



THE SECRETARY OF THE NAVY  
WASHINGTON, D.C. 20350-1000

11 July 2001

MEMORANDUM FOR THE CHIEF OF NAVAL OPERATIONS

Subj: ADDITION TO THE MILITARY PERSONNEL RECORD OF REAR ADMIRAL  
CHARLES B. MCVAY, III, USN

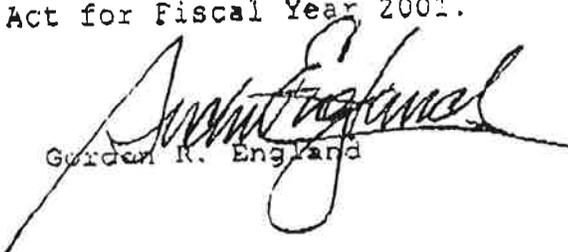
1. In 1945, then-Captain Charles B. McVay, III, USN, was the Commanding Officer of USS INDIANAPOLIS (CA-35). During a transit from Guam to the Philippines, USS INDIANAPOLIS was torpedoed by a Japanese submarine and sank. Captain McVay and just over 300 of his men were rescued after five days in the water. Following investigation by a Court of Inquiry, a General Court-Martial convicted Captain McVay of negligently hazarding his vessel by failing to steer a "zig-zag" course. He was sentenced to the loss of 100 lineal numbers. The Secretary of the Navy approved the findings and sentence, but remitted the sentence in its entirety. Captain McVay was advanced to the grade of Rear Admiral upon retirement in 1949.

2. Following extensive review, including testimony in 1999 before the Senate Armed Services Committee by then-Vice Chief of Naval Operations, Admiral Pilling, and then-Judge Advocate General, Rear Admiral Hutson, Congress included in the National Defense Authorization Act for Fiscal Year 2001 a "Sense of Congress" provision. This provision, at Section 545, states, in pertinent part, that:

(1) . . . [t]he American people should now recognize Captain McVay's lack of culpability for the tragic loss of the U.S.S. Indianapolis and the lives of the men who died as a result of the sinking of that vessel; and

(2) . . . Captain McVay's military record should now reflect that he is exonerated for the loss of the U.S.S. Indianapolis and so many of her crew.

3. In recognition of this Sense of Congress, insert into Rear Admiral McVay's military personnel record a copy of Section 545, National Defense Authorization Act for Fiscal Year 2001.

  
Gordon R. England