what other principal items?

A. Well, primarily, of course, we have the repair parts which have been off-loaded. They have been put into storage and are going to be at a later time turned over to the Supply Center. The ship's store items have been transferred to the USS PIEDMONT. The supply accounting matters, as far as repair parts, have been taken care of with the Type Commander. And the subsistence items were also turned over to the Supply Center with credit issued.

Q. Can you tell us what system is laid down to be followed by Supply Officers in a situation of this kind and the extent to which the emergency prevented you from following them?

A. Well, unfortunately, I don't think to the best of my knowledge, there is a procedure. There is, I know, that we have discussed, when I was at Supply Corps School, particularly in the disbursing area which is one of the most sensitive areas, I recall in case of an emergency the first thing that you want to save is the last money list, which would, in effect, allow you to with this one piece of paper - allow you to reconstruct all the pay records for each of the individuals. Beyond that, particularly as far as funds are concerned, I was unable to find anything in my manuals which would give me instructions on this. Now, this was a current topic because in casual conversation both with the Executive Officer and Commanding Officer I had discussed this, say within the last 6 or 8 weeks, and I had attempted to determine the answer and I had attempted to determine the answer and I couldn't find any answer.

Q. Is it your belief that the instructions as far as you knew them were carried out at the appropriate time?

A. Yes, sir, they were.

Q. There is one remaining matter that I wish to invite your attention to and that is the location of the potatoes kept in USS EVANS. Firstly, were they stowed in a locker structure, or not?

A. No, sir, they were not.

Q. What area did the potatoes occupy on the deck of the ship?

A. They were on the port side of the ship about 30 feet aft of the wardroom on the port side.

Q. I show you Exhibit 41 and ask you if you would put a cross on it to indicate the position of the potatoes as they were at the time?

The witness did as directed.

Q. And what is the center of an area on which was a stack of potatoes, how long, how wide and how high?

A. Well, of course the area was lengthwise with the ship. The long measurement ran with the length of the ship. It was 12 to 15 feet long. The structure consisted of 100 pound bags of potatoes which were piled on pallets, so it was about a width then of about 3 to 3½ feet and I would say they were piled about 4 feet high.

Q. And were any steps taken to contain those bags in position?

A. Yes, sir. On the bulkhead upon which they were placed, there were hooks installed. There were also hooks on the deck. Over this was thrown a large cargo net which was secured to these hooks.

Q. Did you, when you left the ship for the first time, take with you a copy of the last money list?

A. No, sir, I did not.

Q. Was there any particular reason for that omission?

A. No, sir, there wasn't. I did not have a key to my office in which I could have gotten this item with me. It was locked in my stateroom at that time, or in the safe in my stateroom where I kept my keys. And so I would have had to go in my stateroom, open up the safe, take that out, go back to the disbursing office and get the money list, which since we had just held a payday and it was still in the process of being closed out, could have been located anywhere within the ship at that time. Excuse me, not within the ship, but within the disbursing office. Not within the ship itself.

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

EXAMINATION BY THE BOARD (Cont'd)

Questions by the senior member:

Q. Mr. Suhr, in settling accounts and closing out the matters as to which you as Supply and Disbursing Officer of FRANK E. EVANS had responsibility, what discrepancies have been encountered?

A. Well, I was short a little bit in my cash, but on \$110,000 I was a dollar and fourteen cents short, but as to any other discrepancy, I don't see that there were any.

Q. Were you able to determine that ship's store stock and other pilferable items in the after portion of the ship were then satisfactorily safeguarded and that accounts in these matters balanced?

A. To the best of my knowledge, Admiral, yes, sir, they were. The laundry was used as one of my ship's stores storerooms. You will recall that the break was right at the laundry. My other two storerooms and my ship's store were intact although goods were damaged within, and I don't believe there was any method into these until I went back on after the ship came into port here.

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Q. Was the accountable ship's store operator among the survivors?
A. Yes, sir, he was.

Q. In closing out all of your accounts, have you had any significant assistance from commands other than USS FRANK E. EVANS?

A. Yes, sir, I have. I have had assistance not only from the 70.8.5, 70.8.1 and ships within the squadron which have given assistance, as well as the people at the base here, the supply center for example, have been very helpful in many ways.

Senior Member: For the record we might indicate that 70.8.5 and 70.8.1 are the local Cruiser-Destroyer Flotilla and Type Commander representatives in WESTPAC.

Senior Member: The board has no further questions of Mr. Suhr.

Counsel for the board (CDR Glass): Mr. Suhr, you are informed that you have a privilege to make a further statement covering anything related to the subject matter of the investigation that you think should be a matter of record and which has not been fully brought out by questions to date. Do you wish to add anything?

LTJG Suhr: No, sir, I do not.

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

Senior Member: The board will recess until 1330.

The board recessed at 1210 hours, 27 June 1969.

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The board reconvened at 1356 hours, 27 June 1969.

All person connected with the board at the time it recessed were again present.

Counsel for the board: Let it be noted for the record that there are no persons in the room who are prospective witnesses for the investigation.

Counsel for the board: At this time, Counsel for the Board calls Lieutenant Commander Klorig.

Lieutenant Commander William N. Klorig, 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. Lieutenant Commander Klorig, you have been called as a witness for this board on 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. 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. Do you understand what I have said?

A. Yes.

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

A. William N. Klorig, Lieutenant Commander, and I am the Salvage Engineer for Harbor Clearance Unit Number ONE.

Q. And on the 3rd of June 1969, in your capacity as Salvage Engineer, were you called upon to take any particular actions with respect to USS FRANK E. EVANS?

A. Yes, sir. I was.

Q. And what was that action?

A. The action was to proceed to the scene of the collision or wherever the remaining portion of EVANS was and conduct salvage operations on EVANS, acting in the capacity of the Officer in Charge of the Salvage Operations.

Q. And was that operation completed?

A. Yes, sir. It was.

Q. And have you submitted a report thereof?

A. Yes, sir.

Q. I have before me a document entitled "Post Salvage Report on USS FRANK E. EVANS (DD-754), submission of, from Commanding Officer, Harbor Clearance Unit ONE to Commander Naval Ships Systems Command, Supervisor of Salvage," and it is marked Exhibit 86 for identification. Is that the report which you have submitted of the salvage operation?

A. Yes, sir.

Q. This report is signed by B. R. Winant III. Is he the Commanding Officer of your unit?

A. Yes, sir. He is.

Q. Was this report prepared by you?

A. Yes, sir. It was.

Q. And does enclosure (1), entitled, "Chronological Narrative," accurately describe the events as you saw them?

A. Yes, sir. It does.

Q. Paragraph 1 therefore appears to be based on information not personally observed by you. To your knowledge is the information contained therein accurate?

A. Yes, sir.

Q. Is it based on reports received by you?

A. Yes, sir. It is.

Q. At this time I have given you Exhibit 86 and ask you if there are any additional remarks that are relevant to the salvage operations which are not included therein?

A. No, sir. I don't believe there are.

Counsel for the board: Under those circumstances, Counsel for the board tenders Exhibit 86 marked for identification into evidence and asks that it be admitted.

Senior Member: It may be so admitted.

Q. Lieutenant Commander Klorig, did you experience any particular difficulties in this salvage operation?

A. None that could be called extraordinary. Each salvage operation is relatively unique. There are always difficulties, but there were no extraordinary ones in this one.

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Q. Were there any actions taken prior to your arrival on the scene which impeded or made the operation more difficult?

A. If I may be permitted a question?

Q. Yes.

A. Do you mean efforts which took place at the salvage scene?

Q. Yes.

A. Prior to my arrival?

Q. By LARSON Personnel or EVANS Personnel or other persons attempting to take salvage measures before you arrived?

A. No, sir. Quite the contrary. We thought the efforts taken by both LARSON and TAWASA personnel and possibly by EVANS personnel themselves, prior to our arrival, definitely enhanced the salvage operation. When we arrived on the scene and made a preliminary inspection, we discovered that valves in most of the systems, in fact virtually all of the systems, which could conduct flooding waters into the intact spaces, had been closed. This was a prompt and effective action taken by people on the scene before we did arrive. We felt that the ship was in exceedingly good condition when we arrived, and we just continued the efforts that had been started.

Q. Did the Ship Repair Facility have a representative on this salvage operation?

A. Yes, sir. Two of them.

Q. Would you identify them please?

A. Commander John Ulrich and Mr. Jack Thompson.

Counsel for the board: Counsel for the board has no further questions of this witness.

EXAMINATION BY THE BOARD

Questions by the senior member:

Q. Mr. Klorig, were you in command of the salvage operation in toto or were you the principal technical advisor to someone else who was in command?

A. Sir, the normal way of assigning duties in conjunction with a salvage operation would be to appoint an Officer in Charge of the Salvage Operation who was physically present on the wreck or vessel to be salvaged. And another officer, usually the senior one among the salvage ships participating, designated as being the On-Scene Commander. The way the thing normally works is all those actions which are taken aboard the stricken vessel are directed or carried out under the direction of the Officer in Charge of the Salvage Operation. All the supporting ships are under the command of the On-Scene Commander. Responsibility for the salvage operation itself falls to the lot of the Officer in Charge of the Salvage Operation.

Q. And in this operation, your role was as Officer in Charge of Salvage?

A. Yes, sir.

Q. And who was in command of the operation?

A. There were two, sir. Until the CO of the DELIVER arrived, it was Commander Bender, the Officer in Charge of the USS TAWASA, who assumed the On-Scene Commander duties.

Q. And he was then relieved by Commanding Officer USS DELIVER?

A. Yes, sir. Sir, I think I mentioned Commander Bender. Commander Bender is CO of the TAWASA, Commander Belson is CO of DELIVER.

Senior Member: Very well. The board has no further questions of Lieutenant Commander Klorig.

Counsel for the board: At this time Lieutenant Commander Klorig, you are privileged to make any further statement covering anything related to the subject matter of the investigation and that you think should be made a matter of record in connection therewith which has not been fully brought out by the questions you have been asked. Do you have anything to add?

Witness: No, sir. I do not.

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

Lieutenant Commander John L. Ulrich, 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. Lieutenant Commander Ulrich, you have been called as a witness for this board of investigation, which is inquiring into the circumstances surrounding the collision of RMAS MELBOURNE and USS FRANK E. EVANS, because it is understood that you have evidence which may assist the board in its investigation. 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. Do you understand what I have said.

A. Yes.

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Q. Would you state your name, your grade and your present organization?
A. Lieutenant Commander John L. Ulrich, USN. I'm presently the Planning and Estimating Superintendent at Ship Repair Facility, Subic Bay.

Q. Mr. Ulrich, the board understands that you were involved in the salvage operation of USS FRANK E. EVANS. But, it is not in that capacity we want to examine you today. In your capacity as Planning and Estimating Superintendent of the SRF, have you at the request of the board either made or caused to be made certain estimates as to the damage to USS FRANK E. EVANS?

A. Yes, sir.

Q. And by whom were those estimates made?

A. They were made by planners and estimators, Philippine citizens, employees of SRF Subic Bay, who are employed as planners and estimators in their respective trades.

Q. And are they members of your department at the SRF Subic?

A. Yes, sir. They are.

Q. And do you consider them competent in their field of planning and estimating?

A. Yes, sir. I certainly do.

Q. And do you have the results of the estimates that were made at your direction?

A. Yes, sir.

Q. Could you produce them at this time?

A. Yes. (proceeds to hand documentation to counsel for the board).

Counsel for the board: We will mark them Exhibit 87 for identification.

Q. Do you have a copy in front of you also?

A. Yes, sir. I do.

Q. Lieutenant Commander Ulrich, the document that is marked Exhibit 87 for identification has a break down of 8 separate items of repair for a total cost of repair of \$553,689. And an estimate total of \$600,000. Could you state what that means?

A. Yes, sir. The arriving at the individual figures 1 thru 8, was done in a number of ways. There were 10 planners and estimators who went aboard the EVANS and actually looked at the damage. In addition, we had other people obtaining return cost figures from similar damage - similar situations on other ships where SRF had been involved. The figures that you see here on this sheet are arrived at in one of the two ways. The hand written note at the bottom that says \$600,000 was placed there by the senior man in the job planning branch. He stands between me, organizationally, and the planners and that is his comment.

Q. Is that to provide for contingencies of the job, that additional amount?

A. Yes, sir.

Q. Now does that amount represent the entire amount it would be required to restore EVANS to her original condition?

A. No, sir. That is for frame 92 1/2 aft.

Q. Do you have any additional estimates for the remainder of the ship?

A. Yes, sir.

Q. And where were they obtained?

A. Commander Wilkens, who is the Planning Officer at SRF, had called NAVSHIPS, the new construction people, and requested that figure for replacing in kind - forward of frame 94.

Q. And did you receive from BUSHIPS an estimate in answer to that request?

A. Yes, sir. By message.

Q. And do you have a copy of the message there?

A. Yes, sir.

Q. Is that a true copy of the message received by SRF Subic?

A. Yes, sir.

Counsel for the board: I would ask that you give that to the messenger and we will mark that Exhibit 88 for identification. Do you have another copy in front of you?

A. No, sir. I do not.

Q. Would you indicate the content of that message? If it is unclassified.

A. Yes, sir. It is Unclass. EPTO. It's from NAVSHIPS Systems Command to President INSURV, info CNO, and among others, SRF Subic. The text is "NAVSHIPS takes para 2 ref. (a) for action. In accordance with ref. (a) NAVSHIPS provides the following costs for USS FRANK E. EVANS DD-754).
A. Acquisition - 8, 068,524. B. Replacement - 23,000,000. C. Repairs and Modernization - 20,710,000. D. Scrap Value - 40,000. E. (2c) based on cannibalization of forward section of M&D Type ship."

Q. And based on the estimate received from Naval Ships Systems Command and from the estimate made by your own personnel, have you compiled a total estimate as to the costs of repairs of EVANS?

A. Yes, sir.

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Q. And what is that amount?

A. The total would be the sum of 20,710,000.00, and with our \$600,000 would make it 21,310,000.

Counsel for the board: Counsel requests the admission of Exhibit 87 and 88 marked for identification.

Senior Member: So admitted.

Counsel for the board: Counsel for the board has no further questions of this witness.

EXAMINATION BY THE BOARD

Questions by the senior member:

Q. Mr. Ulrich, in the NAVSHIPS Systems Command message of 10 June, Exhibit 88, the acquisition cost cited includes what items of the ship's structure and equipment?

A. Is that the initial figure of 8 million dollars, sir?

Q. Yes.

A. I'm not positive of the specific items in there. I would assume that it refers to the total cost of the ship as it was accepted by the Navy with whatever equipment and equipage that was aboard when it was accepted by the Navy, originally. Presumably including hull, major machinery and things of that nature.

Q. And, approximately, what year was that?

A. I do not know, Admiral.

Q. Well, let's assume the ship was commissioned during World War II - '43, '44, '45. Would that figure then be in '43, '44, '45 dollars, or would it be in current figures?

A. You're asking me to read something into NAVSHIPS that I cannot really do, Admiral. I would assume that it was the cost in dollars of the day of the cost.

Senior Member: I request counsel to clarify those points. The board has no further questions of Mr. Ulrich. These Exhibits, 87 and 88, may be submitted.

Counsel for the board: Mr. Ulrich, at this time you are privileged to make any further statement covering anything related to the subject matter of the investigation, and that you think should be made a matter of record in connection therewith which has not been fully been brought out by the questions which have been asked. Do you have anything to add?

Witness: No, sir. I do not.

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

Commander Robert B. Moss, U.S. Navy, was called as a witness by counsel, was duly sworn and testified as follows:

EXAMINATION BY COUNSEL FOR THE BOARD

Questions by counsel for the board:

Q. Commander Moss, 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 have evidence which may assist the board in its investigation. 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. Do you understand what I have said?

A. Yes, sir.

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

A. Robert B. Moss, Commander, United States Naval Reserve, presently attached to the U.S. Naval Ship Repair Facility, Subic Bay as the Production Officer.

Q. Do you have any additional capacity with the Board of Inspection and Survey?

A. Yes, sir. I do.

Q. And what is your connection with the Board of Inspection and Survey?

A. I am President of the Sub Board of Inspection and Survey, Subic.

Q. And as President of the Sub Board of Survey, Subic, did you either make or cause to be made certain inspections of USS FRANK E. EVANS subsequent to her arrival in Subic Bay following a collision with HMAS MELBOURNE?

A. Yes, sir. I did.

Q. And have you made any report of that inspection?

A. Yes, sir. I have.

Q. I have the SRF Subic - date time group I will not give - message to PRM INSERV dated the 10th of June 1969 marked as Exhibit 89 for identification. I ask you if this is the report that you made of your inspection?

A. Yes, sir. It is.

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Q. And does that report accurately summarize the conditions on board the USS FRANK E. EVANS as you found them?

A. Yes, sir. It's my opinion that it does.

Q. Based on that report, has the Department of the Navy taken any action with respect to USS FRANK E. EVANS?

A. I believe that they have.

Q. And what is that action that has been taken?

A. I believe that they have concurred in the recommendation. This concurrence was in the form of a message which recommended that FRANK E. EVANS be stricken from the Naval Register.

Q. Do you, of your own knowledge, know what action is being taken on that recommendation at the present time?

A. It's my understanding that the FRANK E. EVANS will be decommissioned and that she will be stricken from the register.

Q. On what date?

A. I believe the date is the 30th of June.

Counsel for the board: Counsel requests that Exhibit 89 be admitted into evidence.

Senior Member: Received.

Witness: Mr. Counsel, I might correct myself. I believe I said the 30th of June, I believe the date is 1 July.

Counsel for the board: Counsel through other evidence will establish the existence of the fact of decommissioning to which he has testified. I believe we will provide better evidence of those facts.

Senior Member: Very well.

Counsel for the board: Counsel has no further questions of this witness, sir.

Senior Member: The board has no questions of Commander Moss.

Counsel for the board: Commander Moss, you are advised that at this time you are privileged to make any further statement covering anything related to the subject matter of the investigation and that you think should be made a matter of record in connection therewith, which has not been fully brought out by the questions which have been asked. Do you have anything to add?

Witness: No, sir. I have nothing to add.

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

Lieutenant Commander George L. McMichael was recalled as a witness by counsel for the board, reminded of his previous oath, and testified as follows:

EXAMINATION BY COUNSEL FOR THE BOARD

Questions by counsel for the board:

Q. Lieutenant Commander McMichael, do you recall my question to you concerning the preparation of a list of personnel on board USS FRANK E. EVANS at the time of collision and their current status?

A. Yes, sir.

Q. Has such a list been prepared?

A. Yes, sir. I have it with me.

Q. And are you satisfied as to its accuracy?

A. Yes, sir. I am.

Q. And from what records was this list prepared?

A. This was drawn from service records of the personnel involved which are still on file in Naval Station, Subic.

Q. And was it based on the records of the ship as they existed prior to the collision?

A. They were based on the records of the ship prior to the collision as updated and annotated following the collision.

Q. And you are satisfied that the list is an accurate representation of all the personnel aboard...

A. Yes, sir. On the day of the collision, as I testified earlier, we had 273 persons out of whom 74 were killed - 199 survived. The list indicates 199 survivors and 74 deceased.

Q. By whom was the list prepared?

A. I prepared it.

Counsel for the board: May we have the list marked Exhibit 90 for identification and based on the testimony of Lieutenant Commander McMichael, Exhibit 90 is tendered, and admittance into evidence is requested.

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EXAMINATION BY THE BOARD

Questions by the senior member:

Q. Does this listing include those persons that were attached to USS FRANK E. EVANS but who were not physically aboard?

A. No, sir. It does not. It includes only those persons physically on board the ship at the time of collision.

Senior Member: Exhibit 90 may be admitted.

EXAMINATION BY COUNSEL FOR THE BOARD

Questions by counsel for the board:

Q. Lieutenant Commander McMichael, are you aware of the disposition of FRANK E. EVANS personnel following their return to Subic?

A. Yes, sir.

Q. And what date did the personnel return to Subic on board the KEARSARGE?

A. We returned to Subic on Saturday the 7th. My calendar watch was broken.

Q. Salt water damage?

A. Yes, sir.

Counsel for the board: The board can take judicial notice that Saturday is the 7th of June.

Witness: I believe we got in on Friday. Friday the 6th, there were 196. I believe 2 were hospitalized. One had been released already on Emergency leave and had left on the day of the collision.

Q. And what day did the stern section of the EVANS....

A. Monday, the 9th.

Q. Do you recall what date the bulk of the crew departed the Philippines?

A. Yes, sir. 153 men departed on the afternoon of the 9th.

Q. Where did they depart for?

A. They departed from here on a chartered air liner from Cubi Point to Long Beach, California.

Q. And do you know what the disposition of those personnel was when they arrived in the United States?

A. Yes, sir. They were all granted immediate leave. They have since, at their leave addresses, the bulk of them have received permanent duty station orders.

EXAMINATION BY THE BOARD

Questions by the senior member:

Q. Did they have anything to say about what those orders would be. Were they asked to express preferences?

A. Yes, sir. They spent the best part of a day with CTU 70.8.1, who himself was here, running through item by item, choice by choice, with the men explaining the availability of various billets. Those that were close to being in the SEAVEY segment coming up were told they would be issued shore duty orders. I think everybody got his first or second choice if the first and second choice were possible.

EXAMINATION BY COUNSEL FOR THE BOARD

Questions by counsel for the board:

Q. Certain of the personnel obviously suffered personal losses in the case of clothing and personal effects and so forth. Do you know what action was taken to compensate personnel for those claims?

A. Yes, sir. They were told before to make up a list of what they lost while it was fresh in their minds. When we arrived here in Subic they put the forms in the proper triplicate form that are required. In the meantime, authorization had been received here for the claims to be adjudicated on the spot by a representative of NAVSTA Subic, who is Lieutenant Commander Briceau. To the best of my knowledge, every man who left here on that flight on the 9th, had the bulk of his seabag replaced in kind and any personal belongings or money which he had lost was paid to him in cash prior to departure. Those persons who are still here were granted the same privilege. Most of us delayed ours until the initial rush was over, but I believe that everybody that is still here or who has remained behind has also had their claim processed.

Q. Do you know, following completion of today's proceedings, how many personnel will be retained here in Subic?

A. No, sir. I have not been informed.

Counsel for the board: No further questions of this witness at this time, sir.

Senior Member: The board has no further questions for Lieutenant Commander McMichael at this time.

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Counsel for the board: You are advised that you may make any additional statement that you think is pertinent at this time.

Witness: I have no further statement.

Counsel for the board: You are reminded of the warning as to not discussing your testimony with anyone.

Witness: Yes, sir.

Counsel for the board: Thank you. You are excused.

Counsel for the board: Sir, at this time counsel for the board has no further witnesses to call. There are a couple of areas that you have asked for exploration which we have not been produced yet. I would also advise the board that counsel for Lieutenant (junior grade) Hopson has advised counsel for the board that Lieutenant (junior grade) Hopson does not wish at this time to add anything to the testimony which he has previously given. You will recall that he reserved until later the opportunity to make a final statement, and we are advised that he has no such statement at this time.

Senior Member: Very well. The board intends to devote the next several days to analysis of the evidence received to date. The date of resumption of hearings will be announced when firm and the board herewith adjourns.

The board adjourned at 1440 hours, 27 June 1969.

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-EIGHTEENTH DAY-

The board reconvened at 0843 hours, 5 July 1969.

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

Senior Member: The board is now open.

Counsel for the board: This is an open session of the board.. Anyone who may be a witness is required to withdraw at this time.

Fireman Robert Lockwood, U. S. 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: Fireman Lockwood, 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 have evidence which may assist the board in its investigation. 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. Do you understand those rights as I have explained them?

A: Yes, sir.

Q: Would you state your name, your rate, and your present assignment?

A: Robert Lockwood, FN, assigned to FRANK E. EVANS.

Q: And were you assigned to FRANK E. EVANS on 3 June 1969?

A: Yes, sir.

Q: How long have you been in the Navy?

A: A year and 10 months.

Q: Do you recall the date that you were assigned to FRANK E. EVANS?

A: January the 2nd, 1969.

Q: And prior to that time, were you assigned to any other ship?

A: No, sir.

Q: And to what division were you assigned on board FRANK E. EVANS?

A: "M" Division.

Q: And what were your principal duties in that division?

A: To work in the forward engine room on machinery and to stand watches there. I also stood watch in the forward engine room.

Q: And what types of watches did you stand in the forward engine room?

A: Throttle watch, evaporator watch and messenger watch.

Q: Were you assigned to a watch on the midwatch of 3 June 1969?

A: Yes, sir. I stood the throttle watch.

Q: Inviting your attention to the period of about 0300 to 0310 on that watch, do you recall the speed, the revolutions, that were rung up, being generated at that time?

A: Yes, sir. 206 revolutions.

Q: And to what does that correspond in knots, if you know?

A: Off-hand I think it's 22 knots.

Q: Do you recall how long that engine order had been rung up?

A: No, sir.

Q: Had it been steady for some time, do you know?

A: Almost all night that night we were pretty well jumping around to different speed changes.

Q: In what speed range, do you recall?

A: Up around the same we were going at the time.

Q: About 22, in that vicinity?

A: Yes, sir.

Q: Do you recall any bell signal about that time?

A: The bell we got just before the collision was a back full.

Q: And how was that received, in what sequence? Do you recall?

A: They rung it up, and we tried to answer it, but didn't have enough time to.

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Q: And what did you do when they rang it up?
A: I grabbed the astern throttle and Peters, who was standing the messenger watch, grabbed the forward throttle and that's all the time we had.

Q: Did you manage to turn the astern throttle at all?
A: No, sir.

Q: And what was the next thing that happened at that point?
A: The collision.

Q: How were you aware that a collision had occurred? What happened to you and what did you observe?
A: Well, the lights went out and I couldn't see very much, but I was thrown down on the deck and thrown up against the throttle board, at the time of the collision.

Q: Did you notice a clock at anytime during this period?
A: No, sir.

Q: Was there a loud noise associated with the collision?
A: Yes, sir. The ship coming into us. That's the only noise we heard - the collision itself.

Q: And after being thrown into the throttle board, what did you do next?
A: Well, the steam came in and I grabbed hold of Baughman; then the water started coming in and we said, "Let's get out of here," and we tried to get up the ladder and the ladder wasn't where we thought it would be - under the hatch.

Q: Now, which hatch are you referring to?
A: The inboard hatch.

Q: And that's on which side of the engineroom?
A: Port side.

Q: Is that forward or aft in the engineroom?
A: Forward.

Q: Forward part of the forward engineroom, port side?
A: Yes, sir.

Q: The hatch runs into what, the port passageway?
A: Yes, sir.

Q: And when you found that the ladder did not go to that hatch, what did you do next?

A: We started looking for the hatch. And we heard somebody say, "Here's the hatch over here," and I still had a headset on so I had to take it off and threw it aside, and we started going for where they were. And I started to get out and I heard Peters say, "Where is the hatch?" So I said, "Over here," and reached for him and helped him over, and we got out. I was the last one out of the engineroom.

Q: And when you said, "they" called out that the hatch was over there, who was doing the calling out?

A: Peacock.

Q: Peacock?
A: Yes, sir.

Q: And where were you at that time?
A: I was still standing by the ladder.

Q: What level of the engineroom was that?
A: Up around the overhead, the water was up to our waist and we were standing about 3 feet below the overhead on the ladder.

Q: And do you recall where Chief Macayan was at the time of the collision?
A: Just before he was right near the throttle board. But at the time of the collision I didn't see him until after I got out on the fantail.

Q: At the time that you indicated that you assisted ... Peters, was it?
A: Yes, sir.

Q: Where was he located in relation to you?
A: He was off to my left hand side. Where I couldn't say, because it was dark down there. I just heard a voice and reached for him.

Q: Could you see any emergency illumination at all?
A: One battle lantern was going off and on every once in a while, but that was all.

Q: And where was this located, do you recall?

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A: Off to my right hand side.

Q: Which side of the ship would that be on?

A: Port side.

Q: Was it in the lower portion of the engineroom or the upper portion?

A: Top portion.

Q: And it would have been above the water or below the surface of the water?

A: Well, it was just about in the water.

Q: You indicated that the water came up. Can you give an estimate of how rapidly the water rose in the engineroom?

A: Well, at first it was coming in real rapidly, but then it started slowing down. And when I got out it, was about 4 feet from the overhead.

Q: Do you recall how you managed to climb up to the hatch without a ladder being there?

A: I just started moving my feet around and anything I could stand on I stood on. And then Peacock reached his arm down and I grabbed hold of it and he pulled me out.

Q: Was Peacock outside the hatch when he did that?

A: Yes, sir.

Q: Were you floating on the water as you went up also?

A: Yes, sir.

Q: Do you have any idea as to what happened to the ladder, that it was not by the hatch?

A: Well, not at the time, but the only thing we can think is that it was moved, broke loose at the top.

Q: That was by the force of the collision?

A: Yes, sir.

Q: You indicated that at the time of the collision occurred you were wearing a phone set, and you took it off. Did that phone set become entangled with anyone else?

A: Yes, sir, it became entangled on Baughman's foot.

Q: And how did he get out of the phone set?

A: I got it off his foot.

Q: Do you have any clear picture as to the order in which the personnel in the forward engineroom exited the hatch?

A: Not a real clear picture. Like I said I was a little bit away from the hatch and couldn't see very good.

Q: As I understand it, you were the last man to leave the engineroom, were you not?

A: Yes, sir.

Q: Do you know who went just ahead of you?

A: Peters.

Q: And do you know who went ahead of him?

A: It was either Peacock or Baughman, I'm not sure.

Q: At the time you went through the hatch, how far was the water from the overhead of the forward engineroom?

A: About 4 feet.

Q: And when you were pulled through the hatch, what did you find on the main deck in the vicinity of the hatch?

A: Well, it was dark inside the ship too, so I couldn't see very good, and just started finding my way out to the main deck, starboard side.

Q: Were any other personnel there who emerged?

S: Well, there was Peacock out there and when I walked towards the hatch to get out on the starboard side, Peters was laying on the deck, because he was almost in shock at the time.

Q: Did you see Mulitsch at any time during this period?

A: Once I got out on the main deck, starboard side.

Q: Not in the vicinity of the inboard hatch, is that correct?

A: No, sir.

Q: Did you see a man by the name of Frey or a man by the name of Fuchs in the vicinity of the hatch?

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A: No, sir.

Q: Who were the personnel in the immediate vicinity of the hatch at the time that you came up from the forward engineroom?

A: Peacock is the only one I remember.

Q: And he was the one who assisted you through the hatch, is that correct?

A: Yes, sir.

Q: Had Baughman already left the vicinity, as far as you know?

A: Yes, sir.

Q: And when was the first time you saw Baughman, after you emerged from the hatch?

A: Starboard side on the main deck.

Q: And he was with Peters at that time?

A: Yes, sir.

Q: And could you describe for the board what injuries you received as the result of the collision?

A:

Q: Over what portions of your body?

A:

Q: And what is the present status of those injuries?

A: They are still healing.

Q: And at the time of the collision, how were you clothed?

A: I had on a pair of dungaree trousers and a teeshirt.

Q: Regular white teeshirt?

A: Yes, sir.

Q: Prior to the collision, did you hear anything over the phones that you were wearing?

A: No, sir.

Q: To whom were you connected on those phones?

A: The bridge.

Q: And what circuit was that?

A: The 1JV.

Q: Was that circuit manned on the bridge?

A: Yes, sir.

Q: Do you recall who was manning it?

A: No, sir.

Q: After you went to the starboard side, would you describe what occurred after that?

A: I stood out there for a little while and then Silvers, machinist mate third class, helped me back to the fantail.

Q: What was your condition at this time?

A: Well, I was pretty well scared at the time. My hands were hurting, that's the only thing that bothered me at the time.

Q: The other burns were not apparent to you at this time?

A: No, sir.

Q: When you went aft, what did you do then?

A: I stood around and waited until Silvers came back and said that all the injured personnel were to go on the MELBOURNE.

Q: And how did you go to the MELBOURNE?

A: I went up to about amidships on the starboard side and climbed up a ladder to the fantail of the MELBOURNE.

Q: What type of ladder?

A: Metal ladder.

Q: It was not a scrambling net or anything of that nature?

A: No, sir.

Q: It was a regular ladder?

A: Regular ladder.

Q: And what treatment did you receive when you arrived on board MELBOURNE?
A: I got on board and one of the guys came up and took me to their wardroom where they got my trousers off me and started treating . And then they took me up to sick bay where they treated them.

Q: What sort of treatment did they give you
A:

Q: What was the medicine they put on?
A: Furicin.

Q: How long did you remain aboard MELBOURNE?
A: I don't know the exact time they heloed me off. It didn't seem like it was that long.

Q: And when they heloed you off, to where did they take you?
A: The KEARSARGE.

Q: And you remained on the KEARSARGE then for how long?
A: Until they pulled in on the 6th of June.

Q: Pulled into Subic?
A: Yes, sir.

Q: Returning to the time of the collision and the events in the forward engineroom, do you have any comments as to the conduct or behavior of personnel on watch at that time in the forward engineroom, as to orderliness, cooperation, assistance to each other, and so forth?

A: Well, we assisted each other in getting out. But as far as anybody helping us, it was just people in the engineroom, we just helped each other to get out.

Q: Was there any person in particular that you feel is deserving of special mention?

A: No, sir. we just all worked together as a group.

Q: And as to the treatment on either the fantail of EVANS or on board MELBOURNE, do you have any particular comment?

A: On board the MELBOURNE, they treated us like we were kings, like we were the greatest thing alive. They were outstanding to us.

Q: Do you have any idea of where the steam was coming from?
A: No, sir.

Q: And do you have any idea of where the water came in?
A: No, sir.

Counsel for the board: Counsel has no further questions of this witness.

EXAMINATION BY THE BOARD

Questions by the senior member:

Q: Lockwood, did you receive any first aid treatment on the fantail of EVANS before you left to go to MELBOURNE?

A: No, sir. There was no first aid treatment given there by anybody on the EVANS, as far as I know.

Senior Member: The board has no further questions of Fireman Lockwood.

Counsel for the board: At this time Fireman Lockwood, you are given the opportunity to make such additional statement concerning the subject matter of the investigation that you feel is warranted which has not been brought out by the previous questions. Do you have anything to add that has not been brought out by the questions?

FN Lockwood: No, sir.

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

Lieutenant (jg) Jeffery W. Covert, U. S. Naval Reserve, was recalled as a witness 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: Mr. Covert, at your prior appearance before the board, it was suggested that you could assist the board by preparing an annotation of certain damaged parts of the stern section of FRANK E. EVANS, as to identification of different pieces of

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machinery, piping, and so forth. I have before me a document consisting of three parts and which has been marked as Exhibit 91 for identification, the first part being a listing of equipment and so forth, and the second two part being photographs. I will give them to you at this time. Do you recognize that document?

A: Yes, sir.

Q: Would you describe what it is?

A: These are two pictures of the forward damaged section of the ship at frame 92 1/2, looking aft.

Q: Did you view, personally, that portion of EVANS?

A: Yes, sir.

Q: Do the photographs present a fair representation of that portion of FRANK E. EVANS' stern section?

A: Yes, sir. They do.

Q: Superimposed on those two photographs are numbered tags. Would you state what those tags are?

A: Each numbered tag refers to a piece of equipment or part of the ship which I have been able to identify, to the best of my ability, as to what it is and what its purpose was, as it was in the damaged condition immediately after its return to Subic Bay.

Q: And do the numbers on the first - let me start over. Do the descriptions of the machinery corresponding to the numbers on the first page of that document accurately describe the pieces of machinery identified by the numbers on the photographs?

A: Yes, sir. They do.

Q: Do you have any additional comment as to this particular document?

A: No, sir. This document was made to the best of my ability to identify the damage condition.

Q: Did you have any assistance in preparing this document?

A: I went back to the ship and traced out some of the lines myself.

Q: Did you use the ship's plans in any way?

A: Yes, sir. I did.

Q: And are the pieces of machinery and other items identified on those photographs, to the best of your knowledge, accurately identified?

A: Yes, sir.

Counsel for the board: Under those circumstances, we submit this and request its admission into evidence as Exhibit 91.

Senior Member: It may be so received, counsel.

EXAMINATION BY COUNSEL FOR THE BOARD (Cont'd)

Questions by counsel for the board:

Q: Lieutenant Covert, in your previous appearance, the board also discussed with you the status of the after emergency diesel generator, do you recall that?

A: Yes, sir. I do.

Q: At this time I would like to ask you several additional questions perhaps to clarify and amplify your previous testimony. Would you review for the board the situations as to the after emergency diesel generator immediately after the collision?

A: The after emergency diesel started immediately, within a very short time after the collision. I was not in the space but my stateroom is directly above the diesel compartment and I did hear it start.

Q: And do you know whether or not the generator then took the load of the emergency circuits in the after portion of the ship?

A: I do not believe that it took the load, the total load of the after part of the ship. I believe it did take the load of the after steering gear motor.

Q: And what is the basis of your belief as to that?

A: I base this on the fact that sometime after the collision, I was in the after steering compartment and the rudder had been placed amidships by electrical means.

Q: Do you have any explanation for why the diesel generator did not take the remainder of the emergency load aft?

A: I have a couple of opinions as to why it might not have taken it. I do not have any concrete proof as to what really happened.

Q: Could you state those opinions and what their basis is?

A: Yes, sir. One of them, after steering is fed directly from the after

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emergency switchboard. Everything else that is fed from the after emergency switchboard goes through a breaker. If there was a ground or a short in one of the other circuits such that if the individual breaker would not trip, it would have tripped the main breaker which would have rendered the after board useless, except for the after steering section. The electrical shop in the shipyard checked the switchboard and found it to be, as far as they could determine, in operating condition. But they also stated in my conversation with them, that there could have been a malfunction of a ground or a short, which would have prevented the lighting load and other circuits to take effect.

Q: Which board are you talking about?

A: This is the after emergency switchboard.

Q: To your knowledge, was the board checked for a ground or a short at anytime shortly after the collision?

A: I received the word from the electrician that the after emergency board would not take the load. I didn't pursue this any further at that time. Later on the chief electrician off the LARSON, I don't know his name, was asked to go down and check the board out and see if we could run the diesel. And he reported there was a ground or a short someplace in the circuit, that we would have to clear it before we could make the board completely operative.

Q: And approximately how long after the collision was this, do you know?

A: This was, I would guess, to be about 2 hours.

Q: Was it after LARSON had moored alongside?

A: No, sir. This was before.

Q: Going back to the starting up of the diesel, the emergency diesel generator. What would be the normal sequence of events if the main generator lost the load and the emergency generator was to take the load?

A: When the after emergency switchboard receives a signal or perceives the fact that there was no power available from the after main switchboard, it would have started the diesel.

Q: And what would actuate that action?

A: Well, there is an automatic bus transfer and there is a sensing device that senses when there is no power available to the board from the after main board, which automatically starts the diesel. Puts on ... after steering has power available at that time and there are 3 or 4 light fixtures in each of the two after main spaces that would be activated automatically.

Q: Under the normal setup in a steaming condition, would the after emergency diesel generator be connected only to circuits in the after part of the ship?

A: Yes, sir.

Q: And under such normal steaming conditions, would those circuits extend beyond the point at which the bow and stern sections were severed by the collision?

A: No, sir. Not under our normal circumstances, unless sometime in the last 24 or 25 years, someone has miswired or rewired something incorrectly. I do not think that was the case.

Q: Do you know what the setup was at the time of the collision?

A: As far as I can determine and as far as the practice had been, the after emergency board was connected only to circuits in the after portion of the ship.

Q: Is it fair to conclude from that then that the damage done by the collision itself would not normally have caused the ground or short that was - that apparently resulted?

A: I would say it would be a logical conclusion, unless some of the wires that were severed up forward had been pulled through the space or pulled a connection box off, something like that. Not an electrical connection but it would have been a mechanical, the act of wires pulling out of one box could have shorted across another connection in the same box, something like this.

Q: And another question on the automatic bus transfer switch. When the after emergency board senses a drop in voltage or the loss of the load from the main switchboard, and the emergency switchboard takes the load, does that automatically sever the electrical connection between the main board and the emergency board?

A: Yes, sir.

Q: So if there is a short in the main board or any of the circuits it's connected to, it should not affect the emergency board or its circuits, is that a fair statement?

A: Yes, sir.

Q: At the time of the collision, do you know whether the after main board was feeding power to the steering gear?

A: Yes, sir. I won't say positively, but that is the way it was set up to be run. And every time I had checked it previous to that, that is the way the switch was set to feed normally from the after switchboard.

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Q: As I understand it, the ship was steaming split-plant?

A: Yes, sir.

Q: And you had a generator in both the forward and after engine rooms on the line?

A: Yes, sir.

Q: And it would be normal then for the after generator to have the steering gear, is that correct?

A: Yes, sir.

Q: Do you know what caused the after main board to lose the load?

A: No, sir. I received word that the board was arcing and sparking. Then they proceeded to secure the generator.

Q: Was that prior to the time you made your inspection of the after engine room?

A: Yes, sir. It was secured when I got down there.

Q: And when you entered the after engine room, did you see any apparent water splashing on the - let me start over. Did you see any evidence that water had gone on the after main switchboard?

A: It appeared wet.

Q: It appeared wet. Going back to Exhibit 91, the diagram or the pictures. Do you consider that the location of any of the items marked by you is remarkable having regard to the circumstances of the collision?

A: By remarkable - -

Q: Deserving of special comment as to its location, condition, or anything of that nature.

A: The main steam Y, which I believe is number 3 on the picture, was pulled forward a considerable distance. It is my opinion that that is what made the hole up there next to the centerline, the steam line being pulled forward.

Q: Could you show that to the board, Lieutenant Covert?

A: Yes, sir.

Q: Let the record reflect that Lieutenant Covert is pointing out the main steam Y indicating that it was moved about 15 feet forward. Lieutenant Covert, just to confirm the board's understanding, did the split-plant operation on June 3rd include both generators on the line?

A: Yes, sir.

Q: And was the electrical load split between the two?

A: Yes, sir.

Q: And how was it split between the two?

A: It was split in the normal setup. In other words, it was a complete split-plant operation. No power from the after board should have been going forward of the after engine room. And the same thing forward. It should have been a clean division.

Q: At the?

A: At frame 110.

Q: At frame 110?

A: Yes, sir.

Q: And the collision occurred at frame 92 1/2?

A: Yes, sir.

Q: Is this a standard type split, or, I mean is there a doctrine for this type operation or is this a FRANK E. EVANS doctrine that split it this way?

A: This is fairly standard operating procedure. It's set up for maximum protection of all circuits. It's the way the Navy operates most of its destroyers, I would say.

Q: Is it normal for FRANK E. EVANS to steam fully split-plant in fleet operations?

A: Yes, sir. Unless we had a casualty to one of our generators or something like that.

Q: This next question also calls for your opinion. Do you think the malfunction of either arcing or sparking of the after main board would have resulted from the shock of the collision, or was it the result of water only or perhaps the combination of both? Could you give your opinion on that? Based on your observations as well as your position as Chief Engineer.

A: No, sir. I don't think I could. I looked at the board, the switchboard, with the LARSON's personnel and I could see ... from the back of the board, I could see no mechanical damage. Of course I didn't read the board out itself.

Q: By read it out, you mean what?

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A: Check it for grounds or short circuit or things like that.

Q: Do you have any idea of where the water that you observed when you first inspected the switchboard could have come from?

A: I'm quite sure it came from the outboard hatch to the after engineroom, which is on the starboard side.

Q: And do you attribute that to the heavy roll taken at the time of collision?

A: Yes, sir.

Q: Is that hatch normally open or closed during steaming?

A: Normally open for personnel comfort.

Q: What is the designation of that hatch, if you recall?

A: The hatch itself I believe is a ZEBRA fitting. There is an outboard door - the hatch comes up into a vestibule and there is an outboard hatch, which I believe is a YOKE fitting, that was usually logged open, as far as the closure log on the bridge.

Q: Can it be left open when the ship is steaming darken ship?

A: Yes, sir.

Q: How is the light screened out?

A: It's - the vestibule serves as a light trunk. It's painted black inside. We secured the one light - there was one light down below right by the hatch and we secured it.

Q: Did you have any orders in effect as to what should be worn by watch personnel while in the fire and enginerooms?

A: What should be worn?

Q: Yes. Clothing.

A: I had instructions that they all should at least have on T-shirts. And my feeling was that they should have on long sleeve shirts, but I did not enforce that.

Q: Enforce what part of it?

A: The wearing of long sleeve shirts rolled down.

Q: Did you enforce at least the T-shirt part?

A: Yes, sir.

Q: How about shoes and socks?

A: They are all required to have on shoes, socks, and long pants.

Q: And how about head covering?

A: No, sir.

Q: No requirement as to head covering?

A: No requirement.

Q: Lieutenant Covert, in the course of pointing out the fact that the main steam Y was pulled forward about 15 feet - let me rephrase that. You indicated in pointing out to the board the features on the photos that the main steam Y was pulled forward about 15 feet. Did you inspect that area of the ship to determine where the break occurred to permit it coming that far forward, or was the line stretched, or how did that occur?

A: If I recall, it broke off past that Y. It goes into another valving arrangement and it is also broken there.

Q: Where was the break?

A: Directly above the throttle board.

Q: Lieutenant Covert, you will also recall that in your prior appearance you were asked to reflect on and discuss with your fellow officers, the question of design deficiencies or recommendations with respect to matters you observed following the collision. Have you had the chance to do that?

A: Yes, sir. I have talked with - as I was instructed - talked to the rest of the officers present. I think my biggest, not biggest, but my sole recommendation would be for all ships to take a hard look at their securing procedures, in view of what had happened to the FRANK E. EVANS.

Q: In what respect do you refer to the securing procedures?

A: Securing loose gear, damage control fittings, small things like lockers, drawers, with the view of what can happen. Not just an easy roll, but if another collision did take place. I don't think this was a major hindrance on the FRANK E. EVANS, fortunately, I believe the gear held together reasonably well. But it could have been much worse I think, if some of the larger objects hadn't been secured as well as they were. I think we would have had more injuries in the after section of the ship.

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Q: Do you have any comment as to emergency lighting?
A: I think, battle lanterns, I think, should be positioned with escape potential in mind, as far as illuminating the escape routes, areas such as this. And I think they should be all automatic battle lanterns, especially in your berthing spaces and living compartments, rather than the manual switch.

Q: If you made them all automatically actuated, how would you suggest that provision be made for portable light?

A: I think you would also have to install portable lights in the same space also. But rather than depend solely on manual lanterns, to install the automatic type. That's what we had done in the majority of the spaces.

Q: Were there any spaces in FRANK E. EVANS, to your knowledge, any berthing spaces to your knowledge, that did not have automatically actuated battle lanterns?

A: Not to my knowledge.

Q: Do you have any additional comments on this subject?

A: No, sir.

EXAMINATION BY THE BOARD

Questions by the senior member:

Q: Mr. Covert, in regard to siting the battle lanterns and emergency lighting, with regard to escape potential, does your recommendation imply that that was not the manner in which the emergency lighting was distributed or located in FRANK E. EVANS?

A: No, sir. I bring that up as a good point as what had happened, that the lights were there. To my knowledge, the lights were there and available.

Q: And you think in general they were located in such a way as to meet the requirements which existed in this emergency, or not?

A: I think in the majority of the cases of the ones I personally saw, I believe they did. Yes, sir.

Q: Do you think that in FRANK E. EVANS, there was a correct distribution of lighting - of types of battle lanterns, as between manually operated and automatically operated?

A: Yes, sir. I would say we were very well off in this respect. I had a program in effect to replace the portable, manual portable lights with installed relay operated battle lanterns. This had two purposes. One was to - it would mean the light would be permanently mounted and people couldn't pick them up to use for flashlights, and they had a better chance of staying in their location. The second thing was, that they - there was no need for anybody to turn them on. They were there when the need came up.

Q: You speak of the automatic lanterns as being permanently located. Is it not true that in at least some cases, the relay actuated automatic battle lanterns are mounted in the same way as the manual?

A: Yes, sir.

Q: Except for the electrical connection to the bulk ... to a cable attached to the bulkhead?

A: Yes, sir. They are mounted identically. You can take the relay operated ones off if you twist the back and give them a good pull, you can pull the cable out of them and use them as a portable light.

Q: Did that happen immediately following collision?

A: Not to my knowledge. No, sir.

Q: In general, were the mounting brackets themselves adequate to withstand the shock of collision?

A: Yes, sir. I believe they were. I didn't see any hanging from the wire, hanging from the electrical wire.

Q: Were the number and types of battle lanterns in FRANK E. EVANS and their distribution in general, in accordance with type standards or were they unique in your ship?

A: I think they were in accordance with the directives put out. COMCRUDESAC had come out earlier, I can't recall what time, sometime six months previous to this, revising the allowance of battle lanterns for destroyers, saying that it was up to the Commanding Officer's discretion as to how many and where he put them.

Q: If he wanted more battle lanterns, he would have to fund them out of the ship's operating allowance, is that correct?

A: Yes, sir. I think that was the only - that would have been the only stumbling block or - that would have been the only reason why we didn't have more. I did feel I had sufficient quantity on board. I had spares, and I was never pressed for money as such, in damage control.

Q: Which department has had the responsibility for funding lifejackets?

A: The Weapons Department.

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Q: So this was not under your cognizance?

A: No, sir.

Q: In the main engineering spaces we have received evidence that the life-jackets were stowed on a permanent basis to accommodate the general quarters personnel, is that true?

A: Yes, sir. We had the CO₂ inflatable lifejackets in each engineering space, - enough for the general quarters team.

Q: In light of this collision experience, do you see any desirable modification of that practice, in your opinion?

A: In my opinion, No, sir. I think it was a good arrangement. The people knew where they were, the engineering personnel. And then in circumstances such as this collision, a majority did go to the space to help secure the plant, and whether they picked up a lifejacket when they left again, I am not sure. I know I sent some people back down to pick up - I knew there were some down there, to get the ones out of there.

Q: You are saying that some people at least, who were asleep at the time of the collision, proceeded to their general quarters station, to assist in securing the plant, is that correct?

A: Yes, sir. I don't know whether it was their general quarters station. Some of them had stations up forward, of course, but they did proceed down below. I'm sure - I saw 2 or 3 of them come out, that were not on watch.

Q: In your post collision inspection of the ship, did you discover any indicators that would assist the board in determining exactly how far FRANK E. EVANS rolled to starboard immediately following the collision?

A: The only indication that I had that there was water, there was water in my stateroom, there was water on the starboard side of after officer's quarters, approximately, it must have been about 3 feet high at one time, during the roll. Up forward, in the very forward passageway of the ship there is a lot of lagging and material that had blown out of the forward engine room, up on the bulkheads, a fuzzy brown colored material. And this covered the inboard passageways fairly thoroughly up forward, except on the starboard side for about 5 feet to the starboard side of amidships, it was wiped clean as if water had come up and washed it off, which would have indicated that water had gotten in there. But as far as a roll, I cannot - could not positively say how far over.

Q: How far would the ship have had to roll in order to admit water to the after engine room, starboard outboard hatch?

A: I would say approximately 70 degrees. I don't know how far under the ship had been pushed or whether it was pushed against the water and the wave action rolled back in there, I can't say.

Senior Member: The board has no further questions of Mr. Covert.

Counsel for the board: Mr. Covert, at this time you are privileged to make any additional statement you desire concerning the subject matter of the investigation which has not been brought out by previous questions. Do you have any additional comments?

LTJG Covert: I think I would like to say that our first concern was to get the people off, due to the rate at which the ship was going down. I feel very confident that, had we taken the time and felt it worth the risk of the people involved, we could have squared away the after diesel, remedied the problem with the after diesel and at the same time more than likely would have been able to light off the after engineering plant. It was secured at the time, we would have had to check it out, and see what had - what damage had been done and proceed from there. I feel that - if I had felt that the ship would remain floating a few more minutes or if it had been under a different circumstances, single operation or something like that, I'm sure that we could have lighted the plant back off and brought all services back on board. I did not want to take the time at that time, and I did not think it was worth the risk to try to energize the after switchboard, to try to light the boiler back off, in view of the fact that lines could have been shorted out. We would have had to done a - check the system out first. I didn't feel we had that time available.

EXAMINATION BY THE BOARD (Cont'd)

Questions by the senior member:

Q: In other words, Mr. Covert, your sense of urgency was generated by a belief that the ship, the after section of the ship was in danger of sinking, is that correct?

A: Yes, sir. I was very concerned. It was going down at that time. We had a list, the forward bulkhead was starting to pant, make a cracking noise. I could not locate the leak up forward. I felt rather than to risk the personnel involved it would have taken to secure and light back off again, I felt the best thing was to evacuate the personnel concerned. On my second investigation with the LARSON personnel, we still felt the same, way, that the ship was in a critical status and

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something had to be done right away.

Q: When you mentioned just now that the ship had a list on her, are you speaking of a list to one side or the other or a trim condition, or both?

A: Well, it was down by the forward section, which would have been a trim (garbled). As I stated previously it was down quite a bit by the forward section. And we did have a list to port, which I now believe was caused by the MELBOURNE being alongside and possibly resting on some of the underwater damage to our ship.

Counsel for the board: Do you have any additional comment as to the result of questions you have just been asked?

LTJG Covert: No, sir.

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

Senior Member: We will have a brief recess.

The board recessed at D950 hours, 5 July 1969.

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The board opened at 1000 hours, 5 July 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 be a witness should withdraw.

Commander Albert S. McLemore, U. S. Navy, was recalled as a witness by counsel for the board, reminded that he was still under oath and was examined as follows:

EXAMINATION BY COUNSEL FOR THE BOARD

Questions by counsel for the board:

Q. Commander McLemore, during your prior appearance before the board, you testified primarily concerning the events preceding the collision between EVANS and MELBOURNE and you were stopped shortly after the occurrence of the collision for a later appearance and this is the later appearance. I would therefore like to take up at that point, the narrative which you were giving to the board. Would you then review briefly for the board the first notice that you had that something unusual had occurred at about 3:00 o'clock on the morning of the 3rd of June?

A. Going through papers which I had on KEARSARGE, I found a handwritten statement which I had made shortly after boarding KEARSARGE, which was at that point my recollection of events. I have transcribed that statement and I would like to either read it or introduce it, because I think it represents my best knowledge of the events immediately following and up through the rescue.

Q. Can you produce it at this time?

A. Yes, sir.

Q. Let me ask you a couple of questions about it first. Having read this statement does it refresh your recollection so that you can testify as to the events of your own knowledge at this time or does that statement represent, to your knowledge, your recollection, at that time which is different from what it is now?

A. No. No, it's not substantially different. I don't believe it differs from previous recollections that I have, but I think that it does possibly put in into a better order.

Counsel for the board: Under those circumstances I think it would be appropriate to mark it as an exhibit and then introduce it into evidence.

Q. I have the statement now, which is typewritten. Is this typewritten statement a verbatim transcript of your handwritten notes that you made on the 3rd of June?

A. I believe it is. I could give you the handwritten notes as well.

Q. I think that the handwritten would be preferable.

A. All right. I would think it would be as difficult for anyone to transcribe these as it was for me.

Counsel for the board: We will substitute the handwritten notes as the Exhibit 92 marked for identification.

CDR McLemore: I could probably read that into the record if you like, Captain.

Counsel for the board: I think that would be preferable.

Q. Before you do so, when was that statement prepared?

A. This was prepared on the evening of the 3rd of June on board KEARSARGE. I would say probably between the hours of 16 and 1900 or during that time frame.

Q. Did it represent your best recollection at that time of the events that occurred?

A. Of that time of the events that occurred.

Q. And, to your knowledge at this time it was an accurate representation?

A. Yes, sir.

Counsel for the board: Under those circumstances we would request that it be admitted into evidence as Exhibit 92 and that Commander McLemore be permitted to read it at this time.

Senior member: Make it so.

The witness read Exhibit 92.

Q. Based on your current recollection do you have anything to add to the events up to the point of your of the occurrence?

A. No, I don't.

Q. At one point in your statement you indicated that the mast was at a 60 degree angle, do you mean by that that it was rolled over to about 60 degrees?

A. Lying over on it's side, yes, sir.

Q. After you were in the water, did you observe the bow section of EVANS up to the point of it sinking?

A. To say that I actually saw it sink, I don't think so. There were three distinct recollections. One of them was the ship lying over on her side at about a 60 degree angle. This was at about the point

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where I left the ship. I was swimming to get clear. The next one was looking back over my shoulder and seeing the ship completely capsized, the bow in the air. Then the recollection was nothing.

Q. Do you recall which bow of the ship you saw? Was it starboard or port?

A. I believe I was looking from a port quarter aspect. In other words, I must have been looking at the port bow up over the sonar dome.

Q. Could you see the sonar dome?

A. Yes, sir.

Q. Did you see any personnel on the ship at that time?

A. No, sir.

Q. Could you describe your injuries received as a result of the collision?

A.

extent of it.

That really is about the

Q. What is the current status of those injuries?

A. I am healed.

Q. At the time you entered MELBOURNE's boat and were rescued, do you recall how many personnel approximately were in the boat at that time?

A. I would, strictly a guess, I would say 12 to 15.

Q. Did I understand you to state that you were the last person pulled into the boat prior to its return to MELBOURNE?

A. That's correct.

Q. Was the deceased man you mentioned a man by the name of Glines?

A. I assume so.

Q. You did not identify him?

A. I did not identify him. In fact I did not recognize that his remains were in the boat until the boat had emptied. I was waiting for everyone else to get out, and the coxswain said, "That man's not going any place. Leave the boat, sir."

Q. When you boarded MELBOURNE, did you observe the treatment that was being given to EVANS survivors on board?

A. Yes, sir.

Q. Would you describe the nature of it and the completeness and so forth?

A. At the quarterdeck area where I boarded--and as I understand it there was survivors boarding from several different areas--from the fantail of the ship which was some distance, but I boarded at her, I believe, starboard quarter ladder. No, her port quarter ladder, I'm sorry. We were met, I was given a blanket. I identified myself and immediately went to the bridge, as I said in this statement. I was then taken to Captain Stevenson's cabin. I was given the opportunity to shower, was issued a pair of shorts, a shirt, sandals and then went below to sickbay.

Q. Did you have any conversation with Captain Stevenson on the bridge?

A. Yes.

Q. Would you state the substance of that conversation?

A. It was....I recall going into the pilot house and starting to go across and he met me before I had gotten very far and I believe I said, "What happened?" because at this point I still didn't know.

Q. Did I understand you to mean you asked, "What happened?" or said it?

A. I asked, "What happened?" I can't testify as to his statement but I believe it was along the lines of "You hit me", but this is based on just recollection. He said, "I'm sorry" and I think I said essentially the same thing. I believe that we were very close together at this point, maybe even close to an embrace. It seemed like this occurred but it may have been later. He directed one of his officers to take me below and that I be taken care of.

Q. What efforts were made for the comfort and care of the crew of EVANS on board MELBOURNE?

A. After I left the Captain's cabin, and I wasn't there but a few minutes, I went to sickbay. At this point I observed medical officers, who they were I don't know, working on the Signalman who had been injured, Rodrigues.

Q. Would you repeat his name?

A. Rodrigues. I also observed some of the people who had been burned had already been given emergency treatment. They had dressings and either a salve or something similar to a salve on their wounds and they were in bunks in sickbay. There were many people being worked on by corpsman types for lacerations, etc. I was able to determine that the only one that they were very concerned about at that point was Rodrigues and I went in to see him and he was unconscious at that time. The crew was in one of MELBOURNE's messes. I don't know whether it was a petty officers' mess or a ratings' mess, but most of them were there and they had coffee. They had been issued, either...those that needed them had been issued either RAN dungarees, shorts and shirts, or the coverall type uniforms. Generally in moving around through the crew and talking to the survivors, everyone was of course confused. I think somewhat in a state of shock to the extent that I don't think was unexpected, but no one had anything but the

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highest praise for the way they were being treated.

Q. Could you describe the manner in which a muster of the survivors was compiled?

A. There did not seem to be a centralized mustering station. In other words, each man was not taken to a designated spot and mustered. In fact as crewmen came on board, in some cases they were led off by MELBOURNE crewmembers to get dry clothing. The mustering was done by the Executive Officer and some of my personnel petty officers asking each man to fill out a very short form which asked his name, rate, service number and next of kin. In retrospect I don't believe that there was any method of definitely determining when a man had been mustered. In other words, a tag wasn't hung around his neck or something which said, "I have been mustered, don't do it again." We may have gotten some duplications.

Q. Is that how you would account for the erroneous figure that was first compiled?

A. Yes, sir. It is.

Q. Duplication of survivors?

A. Duplications. Yes, sir. People were told to fill out a sheet of paper and they didn't recognize that they had already done this or it didn't occur to them that they had already done this and as a result there were more pieces of paper than there were survivors.

Q. At one point you indicated that you saw your Executive Officer and indicated your desire to return to EVANS and were informed that a salvage party had already gone. Did you make any additional attempts to return to EVANS yourself?

A. Yes, sir. I did, and Captain Stevenson advised that I not return to EVANS. He felt that there were enough people there, and by this time the Executive Officer had departed for EVANS, and he knew that Admiral King was coming and that I should probably stay and meet Admiral King.

Q. How long did you remain on board MELBOURNE?

A. I was on board MELBOURNE until we disembarked at about 1000.

Q. To what ship did you proceed at that time?

A. To KEARSARGE by small boat.

Q. And you remained there for how long?

A. Until arrival at Subic Bay on the 6th.

Q. Subsequent to the collision, can you state to the board the disposition that has been made of USS FRANK E. EVANS?

A. Yes, FRANK E. EVANS was on the 12th of June ordered by the Chief of Naval Operations to be decommissioned on 1 July.

Q. Do you have the official documentation of that?

A. Yes, I have.

Q. Could you produce at this time?

A. Yes, sir. There are three messages which apply. CNO to CINCPACFLT, date time group 122025Z of June 69; second, from CINCPACFLT to COMSEVENTHFLT and COMCRUDESPAC, date time group 140244Z June 69, in which COMCRUDESPAC was directed to decommission FRANK E. EVANS, and a third message from COMCRUDESPAC to CO FRANK E. EVANS, date time group 242219Z of June 69, in which I was directed to carry out the decommissioning.

Counsel for the board: Could we have those three messages collectively identified as Exhibit 93 for identification? They are submitted to the board at this time with the request that they be admitted into evidence.

A. To finish answering your question, the ship was decommissioned on 1 July as directed, and was turned over to SRF, Subic Bay, for disposition as directed by Chief of Naval Operations.

Senior member: Counsel, these documents may be admitted as Exhibit 92.

Q. Going back to the time at which you were getting out of your sea cabin, do you have any idea which way you went out of your sea cabin?

A. The statement which was based on my best recollection said that I believe that I went out the after bulkhead. I have give a great deal of thought to this, and I honestly don't know.

Q. Would that be in the direction of CIC?

A. Yes, sir, it would.

Q. Do you recall your orientation with respect to the main battery director trunk at that time?

A. No, sir. I don't.

Q. Did you see any other personnel at the time you were exiting in the immediate vicinity?

A. Yes, sir. I did. I saw a couple of men ahead of me, moving up. I think they were radiomen.

Q. Did you identify any CIC personnel or equipment or anything?

A. No, sir. I could identify absolutely nothing until I got to the exterior and saw the mast.

Q. At this time, Commander McLemore, I have two photographs which I have marked Exhibit 94 for identification which purport to be of the forward section of the flight deck of HMAS MELBOURNE with certain debris thereon. Have you previously seen those photographs?

A. Yes, sir. I have.

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Q. Could you describe what they depict to you?

A. The first one is a close up view and I would think probably the port forward corner of MELBOURNE's flight deck with wreckage on it. This wreckage is definitely identifiable as the open bridge top of FRANK E. EVANS, with the signal bridge wind screen--the top of the open bridge--which is in complete enough condition that we can identify the orientation of it.

Q. Have you had the opportunity to mark the pieces which you can identify?

A. Yes, sir. I have.

Q. Have you done so on those two documents?

A. I have.

Q. Do they in your view....Do the markings which you have put on them accurately represent the equipments and parts of the structure which you can identify?

A. Yes, sir.

Q. Have you had any assistance in this project of identifying those equipments and pieces of wreckage?

A. Yes, sir. Lieutenant Commander McMichael, Lieutenant Dunne, and Lieutenant (jg) Covert, viewed these after I marked them up and they agree substantially that this is correct. There may be some question as to how, for example, I identify a particular piece of lifeline or handrail, as a port side handrail. I can do this as there are certain features that allow us to identify this definitely as a port liferail as opposed to a starboard liferail. I am confident that these are marked correctly.

Counsel for the board: Under those circumstances we submit these two pictures as Exhibit 94 and ask their admittance into evidence.

Senior member: So received.

Q. With respect to other specific equipments and structures of EVANS, could you provide the board with your best recollection as to the following: first of all, the location of the ASW Group ONE badge, where it was located or painted on the structure?

A. It was on the 02 level, outboard bulkhead, immediately outboard of the peloruses, port and starboard.

Q. How was it mounted on that structure?

A. Painted on that structure.

Q. Painted?

A. Yes, sir.

Q. I show you Exhibit 41 which is purportedly a picture of EVANS and ask you to mark a "Z" by the ASW badge on EVANS.

A. (Witness did as directed.)

Q. Do you recall where antenna couplers were mounted in the vicinity of the bridge of EVANS?

A. Yes, sir.

Q. Could you describe them, please?

A. Yes, sir. There was a WRT1 antenna coupler (identified by letter "A"). "B" is an AN/WRT-2 coupler. "B" is either a WRT2 coupler or URC32 coupler, I am not sure which.

Q. Did FRANK E. EVANS have wooden deck gratings on the bridge?

A. Yes, sir. She did.

Q. Did you see any of them in the water after you left EVANS?

A. No, sir.

Q. I believe you said the you saw a man's leg in the wreckage as you were leaving. By what light were you making these observations, that and the other things you saw?

A. There was some moonlight.

Q. Was there any artificial illumination that you know if?

A. No, none whatsoever. I do have rather rapid night adaption, and of course I came out of a dark compartment as well. It was whatever light was naturally available, there was nothing artificial.

Q. Did you see either Lieutenant (jg) Ramsey or Lieutenant (jg) Hopson either in the water or in the boat at the time you were in either the water or going to MELBOURNE in the boat?

A. No, sir. I didn't see them until after I was on board the MELBOURNE.

Q. Did you see them after you got on board MELBOURNE?

A. Yes, sir.

Q. Did you have any conversation with either of them?

A. Not other than, "Glad to see you."

Q. Did either of them make any remarks about what had happened to you?

A. No, sir.

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Q. Did you ask them what had happened? Either of them?

A. No, I didn't. For some reason....Of course you recognize at this point that I now knew, before I saw them, that there had been a collision. For some reason which I really can't pin down, very early, even though I was most curious and concerned about what had happened, I didn't permit myself to go into details with any of my people just because I felt that it wasn't the thing to do at that point. I think when I first saw them I was more concerned with finding out how many others had survived and with getting a muster and seeing the people in sickbay. No, I didn't talk to them about the events.

Q. Commander McLemore, in your prior testimony before the board you indicated that your Captain's Night Orders were prepared on a standard COMCRUDESPEC Form. I have before me a copy of COMCRUDESPEC General Form 5000/1 (Revised 10-62) which I have marked Exhibit 95 for purposes of identification and I submit it to you at this time and ask you to examine it. Is that the form which you used on board the EVANS?

A. This is the Form which was used for the daily Captain's Night Orders.

Q. In addition to that, what else was in the Captain's Night Orders?

A. This was in a hard covered book which additionally included the Captain's Standing Night Orders.

Q. And they were in the same hard covered book, is that correct?

A. That's correct. There was also a signature page for all watch officers, CIC watch officers, CIC leading petty officers, to have signed their reading and understanding of the Standing Night Orders. And of course the Daily Night Orders were initialled by the watch section in the spaces provided.

Q. And we have previously admitted as Exhibit 13 what was identified as the Night Orders in effect subject to certain pen and ink changes, is that the same document which was in the same hard covered book as the Daily Night Orders?

A. No, sir. I believe you have the one that was, one that is not marked up to this degree. This is the Executive Officer's working copy with working revisions. I believe you have a different one, do you not?

Q. That is the one that you provided us previously as the one that was under revision.

A. Now all the changes that are here were not in the bridge copy.

Q. That is the board's understanding; that's correct. The typewritten portions of the document which you have in front of you was what was posted in the hard covered book on the bridge, is that correct?

A. That is correct.

Counsel for the board: At this time, sir, counsel would ask for the admission of Exhibit 95 for identification into evidence and would also request that rather than reproducing the entire book for the permanent record of the board, that since every page is identical, the record contain only the cover sheet and the standard left and right pages of this book.

Senior member: Make it so, please, counsel.

Q. In your prior testimony concerning your Night Orders you also described the circumstances under which you should be called during the night as I recall. Did you have any experience with any watch officers who did not call you under the circumstances you had prescribed?

A. I can recall only one incident. This involved an officer who no longer is attached, who was detached before the incident now under investigation. He did not call me one night for a particular evolution and he was cautioned very strongly about this.

Q. Was there any repetition of that by that officer?

A. No, sir.

Q. Was it your practice to review the quartermaster or deck log each morning to determine the evolutions which had occurred during the night?

A. No.

Q. When did you review the deck log?

A. I would examine the deck log from time to time for specific things. I can't really say that there was a set pattern to this. Then of course the deck log was reviewed in detail at the end of each month prior to the submission to the Chief of Naval Personnel.

Q. During the course of those reviews did you ever find that there were evolutions occurring during the night of which you were not informed?

A. No, I don't believe so.

Q. Other than the one that you previously mentioned?

A. I don't believe so.

Q. At the time of the collision on 3 June, how many of your officers were qualified as Fleet Officers of the Deck?

A. Five.

Q. Would you name them, please?

A. Lieutenant Dunne, Lieutenant Covert, Lieutenant Hiltz, Lieutenant Ramsey, and Lieutenant Bowler.

Q. How many sections was the watch divided into on 3 June?

A. Four sections for officers.

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Q. How were the watch teams--CIC, bridge--balanced to ensure the strength of the various teams?
A. The Senior Watch Officer, Lieutenant Dunne, prepared the watch bill each time for an underway evolution to maintain the continuity of training in CIC and on the bridge. This was reviewed by the Executive Officer and myself prior to being published.

Q. Was there any conscious effort to balance, for example, the newly qualified Officers of the Deck with a more experienced CIC watch officer?

A. Yes, very definitely. In fact, the relative strengths of the watch teams were a matter of quite a bit of discussion from time to time.

Q. Evidence before this board would indicate that at the time of the collision the officer watch team consisted of Lieutenant (jg) Ramsey as Officer of the Deck, Lieutenant (jg) Hopson as Junior Officer of the Deck, Ensigns Brandon and Armstrong as CIC Evaluator and Gunnery Liaison Officers, respectively.

A. Go over that last again now.

Q. Brandon and Armstrong?

A. Armstrong was CIC watch officer and Brandon was GLO.

Q. I thought it was the reverse, but maybe my recollection is wrong. You can correct me if my recollection is incorrect. Do you have a recollection on that subject?

A. Brandon was GLO.

Q. Brandon was GLO and Armstrong was Evaluator?

A. Yes, sir.

Q. Would you comment on the strength of that particular watch team?

A. Ramsey was one of the longest term bridge watch standers on the ship, from the standpoint of total months on board and total months of bridge experience, either as a OOD or JOOD. He was one of the more experienced officers as was Lieutenant Hopson as a junior officer. Ensign Armstrong, although short in time as a commissioned officer, was an ex-ET, had a lot of time in CIC, had been in submarines prior to coming to FRANK E. EVANS, had what I considered exceptional talent, and understood Combat very well. Brandon was probably one of two of the most promising junior officers on board. He had an excellent feel for shiphandling, he was a fine leader, a fine performer, and had this not occurred he would have moved up to the number two spot in the Weapons Department.

Q. Would you correlate your statement that Ramsey had the most total experience with the fact that he had only recently been qualified for Officer of the Deck Underway Fleet Operations?

A. In answering that I would have to discuss performance and this infringes on the Commanding Officer's legal position with respect to fitness reporting. I would like not to answer this in open session if that is agreeable? Only because of the recognized legal position of an officer's performance report.

Senior member: The board would like to have your views as definitively as possible concerning the qualifications of the officers on watch on the midwatch on 3 June. The board believes it needs to have your view as to the performance of those officers and their potential.

(At this point, because of mechanical failure of recording equipment, a short portion of the verbatim transcript was missed. The following precis of the witness's testimony was made from notes made by members of the board. Content was checked for accuracy by witness.)

Witness stated that LTJG Ramsey had been in EVANS for 16-18 months, 14 of which had been served under witness's command. In the six months before the incident LTJG Ramsey had come along well, and had been standing OOD (F) watches for some 3 months before the incident. LTJG Ramsey had failed the ship's OOD Qualification Board's examination the first time he had come up.

(At this point, after conferring with counsel, the senior member announced that since the evaluation of an officer's performance is regarded as "For Official Use Only" by the U. S. Navy, further questions along this line would be pursued in closed session.)

Witness testified that he recalled a dinner party given by Captain Stevenson during the in-port phase of Sea Spirit in Manila. He did not recall a serious discussion of the subject of the dangers of an escort-carrier collision. He did remember a comment by Captain Stevenson that, "We just cannot afford another collision." He regarded this as "more or less an aside."

In response to a question as to whether care in signalling was discussed at the dinner, witness stated that in this connection Captain Stevenson had remarked, "When I take you as plane guard, I will drive you." Witness understood this to mean that Captain Stevenson would signal each move required - to go astern of MELBOURNE, to go to ResDes station, and to return to the screen, each as desired by the carrier. Witness said this was what Captain Stevenson had said and this was what happened.

Witness did not recall that HMAS MELBOURNE's "Escort Handout" was discussed at the dinner in depth if at all. The Escort Handout had been aboard FRANK E. EVANS, however, and it was discussed in depth among his watch officers.

Witness was asked if as a result of the dinner party remarks he had passed on the need for care to his watch officers. Witness replied that he had not done so specifically as a result of the dinner party but routinely cautioned his officers on many subjects.

After being reminded of his previous testimony that he recalled taking rescue destroyer station only once during the period from the end of replenishment on 2 June until midnight and informed that

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signal logs indicated that this has had occurred three times, witness replied that he could only remember once. However, there were a lot of days and a lot of nights. He was sure he was informed of them and was probably on the bridge for them. He said he would accept the log evidence.

(At this point, the verbatim record resumes.)

Q. Do you recall what types and in what numbers life rafts were installed on board EVANS?
A. I believe that I had 21 Mark V rafts, 15 man capacity.

Q. And where were they stored or installed?

A. This is, of course, adequately covered in the ships plans, but from the recollection as I have it, I had five on the port side of the forward superstructure which would be in the area of the bridge and just abaft it. Specifically, one of these was installed on the bulkhead outboard of the Mark 25 radar room which would be just below the bridge level and a little bit aft of the pilot house. Four were installed in baskets just below the signal bridge railing on the port side. Four were installed on the starboard side of the signal bridge which makes a total of nine forward. Six rafts each were stowed on the port and starboard sides of the after superstructure, part of them close to the electronics countermeasure antenna installation, and some a little forward of that. But generally broken into two groups and about evenly split port and starboard.

Q. Do you recall how often those life rafts were tested?

A. Sir, the rafts were removed from the ship and given a full test, inflation, and repacking right at the end of the overhaul period which would have made it about late August or early September 1968.

Q. Were any shipboard tests conducted?

A. There were no shipboard tests per se except checking of the CO2 bottles.

Q. Do you know how often that was done?

A. No, I don't. I would have to check the planned maintenance system and I haven't had the opportunity to do it.

Q. Was it your practice to check that frequently on board EVANS?

A. That specific thing?

Q. Yes.

A. To say affirmatively check it, no, but to be advised of what areas we were deficient in maintenance, yes.

Q. Whose function was it to check it?

A. The First Lieutenant's.

Q. Do you know the results of the tests conducted by the shipyard in August that you referred to?

A. Yes, sir. I had some defective rafts and as a result of that I had some replacement rafts brought on board. When I left the shipyard, I had 100 percent good rafts. Also the hydro-static releases were checked and tested at this same time.

Q. At this time, Commander McLemore, I have marked as Exhibit 96 for identification purposes a copy of OpNav Form 9010.2, entitled 'Ships Characteristics Card' purportedly for USS FRANK E. EVANS, and I show it to you at this time. Does that represent the most recently submitted Ships Characteristics Card for FRANK E. EVANS?

A. This reflects the Ship's Characteristics Card for the ship through the overhaul of 1968. Yes, sir.

Q. To the best of your knowledge is it complete and accurate?

A. To the best of my knowledge, yes, sir, it is.

Counsel for the board: Counsel submits Exhibit 96 and requests that it be admitted into evidence.

Senior member: It is so accepted.

Q. Commander McLemore, I would like to return to a subject we discussed earlier concerning the taking of rescue destroyer station or column astern of MELBOURNE during the interval we discussed from the completion of replenishment until midnight or thereabouts. You said that you would probably have been on the bridge. Can we find out from you what maneuvers you would feel that it was your duty to go to the bridge for--just the movements from the screen to the column astern or would it include movements from column astern out to ResDes station and back or what would it include? Could you give us your practice in that regard?

A. The practice was for the Officer of the Deck to call me and explain our position relative to the carrier and what his intentions were for going to station. I wasn't on the bridge 100 percent of the ship's movements to or from ResDes. I was for the majority of them. It was largely a matter of if it was a straight shot to or from station, in other words, not a multiple course change maneuver with safe CPA's, I wasn't always on the bridge. The majority of the time I was.

Q. Does that mean that you made the decision upon being called by the Officer of the Deck?

A. Made what decision?

Q. Whether or not to go to the bridge?

A. Yes, sir.

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Q. That decision is not left to the Officer of the Deck as to whether to call you or not?
A. The Officer of the Deck had to call me.

Q. Would your decision depend on which officer had the watch?

A. No, I don't think so. It may have to some extent, but primarily it was based on the relative positions, the relative speeds, that were going to accrue and the difficulty of the maneuver.

Q. Would it depend on whether it was day or night?

A. Yes.

Q. How would day or night affect your decision?

A. I very definitely prefer to be on the bridge for night plane guard, particularly at darken ship.

Senior member: We will have a brief recess.

The board recessed at 1120 hours, 5 July 1969.

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The board opened at 1126 hours, 5 July 1969.

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

Senior Member: The board is open.

CDR Albert S. McLemore, U. S. Navy, was recalled as a witness 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. Returning briefly to the subject of liferafts, when you were in the water did you see any liferafts at all from any source, in your vicinity?

A. No, sir. Not while I was in the water. I did see rafts after I was aboard MELBOURNE.

Q. And did you recognize any persons in the water with you, while you were in the water?

A. No, sir. I did not.

Q. You could tell who they were?

A. No. I believe that a couple of the people on the fender with me were radiomen. And I believe I could, that I have at this point identified one of them, as to who he was. A second class.

Q. Who was that?

A. I can't recall his name right now, but I could if I went back over the roster.

Q. Commander McLemore, in connection with the decommissioning of FRANK E. EVANS, have you prepared certain messages which summarize the status of recovery of materials, salvage of supply and ship's store material and other things of that nature?

A. I have prepared some, but the majority of the messages which have been prepared in this subject, were prepared by Commander Nelson Jackson, who is CTU 70.8.1, and who was appointed by COMCRUDESPEC as his agent to assist in the administration.

Q. Were the messages that he prepared based on information compiled by you and your crew?

A. Yes, sir. Primarily.

Q. And have you had a chance to review the messages either prepared by your ship or by CTU 70.8.5, as to their accuracy and completeness?

A. Yes, sir.

Q. I, at this time, give you 3 messages which we will mark Exhibit 97 for identification and ask you if they adequately summarize the subject therein, which I have briefly outlined?

A. Yes. In particular SITREP 3, from CTU 70.8.5, which went out the 29th of June, is a relatively complete summarization of all the actions taken up to the time of decommissioning. Of course there are many references in this message, which go into further detail.

Q. This message is complete and stands on its own feet as I understand?

A. Yes, sir.

Counsel for the board: Counsel will accordingly ask that these three messages, collectively, be admitted as Exhibit 97.

Senior Member: So received.

EXAMINATION BY COUNSEL FOR THE BOARD (Cont'd)

Questions by counsel for the board:

Q. Commander McLemore, turning again to the question of your practice of going to the bridge or particular evolutions, as a follow on to that, what were the criteria you applied for stationing yourself on the bridge, during flight operations when FRANK E. EVANS was assigned as RESDES destroyer?

A. As far as being personally on the bridge during the time the ship was in RESDES, after we had gotten into station and settled down I had no particular criteria for this. I was on the bridge a great amount of the time. On the other hand I didn't have a firm unbending philosophy that I had to be there the entire time that the ship might be in RESDES station.

Q. Would it be your practice to at least be there part of the time?

A. I would say I was probably there on most occasions, but there might be occasions arise when I wouldn't go to the bridge for a particular RESDES evolution - if I were occupied elsewhere at the moment.

Q. Would you always require that you be called when flight operations were occurring?

A. No. Maybe your question is not clear to me. If I were the rescue destroyer?

Q. Yes.

A. Yes. If I were not the rescue destroyer, no.

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Q. Commander McLemore, having had your ship go through this experience and having observed the post collision matters of rescue and salvage and so forth, do you have any suggestions or recommendations as to design deficiencies or design improvements that could be made to better prepare a ship for such a catastrophe?

A. I've of course given some thought to this. I was somewhat disappointed at the performance of the inflatable lifesaving equipment on the ship. But in retrospect at this point, I don't think it's anything but what should have been expected. The port rafts were of course, ... the port forward rafts were, I expect, destroyed, during the collision. The port after rafts were, as I see it, damaged by the impact with MELBOURNE, when the ship came in. That area of the ship where those rafts were was pretty well mangled, the port side after stack and the ECM deckhouse area. The starboard rafts aft apparently performed when they were launched. I don't know whether the starboard forward rafts released or not. There is no way that I can tell this. But with the rapid capsizing, I would think it some question whether or not they would. And this leaves me to wonder if our positioning of rafts in destroyer types shouldn't be looked at. On the other hand with the criteria we have for installing rafts, I don't know where else you could put them. There's just so many places they can be installed and they have to be up high enough that they are given some degree of protection. I think that the factors which dictated their placement on this ship were the same factors that probably contributed to their not performing well, or not performing as intended in this particular situation. Another factor that - new subject.

Q. Just to clarify one point. I assume you mean now that they were in the direct path of collision, which meant they were either entangled in the wreckage or physically mangled or destroyed by the impact, is that right?

A. Yes, sir.

Q. Is that the correct interpretation?

A. Yes, sir.

Q. You may proceed.

A. The second factor is one of emergency lighting. The indications that I have from - -

Q. Before you get to that, may I interrupt?

A. Yes, sir.

Q. To return to liferafts for just one more question. You indicated - well, what evidence is there available to you that the rafts did not perform well as you implied by your answer?

A. Maybe performing well is not a very good choice of words. There didn't seem to be as many liferaft packages in the water in the area of the ship as you would expect to see. And whether or not in the darkness they couldn't be recognized because they are a dark package and as a result they weren't inflated, I really don't know. But - -

Q. You are basing that then on what you saw from your position in the water?

A. Yes, sir.

Q. And returning to illumination then, would you continue?

A. I think that the emergency relay lighting, and by relay lighting I mean battle lanterns which come on automatically on the loss of regular lighting circuits, performed quite well during this incident. Evidently, the mess hall area was well illuminated or adequately illuminated for purposes of egress. But I think one factor which should be looked at is our policy with regard to placement of emergency lighting. In that there are several factors. One is when a ship is originally built, the emergency lighting is placed. And as the ship is modified, more equipments are added, new black boxes are installed, the emergency lighting in some cases becomes quite displaced from its optimum location. Also emergency lighting is primarily predicated on the illumination of battle stations, as opposed to areas that are normally occupied during a non-battle situation in the ship. And I think I can - I would like to introduce into the record two excerpts from "General Specifications for Building Ships in the U.S. Navy." I think these two are in direct conflict with each other and if they are followed they are going to result in less than optimum placement of lighting. The first one is from General Specs, section 9640-2, page 5 of 1 July 1967, which says that, "relay controlled hand lanterns shall not be installed in the following spaces: spaces not manned during battle conditions." The second excerpt is from General Specifications, section 9640-2, page 4A, revised 1 October 1968. These are one page apart. "Relay controlled battle lanterns shall be installed to provide the minimum illumination necessary for purposes listed below when other sources of illumination fail: to prevent panic and personal injury which might occur during total darkness and to mark escape routes." Now there is provision for installing non-relay type, in other words, manually operated lanterns in other spaces of the ship. But I think that in the situation we were faced with, we almost have to have an automatic lantern. These are the only areas I think of design that were of concern to me. The part of the hull, the after section which remained afloat seemed intact and there were very few problems associated.

EXAMINATION BY THE BOARD

Questions by the senior member:

Q. Commander, in the two passages from the General Specifications which you have just cited and which you believe to be in conflict, can you state whether they applied to USS FRANK E. EVANS either at the time she was built or at the time she was converted to a FRAM configuration?

A. No, I can't, Admiral. I've tried to do this and I can't do it.

Q. Can you give any specific examples of places wherein the emergency lighting in FRANK E. EVANS at the time of collision was not adequate?

A. Yes. Was not adequate? I don't believe for example that there were any relay controlled lanterns installed in the forward officers' barthing area, because this is not a space manned during general quarters. There were very few relay controlled lanterns installed in the after crew's berthing spaces, except in the area of the ammunition handling for mount 53. These are two areas that I can think of now and I - there may or may not be others, Admiral.