

USS FORREST SHERMAN DD-931

Foundation, Inc.

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April 19, 2010

Mr. Glen A. Clark
Deputy Program Manager
Navy Inactive Ships Program, PMS 333
Naval Sea System Command
1333 Isaac Hull Avenue
Washington, DC 20376

Dear Mr. Clark,

This is in response to your letter of April 14, 2010 notifying the Foundation that you have removed ex-FORREST SHERMAN (DD-931) from donation hold and that the Navy intends to scrap the vessel. This action is in clear violation of Public Law 109-163, Section 1015, enacted by the Congress as part of the FY06 National Defense Authorization Act. The clear purpose of this Act was to give the Foundation a period of five years to locate a suitable location, and berth, for the ship. This process is still ongoing.

The contention that the Foundation has failed to locate such a location is simply not true. We have constantly kept your office up to date as to the many attempts we have made to locate the ship in a proper berth. We informed you of the interest by the City of Wilmington, Delaware to have the ship become a part of the Riverfront Development project. We further informed you of the meetings that we had scheduled with officials of the city, and, at your request, gave you the name and phone number of the contact designated by the Mayor as the preliminary point of contact. In addition Congressman Castle, in his letter dated November 16, 2009, notified Secretary of the Navy Ray Mabus of Wilmington's interest in locating the ship on the Christina River. I know that you received a copy of this letter. The City has been operating under the assumption that Public Law 109-163, Section 1015, gives them until the end of this year to submit an application for donation.

Your contention that ex-FORREST SHERMAN (DD-931) has a deteriorating material condition which poses a danger to the environment is also untrue. Several years ago the Foundation had a complete engineering survey of the ship done by Ocean Technical Services that indicated that the ship was in very good condition. Further inspections after that survey have found no change in the condition of the ship that your office was

charged by law to maintain. This is the complete opposite situation with several of the historic ships that your office is charged to inspect each year. I refer to the LAFHEY which had to undergo a \$9+ mil hull overhaul recently because your engineers failed to determine the deteriorating condition that almost caused the ship to sink at its berth. Or the fact that the YORKTOWN has 13' of water in its lower compartments as I write this letter. Recent newspaper articles indicate that OLYMPIA, in Philadelphia, is rusting to such an extent that it may not be able to be preserved. The point of these references is simply to indicate that your office is not qualified, based upon past performances, to accurately determine the condition of the SHERMAN.

Preliminary consultations with our attorney indicate that this action by the Navy is unlawful, and subject to a legal challenge by the Foundation. I don't have to point out to you that your office has made such a mistake before. There is a carrier on the West Coast that your office was determined to scrap when a group was actively attempting to save it as a museum. Not only did your office have to back down in face of legal action, but you were required to pay the scrapper a large sum of money because you signed a contract to scrap it. I don't believe that the Navy can afford to make another such mistake.

I further would like to point out to you that the Navy had to retreat from disposing of the ex-CHARLES ADAMS and return it to donation hold. This is the action we are requesting you take in the case of the SHERMAN. We intend to save the ship either with your help, or by taking such actions that will require you to do so. The Foundation has raised, and spent, over \$500,000 for this project to date. If you continue to violate the law we have no other option but to take such legal actions as we deem necessary.

Sincerely yours,



Kurt Wagemann
President

Encl (3)

Cc: The Hon. Ray Mabus
The Hon. Michael N. Castle
The Hon. James M. Baker
Edward M. Nass, Esq.

MICHAEL N. CASTLE
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Congress of the United States
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Washington, DC 20515-0801

November 16, 2009

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The Honorable Ray Mabus
United States Secretary of the Navy
Office of the Secretary of the Navy
2000 Navy Pentagon
Washington, D.C. 20350-2000

Dear Secretary Mabus:

I am writing to inquire about the fate of the USS Sherman, a warship with a distinguished history from 1953 to 1982, when it was placed in the Philadelphia Shipyard as inactive.

The USS Sherman has a rich history of service to our nation and was involved in the Bay of Pigs and the Iranian Hostage mission. In fact, I have communicated with local officials in Delaware and met with the USS Forrest Sherman Foundation, Inc, about their interest in relocating the ship to Delaware. The Foundation is currently in discussions with the City of Wilmington about possibly locating the ship on the Christina River.

Unfortunately, it has come to my attention that the U.S. Navy intends to take the USS Sherman off of donation hold in December, and plans on sinking the ship. As you can imagine, such news may disrupt current discussions about bringing the ship to Delaware. It is my understanding that the Fiscal Year 2006 Defense Authorization Act also included language to prevent the disposal of the USS Sherman and allow it to be donated to the USS Forrest Sherman DD-931 Foundation.

With that in mind, I am requesting that you look into this matter. If the Navy does in fact intend to take the USS Sherman out of donation hold, I am interested in understanding the reasoning for such action.

Thank you for your attention to this matter.

Sincerely,



Michael N. Castle
Member of Congress

