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PEARL HARBOR ATTACK

HEARINGS

BEFORE THE

JOINT COMMITTEE ON THE INVESTIGATION OF THE PEARL HARBOR ATTACK

CONGRESS OF THE UNITED STATES

SEVENTY-NINTH CONGRESS

FIRST SESSION

PURSUANT TO

S. Con. Res. 27

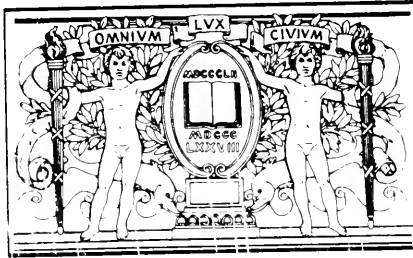
A CONCURRENT RESOLUTION AUTHORIZING AN
INVESTIGATION OF THE ATTACK ON PEARL
HARBOR ON DECEMBER 7, 1941, AND
EVENTS AND CIRCUMSTANCES
RELATING THERETO

PART 39

REPORTS, FINDINGS, AND CONCLUSIONS OF ROBERTS
COMMISSION, ARMY PEARL HARBOR BOARD, NAVY
COURT OF INQUIRY, AND HEWITT INQUIRY WITH
INDORSEMENTS

Printed for the use of the
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HARBOR ATTACK

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HEARINGS OF JOINT COMMITTEE

Part No.	Pages	Transcript pages	Hearings
1	1- 399	1- 1058	Nov. 15, 16, 17, 19, 20, and 21, 1945.
2	401- 982	1059- 2586	Nov. 23, 24, 26 to 30, Dec. 3 and 4, 1945.
3	983-1583	2587- 4194	Dec. 5, 6, 7, 8, 10, 11, 12, and 13, 1945.
4	1585-2063	4195- 5460	Dec. 14, 15, 17, 18, 19, 20, and 21, 1945.
5	2065-2492	5461- 6646	Dec. 31, 1945, and Jan. 2, 3, 4, and 5, 1946.
6	2493-2920	6647- 7888	Jan. 15, 16, 17, 18, 19, and 21, 1946.
7	2921-3378	7889- 9107	Jan. 22, 23, 24, 25, 26, 28, and 29, 1946.
8	3379-3927	9108-10517	Jan. 30, 31, Feb. 1, 2, 4, 5, and 6, 1946.
9	3929-4599	10518-12277	Feb. 7, 8, 9, 11, 12, 13, and 14, 1946.
10	4601-5151	12278-13708	Feb. 15, 16, 18, 19, and 20, 1946.
11	5153-5560	13709-14765	Apr. 9 and 11, and May 23 and 31, 1946.

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REPORT OF ROBERTS COMMISSION

JANUARY 23, 1942.

The PRESIDENT,
The White House.

SIR: The undersigned were appointed by Executive order of December 18, 1941, which defined our duties as a commission thus:

to ascertain and report the facts relating to the attack made by Japanese armed forces upon the Territory of Hawaii on December 7, 1941.

The purposes of the required inquiry and report are to provide bases for sound decisions whether any derelictions of duty or errors of judgment on the part of United States Army or Navy personnel contributed to such successes as were achieved by the enemy on the occasion mentioned; and, if so, what these derelictions or errors were, and who were responsible therefor.

The Congress speedily supplemented the Executive order by granting the Commission power to summon witnesses and examine them under oath.

The Commission held three meetings in Washington, December 18, 19, and 20, and, on the latter day, proceeded to Honolulu, T. H., where the Commission arrived December 22 and held meetings December 22, 23, 24, and 26 at the headquarters of the Hawaiian Department, Fort Shafter, and December 27, 29, 30, and 31, 1941, and January 2 and 3, 1942, at the submarine base, Pearl Harbor; and January 5, 6, 7, 8, and 9 at the Royal Hawaiian Hotel, Honolulu. January 10 the Commission left Honolulu for Washington, D. C.; held meetings January 12, 13, and 14; arrived at Washington January 15 and held further meetings January 16, 17, 18, 19, 20, 21, 22, and 23.

The Commission examined 127 witnesses and received a large number of documents. All members of the Military and Naval Establishments, and civil officers and citizens who were thought to have knowledge of facts pertinent to the inquiry, were summoned and examined under oath. All persons in the island of Oahu, who believed they had knowledge of such facts, were publicly requested to appear, and a number responded to the invitation and gave evidence.

Various rumors and hearsay statements have been communicated to the Commission. The Commission has sought to find and examine witnesses who might be expected to have knowledge respecting them. We believe that our findings of fact sufficiently dispose of most of them.

The evidence touches subjects which in the national interest should remain secret. We have, therefore, refrained from quotation of testimony or documentary proof. Our findings, however, have been made with the purpose fully and accurately to reflect the testimony which as respects matters of fact is substantially without contradiction.

It is true, as we have found, that due to the enormous demand on the Nation's capacity to produce munitions and war supplies, there

was a deficiency in the provision of matériel for the Hawaiian area. This was but natural, in the circumstances, and was well known to the Government departments and local commanders. We have made no detailed findings on the subject since, as will appear from our report, we find that this deficiency did not affect the critical fact of failure to take appropriate measures with the means available.

At our hearings reference was made to what has long been a matter of common knowledge—that there are, and have been, diverse views of national policy respecting the basing of the entire United States Pacific Fleet at Pearl Harbor, T. H. We feel that the national policy in this matter is one that has been settled by those responsible for such decisions and that it is not within our province—that of finding the facts respecting the attack of December 7, and the responsibility for the resulting damage to the United States—to discuss any such topic.

Regrettable loss of life and extensive damage resulted from the air raid. The nature of that damage and the details of the measures taken to repair it have no direct bearing on the execution of the mandate appointing this Commission, and the subject is dealt with in our report only to the extent that it bears on questions of responsibility for the disaster.

The evidence taken covered a wide scope. The Commission intentionally invited such latitude of testimony and inquiry in the belief that thereby incidental light might be thrown upon the main issues involved. As an example, the Commission heard evidence to show what had been done at Pearl Harbor and on the island of Oahu by naval and military commands subsequent to December 7, 1941, in the view that this might throw some light upon the matters submitted for our consideration. Again, the Commission heard much testimony as to the population of Hawaii, its composition, and the attitude and disposition of the persons composing it, in the belief that the facts disclosed might aid in appraising the results of investigative, counterespionage, and antisabotage work done antecedent to the attack of December 7, 1941.

The Commission visited the naval base at Pearl Harbor and air fields of the Military and Naval Establishments, as well as the Army posts and forts and certain of the coast fortifications on the island of Oahu.

The minutes of each meeting of the Commission are of record. The statements of witnesses received in the meetings previous to that of December 22 have been recorded in summaries. All testimony received at the meeting of December 22 and the subsequent meetings was stenographically reported and transcribed.

The oral evidence received amounts to 1,887 typewritten pages, and the records and documents examined exceed 3,000 printed pages in number.

Appended hereto is a map of the island of Oahu showing the location of the principal naval and military establishments.

All the testimony and evidence received have been considered and, as the result of its deliberations, the Commission submits the following:

FINDINGS OF FACT

I

About 7:55 a. m. Honolulu time (1:25 p. m. eastern standard time) on Sunday, December 7, 1941, Japanese forces attacked Army and Navy installations and ships of the Pacific Fleet in Oahu, T. H.

Although the United States and Japan were at peace on that morning, Japan planned to announce to the Secretary of State of the United States at 1 p. m. of that day, eastern standard time (7:30 a. m. Honolulu time) the severance of diplomatic relations and simultaneously to attack the island of Oahu and Pearl Harbor. The military preparations for this breach of international faith and honor were put in train, and the forces for its consummation had been dispatched weeks prior to any intimation of the planned severance of relations.

II

The Territory of Hawaii comprises the group of islands known as the Hawaiian Islands. This group consists of the larger islands—Hawaii, Maui, Molokai, Oahu, and Kauai—and a number of smaller islands. They extend from Hawaii in the south some 300 miles in a northwesterly direction, including Kauai in the north. For purposes of certain developments and protection, the islands of Midway, Wake, Johnston, Palmyra, Christmas, and Canton had been placed under the responsible naval and military heads in the Hawaiian area.

The importance of the Territory of Hawaii from a national defense standpoint is the fact that Pearl Harbor, the main outlying naval base in the Pacific, is located in the island of Oahu, one of the Hawaiian group. For this reason all measures for the protection and defense of the Territory have centered in and around Oahu, the other islands being garrisoned by minor forces only. A main outlying naval base, such as Pearl Harbor, is intended for the use of the fleet for taking on fuel and supplies, for recreation and rest of the fleet personnel, and for the repair and refitting of ships.

III

It has been well known that the policy of the United States as to affairs in the Pacific was in conflict with the policies of other governments. It was realized by the State, War, and Navy Departments of the United States that unless these policies were reconciled war in the Pacific was inevitable.

IV

Plans and preparations against the contingency of war are the joint responsibility of the military and naval authorities, and, within the limits of funds and authorizations provided by the Congress, were being ceaselessly carried out.

Under these plans the general function of the Army is to conduct military operations in direct defense of United States territory. The general function of the Navy is to conduct naval operations to gain and maintain control of vital sea areas, thereby contributing to the defense of the coastal frontiers.

Specific plans for the protection of the Hawaiian area against every contingency had been prepared. These included joint Army and Navy war plans, and War Department and Navy Department plans subsidiary thereto which establish the Hawaiian coastal frontier, assign tasks and forces to both Army and Navy for its joint defense, and prescribe that the system of coordination between the responsible Army and Navy commanders shall be by mutual cooperation.

V

The responsibility for the joint defense of the Hawaiian coastal frontier rested upon the commanding general, Hawaiian Department, and the commandant, Fourteenth Naval District, the latter acting as a subordinate of the commander in chief of the Pacific Fleet. The commander in chief of the fleet, in addition, was assigned the task of protecting the territory within the Hawaiian naval coastal frontier by destroying hostile expeditions and by supporting land and air forces in denying the enemy the use of land positions within that frontier, and the further task of covering the operations of the Hawaiian coastal frontier forces. The commanding general, Hawaiian Department, could properly deal, respecting defense measures and dispositions, with either the commander in chief of the Pacific Fleet or the commandant of the Fourteenth Naval District.

The commander in chief of the Pacific Fleet from February 1 to December 17, 1941, was Admiral Husband E. Kimmel. The commandant, Fourteenth Naval District, from April 11, 1940, to date is Rear Admiral Claude C. Bloch. The commanding general, Hawaiian Department, from February 7 to December 17, 1941, was Lt. Gen. Walter C. Short.

A local joint defense plan entitled "Joint Coastal Frontier Defense plan, Hawaiian Coastal Frontier," was prepared by General Short and Rear Admiral Bloch, the latter acting under the direction of Admiral Kimmel. Each commander adopted a standing operating procedure, or standing orders, to carry out his obligation under the joint agreement. This joint coastal frontier defense plan was intended to become operative upon order of the War and Navy Departments or, as agreed upon by the local commanders in the case of an emergency, a threat of hostile action, or the occurrence of war.

VI

The means available to the Army, for the fulfillment of its mission, consist of coast defense and antiaircraft artillery, mobile ground forces, the Hawaiian air force, and an aircraft warning service. The supporting elements of the Navy consist of local naval defense forces comprising light surface craft and shore-based aircraft not assigned to the fleet. The fleet as such was not charged with the defense of Pearl Harbor, except that certain aircraft attached to the fleet, when present, and the antiaircraft weapons of such units of the fleet as were in port, were available.

It was recognized that, prior to furnishing the full war strength garrison, insufficient forces were available to maintain all the defenses on a war footing for extended periods of time. The respon-

sible commanders made numerous recommendations to the War and Navy Departments for additional forces, equipment, and funds which they deemed necessary to insure the defense of the Hawaiian coastal frontier under any eventuality. The national situation permitted only a partial filling of these requirements. However, presupposing timely dispositions by the Army and Navy commanders in Hawaii, the forces available to them were adequate to frustrate a surprise air attack or greatly to mitigate its effectiveness.

VII

In a letter of January 24, 1941, the Secretary of the Navy advised the Secretary of War that the increased gravity of the Japanese situation had prompted a restudy of the problem of the security of the Pacific Fleet while in Pearl Harbor. The writer stated:

If war eventuates with Japan, it is believed easily possible that hostilities would be initiated by a surprise attack upon the fleet or the naval base at Pearl Harbor.

The writer stated that the—

inherent possibilities of a major disaster—

warranted further speedy action to—

increase the joint readiness of the Army and Navy to withstand a raid of the character mentioned * * *.

The letter proceeded:

The dangers envisaged in their order of importance and probability are considered to be: (1) Air bombing attack, (2) air torpedo plane attack, (3) sabotage, (4) submarine attack, (5) mining, (6) bombardment by gunfire.

It stated the defenses against all but the first two were then satisfactory, described the probable character of an air attack and urged consideration by the Army of dispositions to discover and meet such attack and provision of additional equipment therefor. It concluded with recommendations for the revision of joint defense plans with special emphasis on the coordination of Army and Navy operations against surprise aircraft raids. It also urged the conduct of joint exercises to train the forces to meet such raids.

The Secretary of War replied February 7, 1941, giving the present and prospective status of the Hawaiian Department in respect of airplanes and antiaircraft artillery, and stating with respect to the other proposals of the Secretary of the Navy that a copy of the letter was being forwarded to the commanding general, Hawaiian Department, with direction to him to cooperate with the local naval authorities in making the suggested measures effective.

Admiral Kimmel and General Short received copies of these letters at about the time they assumed the commands which they held December 7, 1941. Rear Admiral Bloch also received copies.

The joint coastal frontier defense plan and plans subsidiary thereto envisaged the possibility of an air attack and estimated that, if made, it would most likely occur at dawn. An agreement between the Hawaiian air force and the commander, Navy patrol wing 2, established the responsibilities for the joint use and operation of the available air forces of the Army and Navy. The standing operating procedure, Hawaiian Department, and standing orders of the United

States Pacific Fleet and the Fourteenth Naval District also prescribed measures for protection against air attack. Frequent joint drills and exercises were conducted during the year 1941 to insure such measures would be effective.

VIII

For months prior to December 7, 1941, the Secretary of State was repeatedly in contact with the Secretary of War and the Secretary of the Navy, not only in Cabinet meetings, but in meetings of the war council; and on the occasions of those contacts, and in conference with the Secretary of War and the Secretary of the Navy, discussed negotiations with Japan and the growing tensify of the relations of the United States with Japan. At meetings of the war council the Chief of Staff and the Chief of Naval Operations were also present. The Secretary of State constantly kept the Secretary of War and the Secretary of the Navy informed of the progress of the negotiations, and all three of these officials were cognizant of the growing threat of hostilities and of the military and naval needs and measures consequent thereupon. The Secretaries of War and Navy were in constant touch with the Chief of Staff and the Chief of Naval Operations, and imparted to them the information received from the Secretary of State and the results of their conferences with him. The latter officers in turn advised the responsible commanders in the field of the progress of events and of the growing threat of hostilities. The responsible commanders in the Hawaiian area were aware that previous Japanese actions and demonstrated Axis methods indicated that hostile action might be expected prior to a declaration of war.

IX

October 16, 1941, the commanding general, Hawaiian Department, and the commander in chief of the fleet were advised by the War and Navy Departments of the changes in the Japanese Cabinet, of the probability of hostilities between Japan and Russia, and of the possibility of an attack by Japan on Great Britain and the United States. Both commanders were warned to take precautions and to make preparatory dispositions which would not disclose their strategic intentions or constitute provocation as against Japan. Admiral Kimmel made certain dispositions of units of the fleet, and placed additional security measures in effect in the operating areas outside Pearl Harbor. At that time various task forces of the Navy were engaged in training operations and maneuvers which were deemed highly important to the training of the fleet personnel, and the Army was also conducting intensive training, particularly of its air arm. The responsible commanders testified that to undertake increased defense measures respecting Pearl Harbor and the Hawaiian area would necessitate curtailment of training, if not its virtual suspension, and they thought the situation was not such as to require this.

November 24, 1941, the Chief of Naval Operations sent a message to Admiral Kimmel, in which he stated that, in the opinion of the Navy Department, a surprise aggressive movement in any direction by the Japanese, including an attack on the Philippines or Guam, was a possibility; that the doubt as to favorable outcome of pending

negotiations, the statements of the Japanese Government, and the movements of its army and naval forces, supported this opinion. The communication enjoined secrecy to prevent complication of the tense existing situation. The message advised that the Chief of Staff of the Army requested that the local senior Army officers be advised that he concurred in the despatch. This message was seen by both the commander in chief of the fleet and the commanding general of the Hawaiian Department.

The responsible commanders in Hawaii knew that negotiations had been continued through October and November, and were awaiting further developments. November 27, 1941, the Chief of Staff of the Army informed the commanding general, Hawaiian Department, that the negotiations with Japan seemed to be ended, with little likelihood of their resumption; that Japanese action was unpredictable; that hostilities on the part of Japan were momentarily possible; that in the event hostilities could not be avoided the United States desired that this Nation should not commit the first overt act; that the department commander was not to be restricted to any course which would jeopardize his defense. The message directed him, even prior to hostile action, to undertake such reconnaissance and other measures as he deemed necessary, but to carry them out in such a way as not to alarm the civil population or disclose his intent. He was directed to restrict the information contained in the message to the minimum of essential officers, and to report to the Chief of Staff the measures taken. The purpose of this message was communicated by the department commander to the commander in chief of the Pacific Fleet.

On the same day (November 27, 1941), the Chief of Military Intelligence sent a message to the intelligence officer on the staff of the commanding general, Hawaiian Department, directing him to inform the commanding general and his chief of staff that negotiations with Japan had practically ceased; that hostilities might ensue; and that subversive activity might be expected.

On the same day (November 27, 1941), the Chief of Naval Operations sent a message to the commander in chief of the Pacific Fleet, which stated in substance that the dispatch was to be considered a war warning; that the negotiations with Japan in an effort to stabilize conditions in the Pacific had ended; that Japan was expected to make an aggressive move within the next few days; that an amphibious expedition against either the Philippines, Thai, or Kra Peninsula, or possibly Borneo, was indicated by the number and equipment of Japanese troops and the organization of their naval task forces. It directed the execution of a defensive deployment in preparation for carrying out war tasks. It stated that Guam, Samoa, and continental districts had been directed to take appropriate measures against sabotage, and that a similar warning was being sent by the War Department. It ordered that the addressee inform naval district and Army authorities. The commander in chief of the fleet communicated the purport of this message to the general commanding the Hawaiian Department of the Army.

At the time of our hearing General Short had no independent recollection of the last-mentioned message, although he felt that it must have been shown to him.

November 27, 1941, the commanding general, Hawaiian Department, in response to the direction of the Chief of Staff that he report measures taken, informed the Chief of Staff that he had alerted his command against sabotage and that he was maintaining liaison with the Navy. No reply referring to this message was sent by the War Department; but General Short testified that he considered the Adjutant General's message referred to in the next succeeding paragraph a reply.

November 28, 1941, the commanding general, Hawaiian Department, received from The Adjutant General of the Army a message stating that the critical situation required every precaution to be taken at once against subversive activities, within the scope of the Army's responsibility; that all necessary measures be taken to protect military establishments, property, and equipment against sabotage, against propaganda affecting Army personnel, and against all espionage. The message disclaimed ordering any illegal measures, and warned that protective measures should be confined to those essential to security, so as to avoid unnecessary publicity and alarm. The message stated that identic communications were being sent to all air stations and, on November 28, the Chief of the Army Air Forces sent such an identic message to the commanding general, Hawaiian Air Force.

November 29, 1941, the commanding general, Hawaiian Department, replied to the last-mentioned message, outlining at length and in detail the measures taken to prevent sabotage of military establishments and property and essential industrial and public-utility installations. No reply was sent by the War Department to this message. General Short testified that he considered this series of messages a tacit agreement that the measures taken were all that were intended by the Department.

November 29, 1941, the Chief of Naval Operations sent a message to the commander in chief of the fleet, which was in substance a quotation of the Chief of Staff's despatch of November 27 to the commanding general, Hawaiian Department; and in addition directed the addressee to take no offensive action until Japan had committed an overt act, and ordered certain action in case hostilities should occur.

November 30, 1941, the Chief of Naval Operations sent a despatch to the commander in chief of the Asiatic Fleet, and also forwarded the message to the commander in chief of the Pacific Fleet for his information, in which it was stated the indications were that Japan was about to launch an attack on the Kra Isthmus, directing the commander in chief of the Asiatic Fleet to do certain scouting, but to avoid the appearance of attacking. Admiral Kimmel testified that he had viewed this message as indicating that the Navy Department was not expecting a Japanese attack on Hawaii.

The Navy Department sent three messages to the commander in chief of the Pacific Fleet; the first of December 3, 1941, stated that it was believed certain Japanese consulates were destroying their codes and burning secret documents; the second of December 4, 1941, instructed the addressee to destroy confidential documents and means of confidential communication, retaining only such as were necessary, the latter to be destroyed in event of emergency (this was sent to the commander in chief of the Pacific Fleet for information

only); and the third of December 6, 1941, directing that in view of the tense situation the naval commands on the outlying Pacific islands might be authorized to destroy confidential papers then or later, under conditions of greater emergency, and that those essential to continued operations should be retained until the last moment.

The foregoing messages did not create in the minds of the responsible officers in the Hawaiian area apprehension as to probable imminence of air raids. On the contrary they only served to emphasize in their minds the danger from sabotage and surprise submarine attack. The necessity for taking a state-of-war readiness which would have been required to avert or meet an air-raid attack was not considered.

X

December 1, 1941, the Director of Naval Intelligence issued a bulletin which, under the caption "Japanese Naval Situation," stated:

Deployment of naval forces to the southward has indicated clearly that extensive preparations are under way for hostilities. At the same time troop transports and freighters are pouring continually down from Japan and northern China coast ports headed south, apparently for French Indochina and Formosan ports. Present movements to the south appear to be carried out by small individual units, but the organization of an extensive task force, now definitely indicated, will probably take sharper form in the next few days. To date this task force, under the command of the commander in chief, Second Fleet, appears to be subdivided into two major task groups, one gradually concentrating off the southeast Asiatic coast, the other in the Mandates. Each constitutes a strong striking force of heavy and light cruisers, units of the combined air force, destroyer and submarine squadrons. Although one division of battleships also may be assigned, the major capital ship strength remains in home waters, as well as the greatest portion of the carriers.

The Naval Intelligence Service in Hawaii, due to lack of information indicating that the bulk of Japanese carriers were at sea, concluded they were in home ports.

XI

At about noon, eastern standard time (6:30 a. m. Honolulu time), December 7, an additional warning message, indicating an almost immediate break in relations between the United States and Japan, was dispatched by the Chief of Staff after conference with the Chief of Naval Operations, for the information of responsible Army and Navy commanders. Every effort was made to have the message reach Hawaii in the briefest possible time, but due to conditions beyond the control of anyone concerned the delivery of this urgent message was delayed until after the attack.

XII

The commanding general, Hawaiian Department, the commander-in-chief of the fleet, and the commandant, Fourteenth Naval District, their senior subordinates, and their principal staff officers, considered the possibility of air raids. Without exception they believed that the chances of such a raid while the Pacific Fleet was based upon Pearl Harbor were practically nil. The attack of Sunday, December 7, 1941, was therefore a complete surprise to each of them.

While General Short and Admiral Kimmel conferred frequently with respect to joint Army-Navy plans and procedures, they did not, on or subsequent to November 27, 1941, hold any conference specifically directed to the meaning of the messages received from the War and Navy Departments or concerning action required to be taken pursuant to those messages.

For some time prior to November 27, 1941, the War Department and the Navy Department had under consideration the possibility of sending Army airplanes to Wake and Midway and withdrawing Marine planes then on those islands; of relieving marines stationed there by the substitution of units of the Army. General Short, Admiral Kimmel, and Rear Admiral Bloch had been in conference concerning this proposal.

At the time of the receipt of the messages of November 27 by Admiral Kimmel and General Short, respectively, this proposal was a subject of discussion. General Short held discussions with Admiral Kimmel on November 27, December 1, 2, and 3 concerning this matter in an effort to compose certain differences of view. At one of these conferences Admiral Kimmel inquired of his war-plans officer, Captain McMorris, who was present, concerning the probability of a surprise air attack on Oahu. According to General Short, Captain McMorris replied there was no probability of such an attack; and, according to Captain McMorris, his reply was that the Japanese would never so attack. According to the testimony Admiral Kimmel and General Short did not discuss means or measures for Hawaiian defense to be adopted in the light of the messages.

On and after November 27, 1941, the commanding general, Hawaiian Department, and the commander in chief of the Pacific Fleet, independently took such action as each deemed appropriate to the existing situation. Neither informed the other specifically of the action he was taking, and neither inquired of the other whether or not any action had been taken, nor did they consult as to the appropriateness of the actions taken by them respectively.

After receipt of the messages of November 27 the following action was taken:

The commanding general, Hawaiian Department, ordered alert No. 1 (see next succeeding paragraph) into effect on November 27, and it was maintained in effect until December 7. At the same time he ordered that the aircraft warning system operate daily from 4 to 7 a. m. The commandant of the Fourteenth Naval District, in his capacity as base-defense officer, called a conference of all the destroyer commanders of the inshore patrol, advised them that something might happen, and that they should be on the alert. The commander in chief of the fleet made certain dispositions of units of the fleet for the purpose of strengthening his outposts to the south and west of the Hawaiian Islands, and also issued an order that any Japanese submarines found in the operating areas around the island of Oahu should be attacked. This order went beyond the authority given him by the Navy Department.

In the Hawaiian Department's standing operating procedure governing the defense of the Hawaiian coastal frontier, three states of

readiness were prescribed, known as alert No. 1, alert No. 2, and alert No. 3. Alert No. 1 was thus defined:

This alert is a defense against acts of sabotage and uprisings within the islands, with no threat from without.

Alert No. 2 was thus defined:

This alert is applicable to a condition more serious than alert No. 1. Security against attacks from hostile subsurface, surface, and aircraft, in addition to defense against acts of sabotage and uprisings, is provided.

Alert No. 3 was thus defined:

This alert requires occupation of all field positions by all units, prepared for maximum defense of Oahu and the Army installations on outlying islands.

XIII

The responsibilities of the Army included the installation and operation of an aircraft warning system for the detection of water-borne and air-borne craft at a distance from the coast. Throughout the late spring and summer of 1941 the Army was engaged in the installation of permanent facilities for this purpose on the Hawaiian Islands. Permanent installations had not, on December 7, 1941, been completed. By November 27, 1941, certain mobile equipment had been installed at temporary locations, and was being operated intermittently throughout the day for the purpose of training personnel in its operation. On November 27, 1941, in connection with the order for alert No. 1, the commanding general, Hawaiian Department, ordered that this system be operated each day during the period from 4 until 7 a. m. It was intended that in the near future the Navy should have officer personnel in the information center, but up to December 7 such officers had not been designated. In accordance with the order in effect, the system closed at 7 a. m. Sunday, December 7. A noncommissioned officer who had been receiving training requested that he be allowed to remain at one of the stations, and was granted leave so to do. At about 7:02 a. m. he discovered what he thought was a large flight of planes slightly east and north of Oahu, at a distance of about 130 miles. He reported this fact at 7:20 a. m. to a lieutenant of the Army who was at the central information center, having been detailed there to familiarize himself with the operation of the system. This inexperienced lieutenant, having information that certain United States planes might be in the vicinity at the time, assumed that the planes in question were friendly planes, and took no action with respect to them. The recording of the observation made indicated that these airplanes were tracked toward the island and then lost.

On November 27, 1941, there was sufficient partially trained personnel available to operate the aircraft warning system throughout 24 hours of the day, as installed in its temporary locations. An arc of nearly 360° around Oahu could have been covered.

Admiral Kimmel, on and prior to December 7, 1941, assumed that the aircraft warning system was being fully operated by the Army, but made no inquiry after reading any of the messages of October and November from the War and Navy Departments as to what the fact was with respect to its operation.

XIV

The joint coastal frontier defense plan provided that, when it became effective, the Army should conduct an inshore airplane patrol, covering the circumference of the island of Oahu to a distance of about 20 miles. Prior to December 7, 1941, no inshore patrol was conducted, except during drills and maneuvers. Pilots were being trained on weekdays, and the training involved flying around the confines of Oahu from about 8 o'clock in the morning throughout the day. On Sunday morning no inshore airplane patrol was conducted.

XV

Under the joint coastal frontier defense plan, when the plan became effective the Navy was to conduct distinct air reconnaissance radiating from Oahu to a distance of from 700 to 800 miles. Prior to December 7, 1941, no distant reconnaissances were conducted, except during drills and maneuvers. The fleet from time to time had task forces operating in various areas off the island of Oahu and, in connection with such operations, carrier and patrol planes conducted reconnaissances of the operating areas. The sectors searched, however, constituted but small arcs of the total arc of 360°, and rarely extended to a radius of 700 miles.

Means were available for distant reconnaissance which would have afforded a measure of security against a surprise air attack.

General Short assumed that the Navy was conducting distant reconnaissance, but after seeing the warning messages of October and November from the War and Navy Departments he made no inquiry with respect to the distant reconnaissance, if any, being conducted by the Navy.

XVI

There were, prior to December 7, 1941, Japanese spies on the island of Oahu. Some were Japanese consular agents and other were persons having no open relations with the Japanese foreign service. These spies collected and, through various channels transmitted, information to the Japanese Empire respecting the military and naval establishments and dispositions on the island.

In Hawaii the local Army Intelligence Service has always devoted itself to matters pertaining to Army personnel and property; and the local Naval Intelligence Service to matters pertaining to Navy personnel and property. In addition, prior to the establishment of an office of the Federal Bureau of Investigation in Hawaii, Naval Intelligence investigated enemy activities amongst the civil population. When the Bureau's office was established it was agreed by the three governmental agencies that the Bureau should take over and become primarily responsible for investigation of matters connected with the civil population, and that the three services should cooperate with each other. Efforts were made by the Bureau to uncover espionage activities in Hawaii. The United States being at peace with Japan, restrictions imposed prevented resort to certain methods of obtaining the content of messages transmitted by telephone or radio telegraph over the commercial lines operating between Oahu

and Japan. The Bureau and the local intelligence staffs were unable, prior to December 7, to obtain and make available significant information respecting Japanese plans and fleet movements in the direction of Hawaii.

In the summer of 1941 there were more than 200 consular agents acting under the Japanese consul, who was stationed in Honolulu, T. H. The naval district intelligence office raised a question with the Federal Bureau of Investigation, and with the intelligence officer of the Hawaiian Department of the Army, whether these agents should not be arrested for failing to register as agents of a foreign principal as required by statutes of the United States. In conferences respecting this question, the commanding general, Hawaiian Department, objected to the arrest of any such persons at least until they had been given notice and an opportunity to register, asserting that their arrest would tend to thwart the efforts which the Army had made to create friendly sentiment toward the United States on the part of Japanese aliens resident in Hawaii and American citizens of Japanese descent resident in Hawaii and create unnecessary bad feeling. No action was taken against the agents.

It was believed that the center of Japanese espionage in Hawaii was the Japanese consulate at Honolulu. It has been discovered that the Japanese consul sent to and received from Tokyo in his own and other names many messages on commercial radio circuits. This activity greatly increased toward December 7, 1941. The contents of these messages, if it could have been learned, might have furnished valuable information. In view of the peaceful relations with Japan, and the consequent restrictions on the activities of the investigating agencies, they were unable prior to December 7 to obtain and examine messages transmitted through commercial channels by the Japanese consul, or by persons acting for him.

It is now apparent that through their intelligence service the Japanese had complete information. They evidently knew that no task force of the United States Navy was anywhere in the sector northeast, north, and northwest of the Hawaiian Islands. They evidently knew that no distant airplane reconnaissance was maintained in any sector. They evidently knew that up to December 6 no inshore airplane patrol was being maintained around the periphery of Oahu. They knew, from maps which they had obtained, the exact location of vital air fields, hangars, and other structures. They also knew accurately where certain important naval vessels would be berthed. Their flyers had the most detailed maps, courses, and bearings, so that each could attack a given vessel or field. Each seems to have been given a specified mission.

XVII

The passes and liberty granted the personnel of the Army and Navy in Hawaii on Saturday, December 6, were normal for a period when the forces were not upon a war footing, with the following exceptions: The normal Army guard had been increased by approximately 100 percent; two battalions of infantry were held in reserve for antisabotage defense; antiaircraft gun crews were maintained on ships in harbor for instant defense; all Navy personnel, with the exception of those authorized to be absent, were required to be in

their quarters at midnight; all places of amusement in Honolulu and all entertainments at the Army posts were closed at midnight; all saloons and drinking places in Honolulu were closed at midnight.

On the night of December 6 numerous officers of the Army and Navy attended social functions at various points on the island of Oahu, principally the usual Saturday functions at the various posts and naval establishments. The commanding general, Hawaiian Department, and the commander in chief of the Pacific Fleet were both guests at dinners away from their posts of command on that evening, but returned to their quarters at an early hour.

The percentages of strength in the Army present for duty on the island of Oahu at 8 a. m. December 7, 1941, reported by all major echelons and posts, were: Twenty-fourth Infantry Division, 90 percent; Twenty-fifth Infantry Division, 85.6 percent; Coast Artillery Corps, 87.5 percent; Air Force, 88.9 percent; miscellaneous, including department headquarters, ordnance, quartermaster, and medical, 92 percent. Estimated general percentage, 88.8 percent. Reports from large ships and destroyers that were in Pearl Harbor during the attack show 60 percent of officers on board and 96 percent of the men. Of 75 vessels of the fleet, of all kinds, 49 commanding officers were aboard during the attack and 22 were en route to their ships, 1 was on another ship, and 1 was on authorized leave, which leaves 2 for whom we are unable to account.

Intoxicating liquor is sold on the island of Oahu, and men on pass or on liberty have the opportunity to buy and consume it. Following the established procedure, at home and abroad, the Army exercises disciplinary control of men on pass through its military police, and the Navy of men on liberty by the use of shore patrols. These organizations take into custody any person showing evidence of intoxication. On the night of December 6-7, 1941, from 6 p. m. to 6 a. m., arrests of soldiers by the military police, for intoxication, were 38, and arrests of sailors by the Navy shore patrol, for intoxication, were 4. By comparison the arrests of civilians for drunkenness on that night were 39. Thorough inquiry disclosed there is no evidence of excessive drinking by any officer of either service on that night. The evidence shows that as respects the use of intoxicating liquor and intoxication, the conditions amongst the men of the Army and of the Navy on the night of December 6 compare closely with similar conditions for the several preceding months. On Saturday, December 6, 1941, the usual percentage of enlisted strength entitled to passes or liberty took advantage of such privilege to spend the afternoon or evening in the city of Honolulu. Application of this ratio to total numbers of all the services then on the island of Oahu and in Pearl Harbor, amounting to about 75,000 men, indicates that no less than 11,000 soldiers, sailors, and marines visited Honolulu that afternoon and evening.

In normal times more enlisted men of both services are absent from duty by permission on Saturday nights than on other nights; and on Saturday nights more officers are customarily absent than on weekday nights.

On the morning of Sunday, December 7, Army posts and naval vessels and stations were adequately manned, for the readiness and alert then in effect, by men fit for duty.

XVIII

The attack on the morning of December 7, 1941, was a combined air-raid and submarine attack on the island of Oahu, a bombardment of Midway, and a continuous air attack and bombardment on Wake Island.

Available information indicates that the force attacking Oahu consisted of either three or four Japanese carriers, with supporting surface craft and a few small submarines, and that this force had maintained radio silence during its approach, which, except for the submarines, was from the northward of Oahu.

In the attack on Oahu a suspicious object was sighted in the prohibited area off Pearl Harbor at 6:30 a. m., by the U. S. S. *Antares*. Between 6:33 and 6:45 this object, which was a small submarine, was attacked and sunk by the concerted action of a naval patrol plane and the U. S. S. *Ward*. A report of this action by the *Ward* reached the naval-base watch officer at 7:12 a. m., who notified his chief of staff. The ready destroyer was despatched to investigate, but no alert warnings were issued based upon this report. Another small submarine was fired upon, depth-charged, rammed, and sunk inside the harbor between 8:35 and 8:43 a. m. A third small submarine grounded in Kaneohe Bay and was captured. There is no evidence of any damage by torpedoes fired by these submarines.

Pearl Harbor was provided with an antitorpedo net which would have prevented the entrance of torpedoes into the harbor, and would have revealed the entrance of a submarine. The procedure prior to December 7, 1941, was to keep the net closed during the hours of darkness, opening it only when necessary for a vessel to pass through. It was kept open during daylight hours, on the theory that, during daylight, the channel entrance destroyer, the net vessel, and other vessels in the vicinity, would detect a submerged or partially submerged submarine. December 7 the net was opened at 4:58 a. m. for the entrance of two mine sweepers. It was kept open until 8:40 a. m., when it was closed by orders. The net was not damaged. The submarine was first sighted in the harbor at 7:45 a. m. The time of its entrance is not known, but probably it passed in about 7 a. m.

An estimated force of from 150 to 200 fighting, bombing, and torpedo planes simultaneously attacked Pearl Harbor and all air bases on Oahu at about 7:55 a. m. All attacking planes had withdrawn before 11 a. m. As a result of the attack serious loss of life was caused and serious damage was inflicted on ships in the harbor, and planes, hangars, and other facilities at Hickam Field, Ewa Field, Ford Island, Wheeler Field, Bellows Field, and Kaneohe.

The major part of the damage to ships in Pearl Harbor resulted from torpedoes launched from planes. The torpedoes were of an obsolete type, altered to increase their explosive load, to decrease their radius, and fitted with side vanes to insure functioning in shallow water—a weapon peculiarly adapted to an attack such as the one delivered upon ships in Pearl Harbor. Many of the bombs had extra heavy cases, and appeared to be modified armor-piercing shell.

December 7, 1941, at 9:30 p. m. Midway time (11:30 p. m. Honolulu time), a force believed to consist of two cruisers and two destroyers, approached from the southward, opened fire and shelled Midway Island for about 30 minutes. About noon December 8, 1941 (2:50 p. m. December 7, Honolulu time), some 27 land planes made a strafing and bombing attack on Wake Island. Some loss of life and damage to material resulted on each island. Attacks on Wake continued until its capture on December 22, 1941 (December 21, Honolulu time).

Immediately upon realizing that the Japanese were attacking, the commanding general, Hawaiian Department, ordered alert No. 3. The alert was executed with reasonable promptness. At the same time the commander in chief placed the fleet on a full war basis and issued a series of orders in an effort to intercept and destroy the attacking force.

Officers and enlisted men, in defending against the attack, demonstrated excellent training and high morale. Antiaircraft weapons aboard ship, which were not already manned, and antiaircraft weapons ashore, which were in position, were promptly manned. Junior officers and enlisted men on their own initiative procured from storage every possible automatic weapon. These weapons continued in action during and in spite of low-level strafing and dive bombing which have been known to demoralize even seasoned troops. At least three fighter pilots, in total disregard of their own safety, attempted to take off in the face of greatly superior forces then attacking their airdrome, but lost their lives in the attempt. A few fighter planes parked on an outlying gunnery training field, which was not attacked, took the air. This combined antiaircraft and fighter action resulted in the destruction of approximately 30 enemy aircraft, and a number of others were lost at sea because they were unable to rejoin their carriers.

XIX

The state of readiness prescribed for Army aircraft prior to the attack required them to be ready for flight only after 4 hours' notice. The type of alert in effect required all Army aircraft to be concentrated in order more effectively to guard against possible sabotage, instead of being dispersed in order to afford greater security against air attack, and greater facility in taking the air. This state of readiness, this concentration of airplanes, and the element of surprise, all contributed to the effectiveness of the Japanese attack, and resulted in such permanent or temporary disablement of airplanes that very few fighter airplanes were able to take the air during the course of the action. For the same reasons it was impossible to get airplanes into the air in time to trail the Japanese airplanes back to their carriers.

The aircraft warning system, which was remained by about 8:30 a. m. December 7, 1941, failed during the balance of that day to furnish any reliable information of enemy aircraft returning to their carriers. Such information as it afforded indicated enemy forces to the southward and southwestward of Oahu. A report of an actual contact with an enemy carrier, which later proved to be erroneous,

gave credence to numerous reports from other sources indicating enemy carriers might be to the southward and southwestward thus causing futile searches in those areas.

On December 7 naval Task Force 8 was about 200 miles west of Oahu, proceeding toward Oahu. Another was about 700 miles west of Oahu. A third, Task Force 11, was in the vicinity of Johnston Island, about 700 miles southwest of Oahu. These task forces were engaged in operations connected with strengthening the defenses of the outlying islands.

On the morning of December 7, 1941, prior to the attack, the following searches of sea areas were being made. Six patrol planes were searching south and southeastwardly from Midway. Three patrol planes were in the air engaged in a joint exercise with submarines south of Oahu. Eighteen scouting planes from Task Force 8 had been dispatched to scout in advance of the force which was on its way to Oahu. These scouted to the southwestward of Oahu. After the attack the following searches were made: The 3 planes in the air south of Oahu, according to their standing orders, searched to the northwest of Oahu a distance of about 375 miles. Nine planes were dispatched by Task Force 8 and searched to the south and southwest of Oahu. Carrier planes of Task Force 11 searched in an area about 500 miles southwestward of Oahu. About 11:27 a. m. 2 heavy Army bombers and 4 light bombers took off to attack a carrier reported about 25 miles off Barber's Point. After failure to make contact the 2 heavy bombers searched first to the southwestward and then in areas to the northwest of Oahu. The other 4 searched to the southwestward. At 11:50 a. m. 6 Navy VS planes searched southward of Oahu. Thereafter 9 planes searched the sector southwest to northwest of Oahu. Two utility planes searched northward of Oahu to a distance of 300 miles, and 9 planes which had arrived from carriers and refueled searched some 200 miles to the northward. No contacts were made with enemy aircraft or carriers, except that 1 Navy airplane was attacked by a Japanese airplane some 300 miles north of Oahu. This incident was not reported until the next day.

SUMMARY OF THE MORE IMPORTANT FACTS

Pearl Harbor is an important outlying naval base, and its security is vital to both offensive and defensive operations. It is the Army's function to insure the security of Pearl Harbor against hostile attack, and the Navy's function to support the Army indirectly by operations at sea and directly by making available therefor such instrumentalities of the Navy as are on the vessels of the fleet when in harbor and are located or based on shore either temporarily or permanently.

Effective utilization of the military power of the Nation is essential to success in war and requires that the operations of the Army and the Navy be coordinated. Under the then existing plans the joint defense of the Hawaiian frontier was to be coordinated by mutual cooperation between the commanders concerned. Plans for the defense of the Hawaiian coastal frontier were prepared by the commanding general, Hawaiian Department, and the commandant of the Fourteenth Naval District, the latter acting as a subordinate of the

commander in chief of the Pacific Fleet. Adherence to such a plan prepared in advance of hostilities does not suffice to relieve commanders of their responsibility to apply and adapt the plan to the situation as it develops.

Where, as here, the defense of an area is the joint responsibility of two commanders who are to coordinate their activities by mutual co-operation, the first duty of such commanders in the case of an emergency is conference and consultation with respect to the measures to be taken under the existing plans and the adaptation of those plans in whole or in part to the situation.

At about the time that Admiral Kimmel and General Short assumed their respective commands, the War and Navy Departments were in correspondence with respect to adequate defense against air raids on Oahu and the naval base. The correspondence between the departments exhibits a deep concern respecting the probability of this form of attack. These commanders were acquainted with this correspondence. Nevertheless there has been amongst the responsible commanders and their subordinates, without exception, a conviction, which persisted up to December 7, 1941, that Japan had no intention of making any such raid. Consequently this form of attack was a complete surprise to all of the superior officers of Army and Navy stationed in the Hawaiian area. This conviction persisted notwithstanding messages containing warnings and orders, brought to the attention of both commanders over a period of weeks prior to the attack. As early as October 16 the commanders were warned of the possibility of an attack by Japan on the United States and were directed to take precautions and make preparatory dispositions in the light of this information. A significant warning message was communicated to both the local commanders on November 24. On November 27 each responsible commander was warned that hostilities were momentarily possible. The warnings indicated war, and war only.

Both of these messages contained orders. The commanding general was ordered to undertake such reconnaissance and other measures as he deemed necessary. The commander in chief of the fleet was ordered to execute a defensive deployment in preparation for carrying out war tasks. Other significant messages followed on succeeding days. These emphasized the impending danger and the need for war readiness.

In this situation, during a period of 10 days preceding the Japanese attack, the responsible commanders held no conference directed to a discussion of the meaning of the warnings and orders sent them, and failed to collaborate and to coordinate defensive measures which should be taken pursuant to the orders received. Dispositions as a result of the messages were independently made by each commander. Neither of them informed himself of the measures and dispositions taken by the other.

The dispositions so made were inadequate to meet a surprise air attack.

Both commanders were handicapped by lack of information as to Japanese dispositions and intent. The lack of such knowledge rendered more urgent the initiation of a state of readiness for defense.

The personnel, matériel, and equipment were insufficient to place the forces on a war footing and maintain them on that footing for

an extended period. These deficiencies did not preclude measures which would have to a great extent frustrated the attack or mitigated its severity.

A considerable number of the Army and Navy personnel were on pass or liberty December 6, for the reason that the state of alert or of readiness demanded by the emergency had not been put into effect. With immaterial exceptions Army and Navy personnel had returned from leave and liberty hours before the attack ensued, fit for duty.

Both officers and men responded immediately in the emergency and exhibited initiative, efficiency, and bravery in meeting the raid.

Based upon its findings of fact, the Commission reaches the following

CONCLUSIONS

1. Effective utilization of the military power of the Nation is essential to success in war and requires: First, the coordination of the foreign and military policies of the Nation; and, second, the coordination of the operations of the Army and Navy.

2. The Secretary of State fulfilled his obligations by keeping the War and Navy Departments in close touch with the international situation and fully advising them respecting the course and probable termination of negotiations with Japan.

3. The Secretary of War and the Secretary of the Navy fulfilled their obligations by conferring frequently with the Secretary of State and with each other and by keeping the Chief of Staff and the Chief of Naval Operations informed of the course of the negotiations with Japan and the significant implications thereof.

4. The Chief of Staff and the Chief of Naval Operations fulfilled their obligations by consulting and cooperating with each other, and with their superiors, respecting the joint defense of the Hawaiian coastal frontier; and each knew of, and concurred in, the warnings and orders sent by the other to the responsible commanders with respect to such defense.

5. The Chief of Staff of the Army fulfilled his command responsibility by issuing a direct order in connection with his warning of probable hostilities, in the following words: "Prior to hostile Japanese action you are directed to undertake such reconnaissance and other measures as you deem necessary."

6. The Chief of Naval Operations fulfilled his command responsibility by issuing a warning and by giving a direct order to the commander in chief, Pacific Fleet, in the following words:

This despatch is to be considered a war warning.

and

Execute an appropriate defensive deployment preparatory to carrying out the tasks assigned.

7. The responsible commanders in the Hawaiian area, in fulfillment of their obligation so to do, prepared plans which, if adapted to and used for the existing emergency, would have been adequate.

8. In the circumstances the responsibility of these commanders was to confer upon the question of putting into effect and adapting their joint defense plans.

9. These commanders failed to confer with respect to the warnings and orders issued on and after November 27, and to adapt and use existing plans to meet the emergency.

10. The order for alert No. 1 of the Army command in Hawaii was not adequate to meet the emergency envisaged in the warning messages.

11. The state of readiness of the naval forces on the morning of December 7 was not such as was required to meet the emergency envisaged in the warning messages.

12. Had orders issued by the Chief of Staff and the Chief of Naval Operations November 27, 1941, been complied with, the aircraft warning system of the Army should have been operating; the distant reconnaissance of the Navy, and the inshore air patrol of the Army, should have been maintained; the antiaircraft batteries of the Army and similar shore batteries of the Navy, as well as additional anti-aircraft artillery located on vessels of the fleet in Pearl Harbor, should have been manned and supplied with ammunition; and a high state of readiness of aircraft should have been in effect. None of these conditions was in fact inaugurated or maintained for the reason that the responsible commanders failed to consult and cooperate as to necessary action based upon the warnings and to adopt measures enjoined by the orders given them by the chiefs of the Army and Navy commands in Washington.

13. There were deficiencies in personnel, weapons, equipment, and facilities to maintain all the defenses on a war footing for extended periods of time, but these deficiencies should not have affected the decision of the responsible commanders as to the state of readiness to be prescribed.

14. The warning message of December 7, intended to reach both commanders in the field at about 7 a. m. Hawaiian time, December 7, 1941, was but an added precaution, in view of the warnings and orders previously issued. If the message had reached its destination at the time intended, it would still have been too late to be of substantial use, in view of the fact that the commanders had failed to take measures and make dispositions prior to the time of its anticipated receipt which would have been effective to warn of the attack or to meet it.

15. The failure of the officers in the War Department to observe that General Short, neither in his reply of November 27 to the Chief of Staff's message of that date, nor otherwise, had reported the measures taken by him, and the transmission of two messages concerned chiefly with sabotage which warned him not to resort to illegal methods against sabotage or espionage, and not to take measures which would alarm the civil population, and the failure to reply to his message of November 29 outlining in full all the actions he had taken against sabotage only, and referring to nothing else, tended to lead General Short to believe that what he had done met the requirements of the warnings and orders received by him.

16. The failure of the commanding general, Hawaiian Department, and the commander in chief, Pacific Fleet, to confer and cooperate with respect to the meaning of the warnings received and the measures necessary to comply with the orders given them under date of November 27, 1941, resulted largely from a sense of security due to the

opinion prevalent in diplomatic military, and naval circles, and in the public press, that any immediate attack by Japan would be in the Far East. The existence of such a view, however prevalent, did not relieve the commanders of the responsibility for the security of the Pacific Fleet and our most important outpost.

17. In the light of the warnings and directions to take appropriate action, transmitted to both commanders between November 27 and December 7, and the obligation under the system of coordination then in effect for joint cooperative action on their part, it was a dereliction of duty on the part of each of them not to consult and confer with the other respecting the meaning and intent of the warnings, and the appropriate measures of defense required by the imminence of hostilities. The attitude of each, that he was not required to inform himself of, and his lack of interest in, the measures undertaken by the other to carry out the responsibility assigned to such other under the provisions of the plans then in effect, demonstrated on the part of each a lack of appreciation of the responsibilities vested in them and inherent in their positions as commanders in chief, Pacific Fleet, and commanding general, Hawaiian Department.

18. The Japanese attack was a complete surprise to the commanders, and they failed to make suitable dispositions to meet such an attack. Each failed properly to evaluate the seriousness of the situation. These errors of judgment were the effective causes for the success of the attack.

19. Causes contributory to the success of the Japanese attack were:

Disregard of international law and custom relating to declaration of war by the Japanese and the adherence by the United States to such laws and customs.

Restrictions which prevented effective counterespionage.

Emphasis in the warning messages on the probability of aggressive Japanese action in the Far East, and on antisabotage measures.

Failure of the War Department to reply to the message relating to the antisabotage measures instituted by the commanding general, Hawaiian Department.

Nonreceipt by the interested parties, prior to the attack, of the warning message of December 7, 1941.

20. When the attack developed on the morning of December 7, 1941, the officers and enlisted men of both services were present in sufficient number and were in fit condition to perform any duty. Except for a negligible number, the use of intoxicating liquor on the preceding evening did not affect their efficiency.

21. Subordinate commanders executed their superiors' orders without question. They were not responsible for the state of readiness prescribed.

Respectfully submitted.

OWEN J. ROBERTS.
W. H. STANDLEY.
J. M. REEVES.
FRANK R. MCCOY.
JOSEPH T. MCNARNEY.

[A] REPORT OF ARMY PEARL HARBOR BOARD

Appointed by the Secretary of War, pursuant to the Provisions of Public Law 339, 78th Congress, approved 13 June 1944, to Ascertain and Report the Facts Relating to the Attack Made by Japanese Armed Forces upon the Territory of Hawaii on 7 December 1941, and to Make such Recommendations as It May Deem Proper. Also, To Consider the Phases Which Related to the Pearl Harbor Disaster of the Report of the House Military Affairs Committee, as Directed by the Acting Secretary of War, in His Memorandum for The Judge Advocate General, 12 July 1944.

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LEGENDS

RR—Roberts Record.

D—Document.

R—APHB Record.

Ex—Exhibit.

Italics ours unless otherwise stated.

[1] CHAPTER I. PREAMBLE: AUTHORITY FOR THE ARMY PEARL HARBOR BOARD AND ITS ACTION TAKEN

This Board was appointed pursuant to the provisions of Public Law 339, 78th Congress, approved 13 June 1944, by Letter Order A. G. O. 8 July 1944 (AGPO-A-A 210.311 (24 Jun 44)) as amended by Letter Order A. G. O. 11 July 1944 (AGPO-A-A 210.311 (10 Jun 44)) and Letter Order A. G. O. 22 August 1944 (AGPO-A-A 248.7 (2 Aug 44)), and as supplemented by Supplemental Letter Order A. G. O. 22 July 1944 (AGPO-A-A 210.311 (21 July 44)) which order made reference to a memorandum for The Judge Advocate General of 12 July 1944—Subject: Report of House Military Affairs Committee dated 14 June 1944 alleging neglect and misconduct of Colonel Theodore Wyman, Jr., and others, concerning Hawaiian and Canadian Defense Projects, and which was signed by Robert P. Patterson, Acting Secretary of

¹ Pages referred to are represented by italic figures enclosed by brackets and indicate pages of original transcript of proceedings.

War. This supplemental order directed the Board to consider the phase of the report which related to the Pearl Harbor disaster.²

Composition of the Board:

Lt. Gen. George Grunert, O1534, USA
 Maj. Gen. Henry D. Russell, O212769, USA
 Maj. Gen. Walter H. Frank, O2871, USA
 Col. Charles W. West, O12774, JAGD, Recorder (without vote)
 Col. Harry A. Toulmin, O205520, AC, Executive Officer (without vote)
 Maj. Henry C. Clausen, O907613, JAGD, Assistant Recorder (without vote)

[2] The Board interpreted these orders and the memorandum referred to as confining its investigation to the Pearl Harbor disaster.

The Board convened 20 July 1944 and was in continuous session from 24 July 1944 to 20 October 1944. It held hearings twice in Washington, D. C.; twice in San Francisco, California; and in Hawaii. It has heard a total of 151 witnesses and has interviewed many additional potential witnesses whom it found did not have any pertinent information. There has been no available document, witness, suggestion or lead which promised any materiality that has not been carefully investigated by this Board. Every witness has been invited to give, in addition to his testimony, any suggestions, opinions, leads to evidence, or any other information that might possibly be pertinent. It has been our purpose, and we believe we have effected it, to explore every available piece of information on this subject. We have not had the opportunity, nor the organization, to comb personally and exhaustively the official files, but we have called for the pertinent letters, documents, and memoranda. We believe that practically all of them have been secured, although we have found a few files from which important and vital papers are missing. In many instances we found these documents elsewhere or were able to prove them through copies in other hands.

This Board has been without power of subpoena, but in no instance has its invitation to appear and testify been ignored.

In view of the fact that the War Department appointed this [3] Board, under Joint Resolution of Congress,³ to examine the Army's part in the Pearl Harbor disaster because Congress desired, as appears from the legislative history of the Joint Resolution, a more thorough study, it has been necessary to examine the record of the Roberts Commission and the Roberts Report in the light of the new testimony adduced by this Board, new witnesses, and new docu-

² See copies of orders and memorandum, Exhibits 65 to 69, inclusive.

³ Public Law 339—78th Congress, Chapter 247—2d session, S. J. Res. 133, Joint Resolution: To extend the statute of limitation in certain cases.

"Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That effective as of December 7, 1943, all statutes, resolutions, laws, articles, and regulations, affecting the possible prosecution of any person or persons, military or civil, connected with the Pearl Harbor catastrophe of December 7, 1941, or involved in any other possible or apparent dereliction of duty, or crime or offense against the United States, that operate to prevent the court martial, prosecution, trial or punishment of any person or persons in military or civil capacity, involved in any matter in connection with the Pearl Harbor catastrophe of December 7, 1941, or involved in any other possible or apparent dereliction of duty, or crime or offense against the United States, are hereby extended for a further period of six months, in addition to the extension provided for in Public Law 208, Seventy-eighth Congress.

"Sec. 2. The Secretary of War and the Secretary of the Navy are severally directed to proceed forthwith with an investigation into the facts surrounding the catastrophe described in section 1 above, and to commence such proceedings against such persons as the facts may justify.

"Approved June 13, 1944."

ments; and to set forth wherein the Board's findings are in harmony with the Roberts Report; or, if in conflict, are correct and supported by fuller evidence.

The Board has made, therefore, a careful review of the record and exhibits of the Roberts Commission. This Board has been materially helped and enlightened by the Report and Record [4] of the Roberts Commission. We append to this report a section indicating the additional information and documents which have been made available as a result of our extended investigation, and which probably did not come to the attention of the Roberts Commission; or, at least, were not mentioned in either the testimony, documents or report of the Roberts Commission.

We have been greatly aided by the Interim Report, Committee on Military Affairs, House of Representatives, Seventy-eighth Congress, 2nd Session, pursuant to H. Res. 30, A Resolution Authorizing the Committee on Military Affairs and the Committee on Naval Affairs to Study the Progress of the National War Effort, and the committee's records, counsel, and investigators, with particular reference to the activities of Colonel Theodore Wyman, Jr., Hans Wilhelm Rohl, the Hawaiian Constructors, and others, as such activities had a bearing upon the Pearl Harbor disaster and what led up to it. We have been aided by the testimony of counsel from that committee and the complete record of the investigation of that committee on this subject and its exhibits. We have also heard testimony and investigated reports and reviewed affidavits of additional affiants, whose testimony came to light, or documents were discovered, after the conclusion of the investigation of the Committee on Military Affairs, as indicated in its Interim Report. We have also been aided by the Federal Bureau of Investigation, the Department of Justice, and the Report of the Tenney Committee in California.

We transmit with this report the record of testimony of the witnesses consisting of 41 volumes and 70 exhibits. In the appendix to this report is a tabulation in detail of the [5] witnesses who testified and a list of the exhibits.

In order to facilitate the examination of the Board's record by the War Department and by any others who may have occasion to review the record and exhibits, we append to this report and make a part of it extensive analysis of the testimony of every witness, indexing each statement by reference to the record, and with cross references of those statements to different parts of the record where similar or different statements on the same subject were made by other witnesses. We have also added cross references to the same subject matter in the record of the Roberts Commission or the exhibits presented before that commission. It is, therefore, possible for anyone reviewing this report to have a complete and, we believe, exhaustive analysis of every phase of the Pearl Harbor matters, so that any part of the situation can be easily and promptly reviewed.

In formulating this report the Board has been conscious of the deep spiritual and moral obligation, as well as its professional and patriotic duty, to present an impartial and judicial investigation and report. This we have earnestly endeavored to do, and have spared no pains or effort to that end. With that spirit animating our actions, we have deemed it helpful and wise to present the state

of mind and the background against which the events of the drama of Pearl Harbor could be adequately judged; and to sketch in retrospect the events and the knowledge of such events of each of the principal actors on the scene, so that their actions might be more fully understood and justly evaluated [6] and judged. At no time, however, has the Board acted as a court.⁴

This is necessary because we are now passing upon the matter several years after the event. We have endeavored to effect this reconstruction to some degree in the second chapter entitled, "Background". The same considerations have been evaluated in the succeeding chapters, as this background affected the events and actions of those involved in the matters under consideration. In so doing, we hope we have avoided the human failing so aptly pointed out by St. Paul of

forgetting those things which are behind and reaching forth unto those things which are before.

In Chapter III we have presented the story of Pearl Harbor. This is a running chronological story of the events that took place leading up to the Pearl Harbor attack and through that fateful day and for a short period thereafter, so far as subsequent events reflected upon the conditions previously existing. We have discussed in this Chapter III the arguments for and against each principal proposition, have examined all of the representations and defenses of General Short and others involved in this matter. We have endeavored to state the surrounding facts and circumstances, the background, the considerations and factors which influenced each principal officer or official in the execution of his duties.

[7-8] Therefore, whoever reads this report will have before him all of the considerations for and against any proposition, all facts, any defense or any claim put forward by those interested, and answers to such questions of import to the services and to the public, in order to have the foundation for an impartial judgment.

In Chapter IV we continue the story in so far as it pertains to Washington. In Chapter V we relate the story concerning the Pre-Pearl Harbor construction activities and in Chapter VI come to Conclusions.

The Board was after facts; and the surrounding conditions, background, and atmosphere which influenced the actors in this drama and brought them to their fateful decisions. This we believe we secured successfully from military and naval personnel of widely varying ranks; from civilians of varied stations in life; and from official and other contemporaneous publications. The range of witnesses ran from men in the ranks to Generals and Admirals, and from the humblest in civil life to United States Senators and the President's Cabinet.⁵ Each witness was invited, additionally, to express freely his views and opinions on the record, and to submit any facts or leads to the discoveries of facts which might be helpful to this Board.

We set out with no thesis to prove, nor person to convict. Our ap-

⁴Whenever any interested witness raised a question of proof that had not been previously discussed, or fully examined, or any newspaper report raising any question came to our attention, we endeavored to get an answer so that the whole truth would be known once and for all.

⁵Whenever there was a shadow or a shade of a doubt, we resolved it in favor of running down the suggestion and introducing proof, if it had any suspicion of materiality.

proach has been, we hope, diligently and completely factual; and also equally impartial. Our conclusions are those compelled by the clear weight of the evidence from the facts set forth in the record.

[9]

CHAPTER II. BACKGROUND

1. Introduction

Confusion of Thinking, Organization, Conflict of Opinions and Diversity of Views; Nation Not Geared to War.

2. Public Opinion

Psychological Conditions and Their Effect; Army Dependent on Public Opinion and State of Public Mind and Its Readiness for War; American Public Reluctant to Consider A War; Japan Ready for War.

3. U. S. Policy (1922-1939)

Study of Long-Term Treatment of Japan Important; the Mandated Islands and Exclusion of the United States and Fortification of the Islands by Japan; the Navy's Efforts to Get Into the Islands and Its Relationship to the State Department; Diplomatic Status of Consular Agents of Japan in Hawaii and Their Spying Activities; Strong National Policy for the Protection of American Rights Lacking and Effect Upon the Army and Navy; the Effect of This Policy on the Japanese Oriental Trading Mind.

4. U. S. Policy (1939-1941)

Avoidance of a Conflict with Japan 1939-1941 by Avoiding Open Breach; Necessity for Delay to Prepare for War; Negotiations Based Upon Lack of Incidence.

5. Moral Embargoes Versus Japanese Expansion

Morale Embargoes; Economic Sanctions by Direct Embargoes; Coincident Forming of Public Opinion Against Japan; Japanese Making No Concessions and Proceeding with Aggressions; Threatening Hostile Action; Lack of Public Understanding of Importance of Hawaii; War and Navy Departments Making [10] Great Effort to Prepare for War with Grave Deficiencies; Diversion of Resources to Assist England and France Retarding our Own Rearming; Coordination of Action by the Government Through Conference in War Council, Etc.; Lack of Appreciation of Where Japan Would Attack and Miscalculation of Time of Attack; Japanese Full Understanding of Our Dilemma.

6. Public Demands Action Against Japanese

National Policy Against War; Attempt to Negotiate and Apply Economic Sanctions Put Government in Difficult Contrary Positions; Conflicting Elements of Policy Communicated to Field Commanders to Both Prepare for War and Not Precipitate an Incident Causing War; Public Opinion in 1941 More Belligerent Than the Preparations for War Justified Complicating Government Position.

7. Economic Sanctions Against Japan

The Economic Effect on Japan of Progressive Sanctions Considered in Detail; the Rising Tempo of Economic Disaster to Japan and the Decreasing Success of Negotiations; Inevitable Showdown Between Japanese Economic Strangulation and Military Action Approaching; the Impasse Reached on November 26, 1941; the State Department Passes Responsibility for the Nation to the War and Navy Departments.

8. The Hawaiian Population Problem

Sabotage Complex; the Japanese Population Conditions Analyzed in Hawaii; the Rising Dominance Economically and Politically of the Japanese Group; Sabotage of War Action Possible by the Hawaiian Japanese Group; the Difficulty of Alerts Without Disturbing the Civilian Japanese Population To An Overt Act; Effect of Japanese Atmosphere in Hawaii and Government Policy Against Overt Acts Upon the Responsible Commanders in Hawaii; the Local Opposition of Commercial Interests to [11] Putting Japanese Under Control; Official Reluctance to Put Local Japanese Population under Civilian Surveillance; Free Japanese Propaganda and Intelligence Operations in Hawaii.

9. *Hawaiian Press*

Constant Reiteration of Progressively Increasing Difficulties with Japan and Threats of War Accentuated the State of Mind of Local Commanders as to Difficulties with Local Population.

10. *Summary*

Preparatory Period Immense Effect Upon State of Mind of Public Officials and Commanders; Our Complacency Our Weakness; Our National Pride and Vanity our Weakness; the Result was Lack of Action, Coordination, Cooperation, Teamwork, and War Spirit; United States Was Unprepared Mentally, Physically, or as an Organization for War.

[12] 1. *Introduction.*—The purpose of this explanation of the background of public and private events as they existed in 1940 and 1941 is this. There existed during this critical period much confusion of thinking and of organization, of conflict of opinion and diversity of views. The nation was not geared to war, either mentally or as an organization. It was a period of conflicting plans and purposes. The winds of public opinion were blowing in all directions; isolationists and nationalists were struggling for predominance; public opinion was both against war and clamoring for reprisal against Japan; we were negotiating for peace with Japan, and simultaneously applying economic sanctions that led only to war; we were arming our forces for war and at the same time giving away much of such armament. The Administration, State, War and Navy Departments in their policies, plans and operations were likewise being pushed here and there by the ebb and flow of war events, public reactions, diplomatic negotiations and newspaper attacks.

The War Department by its actions and its organization was still on a peacetime basis; neither its management nor its general staff had perfected its organization for war or for the conduct of a large enterprise. The whole machinery of government was geared to a different purpose and tempo than war. Valiant and brilliant men were struggling to bring order out of chaos, rather as individuals or as small groups, attempting simultaneously both to establish policies and to accomplish practical things. As a result a few men, without organization in the true sense, were attempting to conduct large enterprises, take multiple actions, and give directions that should have been [13] the result of carefully directed commands, instead of action taken by conference. We were preparing for a war by the conference method. We were directing such preparations by the conference method; we were even writing vital messages by the conference method, and arriving at their contents by compromise instead of by command; that was the product of the time and conditions due to the transition from peace to war in a democracy.

Such was the confusion of men and events, largely unorganized for appropriate action and helpless before a strong course of events, that ran away with the situation and prematurely plunged us into war.

[14] 2. *Public Opinion.*—The disaster of Pearl Harbor and the responsibilities and courses of action taken by those connected therewith can better be understood when the background of public opinion and the state of the public mind are likewise understood. Psychological conditions had a material effect upon the events that took place. A brief review of the then state of mind of officials and the public; and the facts known to the public and to the government; and our national policy are all necessary in order to view the picture in its proper perspective.

Our Army, like other armies of democracies, in its policies and its actions to a degree was dependent upon and was influenced by public opinion and the state of the public mind. Successful war is waged through a state of mind and a state of public readiness for war. A recognition of this fact is necessary to the understanding of the background of public opinion and the state of our desire to make war, which undoubtedly had its influence on the War Department and the responsible commanders in Hawaii. A brief resume of that situation will lead to an understanding of what influenced the taking of certain actions, or the failures to take action, on the part of the Washington departments concerned and the higher commanders in the field.

For a long period of time prior to the war the public was reluctant even to consider a war.⁶ There was a distinct [15] lack of a war mind in the United States. Isolationist organizations and propaganda groups against war were powerful and vital factors affecting any war action capable of being taken by our responsible leadership. So influential were these campaigns that they raised grave doubts in minds of such leadership as to whether they would be supported by the people in the necessary actions for our defense by requisite moves against Japan. Public opinion in the early stages had to be allowed to develop; in the later stages it ran ahead of preparation for war. There was little war spirit either amongst the general public or in the armed forces, due to this conflicting public opinion having its influence.⁷ The events hereinafter recited must be measured against this important psychological factor.

At the same time, Japan was pursuing an opposite policy of preparation. It had been at war for several years in China; both its people and government were psychologically and physically geared to war and were implemented with a polished plan of action and equipment to do the job. It was animated by cunning, hatred and patriotism in a land where life is cheap; and nurtured in an atmosphere of insane nationalism [16] and oriental intrigue. Japan was a nation united for the single purpose of world conquest based on more than a thousand years of conflict.

As Ambassador Grew testified, from the time of his arrival in Japan in 1932, he constantly developed the theme of the grave necessity for adequate preparation militantly to implement our diplomatic policy, because of Japan's readiness for war. As he said to Mr. Stimson, then Secretary of State, in the latter part of 1932:

The Japanese Army has been built for war, it feels prepared for war, and it wants war.

And he continued:

At that time I said it would be criminally "short-sighted", I think not to recognize this fact and be prepared for anything that might develop in the Far East. Those warnings were, as I say, continued in my telegrams and dispatches throughout the ten years of my service there, right up to the end." (R. 4291.)

⁶ The close vote of Congress on recalling the National Guard from active service and on a proposal to abandon Lend-Lease clearly reflect public opinion of that day and time in 1941.

⁷ Rear Admiral McMorris testified as to the weak status of our fleet with respect to the strong Japanese task force that attacked Pearl Harbor, and what would have happened if our fleet had gone out into deep blue water to fight: "A fight would have occurred in which our losses might have been even greater than actually occurred. * * * our own losses would have been extremely heavy and might well have included the loss of both our carriers." (R. 2878.)

[17] 3. *U. S. Policy, (1922-1939).*—The events leading up to the Pearl Harbor disaster can only be understood when we examine our national policy as administered by the State Department. That policy must be examined back a number of years to see the long-term treatment of Japan which had its bearing on the Pearl Harbor disaster.

An early step in a direction considered adverse to the interests of the United States was our failure to have a showdown with Japan on its fortifications of the mandated islands.

The Mandate for the German possessions in the Pacific Ocean lying north of the Equator under date of December 17, 1920, the Convention for the Control of Trade and Arms and Ammunition between the Allied Powers under date of September 10, 1919, and the Mandates between the United States and Japan regarding the former German Islands in the Pacific Ocean north of the Equator and particularly the island of Yap under date of February 11, 1922, have the following in common:

a. "Full power of administration and legislation over the Mandated territory, including control of public works and services, the importation of arms, etc. In short, it was a 'government in trust.'"

b. "No military or naval bases shall be established or fortifications erected in the territory."

c. "The Mandatory . . . allow all missionaries, nationals of any state, member of the League of Nations, to enter into, travel and reside in the [18] territory for the purpose of prosecuting their calling."

d. "Any dispute between Japan and the other nations signing the Mandates, whether it be the first two Mandates mentioned, or the one direct with the United States, are to be settled by a negotiation of 'The Permanent Court of International Justice.'"

e. "Vested property rights in the Mandated Islands shall be respected and in no way impaired."

f. "The existing treaties between the United States and Japan shall be applicable to the Mandated Islands."

g. "The United States and its nationals shall have free access to the island of Yap on a footing of entire equality with Japan or any other nations and their respective nationals and all that relates to the landing and operation of the existing Yap-Guam cable, or over any cable which may be hereafter laid or operated by the United States or its nationals connecting with the island of Yap."

h. There are many other provisions of the same effect of entire freedom of action with respect [19] to Yap.⁵

⁵The Secretary of State, Mr. Hull, advised this Board: "Japan was given under a League of Nations mandate full power to administer the Mandated Islands as an integral part of Japan and to apply Japanese laws in the islands. The United States had expressly agreed in a treaty with Japan of February 11, 1922, to administration by Japan of the islands pursuant to the League mandate. Among the Japanese laws the operation of which was extended to include the Mandated Islands was that which stipulated that all ports and harbors shall be closed to foreign vessels except those that were specifically opened to foreign trade. The opened ports in the Mandated Islands were Saipan, Palau, Angaur, Truk, Ponape, and Jaluit.

"Article II (3) of the Treaty with Japan of February 11, 1922, regarding the Mandated Islands provided that: 'Existing treaties between the United States and Japan shall be applicable to the mandated islands.' Article IV of the Treaty of Commerce and Navigation concluded between the United States and Japan on February 21, 1911, contained the following provisions: 'The citizens or subjects of each of the Contracting Parties, equally with the citizens or subjects of the most favored nation, shall have liberty freely to come with their ships and cargoes to all places, ports and rivers in the territories of the other which are or may be opened to foreign commerce, subject always to the laws of the country to which they thus come.'

"By an exchange of notes which took place concurrently with the signing of the treaty with Japan of February 11, 1922, regarding the Mandated Islands, Japan assured the United States that 'the usual comity will be extended to nationals and vessels of the United States in visiting the harbors and waters of those islands'. The term 'usual comity' in its application to visits by the nationals and vessels of other countries means the courtesy which is normally accorded by a country to the nationals and vessels of other countries."

Had the United States successfully insisted upon Japan living up to those treaty stipulations, the entire naval and military structure in the key Pacific Islands erected by the Japanese might have been made impossible. Japan, without authority of international law and in violation of the treaties and mandates above referred to, for nearly twenty years successfully and completely excluded other nationals from the mandated territories, and during this time built up army, navy and air installations of tremendous strategical value.

[20] As a consequence of the foregoing, Japan gained the enormous advantage of a string of naval and air and army bases across our lifeline to the Philippines and rendered futile and impotent any fortification of our own islands, such as Guam, Midway, Christmas, Palmyra, etc. It also placed the dagger's point at the heart of the Hawaiian Islands because such a base as Jaluit in the mandated islands was a thousand miles closer to Hawaii than to the homeland of Japan.

Our policy through the successive years appears to have been based upon a combination of fear of the Japanese and of an obsession not to give offense to the Japanese; a policy which because of their temperamental characteristics, proved to be one of weakness rather than of strength; it was also a policy of endeavoring to treat the Japanese on the basis that they were civilized and that their word could be trusted and at the same time one which treated them as if they were uncivilized and could not be trusted, and consequently we excluded them from the United States.

We entered the year of 1941 with two purposes in mind: first, to avoid war and settle our troubles by negotiation, treaties, and contracts; and, while negotiating, we applied exactly the opposite remedy of economic sanctions.

Efforts to visit the Mandated Islands, presumably to glean information, were said to have been made and were unsuccessful. (R. Miles, 101-107; Pye, 1064-1065; Bloch, 1503, 1527-1529; DeLaney 1702-1703; Kimmel, 1807-1808; Layton, 3054-3055.) The State Department explanation concerning these efforts is set forth below. The net result was, however, that we did not get into these Islands; the Japanese fortified the Islands and in [21] consequence the United States suffered. The Secretary of State, Mr. Hull, presented his Department's views as follows:

The matter of visits to the Mandated Islands by American nationals or private American vessels, just as visits in general by American nationals and American private vessels to ports and places elsewhere in the world, did not call for a procedure involving requests through diplomatic channels by this Government to the Japanese Government and would not therefore have come within the cognizance of the Department of State, except in cases where, because of a refusal of the Japanese Government to permit such visits, this Government had taken diplomatic action at the instance of the American parties at interest. No record has been found in the Department's files of any application having been made by the Department to the Japanese Government for permission for American nationals or American private vessels to visit the Mandated Islands during the year 1940-1941, the years concerning which you made inquiry. According to the information made available to the Department in 1940, an officer attached to the office of the Naval Attache in Tokyo inquired in August 1939 at the ticket office of the Nippon Yusen Kaisha Steamship Company with regard to possibilities of making reservations for passages were filled for a period of three months. His subsequent efforts to obtain passage were frustrated by dilatory tactics on the part of the Japanese. No request for diplomatic assistance was made in that instance.

* * * * *

The procedure followed by this Government in asking permission from the Japanese Government for visits by public vessels to Japanese ports or ports in Japanese mandated areas was in accord with the procedure followed by this Government in requesting permission for visits by its public vessels to the ports of other countries.

No record has been found of any requests in 1940 and 1941 by the War or Navy Department to this Department that there be taken up with the Japanese Government proposals for visits to the Mandated Islands or of this Government's having approached the Japanese Government during those years in regard to visits to the Mandated Islands. In previous years the Navy Department at various times asked this Department to obtain permission for certain United States naval vessels to visit certain specified opened and unopened ports in the Mandated Islands. The Department of State promptly made representations to the Japanese Government requesting the necessary permission. With regard to applications made prior to 1936 the Japanese Government indicated its readiness [22] to permit American public vessels to visit the opened ports but not the unopened ports named in the lists submitted by the Navy Department. The Navy Department, however, canceled the proposed visits to the opened ports for which permission to visit had been granted. In the approaches made by this Government in 1936 and in 1937, the Japanese Government, on grounds of inconvenience, withheld its permission for United States public vessels to visit the opened ports as well as the unopened ports of the Mandated Islands.

In view of the fact that the Japanese Government in 1936 refused in actual practice to permit visits to the opened ports as well as to the unopened ports in the Mandated Islands and in view also of the fact that with the termination in 1936 of the Treaty Limiting Naval Armament, signed at Washington in 1922, this Government became free to fortify the Aleutian Islands, this Government decided to adopt a more restrictive policy with regard to the admission of Japanese war or other public vessels to the Aleutians and to Alaska. After 1936 visits by Japanese public vessels were permitted only to Dutch Harbor, also known as Unalaska, and, on two occasions, to the Pribiloff Islands which the Japanese were permitted to visit because of special circumstances arising out of the Convention of 1911 for the Preservation and Protection of Fur Seals. Subsequent to 1936 permission was withheld for all visits by Japanese public vessels to the territorial waters of the western Aleutian Islands.

The Japanese consulate and its consular agents in Hawaii enjoyed diplomatic immunity. This gave them a free rein in their spying activities and unrestricted communication by radio and cable with the mainland of Japan in reporting upon the movements of our fleet and the status of our armed defenses in Hawaii.⁹ Neither the Army, the Navy, nor the F. B. I. had [23] authority to tap these lines and find out what was going on because of our own legal restriction, the Communications Act of 1934.¹⁰

No better example of the failure to control consular agents and the results thereof can be found than the case of the consul general in Honolulu. This man had about 200 consular agents in the Islands. He used the commercial telephone and telegraph for reporting on our defenses and fleet movements with impunity. When he was arrested with his agents on December 7th, a large number of his messages were found in the wastepaper basket, torn up and partially burned. As a result of eight months' work in piecing a portion of these together,

⁹ Admiral McMorris, head of the War Plans Division of Staff of Commander-in-Chief Pacific Fleet, 1941, said: "I never entertained any doubt, any time during 1941, that the Japanese were fully informed of all military activities in this area." (R. 2882.)

¹⁰ Memorandum of September 29, 1944, from James Lawrence Fly, Chairman, Federal Communications Commission: "The United States was at peace with Japan prior to the attack on Pearl Harbor on December 7, 1941, and the Communications Act of 1934, under which the Federal Communications Commission was organized and from which it derives its powers, prohibited the tapping of wires or other interception of messages transmitted between points in the United States, including its territories, and a foreign country (Section 605). Since that prohibition upon the Commission had not been in any way superseded, the Commission did not intercept any messages over the radiotelegraph, cable telegraph or radiotelephone circuits between the United States (including Hawaii) and Japan prior to December 7, 1941."

Colonel Fielder, G-2 under General Short and since that time G-2 in Hawaii, produced a number of these reconstructed messages which clearly revealed that military information was being gathered and transmitted to Japan. The day before this event took place a radio-telephone message, that was monitored, between a Japanese doctor's house [24] in Honolulu and a newspaper in Japan was heard and reported, late on December 6, and was given extensive consideration by General Short and Colonel Fielder, G-2; but its exacting meaning could not be made out. This message is referred to as the Mori message. (R. 2961.) The next morning the Japanese struck. The evident trend of this message was to report upon the state of the naval defenses and the presence of the fleet as well as the Army defenses.

This Board believes that Japan's spying activities could have been determined, the intentions of the Japanese revealed and much important information gathered, which would probably have prevented in large measure the Pearl Harbor disaster, had the Army and Navy been permitted, with the F. B. I., to tap these lines and find out what was going on. If the consular agents were conducting commercial business, no harm would have been done; if they were not limiting their activities to consular business, we then had a right to know it and to take action accordingly, either by an open breach or by preparing ourselves to meet what they were doing.

Ambassador Grew has well stated that there are three lines of defense for a nation such as ours; the diplomatic line of defense, the Navy, and the Army. However, the diplomatic line—held by the State Department—ofttimes handicaps and influences the preparation for the Army and Navy defense lines. As an illustration, the policy of compromise between economic [25] sanctions and negotiations¹¹ in turn influenced War Department action, in that Short was told by the War Department, which in turn reflected the so he was told not to alarm the population nor to disclose intent.¹² There appears to be no evidence of a strong policy of standing up for American rights and boldly stepping out and making the Japanese behave themselves; and this in the face of the fact that it was well known that people of the character of the Japanese and their national attitude of mind respect only force and strength and do not respect a policy of good intentions nor demands of conduct without means to enforce same.

The Board is impressed with the necessity for a closer, more aggressive relationship between the Department of State, the Department of Justice, and the War and Navy Departments, in using all of their facilities as a coordinated team for the defense of the United States.¹³

¹¹ The Secretary of State, Mr. Hull, said: "With regard to the lines along which this Government's foreign policy with respect to Japan was directed in 1941, a detailed record is given in Chapter XIV of *Peace and War* (a publication issued by the Department in 1943), and on pages 325-386 of Volume II of *Foreign Relations of the United States-Japan, 1931-1941*."

¹² The Secretary of State, Mr. Hull, said: "With regard to your request for an expression of the Department's views touching upon the influence of foreign policy upon military directives, it was not the policy of this Government to take provocative action against any country or to cause Japan to commit an act of war against the United States."

¹³ The State Department counter proposals of the 26th of November, which Japan considered as an ultimatum, the day before the Army and Navy, Marshall-Stark memorandum could be delivered asking no ultimatum, is a case in point. Mr. Hull said after delivering his ultimatum that he washed his hands of the matter and left it to the Army and Navy. (R. Stimson, 4051-4053, 4078-4079.)

[26] The Japanese policy was typical of the oriental mind, which is predominantly a bargaining mind, asking twice as much as they expect to get and then settling on a compromise. Any show of weakness merely strengthens the hand of the bargainer, and any crack in the bargainer's front causes him to lose face and bargaining power. Therefore the action of the United States in demilitarizing Guam by removing its guns and other equipment and thus attempting to show Japan the peaceful intentions of the United States, was undoubtedly considered by Oriental Japan as an evidence of weakness and merely served to put our interests backward instead of forward. (R. 3062.)

[27] 4. *U. S. Policy, (1939-1941).*—We had been following the policy immediately before the war which broke out between Germany, England, and France, of veering away from anything that would precipitate a conflict with the Japanese. In view of the tense international situation, particularly after the outbreak of the European War in August 1939, it became apparent that it would be necessary for us to redouble our efforts to avoid any open friction with the Japanese, both because we wished to devote what resources were available to the assistance of England and France, with whom we were in deep sympathy; and also, for the further purpose, that we were inadequately prepared to meet any attack from Japan in the Pacific.¹⁴

[28] As events became more critical in 1940 and 1941, the necessity of following a policy for delay and apparent appeasement of Japan increased to one of great national urgency. We were faced with a dual load of unpreparedness for any war and the necessity of sending England and France what equipment and supplies were available.

It was, therefore, natural with this factual situation to bow to the necessity of avoiding war by trying to appease Japan. We found it expedient to lean over backwards to avoid any appearance in Hawaii of a war-like or belligerent attitude, particularly, in view of and towards the large Japanese population of the islands.¹⁵

Our general national policy and, particularly the War Department policy, very naturally conveyed itself to the Commanders in residence in Hawaii. Their acts were colored and their dispositions tempered by the repeated cautions in this direction as we sought for time to prevent an untoward incident from precipitating war with Japan before we were ready to meet it. The fact that they were not more fully advised of the progress towards a critical international situation in the Pacific must be taken into account.

¹⁴ Captain Layton, Fleet Intelligence Officer, gave this very significant testimony, when asked if the American Navy, with two of its carriers, had discovered the task force that attacked Hawaii and had attacked this force at sea, what would have been the outcome:

"Captain LAYTON. I think the American forces here would have taken the licking of their life, first, because the American people were not psychologically prepared for war.

"General RUSSELL. How would the psychology of the American people influence a naval engagement off of Oahu?"

"Captain LAYTON. I am referring to the American Navy as a part of the American people, and I use this example: During the Japanese attack on Pearl Harbor a portion of a squadron of American carrier planes were then flying in from a carrier to Ford Island. They were attacked by Japanese fighters, and it is to be observed that these planes were armed with machine gun ammunition and machine guns ready to fire, and I can find no record of any of these carrier planes firing one single shot at any Japanese plane." (R. 3047.)

¹⁵ 160,000 Japanese were in the Islands, composing about one-third of the population. (R. 2947.)

This policy of avoiding any act to offend the Japanese was offset to some degree by one at right angles to it, of the application of commercial restrictions which tended to strangle her economic life and her preparation for war. For instance, the refusal to sell scrap to Japan, the abrogation [29] of Japanese commercial rights under treaty and the failure to renew that treaty with Japan, the oil embargo and similar incidents were at variance with this general policy.

The net result was a national policy towards Japan which reflected itself in the "Do-Don't" type of instructions that characterized the messages from the War Department to Hawaiian Commanders up until December 7, 1941.

The policy of our government as practiced by our public officials in their attitude towards Japan was not one of appeasement openly, but it was that in effect. Every effort was being exerted to prevent a rupture of relations with Japan, while presenting a show of face by economic sanctions to restrain Japanese aggression. Every effort was made to maintain the *status quo* until we were ready. Time was our most precious commodity in 1941.

[30] 5. *Moral Embargoes Versus Japanese Expansion.*—No competent understanding can be gained of the relationship with Japan unless we break down the problem into its essential aspects. Japanese industry had received a succession of serious blows by reason of our successive steps of not renewing the commercial treaty with Japan, the cutting off of scrap to Japan, the cessation of our trade in silk with Japan, the oil embargo, the freezing of credits and assets, and numerous other incidents. On the diplomatic front, strong efforts were being made to maintain the *status quo* leading up to the final visit of Japanese special Ambassadors to the United States terminating with Pearl Harbor. This situation generally trended, however, towards placating and appeasing Japan with such firmness as was necessary to keep the negotiations going.

During all of this period the government was not supported by a public that was war-minded; just the contrary. Public irritation was increasing, but it was still hoping to avoid war. On the contrary, Japan's attitude toward the United States was one of increasing hostility. Its policy was to conduct its aggressions starting in 1935 against China, as rapidly and as effectively as its resources would permit, while maintaining a diplomatic screen and pretense of considering the views of the United States. Being unable to agree with them, it had no intention of doing so whatsoever.

During this period Japan made no concessions. It was quite apparent that she would continue her course until the patience of the United States was exhausted; and the United States was forced into a position of an open breach—the time of that breach was stipulated clearly to the President [31] November 27 by General Mashall and Admiral Stark. The delivery of the counter proposals to Japan on November 26 anticipated that time—war came before we were fully prepared.

It was well known that Japan's entry into all wars of the past had been characterized by the first overt act of war coming simultaneously with the declaration. The services, both Army and Navy, were well aware of this Japanese characteristic. It was, therefore, to be

expected that an unexpected attack would be made by Japan as the first indication of a breach of relations. This is well expressed by the Secretary of War, Mr. Stimson, who testified:

General RUSSELL. Then you were not surprised at the air attack on the 7th of December?

Mr. STIMSON. Well, I was not surprised, in one sense, in any attack that would be made; but I was watching, with considerably more care, because I knew more about it, the attack that was framing up in the southwestern Pacific. And I knew also that there was a concentration in the mandated islands—I know now, because I was shown by General Arnold the letter about the telegram, and an order; so that that was an additional threat, and that might fall on either Hawaii or Panama. (R. 4072.)

Indeed, Ambassador Grew on January 27, 1941, sent the State Department the following message:

TOKYO, January 27, 1941—6 p. m.

(Received January 27—6:38 a. m.)

A member of the Embassy was told by my . . . colleague that from many quarters, including a Japanese one, he had heard that a surprise mass attack on Pearl Harbor was planned by the Japanese Military forces, in case of "trouble" between Japan and the United States; that the attack would involve the use of *all* the Japanese military facilities. My colleague said that he was prompted to pass this on because it had come to him from many sources, although the plan seemed fantastic.

GREW.

[32] Japan, well knowing the policy of the United States had been to avoid war to the limit of its endurance, took advantage of our situation. It was, therefore, obvious that the United States would have to avoid friction with Japanese nationals as that would be a ready excuse for Japan to precipitate the issue prematurely. On the other hand, sabotage was to be expected from these Japanese nationals. A large body of them, as in Hawaii, was a potential source of great danger, not only as to what they might do, but as the basis of precipitation of an international incident with Japan.

The public generally did not understand the importance of Hawaii. It had no appreciation of the danger except as the press became increasingly insistent in pointing out the progress of the advance towards war and the likelihood that this outpost would be involved in the conflict as one of the first line elements of our western defense.¹⁶

The War Department was urging officially and privately that every effort be made to delay the declaration of war by Japan because of our serious state of unpreparedness and because much of our available military resources were being utilized to assist the United Nations. The battle of the Atlantic was the predominant factor in the public mind and dominated the policy of the War Department, as evidenced by the transfer of a considerable part of the Pacific Fleet to the Atlantic. Therefore, the entire consciousness of the war [33] Department was directed towards avoiding any incident that might precipitate war with Japan while, at the same time, exerting its efforts to prepare for such a war. The War Department was confronted with a grave lack of planes, anti-aircraft guns, and other implements

¹⁶ *Fortune* magazine polled the public in late 1939 and made a report in January which showed that 55% of those questioned were in favor of defending Hawaii; 25% not to defend; and the balance did not know what they wanted.

of war with which to equip Hawaii with an adequate defense mechanism. The previous delay in implementing our defense had left us, two years after war had started in Europe, gravely lacking in our preparations. The strong anti-war group in the United States made it unwise for the United States to take stronger action against Japan.

These general policies apparently were the subject of discussion of the War Council.¹⁷ Its policies were reflected [35] in the actions of the Chief of Staff, U. S. Army, as to measures taken for defense in the Pacific. It is necessary to keep these factors in mind in reading the messages from the War Department to the Commanding General of the Hawaiian Department. The handling of Japan had been a mixture of diverse policies; and this reflected itself in War Department messages to Hawaii, which both told Short to prepare for defense and at the same time to do nothing in preparing it that might precipitate trouble with the local Japanese population or excite the local public. As evidence of this was the fact that Short responded to the situation by selecting an anti-sabotage alert and the War Department took no exception to it. These two conflicting courses of action were reflected in the messages and in the policies of the War Department; they account in part for the attitude of mind of Short and others in the Hawaiian Department. Whether justified or not, we consider later.

Then, too, official War Department thought on the subject of Pacific defense was almost wholly concentrated as to what might happen

¹⁷ There is some apparent confusion of that testimony in the use of this term, and the two bodies to which it refers. The situation was clarified by the testimony of Mr. Stimson, who said:

"The first subject that was listed here is that of the 'War Councils'. By the 'War Councils' we meant the meetings that were held by the Secretary of State, possibly the Secretary of War, the Secretary of the Navy, the Chief of Staff, and the Chief of Naval Operations, from time to time, to discuss the relations between the Japanese Empire and the American Government.

* * * * *
 "The name 'War Council' is the name of a statutory body which was created in, I think, the National Defense Law of about 1920; but it was purely a War Department board. It did not have any members from the Navy or from any other department in it.

* * * * *
 "The War Council was in effect and used to meet, usually on Wednesdays, in the times that we were talking over, but it consisted solely of myself, my assistants, civil assistants, and the Chief of Staff and such other officers as I invited in; and it had nothing to do with the Navy or matters outside of this Department. But we did have two sets of meetings—they can hardly be dignified by the 'organization'—but early, very soon after Mr. Knox and I came into the Government in 1940, we decided that we ought to meet regularly, and we ought to meet with the Secretary of State; we were approaching important matters; and so we went to the Secretary of State and asked him if he had any objection to meeting with us once a week. He agreed cordially, and accordingly we began meeting on Tuesday mornings at 9:30 every week, whenever we were present in Washington, or able to come, and those series of [34] meetings went on until Mr. Knox died; they lasted right through.

"They were perfectly informal and unofficial meetings, but they were very regular, and we met once a week regularly; and during the time at which you are about to inquire, just before Pearl Harbor, we had extra meetings. In fact, we were in such a meeting on the Sunday morning that the Japanese attacked. The meetings took place in the State Department, Mr. Hull's office, and during that time the Secretary of State, the Secretary of the Navy, and myself were in constant contact.

"The other set of meetings were meetings called by the President, which he usually called with great regularity—the Secretary of State, the Secretary of War, the Secretary of the Navy, the Chief of Staff—that was, of course, General Marshall—the Chief of Naval Operations, who was at that time Admiral Stark; and sometimes, General Arnold. Well, that was also improvised, so to speak; it had no custom before it. It was created in the light of the approaching emergency, and among ourselves, as a nickname we called it the 'War Cabinet,' or the 'War Council,' or something like that; and evidently Mr. Hull, from what you say, used that expression in his White Paper.

"There was no regular day set for the meetings of that body. They met on the call of the President, at his office; and during this time about which you particularly ask, the autumn of 1941, they were meeting very frequently, also; and, fortunately, I have records. I have kept records during the time that I am here, in which I have set down very briefly, and without much reference to good English sometimes, what was taking place, including everything that was important, that I deemed to be important; in regard to the crisis that was coming along; and including these meetings; so that I am in a position where I can give you dates of these meetings pretty fully." (R. 4041-4043.) (General Marshall, R. 5-6.)

to the Philippines, the intermediate islands, and Panama. It was there that the main attack, in the first phase, was expected from Japan. No early attack was expected on Hawaii. As the Chief of Staff testified, it was a surprise to him. (R. 9.)

All efforts were being made towards strengthening these outposts. Such modern bombing aircraft as could be made available was being flown to the Philippine theater. Likewise, efforts were being made to strengthen the defenses of Midway, Guam, Wake, and other localities judged to become the first [36] involved. The Hawaiian defense was clearly secondary at that time, although prior thereto it was considered as our strongest outpost and had first priority on equipment and maintenance. (R. 14, 184.)

Planes flown from the mainland as late as December 7, 1941 to Hawaii en route to the Philippines were not supplied with ammunition until they were ready to depart from Hawaii. General Arnold explains this was because of the necessity of carrying sufficient gas to insure a safe arrival. (R. 168.) This too led to a state of mind, both officially and personally, in the responsible officers of the Hawaiian Department, that, even if war with Japan was about to start, Japan would not initially attack Hawaii. It was felt that Hawaii was quite well down on the list of objectives of Japan, as those parts of American territory closer to Japan would be the first to feel the blow and that the implementing of other defenses must give way in priority to those thought to become the first involved. (R. 2872.)

Japan shrewdly calculated and estimated correctly this state of mind. It arrived at this conclusion and acted accordingly, temporarily by-passing the Philippines and the intermediate American islands, for a direct attack on Hawaii December 7, 1941, just as Ambassador Grew had clearly warned in his message of January 27, 1941. So clearly did Japan understand our national psychology that it selected Sunday morning, early, as the time for attack, well knowing this to be the best time to achieve surprise. Japan took, as the Chief of Staff of the Hawaiian Air Force estimated, a 50 to 1 shot. Later, it will appear how well that venture was [37] prepared and executed, and how well timed as an answer to our counter proposals of November 26, which the Japanese considered an ultimatum; because it was on and after the delivery of that document against which General Marshall and Admiral Stark warned too late, that the task force of Japan that attacked Hawaii moved out of its rendezvous at Takan Bay on the 27th or 28th of November to launch the attack against Pearl Harbor on December 7, 1941.¹⁸

[38] 6. *Public Demands Action Against Japanese.*—Our national policy has been to avoid war. The difficulty with our policy appears to have been its conflicting nature, in that in the case of Japan we desired to avoid war, to continue in business with Japan, and at the same time to prevent Japanese aggression by both negotiation and simultaneously to apply economic sanctions against Japan. As our nation was not prepared for war, it left the administration, particularly the State Department, without the full support of the public so it could proceed with a firm policy toward Japan; and it left the War and Navy Departments without sufficient means to implement a more aggressive policy towards Japan.

¹⁸ The best attainable evidence supports this statement (R. 3033.)

The result of this conflicting situation made it extremely difficult for the State Department to handle negotiations with Japan, which well knew our national policy. It was difficult both to negotiate for a peaceful solution of differences with a nation such as Japan, and at the same time impede negotiations by applying economic sanctions such as the freezing of assets and credits, the cutting off of the supply of oil and scrap, and the termination of a commercial treaty with Japan.

This conflicting element of policy reflected itself in the actions directed by the War Department to its field commanders, who were required to both take all the necessary precautions to meet war and at the same time to take no steps either to excite the civil population or to precipitate war by overt acts. Such a policy was particularly difficult to carry out in Hawaii, where there was a very large proportion, some thirty percent, of the population of the nationality of [39] Japan. The danger, therefore, was great in carrying out the War Department policy, that in our preparations for war we would precipitate an issue with Japanese nationals in the Hawaiian Islands which would be an excuse by Japan to open hostilities.

This state of public mind was further inflamed to demand action by the Government against Japan, because of the latter's open aggressions in 1941; but effective action was impossible of fulfillment because of the long public policy of only maintaining a very modest army and navy. Public opinion can change far faster than a nation can make ready for war. The time element of making preparations for war is so long that it always lags behind a sudden change of public views, as in our case with Japan. Our public opinion had changed against Japan faster than preparations for war could be made.

This left the Department of State with the most difficult task of negotiation without means of enforcing its views by force of arms. It likewise left the War and Navy Departments unable to fully support the State Department in its negotiations. This led to a compromise solution, due to this public opinion as expressed by the press, in the form of a resort to economic sanctions.

But the difficulty with economic sanctions was that, while it indicated a firm policy on the part of the United States, it also so aggravated the situation in that it made negotiations difficult of either progress or consummation. At most, our national policy was one of defensive character while waiting for the preparations for war to catch up with the new state of the public mind that Japan should be made to [40] behave herself and that our government should do something about it.

7. *Economic Sanctions Against Japan.*—In 1938 and 1939 a series of "moral embargoes" or commercial sanctions were applied to Japan by the United States. During those two years there had been brought about a cessation of the United States' export to Japan of airplanes, aeronautical equipment, and certain other materials. There also resulted a state of decline of export to Japan of strategic materials, and as of July 1940, under the Export Control Act, the President had curtailed or prohibited the export of basic war materials. Licenses were refused for the export to Japan of aviation gasoline and most types of machine tools as of September 1940.

The testimony of Ambassador Grew throws light upon the effect and result of embargoes. He said:

During the period up to, I think it was, the autumn of 1940, I took the position that economic embargoes against Japan—and embargoes are in the nature of sanctions and therefore are always interpreted as international insults—I took the position that we should not put embargoes on Japan, until we were prepared to go all the way through with whatever might result from those embargoes. I pointed out that when we put embargoes against Japan into effect, our relations with that country were bound to go steadily down-hill and it might, and probably would, end in war; and that until we were prepared to go to war with Japan, I felt it would be very short-sighted to get into a situation where we might be obliged at a later date to withdraw those embargoes. There is nothing so conducive to a lowering of national prestige, reputation, and authority as to make threats and then have to recall those threats or modify those threats. We saw that working out in the relations between Great Britain and Italy at the time of the Abyssinian campaign.

[41] But, in the autumn of 1940, I telegraphed the Secretary of State that I felt that time had then come, since Japan was threatening not only our national interests, but, I would say, our vital national interests; I felt that the time had come to consider, not whether we must call a halt to Japan's expansion, but when. It seemed to me at that time, whether we were fully prepared for war or not, that we must in our own interests put those embargoes into effect; and shortly thereafter, those embargoes were put into effect.

Our relations then started directly on a downhill course, and they ended in war; but at least we were more prepared for war at that time than we had been two years earlier.

It was in the fall of 1940 that we cast the die and adopted economic sanctions. And we find it significant that about June 1940 General Herron as Commanding General of the Hawaiian Department upon Washington orders went into an all-out alert into battle positions with live ammunition for six weeks. (R. 212.)

In September the export of iron and steel scrap was prohibited. The effect of the United States policy was to cut off from Japan by the winter of 1940-1941 the shipment of many strategic commodities, including arms, ammunition, and implements of war, aviation gasoline and many other petroleum products, machine tools, scrap iron, pig iron and steel manufactures, copper, lead, zinc, aluminum, and a variety of other commodities important to a war effort.

Further parallel to this course of action by the United States was the decision in August 1941 between President Roosevelt and Prime Minister Churchill of Great Britain that the United States and Great Britain should take parallel action in warning Japan against new moves of aggression, that the United States would continue its conversation with the [42] Japanese government and offer her a reasonable and just alternative to the course upon which that country was embarked.¹⁹

As was stated in the White Papers²⁰ as to economic sanctions, he (Grew) said that

considering the temper of the people of Japan it was dangerously uncertain to base United States policy on a view that the imposition of progressive and rigorous economic measures would probably avert war; that it was the view of the Embassy that war would not be averted by such a course . . . Finally he warned of the possibility of Japan's adopting measures with dramatic and dangerous suddenness which might make inevitable a war with the United States.

¹⁹ "Peace and War, United States Foreign Policy 1931-41," Department of State, Washington, p. 129.

²⁰ "Foreign Relations of the United States, Japan, 1931-1941, Vol. I and Vol. II: and Peace and War, United States Foreign Policy, 1931-1941, Department of State, Washington, D. C."

As Ambassador Grew testified in summary:

However, I can say, in brief compass, that the trend of our relations during the period you mention; that is, the years 1940 and 1941; was almost steadily down-hill; we, of course, in our embassy in Tokyo, leaving nothing undone to arrest that trend; and I think everything was done that could possibly have arrested it, in our work in Tokyo. But, we were up against what I would call a "tidal wave" of military extremism in Japan; and I think the results as culminating in Pearl Harbor proved that fact.

The testimony of Ambassador Grew as to his actions as reflected in the State Department's White Papers and in extracts from his diary indicate that he too was acting under what [43] apparently was a conflicting policy but with a full recognition of the inevitable date of a final trial of strength with Japan. A review of Grew's communications to the State Department in the year 1941 is an excellent perspective of the course of the fatal events that led to Pearl Harbor.

On January 27, 1941, he communicated by wire with the State Department indicating that an attack on Pearl Harbor by all means available to the military and naval forces of Japan was being discussed, and he felt that it was so serious that it should be reported, even though it was fantastic to consider it; on February 1 he said the outlook was never darker for peace; on July 25 the United States froze Japanese assets, causing bitter Japanese resentment; on August 18 he reported the Japanese protest on U. S. economic pressure; on August 29 the United States applied the oil embargo, decided to send oil tankers to Russia and a military mission to China; on September 6 Grew reported the statement of the Japanese Premier that if the United States continued its economic sanctions it would prevent any settlement for six months to a year after they terminated, and on September 29 Grew sent an important message to Washington that the Japanese could only be brought to a halt by a show of force. He pointed out that any agreement would be a mere breathing spell for Japan, that war was likely in any event, and unless results were shown in the negotiations, more than had been demonstrated to date, the Japanese would conclude the United States was only playing for time and would act accordingly. On September 30 Grew protested at the secrecy of our conversations with Japan as practiced by the United States without advising the public, [44] whereas it was common knowledge in Japan.

On October 9 he significantly reported that the frozen-credit policy of the United States was driving Japan into national bankruptcy and she would be forced to act. His prediction was correct, because Tojo, the only Japanese Premier to stay on the active Army list in that position, was made Premier on October 16. There was an indication of trouble when the Premier of Japan was a dominant military figure on the active Army list, and on October 25 he reported that the Emperor ordered the Privy Council before him and asked them if they intended war. When they refused to answer, he instructed them that there should be no war with the United States. This was the final effort by conservative Japanese to avoid war. The next step would probably be war itself.

Grew warned on October 30 that the situation was fraught with the greatest danger. On November 3 he said that war was not only possible but probable and that Japan was preparing for hostilities "with dangerous and dramatic suddenness." It was on that date that

Kurusu left for Washington, refusing to take a *later* clipper for "technical reasons", the significance of which was apparent.

On November 7 Secretary Hull informed the Cabinet

that relations between Japan and the United States were "extremely critical" and that there was "imminent possibility" that Japan might at any time start a new military movement of conquest by force. (White Papers, p. 136.)

This was followed by warnings of the impending seriousness of the situation in speeches made by Secretary of the Navy Knox and Under Secretary of State Welles, November 11, 1941.

[45] The White Papers continue:

On November 17 Ambassador Grew cabled from Tokyo that we could expect a "sudden Japanese Naval or military attack in regions not then involved".

Secretary Hull on November 25 and November 28 at meetings of high officials of this government,

stated there was practically no possibility of agreement being achieved with Japan; that in his opinion the Japanese were likely to break out at any time with new acts of conquest by force; and that the matter of safeguarding our national security was in the hands of the Army and Navy. The Secretary expressed his judgment that any plans for our military defense should include an assumption that the Japanese might make the element of surprise a central point in their strategy and also might attack at various points simultaneously with a view to demoralizing efforts of defense and of coordination for the purpose thereof. (White Papers, p. 144.)

It does not appear that such a statement was sent by the Army and Navy to their field forces.

On November 26 the Secretary of State handed the President's Ten Points of Settlement to Ambassadors Nomura and Kurusu. These proposals were verbally rejected by the Japanese Ambassadors at once, but they inquired as to any other basis of negotiation or a *modus vivendi*. The following day, at the request of the Japanese Ambassadors, the President received them and Secretary of State Hull, at which time the President reaffirmed with finality the "Ten Points", stating the three primary considerations upon which the "Ten Points" were based. On the same day, General Marshall and Admiral Stark wrote a joint memorandum to the President requesting that no ultimatum be delivered to the Japanese as the Army and Navy were not ready to precipitate an issue with Japan, and notified him of the agreement reached with the British and the [46] Dutch for reciprocal action in the case either one of them was attacked.

The proof indicates that the Marshall-Stark memorandum of the 27th to the President did not reach him until after the meeting with the Japanese Ambassador on the 27th or possibly on the 28th of November. Whether or not the Secretary of State, Mr. Hull, now disclaims that this document of the 26th was an ultimatum, Ambassador Grew testifies that the Japanese so regarded it. (R. 4208, 4215, 4221, 4222.) They so acted upon it and Mr. Hull likewise so acted because he so informed the Secretary of War, Mr. Stimson, on the morning of November 27. The latter testified, based on his diary of contemporaneous events, thus:

The first thing in the morning I called up Hull to find out what his final decision had been with the Japanese—whether he had handed them the new proposal which we passed on two or three days ago or whether, as he suggested yesterday, he had broken the whole matter off. He told me now he had broken the whole matter off. As he put it, "I have washed my hands of it, and it is now in the hands of you and Knox, the Army and Navy."

General RUSSELL. Mr. Secretary, I don't like to disturb you, but I have become a little confused on dates, about this telephone call. Was that on the 26th of—

Mr. STIMSON. This was the 27th.

General RUSSELL. 27th.

Mr. STIMSON. The day after the 26th.

General RUSSELL. Yes, sir.

Mr. STIMSON. The 26th was the day he told me he was in doubt whether he would go on with it.

General RUSSELL. Yes.

Mr. STIMSON. Or whether he would break it off; and on the morning of the 27th, by telephone, he told me that he decided to break it off.

I then called up the President and talked with him about it. (R. 4052-4053).

On November 29 Secretary Hull said to the British Ambassador, The matter will now go to the officials of the [47] Army and Navy.

He warned that the Japanese action would probably be a desperate gamble and require the utmost boldness and risk.

His predictions were uncanny. (White Papers, pp. 144-145). On November 29, Ambassador Grew relates that there had just reached Japan news that the President had made a proposition to settle Japanese grievances by giving her substantially most of what she wanted,²¹ and on December 1 Grew reported Japan cold to the proposals, a fact Secretary Hull had found on the 26th when he handed the President's Ten Points to the Japanese Ambassador. On the same day, December 1, his diary shows that he had a conversation with a Japanese friend apparently high in that government, Grew saying everything was over and that I would soon be leaving Japan.

On December 6 an address of Tojo was read for the Diet different from all others heretofore delivered by him, the tone of which clearly indicated Japanese intentions. The following day, on Sunday morning, the Pearl Harbor attack occurred.

[48] 8. *The Hawaiian Population Problem: Sabotage Complex.*—The conditions in Hawaii and the state of the public mind in Hawaii were considered apparently by the War Department to be primary factors to be taken into consideration in the carrying out of the military mission of the defense of the islands and defense of the fleet. As elsewhere indicated in War Department communications, this was a fact; and the responsible commanders in Hawaii in the Army also gave great weight to the state of the Hawaiian situation on the civil side.

It is significant that it had been the national policy of the United States to exclude Japanese nationals from the United States and its territories, both for self-protection and to protect American labor against cheap foreign labor of the yellow races. Yet in Hawaii, our fleet base and one of our most important defense outposts, we permitted the introduction into the population of the islands of Japanese, to the extent of 30% of the total population or 160,000.²²

²¹ "Ten Years in Japan" by Ambassador Grew.

²² There are three classes of Japanese population: (a) old aliens known as Issei, about 37,500; (b) Hawaiian-born Japanese who are sent back to the mainland of Japan for education known as Kibei, about 2,599; and (c) Hawaiian-born Japanese and Hawaiian-educated known as Nisei, composing the balance of 160,000. 95% of the Japanese children attended the Japanese language schools. Under Japanese Law no Japanese is released from Japanese citizenship until he goes through a formal procedure securing his release from that citizenship. Most Japanese in the Islands have not secured such a release and they therefore have dual citizenship in the United States and Japan. Approximately 50,000 Japanese attended the Shinto temples of which there were 55. Around these temples were centered the teachings of Japanese culture, patriotism, and family fealty.

[49] Many were Japanese of dual citizenship who, although born in the United States, had not yet taken the steps made available by Japan to become released from their Japanese citizenship. These Japanese laborers and artisans were comparatively economical in terms of performance, useful both in agricultural pursuits and as artisans, were highly prized by the great commercial interests in sugar cane, pineapples, shipping, and other interests of the Islands; and it was the urgent desire of these commercial interests apparently both to enjoy the protection and profits from the basing of the fleet in Hawaii and also to have no disturbance of such labor or to be led into any situation that would disturb these profitable labor relations.

This policy of encouraging the Japanese and permitting them to become dominant in the affairs of the Islands has even gone so far as to permit the Japanese to become important political factors with membership in both the Senate and the House of Hawaii, and to dominate, by way of majority, the Island governing councils in some of the islands of the Hawaiian Group. (R. 2941.)

Sabotage was a critical consideration by the local Army authorities. But up to December 7 there had been not a single instance of sabotage. On December 7 a number of illegal radio stations interfered with the radio operations of the Army. No other specific instance of sabotage or alien enemy action had been reported either by the War Department of Hawaii or by G-2 or the F. B. I. in Hawaii.

Additionally, the placing of the Army upon alert by War Department order to General Herron, by which his troops moved [50] into the field in battle positions with live ammunition in June 1940, had no effect upon the civilian population or their anxieties. Subsequent frequent alerts and maneuvers which were constantly going on, including Short's Alert Number 1 as to sabotage, had had no effect upon the civil population. All activities of the Army in disturbing the local populace paled by comparison with the contents of the local newspapers and their reports of the war news and the progressively increasing threats of Japanese action. Indeed, approximately a week before the attack at Pearl Harbor, a local newspaper in Hawaii carried a complete prediction of this attack on the following Sunday. (Exhibits 19-19a.)

The foregoing statement of fact as to background should be considered in connection with the communication of the War Department warnings as to sabotage, the action of General Short in placing the Department under the Number 1 Alert against sabotage on November 27, and the claimed reasons for not taking other defensive measures, because of the reluctance to disturb both the civilian population and the alien population of Hawaii.

The effect of such an atmosphere upon the policies and actions of the responsible commanders and their resulting state of mind is an important factor for consideration. As part of this state of mind, it was generally considered that Japan would never dare attack; and certainly, in the early stages of a war, she would not dare risk the major portion of her carriers for the launching of such an attack.

(R. 3919-3920.) See also Chapter I, "Gentlemen of Japan" by B. S. Haven, Ziff-Davis Publishing Co.; "Feudal Hawaii; Paradise, Ltd." by Stanley High, *Readers Digest*, June 1943, pp. 19-23; and "Are the Japs Hopeless?" by George Horne, *Saturday Evening Post*, September 9, 1944.

The probabilities were strongly against such a bold and possibly suicidal move by Japan.

[51] The state of mind engendered by the sabotage issue and the presence of the large Japanese population built up a sabotage consciousness in the responsible authorities as a more likely course of Japanese action than what was regarded as the more remote military operation of a direct air attack. This background is important to consider in evaluating the decisions arrived at by the Army commander and the actions taken by his associates.

The existence of this state of public opinion had its effect upon the evaluation by the Army of the Japanese capabilities. Likewise, it was supplemented by the American attitude that Japan would not dare attack the United States in what was regarded as its home territory in the Islands, in the presence of the fleet, which was considered an asset and not, in reality, a liability.

Senator Hill of the Hawaiian Senate testified (R. 2939-2940) as to the protests of local commercial interests to General Emmons when he proposed to take action in removing the dangerous Japanese from the sugar plantations after the Pearl Harbor attack. He said the political pressure brought to bear by these interests was sufficient to bring about a cancellation of this effort of General Emmons. It was significant of the propaganda pressure on the subject of doing nothing to offend the Japanese in the Islands and to let them alone so they could work for these Island industries and agriculture, which must have been imposed heavily upon General Short. The constant application of such pressure for a period of nearly a year upon General Short doubtless had a material effect upon his mind and upon his anxiety about the Japanese population, [52] about which he could do nothing. This was particularly reflected in his refusal to have legal action taken against those who failed to register as aliens. (R. 3255-3256.)

It was well known in Honolulu to both the F. B. I. and G-2 of the Army that there were certain Japanese activities that were inimical to the best interests of the United States in the Hawaiian Islands. A Japanese combines in his Shinto religion, centering about the Shinto temples, three things: patriotism, religion, and family fealty. Those three things compose his entire emotional, political, and family life.

The Shinto priests and the large number, 55, of Shinto temples in the Islands were the focal point of Japanese propaganda, patriotism, and disloyalty to the United States. This was all well known and could have been cured promptly by closing the temples and arresting the priests, as was done after December 7. Then there were the Shinto societies, and particularly the Black Dragon Society. The Japanese are well known as great organizers and they had countless organizations, many of which were of potential subversive character. The Japanese ran their own Japanese-language newspapers which promoted the same national spirit. They had Japanese-language schools in which they taught Japanese customs, family fealty, religion, and patriotism to Japanese children one hour each day after their regular education in the American schools. Here again our national policy, due to freedom of the press and freedom of religion and of education, permitted these people to jeopardize the defense of Hawaii. After December 7 the Japanese newspapers were put under strict control.

and used by the United States for propaganda agencies to control the [53] Japanese population, and the Shinto temples were closed.

9. *Hawaiian Press*.—The state of mind and the state of information in the Hawaiian Islands leading up to Pearl Harbor, and particularly before it, is not better illustrated than the articles appearing in the *Honolulu Advertiser* and the *Honolulu Star-Bulletin*. A mere recitation of these headlines would seem to have been sufficient to have warned General Short and his subordinate officers of the critical international situation.

The newspaper headlines in question read as follows: "U. S. Waits Japan Reply" (29 Nov 41—*Honolulu Star-Bulletin*); "Japanese May Strike Over Weekend"; "Kurusu Bluntly Warned Nation Ready For Battle" (30 Nov 41—*Honolulu Advertiser*); "Hull, Kurusu In Crucial Meeting Today" (1 Dec 41—*Honolulu Advertiser*); "U. S. Army Alerted in Manila, Singapore Mobilizing as War Tension Grows"; "Japan Envoys Resume Talks Amid Tension"; "War Fears Grow in Philippines" (1 Dec 41—*Honolulu Star-Bulletin*); "Japan Called Still Hopeful of Making Peace with U. S."; "Japan Gives Two Weeks More to Negotiations" (2 Dec 41—*Honolulu Advertiser*); "Huge Pincer Attack on U. S. By Japan. France Predicted" (3 Dec 41—*Honolulu Advertiser*); "Japan Spurns U. S. Program" (4 Dec 41—*Honolulu Star-Bulletin*); "Pacific Zero Hour Near; Japan Answers U. S. Today" (4 Dec 41—*Honolulu Advertiser*); "Singapore on War Footing"; "New Peace Effort Urged in Tokyo"; "Civilians Urged to Leave Manila" (6 Dec 41—*Honolulu Star-Bulletin*); "America Expected to Reject Japan's Reply on Indo-China"; "Japanese Navy Moving South"; "Detailed Plans Completed for M-Day Setup" (6 Dec 41—*Honolulu Advertiser*); "F. D. R. Will Send Message [54] to Emperor on War Crisis" (7 Dec 41—*Honolulu Advertiser*).^{23 24}

10. *Summary*.—We have learned a great deal about psychological warfare since this nation went to war. Looking backwards, it is possible to see that the psychological phases of the preparatory period for war leading up to the conflict with Japan had an immense effect upon the state of mind of our own public, officials and commanders; and upon what they did or did not do, prior to December 7. The deception of Japan and its actions based upon that deception in combination with our own failures to take precautions against the attack played no small part in the disaster of December 7th.

Our complacent nation appeared to be sure, in view of its wealth and industrial strength and its prestige and leadership, that no one would presume to attack it.

This national pride and vanity and sense of false security, so prevalent on the mainland, undoubtedly had its influence in Hawaii.

With the foregoing background it is possible to understand more accurately and judge the following story of Pearl Harbor from early January 1941 until the attack and shortly thereafter.

²³ Complete excerpts from the newspapers during this period will be found in Exhibits 19 and 19A.

²⁴ The editors of both papers were called and examined as witnesses. They testified that these headlines resulted from deductions based on current trends in international relations gleaned from news dispatches. No other factual data was available to them. (R. 3107-3108, 3169-3170)

[I] CHAPTER III. THE STORY OF PEARL HARBOR

A. GENERAL

1. *Introduction: Scope of the Chapter and its Purpose*

Chronological story of the events, documents, and actions culminating in the Pearl Harbor disaster; statement of the facts and circumstances; two primary periods, from January through September and from October through December.

2. *Geographical*

Hawaii and outposts; reason for location of naval and military establishments in the Islands.

3. *Mission of Army in Hawaii*

Joint tasks, Army tasks; Navy tasks.

4. *Condition of the Hawaiian Department at the Time of Short's Assumption of Command and Just Prior Thereto*

Report of the Navy on weaknesses of Army Pearl Harbor defenses concurred in by the Army; action of the Secretary of the Navy, and the Secretary of War.

5. *Organization of the Navy at Pearl Harbor*

Organization of the Navy complex, duties of Admiral Kimmel; duties of Admiral Bloch; duties of Admiral Bellinger; problem of Short in dealing with this complex organization.

B. EVENTS FROM JANUARY THROUGH SEPTEMBER 1941

1. *Selection of General Short*

Selection by General Marshall; instructions and basis of his action; correspondence between the Chief of Staff and Commanding General Hawaiian Department as to plans, policies, and status of defense in Hawaii.

2. *Short's Staff*

Selection of Colonel Phillips and his training for Chief of Staff, qualifications of Phillips; Short's relationship with his senior officers.

3. *Short's Actions in Building Defense Installations and Adding Equipment*

Short diligent in his demands for equipment, defense construction, and personnel; status of defenses summarized as of December 7, 1941.

[II] 4. *Short's Reorganization of Divisions*

Reorganization of the Hawaiian Division into triangular divisions, unusually heavy fire power in the divisions.

5. *Short's Relationship With the Navy*

Efforts to carry out Chief of Staff's direction as to cooperation; resulting agreements with the Navy generally considered and their effect.

6. *Abandonment of Herron's Field Order #1: Adoption of Triple Alert System: Sabotage Issue*

Standard Operating Procedure of July 14 and November 5, 1941; the three alert system; the distribution of Standard Operating Procedure; the effect of the three alerts; the composition of the Japanese population in Hawaii and the sabotage issue; views on sabotage by the Japanese in the Islands from local leaders in Hawaii.

7. *Navy Long Distance Reconnaissance*

Short's assumptions as to the Navy's conducting long distance reconnaissance by air and water; Navy's acceptance of the responsibility for long distance reconnaissance; the long distance reconnaissance essence of defense of Oahu; failure to take steps to implement the agreement by the Navy to do long distance reconnaissance; effect of the failure to have long distance reconnaissance; relationship of Army's close-in reconnaissance; place of the Aircraft Warning Service in the reconnaissance system; the radio interceptor system; the failure of the reconnaissance arrangements.

8. *Agreements Between Army and Navy*

War plans, Joint Action of the Army-Navy 1935; Rainbow War Plan; Joint Coastal Frontier Defense Plan, Hawaiian Coastal Frontier; category of defense D; Joint Air Agreement; Short's problem in dealing with Kimmel, Bloch, or Bellinger to fix responsibility of the Navy under the agreements; failure to implement the agreements; failure to put the agreements into operation; uncertainty as to when the agreements would go into operation; unity of command issue; agreements go into effect upon actual emergency too late without previous practice and organization of staff; training explanation as reason [III] for not putting agreements into effect; complete absence of ability to implement the agreement between the Navy and the Army.

9. *Estimate of the Situation*

Estimate pursuant to the Joint Air Agreement of March 21, 1941; operating plans by Bellinger and Martin April 9, 1941; joint estimate of the situation; Short's responsibilities under the estimate of the situation; concurrence by the Secretary of the Navy, Secretary of War, Admiral Richardson, Admiral Kimmel, General Herron, and General Short in air attack the primary danger; Chief of Staff's repeated warnings that air superiority against air attack matter of first priority; responsibility of Short to provide defense to the primary threat of air attack.

C. CRITICAL PERIOD OCTOBER 1 TO DECEMBER 7, 1941

1. *Vital Messages*

Short's action in taking Air Force personnel and putting them on military police duty; Chief of Staff's objections supporting the Air Force; Navy message October 16, warning Japanese relations deteriorating; War Department radio of October 18, 1941 Japanese deteriorating relationships, November 24, 1941 radio Chief of Naval Operations to Commander-in-Chief Pacific Fleet doubtful outcome of negotiations with Japan and warning surprise attack possibility; November 26, 1941 War Department radio instructing Short special photo mission Jaluits; November 27, 1941 Chief of Naval Operations to Commander-in-Chief Pacific Fleet "war warning"; November 27, 1941 Chief of Staff to Commanding General, Hawaiian Department, negotiations with Japan terminated practical purposes; instructing action to be taken; November 27, 1941 G-2 War Department to G-2 Hawaiian Department possible hostilities may begin; Short's selection of Alert Number 1 and reply to War Department advising such selection November 27, 1941; knowledge of the War Department of his decision; significant Navy messages of December 3, 4, and 6, 1941.

2. *Analysis of the Situation From November 24 to November 27*

War Council action on the 25 November 1941; War Council and Secretary of State action with the Japanese on November 26, 1941; absence of the Chief of Staff from Washington from evening of the 26th to the 28th; draft of message of 27th by Chief of Staff on 26th; counter proposals handed by the Secretary of State to Japanese Ambassadors 26 November 1941; construction of the counter proposals by the Japanese and their action; the Marshall-Stark memorandum.

3. *The Drafting of the Message #472 of the 27th*

Meeting with the Secretary of War to modify the message to be sent General Short; authorship of various parts of the message identified; Short's position as to the position with reference to long distance reconnaissance; Short's claim of ambiguity in the message considered; Gerow's recollection of the conferences of the 27th; communication of the contents of the message by Short to his principal commanders; the question of secrecy and method of transmission considered.

4. *Analysis of the November 27, 1941 Message*

Parts of the message considered in light of Short's responsibilities and knowledge; message considered in connection with estimate of the situation; message considered in connection with the alert to be adopted; message considered in connection with the communication of its contents in view of restrictions on Short.

5. *Messages 28th November to 6th December, Inclusive*

G-2 message November 28, 1941 #484; War Department message November 28, 1941 #482; Short's reply to #482 on 28 November, 1941; December 3, 1941 Navy message on destruction of codes; Navy message of December 4, 1941 on codes; Navy message December 6, 1941 on codes; Short's position as to reception of this information.

6. *December 7, 1941 Message*

Its method of sending, status of communication; what happened in transmission; other means of communication available.

7. *Failure of Navy To Advise Short of Enemy Submarine in Pearl Harbor on Morning December 7, 1941*

Submarine reported sunk by the Navy about 7:15 a. m.; no report made to Short.

8. *Failure of Aircraft Warning Service To Advise of Approaching Planes, December 7, 1941*

Status of aircraft warning system, detection of the approaching planes; efforts of the mobile station to communicate the information to higher authority; Lt. Tyler's disposal of the matter.

9. *Navy Failure To Advise Short of Suspected Naval Concentration in the Jaluits*

Loss of radio contact 25th of November to December 1.

10. *Navy Account of the Japanese Task Force That Attacked Pearl Harbor: Sources of Information to Japanese*

Origin of information of the attacking forces; history of the attacking forces and the dates of its movement; intelligence sources to the Japanese as to the disposition; activities of the Japanese consulate; maps of the Japanese based upon intelligence information; Japanese information of the disposition from Alert Number 1.

11. *Information not Given Short*

Jaluit task force; information on negotiations with Japanese; no disapproval of his selection of sabotage alert number 1; additional information available in Washington.

D. STATUS OF THE PRINCIPAL HAWAIIAN DEFENSES IN 1941 AND THEIR STATE OF READINESS ON DECEMBER 6, 1941 OR THE REASONS FOR THEIR LACK OF READINESS

1. *Aircraft Warning Service and Interceptor Command*

Service operative prior to December 7, 1941; operations of the service on December 7, 1941; nature of technical difficulties; state of training of the personnel; probable effectiveness of interception. [VI] Necessity for immediate use not appreciated in Hawaii by senior commanders; doubtless whether would have been used by Department commander even if in perfect condition.

2. *Status of the Aircraft Warning Service on December 7th*

System operative for month prior to December 7; Department commander would not turn operations over to Air Force and take it away from the Signal Corps; mobile radio stations and information center in a reasonably operative condition prior to December 7; lacked full manpower to operate this service; Department commander holding on to it using it as training stations instead of operating station; cooperation of the Navy, permanent construction did not hold up putting the aircraft warning service into operation; Short's action in putting the aircraft warning service on a partial operating basis insufficient; relationship with the interceptor command and the information center.

3. *Antiaircraft Artillery and Coast Defenses*

Composition of the force; relationship to the interceptor command; status of the mobile antiaircraft and its ammunition; mobile batteries seldom placed in combat position prior to December 7.

4. *Ammunition Issue: Short's and the Ordnance Department's responsibility*

Short refused to permit the timely issuance of antiaircraft or artillery ammunition; small arms ammunition issued to divisions; insufficient small arms ammunition issued to Air Force to meet the attack.

5. *Status of Aircraft Defenses*

Deficiency in aircraft spare parts, etc.; efforts of General Martin to secure equipment; relative status of Hawaii, Panama, and Alaska in equipment; priorities on airfield construction; use of Hawaii as a training ground by the Air Corps.

[VII] E. STATUS OF DEFENSES ON SUNDAY MORNING, DECEMBER 7TH, 1941

1. *Army Aircraft*

Under Alert Number 1 aircraft was substantially grounded and assembled wing to wing; Navy had no PBV's in the air that morning.

2. *Naval Long Distance Reconnaissance*

Navy had insufficient means of conducting adequate long distance reconnaissance by air; Navy reconnaissance by air was confined to observation of maneuver areas for the fleet with particular reference to submarines; Navy's fleet maneuvers were for the purpose of training and such aircraft reconnaissance was primarily antisubmarine.

3. *Aircraft Warning Service*

Service working from 4 a. m. to 7 a. m. on December 7, 1941; one station continued in operation beyond 7 o'clock for the training of Elliott; interceptor command was operating daily but no formal orders had gone out from Short.

4. *Antiaircraft defenses*

Mobile guns had seldom gone into battle position; ammunition was not issued to mobile guns; it took up to six hours to draw and distribute the ammunition.

5. *Summary*

F. THE ATTACK ON DECEMBER 7, 1941

1. *Japanese Intelligence*

Japanese submarines in the harbor prior to Pearl Harbor attack; completeness of Japanese maps; completeness of Japanese information as shown by the maps.

2. *Nature and Composition of the Attacking Force*

Strength of the attacking force; planning done by the attacking force; the submarine phase of the attack; the planning phase of the attack.

G. TIME ELEMENT IN THE EXPECTED ATTACK, THE EFFECT OF USING HAWAII AS A TRAINING GROUND IN ADDITION TO ITS BEING A COMBAT OUTPOST

1. *Attack a Surprise*

Chief of Staff, Navy and Army witnesses all admit the attack was a surprise; accuracy of Japanese estimate of the situation; the Japanese gamble.

[VIII] 2. *Time Element—The Important Factor in All Estimates*

Estimate of the attack by Air Force; error in the estimate was in the time it would occur which led to unexpected results.

3. *Expected Time to Continue Training*

Error in estimate of the time of the attack brought decision to continue training; Hawaiian forces disposed for training at the time of attack; personnel organized for training rather than combat at time of attack.

4. *Short's Trust in Navy to Give Him Timely Notice: Time Element Again*

Short's relationship with the Navy; Short's belief that naval forces were doing long-distance reconnaissance; Short's belief that the Navy planes were doing long-distance reconnaissance; Short's belief that the Navy was not withholding any evidence from him; Short's policy of not pressing for information from the Navy.

H. WHAT WAS DONE IMMEDIATELY AFTER THE ATTACK?

1. *Reason for Analysis of Action Taken After 7 December 1941*

To determine how effectively General Short was able to use the materiel, personnel and facilities after the attack which he had before the attack; and to determine what Washington supplied Hawaii after the attack which it could have supplied before.

2. *Hawaii and Washington Action*

Troop dispositions and troop increases; increased activation of all engineering; increased equipment in the air sent from the mainland; activation of the interceptor command; dispositions of the antiaircraft artillery and coast artillery; condition of readiness of the interceptor command and aircraft warning service; reorganization of the District Engineer's Office and delegation of authority by the Corps of Engineers; treatment of the civilian Japanese population; lack of check on the Hawaiian situation by Washington.

I. SUMMARY

[55] CHAPTER III. THE STORY OF PEARL HARBOR

A. GENERAL

1. *Introduction: Scope Of The Chapter And Its Purpose.*—This is a running story of the principal events, documents, and actions taken leading up to Pearl Harbor. We accompany this story with a discussion of the pro's and con's of each situation in order that all arguments for and against every explanation and the circumstances surrounding every set of facts may be clearly understood and evaluated. Against such a background, all claims, arguments, facts and explanations can be considered. We believe this chronological history of the entire transaction will make our succeeding conclusions clearly stand forth.

After setting forth some general considerations in this chapter, we direct attention to the two primary periods, from January through September and from October through December. As will be noted elsewhere this is a logical chronological division. In the latter part of the year 1941 there seemed to be a change of understanding, appreciation, and apprehension of forthcoming events on the part of those in Hawaii. In reading this chronological history this should be observed because it is an important factor in what was done or not done in Hawaii.

2. *Geographical.*—The Territory of Hawaii comprises an island group of which the Island of Oahu is the primary element. Oahu contains Pearl Harbor, located on its southern rim. Pearl Harbor is the base for the Pacific Fleet, and was also the headquarters during 1941 of the Commander-in-Chief of the [56] Pacific Fleet and Headquarters of the 14th Naval District, which had naval jurisdiction over the Hawaiian Islands and our other island possessions in the Pacific including Midway and Wake but not the Philippines. Oahu was also the location of one of the largest troop concentrations in the national defense system of the United States while other national defense elements are located on the adjacent islands.

It is important to emphasize that Hawaii was an *outpost* in the American Defense system. In view of that fact, certain fundamental requirements of action resulted which were incumbent upon the commander of the Hawaiian Department to follow. Hawaii is both an outpost for defense and offense, and is one of the primary bastions of our national defense system. In priority of importance it is rated on a par with the Panama Canal.

The primary mission of the Army was the defense of Hawaii and particularly of Pearl Harbor and the fleet there, when in residence; and the fleet sea and air base at all times. Aside from the necessity of preventing these islands from falling into the hands of other nations as a springboard for an attack upon the United States, the foregoing primary mission was that incumbent upon General Short at the time of the Pearl Harbor disaster.

The whole reason for having this outpost was that it should be on the alert to repel attack and to furnish the springboard from which attacks could be launched upon our enemies. For this reason this

outpost was implemented with the major portion of the fleet and very substantial Army installations in order that the mainland might rest securely [57] and be protected. There is no other fundamental reason for the great concentration of naval and military power on the Island of Oahu and associate islands. The very location of the Hawaiian Islands, approximately 2,000 miles from our Pacific Coast, makes it an admirable location for naval, air and ground forces for it gives, by reason of its position, a scope and flexibility of attack and defense, sufficiently remote from the Pacific Coast to insure the maximum latitude of action against our enemies and the maximum protection of the mainland of the United States.

3. *Mission Of Army In Hawaii*.—The Army in Hawaii had a mission and a duty to perform. As stated in the Joint Coastal Frontier Defense Plan this was:

a. JOINT TASK. To hold OAHU as a main outlying naval base, and to control and protect shipping in the Coastal Zone.

b. ARMY TASK. To hold OAHU against attacks by sea, land, and air forces, and against hostile sympathizers, to support the Naval forces.

c. NAVY TASK. To patrol the Coastal Zone and to control and protect shipping therein, to support the Army Forces.

The Army's mission was primarily that of protecting Hawaii, because it was the sea and air base for the fleet; and, when the fleet was in the harbor, it was there to render such protection as it could to the fleet. The protection of the Islands, other than for these purposes, was secondary and only necessary to the extent of making it possible for the Army to execute its primary mission. It should be observed that the very fact of the fleet being in the harbor increased the responsibilities of the Army, because of the dual facts [58] that the fleet when in the harbor was not in a position to support the Army forces either by reconnaissance or by the protection incident to its being at sea in waters adjacent to the islands, and when in the harbor itself needed protection for its ships that were temporarily immobilized and particularly vulnerable to air attack.

4. *Condition Of The Hawaiian Department At The Time Of Short's Assumption Of Command And Just Prior Thereto*.—With the above mission in mind, the condition of the Hawaiian Department just prior to the assumption of command by General Short and Admiral Kimmel is a matter of interest. Admiral Richardson was the Senior naval officer in command of the fleet, and General Herron the senior Army officer in command of the Hawaiian Department. These officers jointly reviewed the situation as to the Army. As a result Admiral Richardson addressed a letter on the 25th of January, 1941, as to the status of the Army's deficiencies for the defense of Hawaii, which was sent to the Secretary of the Navy. (R. 1802.) The Secretary of the Navy, in turn, wrote to the Secretary of War, and called his attention to the serious conditions existing.²⁵

Admiral Kimmel summed up the situation in his testimony:

He was "*astounded at the then existing weaknesses*" of the Pearl Harbor defenses,²⁶ and collaborated with his [59] predecessor in the preparation of a letter dated 25 January 1941 to the Chief of Naval Operations. This letter pointed out:

²⁵ See p. 99 in this chapter for a discussion of this correspondence.

²⁶ Italic by the Board.

(a) The critical inadequacy of A. A. guns available for the defense of Pearl Harbor, necessitating constant manning of Ship's A. A. guns while in port.

(b) The small number and obsolescent condition of land based aircraft, necessitating constant readiness of striking groups of Fleet planes and use of Fleet planes for local patrols.

(c) Lack of suitable local defense vessels for the Fourteenth Naval District, etc.

(d) Lack of aircraft detection devices ashore. (Roberts Rec. 544.)

He communicated this information to General Short. (R. 1768.)

It is therefore apparent from the considered investigations by Richardson and Herron, which conditions were concurred in by Short, that the lack of adequate defense equipment and what was needed to bring it up to a satisfactory status, were clearly known to both the Army and the Navy in Hawaii and to the War and Navy Departments. Short, therefore, came to the command on the 5th day of February, 1941, with a clear and unmistakable recognition by all concerned of the condition of the Department of which he had assumed command.

General Herron, who preceded General Short, had been directed on June 17, 1940, by Washington, to institute an alert. (R. 213.) This alert lasted six weeks. (R. 214-215.) After it was suspended at the end of six weeks it was reinstated for a period. The alert was an all-out alert with complete dispersion of forces into combat positions and with full equipment and ammunition.

[60] General Herron testified that there was no disturbance of the civilian population by the use of this all-out alert which was instituted under conditions similar to those which later prevailed for General Short's alert.

When asked as to the Alerts 1, 2, and 3 of Short, he disposed of these alerts with the following language:

General HERRON. That was a refinement that the training men put over on General Short when he came out there. I told him I would not do any such thing. There was only one kind of alert, and that was a total alert, and then I would do it in accordance with the situation. But the training men liked refinements, and they recommended three kinds because the Navy had three kinds. But they did not get to the real point of the thing. The Navy has three kinds, but the all-out alert is number one, always. Now they ease up into two and three; but these young men did not know that, and when Short came out they put over the three and got them reversed, so that Short went into the Number 1, which was sabotage. It did not seem to him a very important change, I don't suppose, and it turned out to be vital. It was too much of a refinement. (R. 226-227.)

In this connection, General Herron made a significant observation on the responsibility of the Commanding General of the Hawaiian Department.

General GRUNERT. I have one more question on alerts. The fact that you received a directive from the War Department to alert the command: Did that leave the impression in your mind that if anything serious happened in the future the War Department would direct you to go on the alert, or leave it up to your judgment?

General HERRON. I always felt that I was entirely responsible out there and I had better protect the island. (R. 228.)

5. *Organization of The Navy At Pearl Harbor.*—Before proceeding to a consideration of the Army's problems and the action taken by the Army in preparing the defenses of Hawaii, it is necessary to understand the organization of the Navy with whom General Short was to deal extensively and with which he was to [61] enter

into various agreements and understandings, which have a material bearing upon which was done or was not done.

To an Army man the organization of the Navy at Hawaii appeared to be quite complex. Admiral Kimmel was Commander-in-Chief of the United States Fleet and Commander-in-Chief of the Pacific Fleet. Admiral Bloch was the Commandant of the 14th Naval District. Admiral Bloch's duties consisted of the following:

a. Commandant of the 14th Naval District, reporting directly to the Navy Department; the 14th Naval District was a decentralized Navy Department for local affairs, dealing with administrative matters such as plans, buildings, work of the Navy Yard, repairing ships and the like, and providing for the Fleet oil, docks, water protection and such services as minesweeping, antisubmarine patrol, and the like.

b. An officer of the Fleet, reporting to Admiral Kimmel, and acting as a subordinate of Admiral Kimmel; his duties related to the preparations for the offensive and defensive actions in time of war and to purely military matters.

c. Administrative control over Admiral Bellinger, Commander of the Base Defense Air Force.

d. Commander of Task Force No. 4 in control of the naval installations at the outlying island bases, such as Midway, Wake, Guam, etc.

It will be noted from the foregoing that Admiral Bloch dealt directly with the Navy Department on certain phases of [62] his work. He was primarily charged as the Naval Defense Commander of the naval installations on shore. He was also a Task Commander under Admiral Kimmel. He was the responsible commander over the shore-based naval air forces, which were charged with the mission of naval long-distance reconnaissance.

Additionally, Bloch, in his capacity as a Defense Commander, had administrative control over Admiral Bellinger, the Naval Air Officer, who was responsible for cooperation in the air with the Army, but he had no power of disciplinary control over Admiral Bellinger, who was under Admiral Kimmel.

Admiral Bellinger's duties, in turn, were as follows:

a. Commander, Hawaiian Base Patrol Wings, and Commander, Patrol Wing 2. Included in the larger command were the patrol squadrons and aircraft tenders attached to Patrol Wings 1 and 2.

b. Commander, Task Force 9. This comprised Patrol Wings 1 and 2, plus other units as assigned by the Commander-in-Chief, Pacific Fleet, for conduct of Pacific operations.

c. Commander, Fleet Air Detachment Pearl Harbor. The responsibilities of this function included administrative authority in local matters over all Fleet aircraft actually based ashore.

d. Liaison with Commandant, 14th Naval District, for aviation development within the District, including Midway, Wake, Palmyra, and Johnston Islands.

e. Commander, Naval Base Defense Air Force. In connection with the above five major duties, Admiral Bellinger operated under the following senior officers:

[63] (1) Commander, Aircraft Scouting Force, who as Fleet Commander for patrol wings was based at San Diego.

(2) Commander, Scouting Force, the 4th Command of which Patrol Wings 1 and 2 were a part.

(3) Directly under the Commander-in-Chief, Pacific Fleet, in his capacity as Commander, Task Force 9.

(4) Commandant, Fourteenth Naval District, in his capacity as Commander, Naval Base Defense Air Force.

(5) Commanders of Fleet Task Forces 1, 2, and 3 of patrol planes assigned to those forces for specific operations.

To summarize, Admiral Bellinger indicated that he held six positions in Honolulu on December 7, 1941, namely—

- (1) Commander, Base Patrol Wing.
- (2) Commander, Patrol Wing 2.
- (3) Commander, Task Force 9.
- (4) Commander, Fleet Air Detachment, Pearl Harbor.
- (5) Liaison Commander with the 14th Naval District.
- (6) Commander of the Naval Base Defense Air Force.

In these various capacities he was responsible to the—

- (1) Commander, Aircraft Scouting Force.
- (2) Commander, Scouting Force 1 and 2.
- (3) Commander-in-Chief, Pacific Fleet, for his duties in connection with Task Force 9.

[64] (4) Commander of the 14th Naval District, for his duties in connection with the Naval Base Defense Air Force.

(5) Commander-in-Chief, the Pacific Fleet, for his duties with respect to Patrol Wings 1, 2, and 3.

In Admiral Bloch's testimony he testified that he (Bloch) wore three hats. He was in command of the 14th Naval District, in which capacity he reported direct to the Navy Department. In another capacity, as an officer of the Fleet, he was directly under the Commander-in-Chief, Pacific Fleet. And again under the Commander-in-Chief, Pacific Fleet, in another capacity, with respect to the Joint Coastal Frontier Defense Plan, as Naval Defense Commander.

As may be realized, in this organization in which there were two governing heads, Admirals Kimmel and Bloch, with whom General Short had to do business, and their respective staffs with whom Short's staff had to deal, as well as the many-titled Admiral Bellinger with whom General Martin dealt, the problem of cooperation was made somewhat difficult.

By way of contrast, the Navy only had to deal with General Short as the sole responsible commander over all activities, both ground and air. General Martin was in command of the Army Air Forces and presented a single air commander with whom the Navy had to deal; and Martin was under the direct command of Short. When the agreements and methods of operation arrived at between the Army and Navy are examined hereinafter, these relationships will become important in understanding what was done and what was not done and some of the reasons for the failure of the competent defense of Hawaii.

[65] B. EVENTS FROM JANUARY THROUGH SEPTEMBER 1941

1. *Selection of General Short.*—General Short was selected for his high post of command by General Marshall. Upon being notified of this selection, he was called to Washington to confer with General Marshall, to receive special written instructions from him and to confer with the sections of the General Staff and particularly the War

Plans Division. The purpose of this visit and these conferences was to equip him with the latest and most up-to-date information and instructions as to the responsibilities of his new command.

Thereafter, General Short proceeded to Hawaii, arriving there on the fifth day of February, 1941. He assumed command on February 7, 1941. Both Short and Herron concur that the latter fully advised Short of the problems and conditions with which he was confronted.

At the time of General Short taking over command, there existed certain basic documents constituting fundamental instructions for his guidance in the conduct of the command, such as the Joint Army and Navy Plan of 1935. This was modified by the subsequent agreements between Short and Kimmel, Bloch and Short, and Bellinger and Martin.

Coincident with the assumption of command by General Short on February 7, 1941, a letter was written on that date by General Marshall to General Short comprising a full presentation of the problems confronting General Short in his new command. The letter was based upon a conversation with Admiral Stark, then Chief of Naval Operations, and said in part:

[66] Admiral Stark said that Kimmel had written him at length about the deficiencies of Army materiel for the protection of Pearl Harbor. He referred specifically to planes and to antiaircraft guns . . .

What Kimmel does not realize is that we are tragically lacking in this materiel throughout the Army and that Hawaii is on a far better basis than any other command in the Army. The fullest protection for the fleet is *the* rather than *a* major consideration for us, there can be little question about that; but the Navy itself makes demands on us for commands other than Hawaii, which make it difficult for us to meet the requirements of Hawaii. . . .

You should make clear to Admiral Kimmel that we are doing everything that is humanly possible to build up the Army's defenses of the naval overseas installations, but we cannot perform a miracle. . . .

. . . However, as I have already said, we are keeping clearly in mind that our first concern is to protect the Fleet.

My impression of the Hawaiian problem has been that if no serious harm is done us during the first six hours of known hostilities, thereafter the existing defenses will discourage an enemy against the hazard of an attack. The risk of sabotage and the risk involved in a surprise raid by air and by submarine, constitute the real perils of the situation. Frankly, I do not see any landing threat in the Hawaiian Islands so long as we have air superiority.

Please keep clearly in mind in all of your negotiations that our mission is to protect the base and the naval concentration and that purpose should be made clearly apparent to Admiral Kimmel. I accentuate this because I found yesterday, for example, in a matter of tremendous importance that old Army and Navy feuds, engendered from fights over appropriations, with the usual fallacious arguments on both sides, still persist in confusing issues on National defense. We must be completely impersonal in these matters, at least so far as our own nerves and irritations are concerned. . . ." (R. 14-17.)

Thus General Short was provided by his chief with both sound advice and an admirable set of clear-cut signposts to guide him. Such being the measure of his instructions, it is interesting to observe in what particulars he complied with [67] them or varied from them and the reasons for his actions. In conformity with the instructions as to the Navy, General Short proceeded to establish cordial and cooperative relationships, the exact nature of which is discussed elsewhere. By the 19th of February he "had made a pretty thorough inspection or survey" (R. 321), and on that date wrote a letter to the Chief of Staff as to things that required immediate attention, which were:

As a result of my short study of conditions here I believe that the following are of great importance and I am taking steps to carry out the necessary changes:

- (1) Cooperation with the Navy.
- (2) Dispersion and protection of aircraft and of the repair, maintenance and servicing of aircraft.
- (3) Improvement of the Antiaircraft defense.
- (4) Improvement of the Harbor Defense Artillery.
- (5) Improvement of the situation with reference to searchlights.
- (6) Provision for more rapid movement of supplies and reserves by improvement in roads and trails.
- (7) Bombproofing of vital installations such as Command Posts and communication centers.
- (8) Increase in the number of Engineer troops.

The interim from February 19 to December 7 is replete with the efforts of Short to secure approvals and money for improving the defenses of Hawaii. It is also replete with various instances of his being turned down by the War Department, particularly because of lack of money in connection with permanent installations.

Undue weight should not be given, however, to the aspects of the equipment, as General Marshall said in his letter of February 7th,

Hawaii is on a far better basis than any other command in the Army,

and the fundamental question to be considered is: What did Short do with what he had to meet the attack?

[68] As elsewhere stated, he was granted his request for the construction of many types of installations, including the important aircraft warning system. (See the discussion of supply of equipment and construction, and also the delays in construction.) (P. 256.)

Again on March 5, 1941, the Chief of Staff wrote General Short as to the air situation in clear, unmistakable language:

I would appreciate your early review of the situation in the Hawaiian Department with regard to defense from air attack. The establishment of a satisfactory system or coordinating all means available to this end is a matter of first priority. (R. 19.)

On March 6, General Short wrote General Marshall, with particular reference to Aircraft Warning System and the delays in its construction, and delays in sites due to the Department of Interior delays:

One of the first projects which I investigated in this department was the Aircraft Warning Service which I believe is vital to the defense of these islands. At the present time the maximum distance an approaching airplane can be detected is about five miles. The radio detector equipment of the Aircraft Warning Service increases this distance to one hundred and twenty miles, and in these islands, the use of this equipment is the only way by which the detection distance can be increased. With the present international situation it seems to me that if this equipment is to be used at all the need for it is now here.

The Navy is vitally interested in this project. At present with the fleet in Hawaiian waters, there is no adequate warning service. * * * I believe that this matter is sufficiently important to be brought to the attention of the Secretary of War to see if permission can not be obtained from the Secretary of the Interior to construct the Haleakala installation without the necessity of submitting detailed plans for consideration by the National Park Service.

Defense of these islands and adequate warning for the United States Fleet is so dependent upon the [69] early completion of this Aircraft Warning Service that I believe all quibbling over details should be stopped at once. This project was very thoroughly studied by a board of officers in this department who made several personal investigations of each one of the sites. Now that basic decisions as to locations, types of stations, and general plans have been approved by the War Department, I strongly recommend that this project be decentralized

and that I be authorized to give final approval to designs, layouts and other details to expedite its completion.

On March 13, General Marshall wrote General Short:

The progress that you are making in reaching close coordination with local naval authorities, and so insuring a maximum degree of readiness in your Department, is most gratifying. * * *

The several letters which you have submitted to The Adjutant General requesting personnel, materiel and funds are being processed. To avoid delay in initiating projects that may be approved, I am tentatively including \$3,000,000 in the estimates now being prepared.

On March 15, General Marshall again wrote General Short as to the Aircraft Warning Service, showing the delays due to the necessity of getting approvals from the Department of Interior regarding matters pertaining to its National Park Service:

The War Department appreciates fully the necessity for the early establishment of the aircraft warning service stations in the Hawaiian Department. However, it will be necessary to comply with certain fixed regulations in those cases where facilities are to be established on lands pertaining to the Department of the Interior. The National Park Service officials are willing to give us the temporary use of their lands when other lands are not suitable for the purpose, but they will not waive the requirements as to the submission of preliminary building plans showing the architecture and general appearance. They are also very definitely opposed to permitting structures of any type to be erected at such places as will be open to view and materially alter the natural appearance of the reservation.

I have given these matters my personal attention, and have conferred with officials of the National Park Service. War Department radiogram of March 12, 1941, outlines what appears to be the most practical solution at this time.

[70] On March 15 General Short wrote General Marshall a letter showing full appreciation of the necessity for the dispersion and the protection of aircraft. Among other things he said:

On all fields the planes have been kept lined up on the field where they would suffer terrific loss. As I wrote you in my letter of February 19th some work has been done towards the preparation of emergency fields on outlying islands, but in no case have arrangements been completed for the dispersion of the planes in the vicinity of the field or the preparation of bunkers to protect them. I asked for money and Engineer troops to do this work. The pursuit planes must necessarily be protected on the Island of Oahu on account of their limited cruising radius. (R. 21-22.)

In this letter he also discussed at length the question of anti-aircraft defense.

On March 28, 1941, General Marshall replied to this letter as follows:

Your proposal for relieving congestion by the construction of one additional field and by the dispersion of grounded aircraft in protected bunkers at existing airfields is undoubtedly sound. As soon as you have submitted sufficient details to support the defense of the anticipated expenditures, funds for those purposes will be included in estimates.

On April 14, General Short again wrote General Marshall and amongst other things reported progress, as follows:

Knowing that you are very much interested in the progress that we are making in cooperating with the Navy, I am enclosing the following agreements made with them:

1. Joint Coastal Frontier Defense Plan Hawaiian Department and Fourteenth Naval District. Annex No. VII, Section VI, Joint Security Measure.
2. Agreement signed by the Commander of the Hawaiian Air Force and Commander, Naval Base Defense Air Force to implement the above agreement.
3. Field Orders No. 1 NS (Naval Security) putting into effect for the Army the provisions of the joint agreement.

I have found both Admiral Kimmel and Admiral [71] Bloch very cooperative and we all feel steps have been taken which make it possible for the Army and Navy Air Forces to act together and with the unity of command as the situation requires.

We still have some detail work to do with reference to coordinating the air force and the anti-aircraft defense. I hope we shall arrive at something on that in the near future. The more I go into the details the more I am becoming convinced that it will be necessary for us to set up an air defense command. (R. 26-27.)

On May 2, 1941, Short wired General Marshall as to the sums of money needed for the construction of airports and other defense projects totaling over \$27,000,000. General Short followed this up with a letter on May 2 to General Marshall in further explanation of his radiogram forwarding supporting data.

On May 5, 1941, General Marshall wrote General Short acknowledging the receipt of these estimates and supporting data, saying:

The matter of locating strongpoints at various points throughout the Island looks sound to me, and authority to go ahead on the leasing of land parcels was radioed on April 22nd. War Plans and the Air Corps are still looking into the matter of the additional airdrome on Oahu, and I expect to have an answer for you in a short time.

* * * * *

It is most gratifying to have you say that everything is going along extremely well and do not hesitate to write at any time. (R. 28.)

On May 29, 1941, General Short furnished General Marshall a complete report on current maneuvers, the plans for the organization of the ground and the construction of field fortifications, and the plans for repelling a serious attack, and reporting his theory of the defense of Hawaii, saying:

[72] My theory of the defense of Hawaii is based upon the following:

1. Complete organization of the ground at all important points.
2. Holding of the most important field fortification lightly.
3. Holding of large mobile reserves centrally located with sufficient motor transportation to move all reserves at once if necessary.
4. Detailed plans for the employment of reserves with complete reconnaissance and reserves actually rehearsed in carrying out of the plans.
5. All troops to be highly trained in delaying action and counter-attack.

On July 7 The Adjutant General sent General Short the following wire:

For your information stop Deduction from information from numerous sources is that the Japanese government has determined upon its future policy which is supported by all principal Japanese political and military groups stop This policy is present one of watchful waiting involving probably aggressive action against the maritime provinces of Russia if and when the Siberian garrison has been materially reduced in strength and it becomes evident that Germany will win a decisive victory in European Russia stop Opinion is that Jap activity in the south will be for the present confined to seizure and development of naval comma army and air bases in Indo China although an advance against the British and Dutch cannot be entirely ruled out stop The Neutrality Pact with Russia may be abrogated stop They have ordered all Jap vessels in US Atlantic ports to be west of Panama Canal by first of August stop Movement of Jap shipping from Japan has been suspended and additional merchant vessels are being requisitioned end.

This wire contained notation by the Chief of Staff of July 7, 1941.

On July 11, 1941, General Short asked the location of a new airfield on the Island of Oahu.

On July 25, 1941, General Short reported to General [73] Marshall the Joint Air Arrangements of the Army, Navy, and ex-

change of facilities such as airfields. On July 25, 1941, a very significant message was sent by the Chief of Staff and the Chief of Naval Operations as a joint dispatch to General Short warning him of the application of economic sanctions against Japan on July 26, particularly saying:

Chief of Naval Operations and the Army Chief of Staff do not anticipate immediate hostile reaction by Japanese through the use of military means, but you are furnished this information in order that you may take appropriate precautionary measures against any possible eventualities.

On August 19, 1941, General Marshall wrote General Short as to the establishment of an airfield base for the 15th Pursuit Group and his reasons for so doing. This brings to conclusion the communications between the Chief of Staff and General Short to October 1, 1941.

2. *Short's Staff*.—Short brought one, Colonel Phillips to Hawaii with the view to making him his Chief of Staff, and to train him for that assignment he placed him successively in various sections of his General Staff. On November 1 Colonel Phillips was made Chief of Staff. Evidence indicates that Phillips failed to measure up to that most responsible and important assignment—the “alter ego” of the Commanding General; that he was but a weak echo of his Commander and failed to furnish him, as his principal adviser, with vigorous and candid advice of high professional character and with a competent vision and knowledge of what was taking place or might take place.

His administration of the staff, as we view it, was weak [74] and reflected itself in the work of the several General Staff sections and in the output thereof as a whole. While the various Assistant Chiefs of Staff testified that harmony existed, the results are more important in their conclusive effect that there was a lack of requisite harmony and teamwork and it was quite evident to the Board that their testimony was colored by their very evident loyalty to General Short.

Phillips was recognized by the staff as without force and far too weak for a position of such importance.²⁷ Short's selection of Phillips appears to have been a mistake. An examination of Phillips' testimony as to his conception of his duty and what he did and failed to do in aiding Short to competent decisions in critical situations, is sufficient evidence of the matter. (R. 1134-1144.) In justice to Phillips it should be pointed out that while he was Chief of Staff he never was present at important Navy conferences, (R. 393-394, 534), and that information of important and vital events came to him second-handed.

Although Short did not insulate himself from his staff, he had Phillips conduct most of the staff conferences and apparently rarely dealt directly with his principal staff officers. He delegated to his staff little more than mere routine duties. His direct relationship with his G-2 seemed particularly inadequate in view of the then existing tense situation. (R. 393, 519, 520, 521.) Although he frequently visited and consulted with his principal subordinate commanders he held no periodic conferences, and his second [75] in command, General Burgin, was not taken into his confidence as to existing conditions nor was his advice sought. (R. 2625.)

²⁷ R. 265, 1408-1409, 1946, 1977-1978, 2625-2626.

3. *Short's Actions In Building Defense Installations And Adding Equipment.*—There is no question that Short made many demands for equipment, defense construction, and personnel. He was active and diligent in this matter. Except as to aircraft and antiaircraft, his command appears to have been well supplied. In many instances, long delays were incurred in the approval of defense construction and making funds available therefor and some of the recommended defense construction was disapproved by the War Department.

4. *Short's Reorganization of Divisions.*—Short converted the square division, known as the Hawaiian Division, into two triangular divisions and equipped them with unusually heavy fire power in both artillery and machine guns as a basis for future expansion in time of war.

General Maxwell Murray, commanding the 25th Division, testified:

General GRUNERT. And in your division you had what artillery?

General MURRAY. I had the Eighth, Eleventh, and Thirteenth Field Artillery, but it is not generally known that we had practically doubled the gun strength of the brigade before the 75-mm. gun batteries; the Eighth and the Thirteenth were 75-mm. gun regiments, and each of those batteries had eight guns to the battery instead of four. The Eleventh was the 155-howitzer regiment, but they were in addition manning two batteries of 155 guns, and some 240-mm. howitzers. The 75 regiments both had 240-mm. howitzers assigned to them, too. (R. 3076-77.)

[76] 4. *Short's Relationship With The Navy.*—Turning from Short's efforts to build up the physical installations and equipment of Hawaii and his staff, and the successful conversion of his single square division into two triangular divisions on which his staff seemed primarily engaged, we come to his actions with the Navy. Acting upon General Marshall's instructions and admonitions of February 7, 1941, which seemed to greatly impress him, Short succeeded in establishing an amiable relationship with Admiral Kimmel, Admiral Bloch and Admiral Bellinger.

As stated hereinafter, he entered into a series of agreements with the Navy. Suffice it to say that these agreements, while admirable in concept and in many particulars equally admirable in the proposed plan of administration, under the handicap of joint action by cooperation instead of unity of command, were of quite limited effectiveness because neither the Army nor the Navy had sufficient means to properly implement them.

The agreements were difficult of execution. To make them effective would have taken skilled professional officers of both services, guided by a well organized composite staff, and practiced in operational tests.

The agreements themselves were not to go into effect until either a period of strained relations occurred, or M-Day was declared, or in the actual event of war. Neither the Army nor Navy seemed to appreciate this defect.

Short apparently mistook the conduct of "war by contract" for a conduct of "war by command".

Even without the full means of putting these agreements physically into effect, had the equipment and materiel available been utilized, had there been in existence a [77] detailed plan of operation of the staff and lower echelons, and had sound judgment been exercised in the selection of the alert, the disaster of Pearl Harbor un-

doubtedly would have been materially mitigated, if not wholly avoided.

(For a full discussion of the agreements see p. 88 to p. 97.)

6. *Abandonment of Herron's Field Order #1: Adoption of Triple-Alert System: Sabotage Issue.*—A further step, and one of great import, taken by Short was the study that he initiated through his staff with a view to abandoning the Field Order No. 1, in vogue under the regime of General Herron, and substituting his temporary Standard Operating Procedure, which was published tentatively on July 14, 1941. The final draft of this vital document came out on November 5, 1941 (R. 283), and provided for three types of alerts, which are defined by Short as follows:

Our Alert No. 1 was a defense against sabotage, espionage, and subversive activities without any threats from the outside.

Alert No. 2 included all these sabotage measures in No. 1, and, in addition, defense against air attacks and surface and submarine attacks.

Alert No. 3 was a defense against an all-out attack where everybody moved to their battle stations and carried out their duties as if there was a possible attempt at landing in sight. (R. 283.)

Short says that he sent ten copies to the Navy. (R. 395, 400.) He says he sent a copy to Washington. (R. 431.) Alert No. 1 was purely antisabotage. Its effect when executed was to concentrate the planes in groups, wing-tip to wing-tip, where they were vulnerable from the air but less vulnerable from sabotage on the ground. He said he did this because of [78] his deficiency of personnel in protecting his planes against sabotage. If they had been put in dispersed positions about the fields within bunkers, they would have been less vulnerable to wholesale destruction from the air. This alert concentrated equipment and personnel and in effect set up almost perfect conditions for a successful enemy air attack.

Alerts Number 2 and Number 3, on the contrary, constituted wide dispersion of men and equipment in battle positions, with ammunition at the guns and troops and planes in positions of readiness for action and maximum protection. Under Alert Number 1, the earliest time in which planes were planned to get off the ground was four hours, while under Alerts Number 2 and Number 3 available aircraft is ready and can take to the air in from seven to eight minutes. Likewise, in connection with putting into action the antiaircraft guns and other similar establishments, the contrast between Alert Number 1 and Alerts Numbers 2 and 3 was the difference between minutes and hours.

As the entire attack upon Pearl Harbor did not extend beyond approximately three hours, it is obvious that the selection of the correct alert was vital. Historically, and by way of precedent, Short had before him the action of General Herron in the preceding year of an all-out alert under Filed Order No. 1 of Herron by which complete dispersal of planes and troops and guns was effected, with ammunition at the guns. The record shows (Colonel Capron and other witnesses—R. 1398, 2025, 2720, 2728, 2772-2773, 3096-3097) that there was no disturbance of the civilian population as a result of the action by Herron. This is significant, in view [79] of the fact, as will later appear, that General Short gives that explanation as one of his primary reasons for the selection of Alert Number 1, because he might alarm the population. (R. 427-428, 532-533.)

It should be kept in mind that the civilian population was accustomed to the continued movements of the Army and Navy in their frequent maneuvers and practice operations. Much of the civilian population in this instance was living practically in the midst of one of the greatest military and naval installations anywhere, so that their state of mind would be far different from that of people on the mainland unaccustomed to such sights. Then, too, the newspapers oftentimes contained much more exciting news, threats and disturbing events, than anything that an alert could stir up, either by the Army or Navy or both. The explanation therefore lacks both substance and credibility.

At this point the question of sabotage which led to the selection and implementation of Alert No. 1 should be examined. No single instance of sabotage occurred while Short was in command up to December 7. It was true that there were 35,000 aliens of Japanese origin and there was a total of 160,000 or about 37% of the population of Japanese origin or affiliations (R. 289), but in no case was there any instance of misbehavior, despite a very exhaustive investigation being made constantly by the F. B. I. and by G-2, as well as by Naval Intelligence.

We have investigated the state of mind and the information as to the actions of the Japanese population in an endeavor to understand why it was that General Short adopted his anti-sabotage alert on November 27 in the face of the [80] increasing international tension, and of his own estimate and that of the Navy that an air attack was the most dangerous form of attack likely to be encountered. We therefore resorted to the testimony of a great variety of witnesses in all walks of life in Honolulu, resident there during 1941, and inquired of their feelings and views and the whole situation as to the Japanese population.

We could find no substantial evidence of any fear by these witnesses, including some of the best-informed leaders in the civil life of the Islands, that the Japanese would commit acts of sabotage. Their knowledge was based upon long residence in the Islands and experience with the Japanese. Governor Poindexter, newspaper editors like Raymond S. Coll, of the *Honolulu Advertiser*, United States District Attorney Angus Taylor, Shivers, head of the F. B. I., General Wells, executive vice-president of the Hawaiian Sugar Planters Association, and Walter Francis Dillingham, president of the Oahu Railway and Land Company and owner or director of many other enterprises in the Islands, concurred with many other witnesses such as ranch owners, government officials, leaders in business, that the risk of sabotage, so long as the Army and Navy were in a predominant position, before an actual landing and show of success by the Japanese, was a relatively minor matter. However, the Army was sabotage-minded. There appeared to be no substantial basis for this fear other than speculation as to what a large body of citizens and aliens of Japanese ancestry might do in case of stress.

[81] 7. *Navy Long-Distance Reconnaissance*.—He assumed that the Navy was conducting long-distance reconnaissance, and in this he was joined by a large group of ranking subordinates, but an inquiry by him, if it had been made, would have soon revealed the fact that his as-

sumption that the task forces went out for conducting reconnaissance at long distance was not true. Such reconnaissance as they were conducting was only incident to the maneuvers of the task forces of the fleet, who were operating for training purposes and were looking for Japanese submarines so as not to interfere with their training operations. The Navy was submarine- and training-minded. (R. 1527, 1600, 1725, 1773, 1802.)

It should have been apparent upon examination of the facts by him that any such operations of the task forces were not only intermittent and limited in scope but they could not possibly cover the entire 360 degrees around the Island. A further understanding by him of the actual facts would have disclosed very promptly, as it did to his air force subordinates, that the Navy did not have any means for such long-distance reconnaissance, nor did the Navy get from the Army any such assistance, even though under the agreements the Army on call was to supply a substantial portion of the long-range aircraft for this purpose. In fact, the Army had at the time of Pearl Harbor available for this purpose only six planes capable of this work.

The Navy acceptance of responsibility for long-distance reconnaissance is set forth in paragraph 18 (i) of the Joint Coastal Frontier Defense Plan, which provides:

[82] 18. NAVY. The Commandant, FOURTEENTH NAVAL DISTRICT, shall provide for:

* * * * *

i. Distant reconnaissance. (R. 1745.)

The purpose of long-distance reconnaissance, which the Navy assumed in its agreements with the Army, was to discover hostile naval forces and particularly carriers before they could launch an attack. The area of search extended two to six hundred miles from the shore. It was assumed by Short that the presence of task forces of the Navy at sea insured such reconnaissance being conducted. Long-distance reconnaissance was obviously the very heart of the defense of Oahu because upon its results would depend not only the opportunity to destroy the carriers and carrier-borne planes of the Japanese but also put the forces on Oahu on the alert for an effective reception of the attack if it got through. But, as elsewhere stated, this long-distance reconnaissance was not being conducted by the Navy and such air reconnaissance as was being conducted was for the purpose of clearing the area of submarines where the fleet was in training. The inshore reconnaissance by the Army, up to twenty miles from shore, was substantially for the same purpose.

The record showed it was the well-considered estimate of the Army and Navy commanders and their staffs that carriers and their supporting craft would attempt to approach Pearl Harbor, arriving in position at dark preceding the dawn of the day on which the attack was to be made. (R. 106.) Under the protection of darkness 300 additional miles could be covered so that at dawn the attack could be launched within [83] approximately 300 miles from shore. This is apparently substantially what actually did happen. (Roberts Record 556-F.)

The conception and estimate of the situation was correct; steps taken to meet it were either absent completely or so defective as to amount to little. The Navy had available for long-distance recon-

naissance, from November 27 to December 7, 1941, 50 PBV's and the Army had six heavy bombers while at least 270 planes would have been required as a minimum for conducting such a reconnaissance if a 360-degree area around Oahu was to be covered. (R. 1762, 1766.) It is significant that in the joint Army-Navy plan of 1935 distant reconnaissance was made a mission of the Army but Short and Bloch agreed early in 1941, in the joint plan for the defense of the Hawaiian frontier and for the employment of the Army-Navy Air Forces, to place the responsibility for distant reconnaissance on the Navy, leaving to the Army reconnaissance only to about 20 miles from shore. This is due to the fact that almost all of the planes suitable for distant reconnaissance were naval. This Joint Coastal Frontier Defense Plan was O. K.'d by Kimmel and approved by the War Department.

The result was that the critical band of sea around Hawaii (the 600- to 900-mile area) was not patrolled. Observations therein were infrequent and incidental. Admiral Kimmel reached a decision that the few planes available would be wholly ineffective for this purpose and employed them otherwise. (R. 1763.)

Both Admiral Kimmel and Genreal Short were conversant with these conditions. (R. 375, 1763, 4438-4439.) It was obvious, [84] therefore, that a Japanese task force with carriers could launch an attack upon Oahu with a reasonable certainty of success since its discovery prior to such launching would have been purely accidental and its chances of discovery remote.

An early alert by the Navy to the Army would have permitted of a dispersion of its planes with the result that they could have been aloft, ready to intercept the attack, and the damage done would have been greatly lessened.

The remaining factor for reconnaissance and detection was in the Aircraft Warning System, which was a responsibility of the Army.²⁸ The Army had put into operation in the fall of 1941, on a training basis, which was operating for all practical purposes, a number of mobile radar sets and an aircraft information center. That it was in operating condition, even with the state of training of the personnel that then existed in late November and early December 1941 was amply proven by the successful operation of the system during previous tests and exercises and of the station that discovered the attacking Japanese force 132 miles from the Island and the correct interpretation by the two enlisted men operating the station, who duly reported the presence of a strange force but were told by an inexperienced and only partially trained Air Force lieutenant to "forget it". This was at 0702 on December 7, 1941.

If this information had been transmitted to the Air Force and to the Navy the latter would have had the anti-aircraft weapons on its ships in action, since only three to five minutes were required for that purpose, the Army anti-aircraft [85] system could have been alerted and many of the Army planes dispersed and some could have gotten off the ground.

The only other reconnaissance instrumentality available was that being operated by the Navy, known as the Radio Intercept System.

²⁸ See p. 147 for complete story of construction difficulties of an aircraft warning system, signal difficulties, and how the enemy fleet was discovered.

It was functioning officially in the latter part of 1941 and was constantly supplying information of the greatest value to important naval commanders, a part of which information was communicated to General Short by Admiral Kimmel. (R. 1771-1772.)

The one notable and tragic exception was the failure to advise General Short that on or about November 25 a Japanese task force was discovered in the Marshall Islands, in which force there were reported as present two or three carriers, 15 to 20 submarines, and possibly other vessels. (R. 361.) About the first of December radio contact was lost with this force as it apparently went into radio silence, which was known to be by the Navy the third and last and most dangerous phase of the movement of the enemy fleet. (R. 1654-1655, 1662.) The loss of such contact of a threatening fleet in the year preceding was the occasion for a directive from Washington for an all-out alert by which all troops went into the field with live ammunition and remained there for six weeks.

So here again, as in the case of the Army radar system, there was a failure of transmission of the information by the Navy to the Army as the Army had failed to transmit its radar information on the morning of December 7th to the Navy. Such a Japanese task force in the Marshall Islands was 72 hours away from Pearl Harbor and nearly a thousand miles closer to Pearl Harbor than the Japanese fleet resident in Japan, from whence [86] the main attack was expected if it ever did arrive. (R. 106-107.)

After extensive testimony had been given before this Board on the Jaluit task force and the fact that there was long belief that it was from Jaluit that the attacking force had moved against Pearl Harbor, there was produced in Hawaii the more certain proof that this force had assembled at Takan Bay in northern Japan and had moved from that point eastward and then southward for the attack, leaving Takan Bay on the 27th-28th of November 1941. If this proof be accepted of the later naval witnesses as against the testimony of the earlier naval witnesses, who seemed equally well informed, it does not change the situation. The Navy failed to give to the Army a very vital and important piece of information.

In conclusion, the last element in the tragic situation was the failure of the subordinate officers of the Navy to report to the Army the presence in the outer harbor, on the early morning of December 7, at about 0630, of a Japanese submarine which was sunk by naval action (the destroyer "U. S. S. Ward" and a naval patrol plane) about 0633 to 0645 hours, which would have indicated that something was on the move and the whole naval and military establishments should have been correspondingly alerted. The "Ward" reported this action to the naval base watch officer at 0712 hours, who notified the Naval Chief of Staff. The Army was not notified. (R. 536-537; Roberts Record 1725.)

The situation as to this reconnaissance is best set forth in excerpts in testimony from senior commanders. The [87] long-distance patrol of the Navy consisted of only two or three PBY's and it was "nothing to amount to much." (R. 1820.) General Martin said:

I complained to Admiral Bellinger about the lack of patrolling that was being done. "Well," he said, "this is all that I have. This is all I can put up." (R. 1822.)

General FRANK. But so far as there having been a reconnaissance for the actual protection of Oahu, such continuous reconnaissance had not been done?

Admiral BLOCH. That is correct; and that was a matter subject to the orders of the Commander-in-Chief. I think that might as well be cleared. He would be the man to order that, in my opinion. (R. 1527.)

As to Army reconnaissance, General Mollison testified that such reconnaissance as was being conducted from Bellows Field did not operate on Sundays, saying:

I'm sure it did not. It may have on this Sunday, but I doubt very much if it did. (R. 812.)

So far as inshore patrol is concerned, he said that the Army Air Forces did so little that it would amount to "a token payment only". (R. 824.)

General RUDOLPH. On that particular Sunday morning I understood they didn't have a boat out—an airplane, seaplane. (R. 1232.)

General FRANK. But you understand that they were not out on that morning?

General RUDOLPH. So I was informed. (R. 1233.)

General GRUNERT. Then, according to the instructions under which you were functioning you had no responsibility for distant air reconnaissance?

Admiral BLOCH. There was no distant air reconnaissance ordered in that order. That is the only order that I know which was operative.

[88] General GRUNERT. But actually was there some distant air reconnaissance being made from time to time or continuously?

Admiral BLOCH. I do not know. I do not know whether there was or not. That would not be under me. (R. 1484.)

With reference to distant reconnaissance, means of performing it under the joint air agreement, Admiral Bloch testified:

So I had no implements to perform distant reconnaissance in the 14th Naval District force. (R. 1484.)

General GRUNERT. Do you know on the morning of the 7th of December whether any such planes were in the air on any reconnaissance mission?

Admiral BLOCH. I heard planes taking off. I do not know exactly what missions they were on, but there were planes in the air. (R. 1494.)

So now let us turn to the agreements upon which Short placed such reliance for protection by Naval long-distance reconnaissance and joint air action with the Navy.

8. *Agreements Between Army and Navy.*—The basic document governing the relationship of the Army and Navy in the formulation of defense plans for the Hawaiian Islands is contained in the document entitled "War Plans, Joint Action of the Army and Navy, 1935". This was prepared in pursuance of the directive of the Rainbow War Plan. It covers the over-all policies of the functions and agreements between the Army and Navy as to their relative responsibilities in the Joint Coastal Frontier Defense Plan, Hawaiian Coastal Frontier.

The category of defense in this document which applied to Hawaii was Category D. This category was defined as "Coastal Frontiers That May Be Subject to Major Attack." Under this [89] category the coastal defense areas should, in general, be provided with means of defense, both Army and Navy, required to meet enemy naval operations preliminary to joint operations. All available means of defense will generally find application.

. . . In addition, antiaircraft defense of important areas outside of harbor defenses should be organized: . . . Long-range air reconnaissance will be provided. . . . (Page 39.)

And the purpose of coastal frontier defense was stated to be

Protecting our Military and Civil Installations and Facilities; . . . Insuring the security of those portions of our coastal frontiers which are vital to military, industrial and commercial operations.

It was also provided that there be furnished a communication and intelligence system to include an aircraft warning service among the elements of the land defense with provision for the prompt exchange of information or instructions with the Navy.

This was a responsibility of the Army.

Pursuant to the foregoing plan, an agreement was entered into entitled "Joint Hawaiian Coastal Frontier Defense Plan." (Prepared by the Commanding General, Hawaiian Department, and the Commandant, 14th Naval District.) This agreement was signed by Admiral Bloch and General Short and provided the fundamental plan for the defense of Hawaii.

The third agreement was that entitled "Joint Air Agreement", signed March 28, 1941. This document was prepared by Major General Martin, U. S. Army Air Force, and Admiral Bellinger, as Base Defense Air Force Commander, and signed by Admiral Bloch and General Short. It provided for the combined air action as follows:

[90] Joint air attacks upon hostile surface vessels will be executed under the tactical command of the Navy. The Department Commander will determine the Army Bombardment strength to participate in each mission, etc.

Defensive air operation over and in the immediate vicinity of Oahu will be executed under the tactical command of the Army. The Naval Base Defense Officer will determine the Navy fighter strength to participate in these missions. With due consideration to the tactical situation existing, the number of fighter aircraft released to Army control will be the maximum practical. This force will remain available to the Army for repeated patrols or combat or for maintenance of the required alert status, until, due to a change in the tactical situation, it is withdrawn by the Naval Base Defense Officer and reverts to Navy control. (Roberts Record 555.)

This Joint Air Agreement of March 21, 1941, signed by Bloch and Short, was implemented by certain additional documents signed by Bellinger and Martin as operating plans. The date of these operating plans was April 9, 1941. (Roberts Record 556a-O Vol. 5.)

Under this agreement Admiral Bloch, not an air officer, was acting on behalf of the Commander-in-Chief in signing the document, and there operated under him Admiral Bellinger, who had the command of the planes, so far as the Navy could implement the Agreement, as Commander of the Air Base Force. Bellinger, however, was under the command of Admiral Kimmel, and Bloch, who was charged with the responsibility for the operation orders and plans of operation for the base defense air force, had no air force with which to implement the Agreement. Bellinger had the job to do and such means as existed to do it with was Fleet aviation. Bloch had supervisory control over Bellinger, but the Commander-in-Chief, Admiral Kimmel, had to approve the Agreement. (R. 1522.)

[91] Bloch was called upon to designate the condition of readiness of the aircraft, but did not have control of the aircraft, the readiness of which he was to determine. The confusion inherent from the Navy's organization is best expressed in the following question:

General GRUNERT. Who would the Commander-in-Chief of the Pacific Fleet, hold responsible in case something went wrong? Would he hold you or Bellinger?
Admiral BLOCH. I do not know. (R. 1522.)

This agreement was the result of a report of a Joint Army and Navy board dated October 31, 1941, convened to prepare recommendations covering the allocation of aircraft operating areas in the Hawaiian Islands. This report was signed by Major General Martin and Admiral Bellinger. (R. 1581.)

Under such circumstances the Army had a difficult time in determining under which of the three shells (Kimmel, Bloch, or Bellinger) rested the pea of performance and responsibility.

Plans which must wait to be put into practice and only become operative when war strikes under all the unexpected and changing conditions of an attack inevitably prove unsound in practice. The basic difficulty of the Short-Bloch-Kimmel agreements was inherent in all such agreements, as they constituted a vain paper attempt to predict war procedure without having properly tested out the proposed arrangements in training and by joint staff action to see if they were practical measures.

The proof of the soundness of the plans is whether they work, and the Short-Bloch-Kimmel agreements were never tested out far enough to find out if their plans were sound in practice. There was inadequate practice of them to enable [92] the respective organizations to acquire that automatic facility in their execution so that the plans would be carried out effectively despite all the stresses, strains and unexpected developments to personnel and equipment that were incidents of a conflict. We desire to emphasize this synthetic structure of agreements and plans based upon them. The following analysis of these agreements shows that:

There were two joint agreements. The first was known as the Joint Coastal Frontier Defense Plan. It was based on the war plan and the "Joint Action of the Army and Navy" of 1935. The second agreement was the Joint Air Force Agreement signed by Admiral Bloch and General Short and based upon it as Appendix #7 was an operating plan worked out by General Martin and Admiral Bellinger.

As Admiral Bloch said:

Ordinarily it would not be operative. (R. 1478.)

He also testified:

The plan was never operative as a plan because the War and Navy Departments never ordered it to become operative, either in part or in whole. The local commanders never mutually agreed to have it become operative in part. (R. 1474.)

And again he testified:

General RUSSELL. So that respecting missions of the Army and Navy, according to your construction of the agreement, reconnaissance missions were not effective until December 7, 1941?

Admiral BLOCH. Under the circumstances that obtained, that is the way it happened. I will say that I accepted the responsibility in that agreement for distant reconnaissance for the Navy, and I did my utmost to implement my responsibility by demanding patrol plans for that purpose, but I never had any; I never had one. (R. 1487.)

The agreements entered into between the Navy and the Army [93] had two basic defects. First, they did not become operative until an emergency arose. The agreement said (paragraph 15 (c), 2):

Such parts of this plan as are believed necessary will be put into effect prior to M-Day as ordered by the War and Navy Departments or as mutually agreed upon by local commanders. (R. 1584.)

The local commanders as testified to by Admiral Bellinger were understood to be General Short and Admiral Bloch. These commanders apparently took no action to "mutually agree" to implement parts of the plan and, evidently were going to let the agreements go until an emergency arose, when they became operative automatically. As Admiral Bellinger testified:

That could have been done at any time by the commandant of the 14th Naval District, who was Commander, Naval Base Defense Air Force, if it was approved by and agreed upon by General Short. (R. 1591.)

But it was not done. The selection of M-Day to initiate the putting of the joint plan and agreements thereunder into effect according to the terms of the agreement just quoted was a function of the War and Navy Departments. They took no action to put it into effect although a copy of this agreement was forwarded to the War Department and presumably to the Navy Department. (R. 1474.)

The consequence was that not until the morning of December 7th did the agreement become operative, when it was too late to have gotten the benefit of the cooperative action that it implied, and the training which would result from this close teamwork by the Army and Navy. As Admiral Bellinger testified:

The Commander, Naval Base Defense Air Force, did not have the authority to place that organization in the functioning status, except in case of an actual emergency. (R. 1582.)

[94] This brings us to the second defect: unity of command. If that had been put into effect as provided in paragraph 9 (b) of the Joint Hawaiian Coastal Frontier Defense Plan this air agreement would have become effective by reason of such unity of command. As Admiral Bellinger again testified:

I was not satisfied with the setup under the estimate and directives concerning the Naval Base Defense Air Force. I thought that it was necessary to have a unity of command to make such an operation a success.

General FRANK. You mean a unity of command before something happened?

Admiral BELLINGER. Yes.

General FRANK. Rather than when it happened?

Admiral BELLINGER. Yes. (R. 1589.)

Under the Joint Hawaiian Coastal Frontier Defense Plan the unity of command could be put into effect either by the President of the United States or by joint agreements of the Secretary of War and the Secretary of the Navy or when the commanders of Army and Navy forces agreed that the situation required unity of command and who was to exercise it. No one of these agencies took steps to effectuate what all of the witnesses have concurred in stating was the principal cause of difficulties on December 7, 1941, and the events leading up to and causing those difficulties, that is, unity of command. (R. 1587-1588.)

It is interesting to observe the reason why this air agreement was not put into effect, in addition to lack of equipment to make it effective. As Admiral Bellinger testified:

The placing of the Naval Base Defense Air Force organization into a functioning status [95] would have necessitated the substantial cessation of training activities in order to concentrate on defense. (R. 1582.)

Likewise General Short testified:

General Martin and I talked over the situation and we felt that we should do nothing that would interfere with the training or ferrying group. The respon-

sibility was definitely on the Hawaiian Department. It was up to us to get the ships there and get them there without loss; and we could not do it if we started them out with untrained crews.

That had a great deal to do with my decision to go into Alert No. 1, rather than Alert No. 2 or No. 3. (R. 286.)

As I say, none of these fixed stations was in operation. We had gotten, along in November, the mobile stations, and as soon as we got them we started using them right away; and when this message of the 27th came along, I prescribed that the Aircraft Warning Service would function those hours (4:00 to 7:00 A. M.). In addition to that, they had their normal training. They trained then from 7 to 11, and they had maintenance work, work of that kind, from 12 to 4. (R. 298.)

By making it 4 hours (time for aircraft to get into the air) it gave the possibility to the men going ahead with recreation and athletics without being worried about getting that alert. They could go right ahead with their normal functions. They might have been out on a problem where it would take them an hour to get back in. (R. 460.)

Alert No. 2 would have practically stopped the training of the Air Corps and the Antiaircraft Corps. It would not have interfered seriously with the training of the infantry divisions. (R. 528.)

The reason for not so doing is shown by Kimmel's words:

We wanted to maintain our training status. Up to the last minute we had received no orders to mobilize. (R. 1811.)

Admiral Kimmel observed that while the responsibility was on the Commandant, 14th Naval District and himself, on behalf of the Navy, for putting this plan into effect, yet it would have been necessary to refer to Washington for a decision. When asked why this would be so, he said:

[96] It would have alarmed the population. It might have been considered by Japan an overt act. It would have tended to upset the Japanese-American relations, which we had been enjoined to maintain in status quo; and it would have required, so far as the Navy is concerned, certain movements of the fleet and certain action which should not have been taken without reference to the Department. (R. 1756.)

Therefore it is apparent that the local commanders waited for Washington and Washington took no action under the Joint Hawaiian Coastal Frontier Defense Plan, relying upon Hawaii to do so; and that in turn meant that the Martin-Bellinger Air Plan of Cooperation, which depended upon the Joint Hawaiian Coastal Frontier Defense Plan, did not go into operation.

The second reason why the air plan was ineffective was that Admiral Bloch, Commandant of the 14th Naval District, as testified by Admiral Kimmel, "had no planes assigned to him at this time." (R. 1751), so that he could do nothing to carry it out. As to the Army, Admiral Kimmel pointed out:

There weren't any general headquarters Army aircraft available in Hawaii, and we knew that there weren't going to be any. (R. 1753.)

When asked why the Navy accepted the responsibility for distant reconnaissance without any effective means of carrying it out, Admiral Kimmel testified,

he accepted responsibility for distant reconnaissance, because he couldn't do anything else and be sensible. (R. 1753.)

Admiral Bellinger confirms Admiral Kimmel's statement on long-distance reconnaissance means not being available. (R. 1595, 1606.) Therefore, paragraph 18 in the air agreement providing the Navy will furnish distant reconnaissance was without effect. (R. 1605-

1606.) Bloch had no planes and such planes as Bellinger had were under command of Kimmel and were [97] being used for other purposes in connection with reconnaissance with the fleet for protecting maneuver areas against submarines.

For the dual reason that the instrumentalities were not available and to the extent that any planes were available the use of them would have interfered with training, and for the further reason that the agreements were not to go into effect until an emergency, the Joint Hawaiian Coastal Frontier Defense Plan and the Martin-Bellinger Air Agreement signed by Short and Bloch were ineffectual. The Army and Navy agreed that when and if the time came that they had to put the plan into effect, the documents could only show what the working scheme would be. The inherent weakness in making such plans was the fact of their not being operative in time to meet the attack. Neither the local commanders nor Washington took steps to make them operative as they could have done. (R. 1606-1607. 1609.) However, unity of command in Washington would have been a condition precedent to unity of command in Hawaii.

9. *Estimate of the Situation.*—The best indication of what the Army and Navy recognized as the primary danger to the defense of Hawaii is found in the estimate of the situation in the implementing, operating plans signed by Bellinger and Martin on April 9, 1941, in execution of the Joint Air Agreement of March 21, 1941. This estimate was prophetic in its accuracy and called for vigorous implementation to meet the worst the enemy could do, as estimated in this document. The document says:

b. In the past Orange (Japan) has never preceded hostile action by a declaration of war.

c. A successful, sudden raid against our [98] ships and naval installations on Oahu might prevent effective defensive action by our forces in the Western Pacific for a long period.

d. It appears possibly that Orange (Japan) submarines and/or an Orange fast raiding force might arrive in Hawaiian waters with no prior warning from our Intelligence Service. . . . II (a) Orange might send into this area one or more submarines, and/or one or more fast raiding forces composed of carriers supported by fast cruisers. . . . III (b) It appears that the most likely and dangerous form of attack on Oahu would be an air attack. It is believed that at present such an attack would most likely be launched from one or more carriers, which would probably approach inside of 300 miles. . . . (e) In a dawn air attack there is a high probability that it would be delivered as a complete surprise in spite of any patrols we might be using and that it might find us in a condition of readiness under which pursuit would be slow to start. . . . (Roberts Record 556-D-F.)

It is also significant that in this estimate of the situation it was stated:

Any single submarine attack might indicate the presence of a considerable undiscovered surface force, probably composed of fast ships accompanied by a carrier. (Roberts Record 556-F.)

It will be recalled that a submarine appeared off the entrance to Pearl Harbor and was sunk at about 6:45 a. m. on December 7th, but was not reported by the Navy to the Army. Such a report would have been a sure warning of an hour before the attack of what was coming as recognized by paragraph 3 (d) of the Estimate of the Situation, forming a part of the Martin-Bellinger Plan.

In reviewing the situation as Short knew it in order to judge of the information that he had upon which to premise a successful course of action, it is necessary both to take into consideration the background in the first chapter and of the official communications and official actions of those estimates [99] of the situation at the time.

It will be recalled that Ambassador Grew had warned the State Department on January 27th by wire of the possibility of an air attack upon Pearl Harbor. This possibility had already been apparently thoroughly considered by the War and Navy Departments, and it had been concluded that that was the strongest danger to Hawaii. In early January, Admiral Richardson, with the concurrence of Admiral Kimmel and General Herron, had written at length to the Navy Department on this subject, with particular reference to the weaknesses of the Army defenses against air attack. This letter and the resulting correspondence between the Secretary of the Navy and the Secretary of War must be read in the light of the Joint Army and Navy Defense Plan of 1935, which places upon the Army the following mission:

b. Army—Hold Oahu against attacks by land, sea and air forces and against hostile sympathizers.

General Marshall testified, however, as follows:

We anticipated, beyond a doubt, Japanese movement in Indo-China and the Gulf of Siam, and against the Malay Peninsula. We anticipated also an assault on the Philippines. We did not, so far as I recall, anticipate an attack on Hawaii; the reason being that we thought, with the addition of more modern planes, that the defenses there would be sufficient to make it extremely hazardous for the Japanese to attempt such an attack. (R. 9.)

As a result, Secretary of Navy Knox wrote to Secretary of War Stimson on January 24, 1941, in part as follows:

MY DEAR MR. SECRETARY: The security of the U. S. Pacific Fleet while in Pearl Harbor and of the Pearl Harbor Naval Base itself, has been under renewed study by the Navy Department and forces afloat for the past several weeks. This reexamination has been, in part, prompted by the increased gravity of the situation with respect to Japan, and by reports [100] from abroad of successful bombing and torpedo-plane attacks on ships while in bases. If war eventuates with Japan, it is believed easily possible that hostilities would be initiated by a surprise attack on the fleet or the naval base at Pearl Harbor.

In my opinion, the inherent possibility of a major disaster to the fleet or naval base warrant taking every step as rapidly as can be done, that will increase the joint readiness of the Army and Navy to withstand a raid of the character mentioned above.

The dangers envisioned in their order of importance and probability are considered to be:

- (1) Air bombing attack.
- (2) Air torpedo-plane attack.
- (3) Sabotage.
- (4) Submarine attack.
- (5) Mining.
- (6) Bombardment by gunfire.

Defense for all but the first two appears to have been provided for satisfactorily.

It will be noted that an anxiety of Secretary Knox was as to air attack and that he was satisfied that precautions as to sabotage were sufficient by the Army. It will be recalled that Admiral Richardson's letter stimulating this letter of Secretary Knox was based on Richardson's personal inspection and knowledge of the Army situation.

Secretary Knox concludes his letter with the following recommendations to the Army:

Assign the highest priority to the increase of pursuit aircraft and anti-aircraft artillery, and the establishment of an air warning net in Hawaii . . . that the Army and Navy forces in Oahu agree on appropriate degrees of joint readiness for immediate action in defense against surprise aircraft raids against Pearl Harbor.

(5) That joint exercises, designed to prepare Army and Navy forces in Oahu for defense against surprise aircraft raids, be held at least once weekly so long as the present uncertainty exists.

So this letter clearly outlined the considered judgment [101] then existing that the most serious threat was an air attack and that all means should be taken to implement against it.

On February 7, 1941, the Secretary of War replied to this letter of the Secretary of the Navy under the subject "Air Defense of Pearl Harbor, Hawaii," and said:

In reply to your letter of January 24, 1941, regarding the possibility of surprise attacks upon the fleet or naval base at Pearl Harbor, I wish to express complete concurrence as to the importance of this matter and of the urgency of our making every possible preparation to meet such a hostile effort . . .

(6) With respect to your other proposals for joint defense, I am forwarding a copy of your letter and of this reply to the Commanding General, Hawaiian Department, and am directing him to cooperate with the local naval authorities in making those measures effective.

On the same day another communication was addressed to General Short, and this time by General Marshall:

Admiral Stark said that Kimmel had written him at length about the deficiencies of Navy materiel for the protection of Pearl Harbor. He referred specifically to planes and to antiaircraft guns.

The risk of sabotage and the risk involved in a surprise raid and by submarine, constitute the real peril of the situation. Frankly, I do not see any landing threat in the Hawaiian Islands, as long as we have air superiority.

And not satisfied with this first letter, General Marshall on March 5, 1941, again addressed General Short, saying:

I would appreciate your early review of the situation in the Hawaiian Department with regard to defense from air attack. The establishment of a satisfactory system of coordinating all means available to this end is a *matter of first priority*.

And to that General Short replied on March 15, 1941, at length with reference to the vulnerability of Hawaii to air attack and the measures being taken to meet this situation. [102] He points out that antisabotage measures and suppression of local disorders could be handled by battalions of National Guard, which come from the islands. The rest of the letter dealt with defenses against air attacks. His estimate of the situation was:

The most serious situation with reference to an air attack is the vulnerability of both the Army and Navy air fields to the attack.

Short realized the necessity for the dispersion of planes, the use of emergency fields on the outlying islands and the preparation of bunkers to protect the dispersed planes, as he discusses such a problem at length and its solution. (R. 21-25.)

On April 14, 1941, Short wrote the Chief of Staff sending him the Joint Coastal Frontier Defense Plan, Hawaiian Department and 14th Naval District. Annex No. VII. Section VI, Joint Security Measure:

Agreement signed by the Commander of the Hawaiian Air Force and Commander, Naval Base Defense Air Force to implement the above agreement, and Field Orders No. 1-NS (Naval Security) putting into effect for the Army the provisions of the Joint Agreement. (R. 26-27.)

He also stated that Admiral Kimmel and Admiral Bloch and himself felt all steps had been taken

which make it possible for the Army and Navy Air Forces to act together with the unity of command as the situation requires. (R. 27.)²⁹

This statement was in error at the time it was made, as the agreements could not be implemented for lack of means to do so in any material way and there was no unity of command, none [103] proposed and none was ever put into effect under these agreements. Open hostilities were necessary to make the agreement operative.

This communication was acknowledged by General Marshall on May 5th.

This brings us to the estimate of the air situation thus transmitted to the Chief of Staff on April 14th as indicating the best judgment in estimating the situation by General Martin and Admiral Bellinger and approved by General Short and Admirals Kimmel and Bloch.

It is a familiar premise of military procedure in estimating a situation *to select the most dangerous and disastrous type of attack the enemy may make and devote your primary efforts to meeting this most serious of the attacks.* (R. 1121, 2662.) In the present instance, it was clearly recognized, not only in the foregoing correspondence, but in this formal joint estimate by the Army and Navy of the situation, *that the most serious attack to be met by the Army and Navy was an air attack by Japan.* Herewith is the following statement from that estimate signed by the Army and Navy through General Martin and Admiral Bellinger and approved by Kimmel, Short and Bloch. This estimate is prophetic in its accuracy and uncanny in its analysis of the enemy's intention.

2. Assumptions:

* * * * *

c. The Hawaiian Air Force is primarily concerned with the destruction of hostile carriers in this vicinity before they approach within range of Oahu where they can launch their bombardment aircraft for a raid or attack on Oahu.

* * * * *

[104] e. Our most likely enemy, Orange, can probably employ a maximum of six carriers against Oahu.

* * * * *

c. * * * The early morning attack is, therefore, the best plan of action open to the enemy.

2. a. The most favorable plan of action open to the enemy, and the *action upon which we should base our plans of operation*, is the early morning attack in which the enemy must make good the following time schedule.

(1) Cross circle 881 nautical miles from Oahu at dawn of the day before attack.

(3) Launch his planes 233 nautical miles from Oahu at dawn the day of the attack.

* * * * *

²⁹ Excerpts from letter dated April 14, 1941 (R. 27)

4. * * * The sole purpose of the existence of the military establishment on Oahu, ground, and air, is for the defense of Oahu as an outlying naval base. * * *

It has been said, and it is a popular belief, that Hawaii is the strongest outlying naval base in the world and could, therefore, withstand indefinitely attacks and attempted invasions. Plans based on such convictions are inherently weak and tend to create a false sense of security with the consequent unpreparedness for offensive action.

[105] C. CRITICAL PERIODS OCTOBER 1 TO DECEMBER 7, 1941

1. *Vital Messages.*—In view of the foregoing, the estimate of the situation showed that an all-out attack by air was the judgment of the best military and naval minds in Hawaii. Under established military doctrine, that called for preparation for this worst eventual-ity. (R. 436-437) Short so admitted that this was the correct procedure. (R. 436-437)

The contrast between the written statements of many of the responsible actors in this matter prior to Pearl Harbor and after Pearl Harbor, as to their estimate of an air attack by Japan on Oahu, is startling.

The Secretary of the Navy wrote on January 24, 1941, to the Secretary of War:

The dangers envisaged in their order of importance and probability are considered to be:

- (1) air bombing attack.
- (2) air torpedo attack.
- (3) sabotage. (Roberts Record, 1824-1825.)

However, when Secretary of the Navy arrived in Hawaii a few days after December 7, following the Japanese attack, Admiral Pye testified his (Secretary Knox) first remark was:

No one in Washington expected an attack—even Kelly Turner.

Admiral Kelly Turner was in the War Plans Division of the Navy and was the most aggressive-minded of all. (R. 1070.)

General Marshall, in a letter to General Short on February 7, 1941, said:

The risk of sabotage and the risk involved in a surprise raid by air and submarine constitute the real perils of the situation. (R. 17.)

[106] On October 7, 1944, General Marshall testified before this Board:

We did not, so far as I recall, anticipate an attack upon Hawaii. (R. 9.)

It will be recalled that Admiral Bellinger and General Martin were responsible for the Joint Estimate, particularly with reference to air, and that this was based upon the Joint Hawaiian Coastal Frontier Defense Plan. In that estimate they put attack by air as the primary threat against Hawaii.

Contrast what Admiral Bellinger said on this record:

If anyone knew the attack was coming, why, I assume they would have been in a functioning status. (R. 1626.)

Contrast what General Martin said:

I didn't see any more danger from attack than General Short did, that is from a surprise attack with the information we had. (R. 1827.)

Admiral Kimmel said :

We had no reason to believe, from any intelligence we had, that the Japanese were going to make an air attack on Pearl Harbor or even that any attack was going to be made on Pearl Harbor. (R. 1771.)

The foregoing statement by Kimmel was in 1944 before this Board, whereas the joint agreements he entered into with the Army and the instructions from the Secretary of the Navy as well as his own recommendations to the Secretary of the Navy show that an air attack was the principal concern.

Likewise, Admiral Bloch, who signed the Joint Air Agreement based on the air estimate of Bellinger and Martin, testified as follows:

General FRANK. Was the attack a complete surprise to you?

Admiral BLOCH. Yes, sir. (R. 1518.)

General Short was the signer of the agreements specifying [107] the air attack as a primary threat and he had received the Marshall letter of February 7, 1941, and similar letters of General Marshall, and had replied setting forth in letters that the air attack was his primary concern.

Witness what General Short says on this record to the contrary :

General GRUNERT. Was the attack of December 7 a complete surprise to you?

General SHORT. It was. (R. 536.)

We must therefore conclude that the responsible authorities, the Secretary of the Navy and the Chief of Staff in Washington, down to the Generals and Admirals in Hawaii, *all expected an air attack before Pearl Harbor*. As a general statement, when testifying after the Pearl Harbor attack, they did not expect it.

Apparently the only person who was not surprised was the Secretary of War, Mr. Stimson, who testified :

Well, I was not surprised. (R. 4072.)

Short's Standard Operating Procedure, which he had formulated with his staff in July and finally put into complete form on November 5, 1941, (R. 333) had been sent to the Chief of Staff. (R. 431.) General Marshall wrote General Short on October 10th that it had just come to his attention and that upon an examination of the Standard Operating Procedure of the Hawaiian Department, dated July 14, containing those three alerts.

I am particularly concerned with missions assigned to air units. (R. 29.)

He objected to the assignment to the Hawaiian Air Force of the mission of defending Schofield Barracks and all [108] airfields on Oahu against sabotage and ground attacks, and with providing a provisional battalion of 500 men for military police duty. He thereby clearly warned General Short that the air force should not be used for antisabotage, for General Marshall further said in his letter :

This (the action of using the air force for antisabotage duty) seems inconsistent with the emphasis we are placing on air strength in Hawaii, particularly in view of the fact that only minimum operating and maintenance personnel have been provided. (R. 29.)

General Short replied on October 14, as follows :

The plan was to use them (Air Force personnel) for guarding certain essential utilities. . . . However, this will be unnecessary as the Legislature has just passed the Home Guard Bill, which will go into effect very soon.

General Marshall again wrote General Short on the 28th of October, and in it he clearly indicated to Short that he should change his alert plan (of which there was no proof that he ever did) and only use the Air Force for guard during the last stage when the Air Force as such had been destroyed and a hostile landing effected. General Marshall further indicated that no potential ground duty should be used as an excuse for not continuing the specific Air Force training, saying:

I suggest that you prepare a separate phase of your alert plan based on the assumption that the Air Force has been destroyed and a hostile landing effected. This plan could provide for the use of the necessary Air Corps personnel for ground defense and afford a means of indoctrinating them in ground defense tactics. It should, however, for the present at least, be subordinated to their own specific training requirements.

It would appear that the best policy would be to allow them to concentrate on technical Air Corps training until they have completed their expansion program and have their feet on the ground as far as their primary mission is concerned. (R. 30.)

[109] Here, again, General Marshall cautioned Short to use his Air Force for its normal purposes and not upon antisabotage guard duty and emphasizes that the use of the Air Force must be free and unfettered.

On October 16 Short received the following Navy message:

The following is a paraphrase of a dispatch from the C.N.O. which I have been directed to pass to you. Quote: "Japanese Cabinet resignation creates a grave situation. If a new cabinet is formed it will probably be anti-American and extremely nationalistic. If the Konoye Cabinet remains it will operate under a new mandate which will not include reapproachment with the United States. Either way hostilities between Japan and Russia are strongly possible. Since Britain and the United States are held responsible by Japan for her present situation there is also a possibility that Japan may attack those two powers. In view of these possibilities you will take due precautions including such preparatory deployments as will not disclose strategic intention nor constitute provocative action against Japan." (R. 279.)

On October 18, 1941, a radiogram was sent by the War Department to the Commanding General, Hawaiian Department, reading as follows:

Following War Department estimate of Japanese situation for your information. Tension between the United States and Japan remain strained but no abrupt change in Japanese foreign policy appears imminent. (R. 4258.)

This message was dated October 18, 1941, according to the Gerow statement, Exhibit 63, but in the copy of communications produced by General Marshall, the same message was dated October 20, 1941, as #266.

On October 28, General Marshall wrote General Short as to details of the training of the air corps personnel.

On November 24, the Chief of Naval Operations sent the Commander-in-Chief, Pacific Fleet, a message that Short thinks he saw, reading as follows:

[110] There are very doubtful chances of a favorable outcome of negotiations with Japan. This situation, coupled with statements of Nippon Government and movements of their naval and military force is, in our opinion, that a *surprise aggressive movement in any direction*, including an attack on the Philippines or Guam is a *possibility*. The Chief of Staff has seen this dispatch and concurs and requests action. * * * inform senior Army officers in respective areas utmost secrecy is necessary in order not to complicate the already tense situation or precipitate Japanese action. (R. 4258.)

On November 26, 1941, the following secret cablegram was sent to the Commanding General, Hawaiian Department:

It is desired following instructions be given pilots of two B-24's on special photo mission. Photograph Jaluit Island in the Caroline Group while simultaneously making visual reconnaissance. Information is desired as to location and number of guns, aircraft, airfields, barracks, camps, and naval vessels including submarines X X X before they depart Honolulu insure that both B-24's are fully supplied with ammunition for guns. (R. 4259.)

On November 27 the Chief of Naval Operations sent to the Commander-in-Chief, Pacific Fleet, a message which was delivered by the liaison officer, Lieutenant Burr, to G-3 of General Short, which reads as follows:

Consider this dispatch a war warning. The negotiations with Japan in an effort to stabilize conditions in the Pacific have ended. Japan is expected to make an aggressive move within the next few days. An amphibious expedition against either the Philippines, Thai, or Kra Peninsula or possibly Borneo is indicated by the number and equipment of Japanese troops and the organization of their naval task forces. You will execute a defensive deployment in preparation for carrying out the tasks assigned in WPL 46 only. Guam, Samoa and Continental Districts have been directed to take appropriate measures against sabotage. A similar warning is being sent by the War Department. Inform naval district and Army authorities. British to be informed by Spenavo. (R. 1775.)

And on the same day the Chief of Staff sent the following radio to the Commanding General, Hawaiian Department:

[111] No. 472. "Negotiations with Japanese appear to be terminated to all practical purposes with only the barest possibilities that the Japanese Government might come back and offer to continue. Japanese future action unpredictable but hostile action possible at any moment. If hostilities cannot, repeat cannot, be avoided, the U. S. desires that Japan commit the first overt act. This policy should not, repeat not, be construed as restricting you to a course of action that might jeopardize your defense. Prior to hostile Japanese action, you are directed to undertake such reconnaissance and other measures as you deem necessary but these measures should be carried out so as not, repeat not, to alarm the civil population or disclose intent. Report measures taken. Should hostilities occur, you will carry out task assigned in Rainbow Five as far as they pertain to Japan. Limit dissemination of this highly secret information to minimum essential officers." (R. 280-281, 4259-4260.)³⁰

This completes the pattern of the communications and information that was in Short's possession when he made the fatal decision to elect the antisabotage Alert No. 1 and not select either Alert No. 2 or No. 3 which would have constituted the defense against the most serious attack that could be made upon him in view of the previous estimate of the situation and warnings he had received from all quarters of an air raid.³¹

On the same day, November 27, 1944, but *after his decision to select Alert No. 1* and the sending of a reply to the message, Short received from G-2, War Department, through his G-2, Hawaiian Department, the following message:

Advise only the C. G. and the C. of S. It appears that the conference with the Japanese has ended in an apparent deadlock. Acts of sabotage and espionage probable. *Also possibilities that hostilities may begin.* (R. 4260.)

³⁰ A full discussion of the message follows.

³¹ Significant naval messages from the Chief of Naval Operations to the Commander-in-Chief Pacific Fleet, under dates of December 3, 4, and 6, 1941, relating to the destruction of codes and secret documents by Japanese consulates and instructions regarding destruction of similar means of our own evidently never reached General Short. (R. 424-425.)

[112] Short was asked what were his reasons for his action. The following colloquy is important:

General FRANK. I would like to devolve this thought for just a minute. This is in consideration generally of military operations. In estimating the situation with which a military commander is confronted, our teachings in the military establishment generally have been along the lines of taking all information that is available, evaluating it and using it as a guide. Is that correct?

General SHORT. Yes.

General FRANK. That is in accordance with our Leavenworth teaching, our War College teaching and our actual practice in the organization. Now, in coming to a decision on military disposition and general practice in the Army, Army teachings, as perhaps Army tradition, indicate that a commander should prepare for enemy action of what character?

General SHORT. The worst.

General FRANK. The worst. Now, can you tell me why that was not done in this instance?

General SHORT. Everything indicated to me that the War Department did not believe that there was going to be anything more than sabotage; and, as I have explained, we had a very serious training proposition with the Air Corps particularly, that if we went into Alert No. 2 or 3 instead of No. 1 at that time that we couldn't meet the requirements on the Philippine ferrying business. Also the fact that they told me to report the action taken unquestionably had an influence because when I reported action and there was no comment that my action was too little or too much I was a hundred percent convinced that they agreed with it. They had a lot more information than I had. (R. 436-437.)

* * * * *

General FRANK. All right. Now, you have given considerable testimony about how you arrived at your conclusion of the adequateness of Alert No. 1, and in general may we say that you came to this conclusion as a result of your faith in the effectiveness of naval operations and the influence of Naval opinion and to a certain extent of the line of thought as a result of what was contained in messages between the 16th of November and the 27th?

General SHORT. Yes, sir. And that was later confirmed by, may I add, actions of the War Department in not replying to my message and stating they wanted more, and in sending planes without any ammunition.

[113] General FRANK. All right. Did you feel that the wording of messages coming in there to you indicated an effort toward a supervisory control?

General SHORT. I thought that it indicated very definitely two things: That they wanted me to be extremely careful and not have an incident with the Japanese population that would arouse Japan, and the other thing was not to violate territorial laws in my eagerness to carry out defensive measures.

General FRANK. The question has arisen in the minds of the Board as to why, when that air estimate anticipated just exactly what happened, steps were not taken to meet it. I assume that the answer—

General SHORT. You mean the estimate of the year—you mean the year before?

General FRANK. No. The Martin-Bellinger estimate.

General SHORT. Oh.

General FRANK. Of 1941.

General SHORT. Yes.

General FRANK. I assume the answer is the answer that you gave to the question asked two or three questions back.

General SHORT. Yes. (R. 471-472.)

General Short within an hour after receiving the message from the Chief of Staff of November 27 ordered the No. 1 Alert, which continued up to the attack on December 7. (R. 282.) His message in reply to General Marshall was:

Report Department alerted to prevent sabotage. Liaison with Navy. Reuard four seventy two Nov. 27th. (R. 38, 286.)

The indorsements so appearing on this reply are as follows: In the handwriting of the Secretary of War there appear the words "Noted HLS", written in pen; "Noted—Chief of Staff", stamped by a rubber

stamp on the message without initials; and a rubber stamp "Noted, WPD" (in red ink) followed by pen initials "L.T.G." (R. 38, 4287.)

[114] An examination of the wire received from General MacArthur, in response to a similar message sent to General Short,³² shows the same indorsements, including "Noted—Chief of Staff," with a rubber stamp but no initials. However, this message has written in General Marshall's handwriting the words "To Secretary of War, GCM." This indorsement does not appear on the following message that came from Short. (See General Marshall's explanation below.)

The message from Short to the Chief of Staff indicates that it was the "Action Copy" as noted in pencil at its foot "OCS/18136-120."

When questioned about this vital message, the Chief of Staff said:

General RUSSELL. Subsequently General Short sent a reply to that message in which he refers to the November 27 message from you over your signature by number. That message of General Short reporting action merely states:

"Report Department alerted to prevent sabotage. Liaison with Navy REURAD four seven two twenty-seventh."

The original of General Short's report indicates that it was initiated by Secretary Stimson and has a stamp "Noted—Chief of Staff," and was initiated by General Gerow.

The Board has been interested to know the procedure in your office as it relates to stamping documents which do not bear your signature. Does that indicate that you did or did not see those messages?

[115] General MARSHALL. Well, I think if you look at the preceding message from the Philippines you will find that same rubber stamp on there, "Noted—Chief of Staff."

General RUSSELL. That is true.

General MARSHALL. And you will find it at the top of the message. You will find my initials.

General RUSSELL. Yes; I do see them.

General MARSHALL. But not on the other one. I do not know about that. I do not know what the explanation is. I initial them all; that is my practice. One goes to the particular section that has the responsibility for working on it, which in this case was the War Plans Division, now the Operations Division, and then one comes to me. I initial it and then it goes out to the record. Where I think the Secretary of War ought to see it, and if he is not in the distribution, I check it to him. Where I think there is somebody else that should be notified, I indicate on the face of my copy who else is to be informed of this. As a matter of routine one agency is charged with the execution of the matter pertaining to the message. But in this particular case I do not know. I have no recollection at all.

General RUSSELL. The fact that it reached the Secretary of War's office and was by him initialed—would that or not indicate that you had sent it up to him or that it might have been sent up to him by someone else?

General MARSHALL. In this connection I invite your attention to the fact that this was filed behind a message from General MacArthur. I note that I did not initial it. They evidently came in together.

General RUSSELL. If they were together you might or might not have seen them?

General MARSHALL. I have no recollection at all. The presumption would be that I had seen it. (R. 38-40.)

No one of these persons, or any of their subordinates, have any record, either internally in the War Department or externally, of any message to Short showing the slightest exception taken to his course of action. It will be noted as to the Chief of Staff, that while he did not

³² On November 27th the War Department sent messages similar to one sent to General Short, to MacArthur in the Philippines, Andrews in Panama, and DeWitt on the West Coast, each of which called for a report of measures taken. All replies except that from Short indicated the taking of measures of greater security than those envisaged in the Hawaiian Alert No. 1.

initial the Short reply, he did initial the top message from General [116] MacArthur on the same subject, and apparently they both went together to the Secretary of War, as they had come at substantially the same time in answer to the same message from the Chief of Staff. The inference from General Marshall's testimony is that possibly he only initialed the top one, but that is speculation, as he said,

I do not know what the explanation is. (R. 39.)

2. *Analysis of the Situation from November 24 to November 27*—The vital message of November 27, #472, heretofore quoted as having been sent by the Chief of Staff to the Commanding General, Hawaiian Department, can be understood and its proper place in this narrative determined only when we know the events which led up to its being sent; when we know by whom drafted and by what procedure the drafting was accomplished; and the circumstances under which it was forwarded. Its relationship to surrounding circumstances and other documents must also be understood before we proceed to analyze the message and the meaning of each part of it.³³

[117] The War Council met on the 25th of November 1941. Fortunately, we have the advantage of the contemporaneous diary of the Secretary of War, Mr. Stimson, who has pictured in his diary with great clarity and precision the events as they transpired, which were material to this issue. This diary reads:

At 9:30 Knox and I met in Hull's office for our meeting of three. Hull showed us the proposal for a three months' truce which he was going to lay before the Japanese today or tomorrow. It adequately safeguarded all our interests, I thought, as we read it, but I don't think that there is any chance of the Japanese accepting it because it was so drastic. . . . We were an hour and a half with Hull, and then I went back to the Department, and I got hold of Marshall. Then at twelve o'clock I went to the White House where we were until nearly half past one. At the meeting were Hull, Knox, Marshall, Stark, and myself. There the President brought up the relations with the Japanese. He brought up the event that we were likely to be attacked perhaps as soon as—perhaps next Monday, for the Japs are notorious for making an attack without warning, and the question was what we should do. We conferred on the general problem. (R. 4050-4051.)

This was the end of the discussions on the 25th of November, 1941 (R. 4050-4051), with the exception that when the Secretary of War returned to his office, he found a G-2 message that a Japanese expedition had started southward, south of Formosa; and he at once called Mr. Hull and sent him copies of the report and a copy to the President.

On the following day, November 26, 1941, the diary continues:

Hull told me over the telephone this morning that he had about made up his mind not to make the proposition that Knox and I passed on the other day (the 25th) to the Japanese, but to kick the whole thing over and to tell them that he had no other proposition at all. (R. 4051-4052.)

³³ The Secretary of War has cleared some ambiguity in this record, and an ambiguity in the White Papers by defining with precision the War Council. There were really three bodies that were loosely referred to from time to time by this title. The true War Council was that established under the National Defense Act of 1920, solely within the War Department. The second body was that created by the Secretary of War, Mr. Stimson, and the Secretary of the Navy, Mr. Knox, when they entered into their positions, by which they gathered together at regular intervals with the Secretary of State, and sometimes with General Marshall and Admiral Stark. The third group was that which joined the President at fairly regular intervals, consisting of the President, the Secretary of State, Secretary of War, Secretary of the Navy, and from time to time General Marshall and Admiral Stark, and occasionally General Arnold. (R. 4041-4042-4043-4044, 4047-4048, 5-6.)

There is some proof that, before General Marshall left Washington for North Carolina on maneuvers on the afternoon of [118] the 26th, he had drafted in the rough a proposed message to General Short apprising him of the situation as it was developed. General Gerow, Chief of the War Plans Division, testifies that he believes he discussed such a draft with General Marshall. (R. 4244-4246.)

General Marshall was away on the 27th and returned on the 28th, at which time he saw the complete draft of the message of the 27th together with the report from General Gerow of the events during the 27th which we are now about to relate. (R. 36-37.)

Before the closing of the story of the 26th, Mr. Stimson defines it as:

The 26th was the day he (Hull) told me he was in doubt whether he would go on with it. (R. 4051-4052-4053.)

What the Secretary of State appears to have done was to have his conference with the Japanese Ambassadors and to hand to them the "Ten Points". As Ambassador Grew testifies, the Japanese considered these "Ten Points" to be an ultimatum. (R. 4221.) Whether or not the Secretary of State considers now that this is not an ultimatum (see his letter of September 28, 1943), nevertheless, the Japanese did so consider it and acted upon it as such by notifying the task force, as the evidence shows was waiting at Takan Bay, to start the movement against Hawaii, and it did move out on the 27th-28th of November. As well put by Ambassador Grew:

Naturally, they (the Japanese) had all their plans made for years beforehand, in the case of war with America. They were very foresighted in those respects, and they had their plans drawn up probably right down to the last detail; but as for the moment at which the button was touched, I don't myself know exactly how long it would have taken their carriers to get from where they were to the point at which [119] they attacked Pearl Harbor; but it has always been my belief that it was *about the time of the receipt of Mr. Hull's memorandum of November 26 that the button was touched.* (R. 4215)

On the morning of the 27th of November 1941, Mr. Stimson's diary reads:

The first thing in the morning, I called up Hull to find out what his final decision had been with the Japanese—whether he had handed them the new proposal which we passed on two or three days ago or whether, as he suggested yesterday, he had broken the whole matter off. He told me now he had broken the whole matter off. As he put it, "I have washed my hands of it, and it is now in the hands of you and Knox, the Army and Navy."

Then the Secretary of War states:

I then called up the President and talked with him about it.

He (Stimson) then approved the orders presented to him by General Arnold to move two large planes over the Mandated Islands to take pictures. (R. 4053.)

The Secretary related that General Marshall "is down at the maneuvers today," and "Knox and Admiral Stark came over and conferred with me and General Gerow." At this point he says:

A draft memorandum from General Marshall and Admiral Stark to the President was examined, and the question of the need for further time was discussed. (R. 4054.)

This is the memorandum asking the President not to precipitate an ultimatum with the Japanese and to give the Army and Navy more

time within which to prepare; but it was too late, as the die had been cast by the Secretary of State in handing the "Ten Points" counter-proposals to the Japanese on the previous day, which was, as the Secretary of State remarked, "washing his hands of the matter".

[120] When Ambassador Grew so testified he apparently did not know of the very complete evidence in this record of the movement of the Japanese task force starting on the 27th-28th from Tankan Bay to the attack. Mr. Hull's statement on this subject is of interest:

I communicated on November 26 to the Japanese spokesmen—who were urgently calling for a reply to their proposals of November 20—what became the last of this Government's counter-proposals. . . . It will thus be seen that the document under reference did not constitute in any sense an ultimatum." (Letter from Secretary of State to the Army Pearl Harbor Board, September 28, 1944.)

3. *The Drafting of the Message #472 of the 27th.*—We now turn to the drafting of the message of the 27th as related by the Secretary of War, Mr. Stimson, and other witnesses. The first meeting was between Mr. Stimson, General Bryden and General Gerow. (R. 4239-4240.) A second meeting between Secretary Stimson, Secretary Knox, Admiral Stark and General Gerow was held later in the day. (R. 4240.) As the diary of Mr. Stimson says:

But the main question at this meeting was over the message that we shall send to MacArthur. We have already sent him a quasi-alert or the first signal for an alert; and now, on talking with the President this morning over the telephone I suggested and he approved the idea that we should send the final alert, namely, that he should be on the *qui vive* for any attack, and telling him how the situation was. (R. 4055.)

To continue with the diary:

So Gerow and Stark and I went over the proposed message to him (Mr. Stimson here verbally testified—"We were sending the messages to four people, not only MacArthur, but Hawaii, Panama, and Alaska". So Gerow and Stark and I went over the proposed message to him from Marshall very carefully, finally got it into shape, and with the help of a telephone talk I had with Hull I got the exact statement from him of what the situation was. (R. 4056.)

[121] The Secretary of War then stated:

The thing that I was anxious to do was to be sure that we represented with correctness and accuracy what the situation was between the two governments, and this part I got from Hull, as I said, by telephone, to be sure I was right. (R. 4056.)

The two sentences which the Secretary of War apparently wrote in the message of the 27th were these:

Negotiations with Japan appear to be terminated to all practical purposes with only the barest possibilities that the Japanese Government might come back and offer to continue. Japanese future action unpredictable but hostile action possible at any moment.³⁴

The Secretary continues his testimony:

That was what I was interested in getting out at the time, because that had been a decision which I had heard from the President, as I have just read, and I had gotten the exact details of the situation between the State Department and the envoys from Mr. Hull; and, as I pointed out here, the purpose in my mind, as I quote my talk with the President, was to send a final alert, namely,

³⁴ However, General Gerow (R. 4247) testified that he believed that the sentence "Japanese future action unpredictable but hostile action possible at any moment" was inserted by him or Colonel Bundy.

that the man should be on the *qui vive* for any attack, and telling him how the situation was here. (R. 4056.)

The task that the Secretary of War was engaged upon was normally that of the Chief of Staff. As Mr. Stimson said:

That was why I was in this matter. Marshall was away. I had had a decision from the President on that subject, and I regarded it as my business to do what I of course normally do; to see that the message as sent was framed in accordance with the facts. (R. 4057.)

The message to Hawaii now under consideration of the 27th has endorsed upon it, "Shown to the Secretary of War". (R. 4057.)

[122] The Secretary testified:

I went over very carefully the whole message. . . . And I saw it after it was finally drawn, as shown by the memorandum there. (R. 4058.)

With reference to the other meeting that took place on the 27th in the drafting of this message, #472, General Gerow's testimony is that at the meeting with the Secretary of War the first two sentences, reported by the Secretary of War as being drafted by him, were sentences which were softened by instructions or information furnished by the Secretary of State in a conversation over the telephone with the Secretary of War the morning of the 27th. (R. 4247.) General Gerow testifies that the sentences so softened originally read

Negotiations with Japan have been terminated. (R. 4270.)

The sentence,

Japanese future action unpredictable but hostile action possible at any moment

was put in by General Gerow or Colonel Bundy. (R. 4247.)

The sentence,

If hostilities cannot, repeat cannot, be avoided, the United States desires that Japan commit the first overt act,

was thus phrased because as Gerow said he testified before the Roberts Commission:

We pointed out in the message the possible danger of attack and directed reconnaissance and other necessary measures without fully carrying into effect the provisions of this plan, which would have required hostile action against Japan, and the President had definitely stated that he wanted Japan to commit the first overt act. (R. 4251-4252.)

The next sentence:

This policy should not, repeat not, be construed as restricting you to a course of action that might jeopardize your defense

was inserted by General Gerow or by Colonel Bundy. The [123] purpose of this language was to insure freedom of action to the Commanding General of the Hawaiian Department. (R. 4252.)

General Gerow said that there had been no discussion of the ambiguity of the message or its apparent conflicting instructions as a "Do-or-Don't" message. (R. 4252.)

He said that nothing in the message told General Short about the relations between the American Government and the Japanese Empire. (R. 4256.) The sole information passed on to General Short by the War Department from October 20th to November 27th about what the soldier calls "enemy information" was in this particular mes-

sage. (R. 4263.) The only previous message that Short had had of the international situation from the War Department was on October 20, which read: ^{35 36}

[124] Following War Department estimate of Japanese situation for your information. Tension between the United States and Japan remains strained but no abrupt change in Japanese foreign policy appears imminent. (R. 4264.)

The sentence:

This policy should not be construed as restricting you to a course of action that might jeopardize your defense

was put in by the War Plans Division. (R. 4271.)

With reference to the phrase,

You are directed to take such reconnaissance and other measures as you deem necessary,

apparently at that time no investigation was made by the War Department to ascertain just what means General Short had of conducting the reconnaissance; but aside from this fault, the fact is that General Short did have some planes plus radar to conduct a degree of reconnaissance. This the record shows he did not fully and gainfully employ these means for this purpose. General Short was recalled at substantially the end of all the testimony and questioned on this point. Short's position on this message was that the direction to him to conduct reconnaissance was a futile directive and that it indicated to him that the man who wrote the message was entirely unfamiliar with the fact,

that the Navy was responsible for long distance reconnaissance.

He said this was

in spite of the fact that the Chief of Staff had approved that plan that provided for that, whoever wrote the message was not familiar with it, or it had slipped his mind that it was the Navy and not the Army that was responsible. (R. 4436-4437.)

He said when questioned as to why he did not call attention to this matter in his reply to the War Department:

I think if the War Department had intended to abrogate that agreement, they would have told me so.

[125] He said he based everything on the responsibility of the Navy for long distance reconnaissance, because it had been approved by the Chief of Staff and the Chief of Naval Operations. (R. 4438.)

He could not explain why he failed to use his own reconnaissance aircraft even though the agreement was not actually in effect at that time or the War Department had overlooked the agreement because he says, as elsewhere admitted, that the Army and Navy agreement was not to go into effect until hostilities, or other equivalent, had occurred. His reconnaissance planes were still under his control and could have been used by him to carry out this direct order in this message.

³⁵ However, General Gerow testified (R. 4258) that there was a Navy Department message of November 24th which contained information of the Japanese situation and indicated possible Japanese aggressive action and which directed the Commander-in-Chief Pacific Fleet to inform General Short of its contents.

³⁶ Information gleaned by the Board indicates that G-2, War Department, on November 3, 1941, sent a letter to G-2, Hawaiian Department, in which was set forth the prophecy of war between Japan and the United States in December 1941 or February 1942, as made by a prominent Japanese.

For instance, the following colloquy occurred:

62. General GRUNERT. You might clear up two additional points. First, we will take up the point that you have brought out, there, that the War Department had evidently overlooked the agreement that your command had with the Navy, as to distant reconnaissance. Did you call the War Department's attention to the fact, when you were ordered to make reconnaissance, about that agreement?

General SHORT. I did not, but I reported to them exactly what I was doing.

63. General GRUNERT. Then you considered your report the answer to that?

General SHORT. They called on me for a report. If they had not called on me for a report, I think the situation would have been quite different; but they definitely told me to "report action taken," which I did; and I heard nothing further from them.

64. General GRUNERT. We have had testimony before the Board, from a member of the Navy, calling the Board's attention to the fact that this Joint Hawaiian Coastal Frontier Defense Plan was not operative until an emergency arose, and apparently the emergency, or the imminency of [126] such an emergency, was not agreed to, locally, to make the provisions operative. With that understanding, was it the Navy's business to conduct long-distance reconnaissance, prior to such an emergency?

General SHORT. If the emergency existed, it was their business; if it did not exist, there was no necessity.

65. General GRUNERT. Then, when do you judge the emergency came about?

General SHORT. It very definitely came about, at 7:55 on the morning of the 7th. (R. 4438-4439.)

This is sufficient in itself to clearly demonstrate that Short was not taking the action which he could and should have taken of either more fully carrying out the order, or of specifically and definitely reporting the complete circumstances of his inability to do so. He did not call the attention of the War Department to what was an apparent misunderstanding on its part. He was relying upon the Navy reconnaissance without any reasonable energetic inquiry to ascertain the correctness of his assumption that the Navy was conducting long distance reconnaissance. He has no adequate explanation for not using the radar 24 hours a day (which was in full operation Sunday prior to December 7) after getting the message of the 27th, and which was used continuously after December 7. (R. 4441-4444.) For some time after December 7th the situation as to the dearth of spare parts was the same as before December 7th.

The Secretary of War did not know the authorship of the part,

Report measures taken * * * Limit dissemination * * * to minimum essential officers. (R. 4071.)

He said he knew it was there and he understood it.

There were two conferences with the Secretary of War, one [127] at 9:30 the morning of the 27th, and one later in the day. At the first conference, the Secretary of War, General Bryden, Deputy Chief of Staff, and General Gerow were there. At that time General Gerow received instructions with reference to the preparation of the message. He then consulted Admiral Stark. (R. 4239-4240.) The second conference took place later with Secretary Knox, Admiral Stark, and Mr. Stimson. (R. 4240.) General Bryden has testified that although he was Deputy Chief of Staff, and Acting Chief of Staff in General Marshall's absence, he does not remember the message nor the conference thereon. (R. 900.) While the Chief of Staff reviewed the message of the 27th on the 28th, it is unfortunate that during this critical period he was off on maneuvers in North Carolina and missed

the drafting of the message which was the composite work of a number of people, which may account for its confusing and conflicting tenor. Possibly had he been present, the Marshall-Stark memorandum might have reached the President in time to have influenced the momentous decisions of November 26th.

It is equally obvious that the November 27th message was the only message that attempted to translate the long and tempestuous course of events terminating in the counter-proposals on the 26th of November to Japan.

No other picture of the situation was given to Short, except in this message. It is apparent that the message of November 27 was entirely inadequate to properly and adequately translate to Short's mind the background of events that had been taking place. While this does not excuse Short, it does necessitate an assessment for the responsibility on others.

[128] The three principal Major Generals who were commanders under Short have testified that they received substantially nothing by way of information as to the international situation except what they read in the newspapers. The fact that the newspapers were urgent and belligerent in their tone was discounted by them, because they were not receiving any confirmatory information from the War Department through Short. Information that was of tremendous value both as to content and substance, which the Secretary of State, Secretary of War, Chief of Staff, and other high officers of the War Department had, was not transmitted to Short. The only summary of this information was the brief and conflicting tone of the message of November 27, which was but a faint echo of what had actually occurred.

It is significant that the Japanese upon the termination of negotiations by the counter-proposals of the 26th, considered by them as an ultimatum, were thereby in full possession of all the information, which our ultra-secrecy policy did not permit of full transmission to field commanders. The Japanese knew everything. The War and Navy Departments transmitted to Short and Kimmel only so much of what they knew as they judged necessary.³⁷

It is also significant that the Secretary of War had to go and call Mr. Hull to get the information on what amounted to the practical cessation of negotiations, which was the most vital thing that had occurred in 1941. If it had not been for [129] Mr. Stimson's initiative in calling the Secretary of State, it is uncertain as to when he would have been advised of this most important event. As it turned out, the delay of from ten to twelve hours in getting the information was not material since the Japanese delayed striking until December 7th.

The effect of the counter-proposals of November 26th on the resulting responsibilities of the Army and Navy is indicated in Mr. Stimson's quotation of Mr. Hull's comment to him, as follows:

Now it is up to the Army and Navy to take care of the matter. I have washed my hands of the Japanese.

³⁷ Both General Marshall and Admiral Stark expressed themselves as of the opinion that the warnings transmitted to Short and Kimmel were sufficient to properly alert their respective commands.

4. *Analysis of the November 27, 1941, Message.*—The message of November 27, 1941, from the Chief of Staff to Commanding General, Hawaiian Department, consists of the following component parts:

Negotiations with Japan appear to be terminated to all practicable purposes with only the barest possibilities that the Japanese Government may come back and offer to continue. Japanese future action unpredictable but hostile action possible at any moment.

Comment: This statement on Japanese information is inadequate. It did not convey to Short the full import of the information concerning the American-Japanese relations which was in the hands of the War Department. It was misleading in that it stated that there was a bare possibility of the resumption of negotiations, which carried with it the implication that such resumption would influence the Japanese-American relations, i. e., that war might not come. The War Department was convinced then that war would come.

The statement that "Japanese future action unpredictable" [130] was in conflict with the Navy message which the War Department had directed be shown to Short, to the effect that the attack would be in the Kra Peninsula and elsewhere in the Far East. It did not convey to Short the fixed opinion of the War Department General Staff as to the probable plan of Japanese operations.

A warning that "hostile action possible at any moment" indicated the necessity of taking adequate measures to meet that situation. This is particularly true in view of the Navy message of 16 October, 1941, which said that there was a possibility that Japan might attack. There was also received from the Navy on November 27 a message containing these words,

Consider this dispatch a war warning. The negotiations with Japan in an effort to stabilize conditions in the Pacific have ended. Japan is expected to make an aggressive move within the next few days.

The next statement in the Chief of Staff's message to the Commanding General, Hawaiian Department:

If hostilities cannot be avoided the United States desires that Japan commit the first overt act. This policy should not be construed as restricting you to a course of action that might jeopardize your defense.

Comment: This instruction embodied our well known national policy against initiating war. The responsibility for beginning the war must be Japan's. It gives Short the right of defense, notwithstanding the restriction, but creates an atmosphere of caution which he must exercise in preparing for such defense.

The third portion of the message is this:

Prior to hostile Japanese action you are directed to undertake such reconnaissance and other measures as you deem necessary, but these measures should be carried out so as not to alarm the civilian population or disclose intent. [131] Report measures taken.

Comment: This was an order. Short could take such measures, including reconnaissance, as he deemed necessary. What was available to Short for reconnaissance and defensive action and the measures taken by him are fully discussed elsewhere.

Here again we find the limitation that he must act cautiously. However, the weight of evidence indicates that a higher form of alert than that taken would not have alarmed the public.

Short did report within an hour the measures taken. (R. 286.)

Short's answer to General Marshall's radio said:

Department alerted to prevent sabotage. Liaison with the Navy. Reuard four seven two twenty seventh.

This in itself was sufficient to show that such steps were inadequate, but as he did not say he was taking any other steps, the War Department erroneously assumed that its responsible commander was alert to sabotage and to liaison with the Navy and was taking the necessary responsible other steps mentioned in the radio because he had been warned in this radio of the 27th by General Marshall.

Having asked for a report of what he was doing, the War Department placed itself in the position of sharing the responsibility if it did not direct Short to take such measures as they considered adequate to meet this serious threat. This is particularly true in view of the fact that much material information relating to Japanese-American relations was in the War Department, which had not been made available to Short.

[132] The next and last portion of the message:

should hostilities occur, you will carry out tasks assigned in Rainbow Number 5 as far as they pertain to Japan. Limit dissemination of this highly secret information to minimum essential officers.

Comment: (a) This was a clear recognition, and advice to Short, that his basic war plan and all joint Army and Navy plans based upon it was to be used and was a clear indication to him to adopt adequate preparatory measures to insure the execution of Rainbow Number 5.

(b) As to the directive to

Limit dissemination of this highly secret information to minimum essential officers—

The War Department was security-conscious. The construction which Short appears to have placed upon this language may have unduly limited the information which reached responsible subordinate commanders. This part of the message left broad discretion in Short as to the dissemination of the information contained in the message, and had the personnel operating the Air Warning Service on the morning of December 7th known of the absolute imminence of war they doubtless would have interpreted the information obtained from the radar station much differently.

It is of a piece with the other provisions of the instructions—not to alarm the public, not to disclose intent, and to avoid commission of the first overt act.

Comment on the message as a whole.—General Short, as the Commanding General, Hawaiian Department, was charged with the defense of the Hawaiian Islands and as such had a fundamental duty to properly employ all available means at his disposal for that purpose in the face of any threat, with or without notification of impending hostilities.

[133] Notwithstanding receipt of conflicting and qualifying information, which undoubtedly had its effect on Short's mental conception of the situation, the responsibility rested on him to take meas-

ures to meet the worst situation with which he might be confronted, and such action on his part, as Commander on the spot, was mandatory despite the fact that he was not kept fully advised by the War Department of the critical situation and of the positive, immediate imminence of war.

The same day G-2 of the War Department wired to G-2 Hawaiian Department, which clearly indicated that *both* sabotage and hostilities might begin and be concurrent. This message said:

Advise only the Commanding General and the Chief of Staff that it appears that the conference with the Japanese has ended in an apparent deadlock. Actions of sabotage and espionage probable. Also probable that *hostilities* may begin.

This G-2 message nullifies all Short's explanation that his mind was put on sabotage because of the War Department's emphasis on this subject. The message shows that hostilities were just as possible as sabotage. His decision to adopt Alert Number 1 came on the 27th, before receipt of any message having reference to sabotage. He had two threats: he only took measures as to one. The third message, upon which he particularly relies as to sabotage, which came on November 28 from the War Department (G-2), came *after* he had made his decision to go to Alert Number 1. This last message again mentions the critical situation as to sabotage activities. It does not in any way change previous messages. Short should have known, as a trained soldier, that a G-2 message is informative and is of [134] lesser authority than a commanding message from the Chief of Staff.

When General Short was asked if he had known that negotiations with Japan had practically ended when he received the message of November 27th, he said:

I think it would have made me more conscious that war was practically unavoidable . . . If I knew it was immediately imminent . . . but if I had known it was immediately imminent, then I should think I would have gone into Alert Number 3 . . . It would have looked to me definite that the war was almost upon us. (R. 450.)

General RUSSELL. General Short, did you know that on the 26th of November the State Department handed to the Japanese representatives a memorandum which G-2 of the War Department at least considered as an ultimatum to the Japanese government?

General SHORT. I knew nothing of anything of the kind until a year or so afterwards, whenever that State Department paper came out.

General RUSSELL. Did you know on the 27th of November, when you received that message that the Secretary of State had in a meeting on the 25th of November told the Secretary of War, the Secretary of the Navy, and probably the Chief of Staff of the Army, and Admiral Stark, that the State Department had gone as far as it could in its negotiations with the Japanese and that the security of the nation was then in the hands of the armed forces?

General SHORT. I did not.

General RUSSELL. Did you know that in January of 1941 Ambassador Grew made a report to the State Department or to the Secretary of State in which he stated that there were rumors in Japan that in event of trouble with America the Japs would attack Pearl Harbor?

General SHORT. At that time I was not in command; but I have known of that later, I think probably a year or so later. I do not think I knew anything about it at that time. (R. 451.)

This concludes the status of affairs to the 27th. There still remained the period from the 27th to the 6th of December, inclusive, during which time messages and even letters could have been sent outlining and completely delineating the entire [135] situation to Short.

Even a courier could have reached Honolulu in 36 hours from Washington. The War Department, although it had additional information of a most positive character, left Short with this fragment of information regarding the U. S.-Japanese negotiations contained in the two sentences inserted in the message of the 27th by the Secretary of War, and took no action either to investigate Short's reply to the message of November 27 to determine the steps being taken for defense, or to assure that adequate defensive measures were being taken.

5. *Messages 28th November To 6th December, Inclusive.*—On November 28th the War Department sent message No. 482 to Short, reading as follows:³⁸

Critical situation demands that all precautions be taken immediately against subversive activities within field of investigative responsibility of War Department (See paragraph 3 MID SC thirty dash forty-five) stop. Also desired that you initiate forthwith all additional measures necessary to provide for protection of your establishments comma protection of your personnel against subversive propaganda and protection of all activities against espionage stop. This does not repeat not mean that any illegal measures are authorized stop. Protective measures should be confined to those essential to security comma avoiding unnecessary publicity and alarm. To insure speed of transmission identical telegrams are being sent to all air stations but this does not repeat not affect your responsibility under existing instructions.

[136] Short sent a reply to wire 482 of November 28th on the same day which outlined at length the sabotage precautions he was taking. The War Department copy of this wire, which is addressed to the A. G. O., shows that a copy was sent to the Secretary of the General Staff, but no other indorsements are on it showing it was read or considered by anyone else. This wire reads:

Re your secret radio for eight two twenty eighth, full precautions are being taken against subversive activities within the field of investigative responsibility of War Dept paren paragraph three MID SC thirty dash forty five end paren and military establishments including personnel and equipment. As regards protection of vital installations outside of military reservations such as power plants, telephone exchanges and highway bridges, this Hqrs by confidential letter dated June nineteen nineteen forty one requested the Governor of the Territory to use the broad powers vested in him by Section sixty seven of the organic act which provides, in effect, that the Governor may call upon the Commanders of Military and Naval Forces of the United States in the Territory of Hawaii to prevent or suppress lawless violence, invasion, insurrection etc. Pursuant to the authority stated the Governor on June twentieth confidentially made a formal written demand on this Hqrs to furnish and continue to furnish such adequate protection as may be necessary to prevent sabotage, and lawless violence in connection therewith, being committed against vital installations and structures in the territory. Pursuant to the foregoing request appropriate military protection is now being afforded vital civilian installations. In this connection, at the instigation of this headquarters the city and county of Honolulu on June thirtieth nineteen forty one enacted an ordinance which permits the Commanding General Hawaiian Dept. to close, or restrict the use of and travel upon, any highway within the city and county of Honolulu, whenever the Commanding General deems such action necessary in the interest of national defense. The authority thus given has not yet been exercised. Relations with FBI and all other federal and territorial officials are and have been cordial and mutual cooperation has been given on all pertinent matters. SHORT.

It is to be noted that the official file does not show a copy of radio #482, sent to Short by the War Department on [137] November 28th.

³⁸ A similar message, No. 484, was sent on the same day to the Commanding General Hawaiian Air Force by General Arnold.

On December 3, 1941, the Chief of Naval Operations sent the following wire to the Commander-in-Chief of the Pacific Fleet :

On 3d December we have, "Op Nav informs"—this is a paraphrase, you understand, sir. * * *—"informs C in C Asiatic, CincPac, Combat 14-16 that highly reliable information has been received that instructions were sent Japanese diplomatic and consular posts at Hong Kong, Singapore, Batavia, Washington, and London to destroy most of their codes and ciphers at once and to burn secret documents." (Admiral Bloch, Vol. 13, Page 1513, APHE.)²⁰

The story as to whether Short ever saw or received this message is as follows: Admiral Kimmel visited Short December 2 and December 3, 1941. (R. 1513.) Short says: "I never saw that message" (R. 424), referring to the 3 December message. He also denied seeing the message from the Navy of December 4th and 6th hereinafter quoted. (R. 424-425.) However, Short was advised by the F. B. I. that it had tapped the telephone line of the Japanese Consuls' cook and had found the Consul was burning his papers. (R. 3204.) All other lines were tapped by the Navy. (R. 3204.) Phillips testified Short was "informed of it," but nothing was done about it. (R. 1243.) Short denies such G-2 information, saying: "I am sure he didn't inform me." (R. 525.) Colonel Fielder says the matter was discussed by Colonel Phillips at a staff conference, but nothing was done about it. Colonel Bicknell, G-2, Hawaiian Department, confirmed Fielder. (R. 1413-1414.)

[138] This record does not provide either a true copy or a paraphrase copy of the message of December 4, 1941, or December 6, 1941. The information we have is no better than that contained in the Roberts Report, which reads as follows:

the second of December 4, 1941, instructed the addressee to destroy confidential documents and means of confidential communication, retaining only such as were necessary, the latter to be destroyed in event of emergency (this was sent to the Commander-in-Chief of the Pacific Fleet for information only); and the third of December 6, 1941, directing that in view of the tense situation the naval commands on the outlying Pacific islands might be authorized to destroy confidential papers then or later, under conditions of greater emergency, and that those essential to continued operations should be retained until the last moment. (Roberts Report, page 8.)

These messages were received because Admiral Bloch testified that he remembered them. (R. 1513-1514.)

Irrespective of any testimony on the subject the record shows that on December 3, 1941, Short and Kimmel had a conference about a cablegram relative to the relief of marines on Wake and Midway. (R. 302, 394.)

There is a serious question raised why the War Department did not give instructions to Short direct which would have put him on his guard as to the tenseness of the situation.

On December 6 there was reported to the Chief of Staff, Phillips, the message about the Japanese burning their papers, and he reported it at a staff meeting on December 6. (R. 1414.)

6. *December 7, 1941 Message.*—This brings us to the final message from Washington. It was filed by the Chief of Staff at 12:18 p. m. Washington time, December 7th, which was 6:48 a. m. Honolulu time.

Japanese are presenting at 1 p. m. Eastern Standard Time today what amounts to an ultimatum. [139] Also they are under orders to destroy their code

²⁰ This message also paraphrased by General Grunert, Vol. 4, Page 424. This same message also paraphrased in Roberts Testimony, Vol. 5, Page 533, and Vol. 17, Page 8-85.

machine immediately stop. Just what significance the hour set may have we do not know but be on alert accordingly stop. Inform naval authorities of this communication.

The story of the sending of this message, which, if it could have been sent so as to have reached Short a few hours prior to the attack might at least have greatly lessened the results of the attack, will be set forth at length. It was sent by commercial radio, the R. C. A. This is a commercial line. Early in the morning in Honolulu the Hawaiian Department radio had had great difficulty in keeping in communication with the War Department radio. It is significant that the Hawaiian Department only had a small 10 k. g. set. It was not a powerful set, like that of the Navy or the R. C. A. The Message Center of the War Department, which is charged with the expeditious handling of messages, decided to send this vital message by commercial R. C. A. instead of War Department radio, because it could not get through on its own net. Why this message was not sent by the Navy radio, by F. B. I. radio, or by telephone, and why these means of possibly more rapid communication were not investigated, is not satisfactorily explained. The explanation that "secrecy" was paramount does not appear to apply to these means.

Shivers of the F. B. I. testified:

We had our own radio station . . . I would say within—depending on the length of the message; a 20-word message could be probably gotten to Washington by—could have gotten to the receiving station in Washington within a period of twenty minutes . . . our channels were not jammed . . . We used a frequency that was assigned to us by the F. C. C. . . . All of the stuff that went out from here to—that went out over that radio, was coded. (R. 3221.)

[140] General GRUNERT. Then any message that Washington wanted to get to you during that morning or just prior to the attack on that morning you think could have gotten to you within the leeway of an hour?

Mr. SHIVERS. The message could have been sent out within an hour, yes. Yes, sir. (R. 3221.)

It is to be noted in this connection that not only was the F. B. I. radio working between Washington and Honolulu on December 6-7, but that testimony shows numerous telephone conversations were conducted just after the attack, over the telephone between Washington and Honolulu.

The story of the sending of this message in the War Department is as follows:

[141] This message arrived in Honolulu at 7:33 a. m., Honolulu time, December 7th. The attack struck 22 minutes later. The message was not actually delivered to the signal office of the Hawaiian Department until 11:45 a. m., the attack having taken place at 7:55 a. m. The message was decoded and delivered to The Adjutant General at 2:58 p. m., 7 hours and 3 minutes after the attack.

The status of communications between Washington and Hawaii on the morning of December 7th and for 24 hours previous to that time was as follows: The Hawaiian Department had a scrambler telephone connection direct with Washington by which you could ordinarily get a message through from Washington to Hawaii in ten or fifteen minutes. After the attack on December 7, Colonel Fielder (G-2) himself talked to Washington twice on this phone and received a call from Washington on the same phone: it took no more than an hour as a maximum to get the call through despite the heavy traffic

to Hawaii by reason of the attack. (R. 2999.) Furthermore, a war message could have demanded priority.

It is important to observe that only one means of communication was selected by Washington. That decision violated all rules requiring the use of multiple means of communication in an emergency. In addition to the War Department telephone there also existed the F. B. I. radio, which was assigned a special frequency between Washington and Hawaii and over which it only took twenty minutes to send a coded message from Hawaii to Washington or vice versa. Shivers of F. B. I. so testified. (R. 3222.) Short testified:

General Marshall stated that the reason he did not telephone was that it took some time, that he had called the Philippines before he called Hawaii, and there was a [142] possibility of a leak which would embarrass the State Department. In other words, I think there was a feeling still at that time that secrecy was more important than the time element in getting the information to us as rapidly as possible. Whatever the reason was, we got that information seven hours after the attack. (R. 310.)

Apparently, the War Department at that time did not envisage an immediate attack, rather they thought more of a breaking of diplomatic relations, and if the idea of an attack at 1:00 p. m. E. S. T. did enter their minds they thought of it as probably taking place in the Far East and not in Hawaii. Hence secrecy was still of paramount interest to them. We find no justification for a failure to send this message by multiple secret means either through the Navy radio or F. B. I. radio or the scrambler telephone or all three.

The result was the message did not get through in time due to the failure of the War Department to use the telephone as the Chief of Staff used it to the Philippines (Short R. 310) or take steps to insure that the message got through by multiple channels (by code over naval or F. B. I. radio to Hawaii), if the War Department radio was not working. He left Short without this additional most important information. Short testified as follows:

If they had used the scrambled phone and gotten it through in ten or fifteen minutes we would probably have gotten more of the import and a clearer idea of danger from that message and we would have had time to warm up the planes and get them in the air to meet any attack. (R. 310.)

Colonel French, in charge of Traffic Operations Branch, Chief Signal Office, in the War Department testified that on December 7, 1941, Colonel Bratton brought the message to the code room in the handwriting of the Chief of Staff which "I had typed for clarity" in a few minutes. Colonel Bratton read and authenticated it. The message was given to the code clerk and transmission facilities checked. It was decided to send [143] the message by commercial means, choosing Western Union, as the fastest. He stated that he personally took the message from the code room to the teletype operator and advised Colonel Bratton it would take 30 to 45 minutes to transmit message to destination. It left at 12:01 (Eastern Standard Time, 6:31 a. m. Honolulu time). The transmission to Western Union was finished 12:17 p. m. Eastern Standard Time, or 7:33 a. m. Honolulu time. It took 45 minutes in transmission. The message was actually delivered at 11:45 a. m. Honolulu time. The messenger was diverted from his course during the bombing. (R. 189-202.)

Colonel French had no knowledge of the type of communication the F. B. I. used to Hawaii; he never used the scrambler telephone and sometimes he used the Navy to send messages, but did not inquire on the morning of December 7, although the Navy has a more powerful radio. (R. 203-204.)

7. *Failure of Navy to Advise Short of Enemy Submarine in Pearl Harbor on morning December 7, 1941.*—The second failure was by the Navy Department, upon whom Short so trustingly relied. A two-man submarine entered Pearl Harbor area at 6:30 a. m. Between 6:33 and 6:45 a. m. it was sunk by the Navy. This was reported at 7:12 a. m. by naval base officers to the Chief of Staff but the Navy made no such report to Short. (R. 310-311; See Roberts Report p. 15.) As Short said:

That would, under the conditions, have indicated to me that there was danger. The Navy did not visualize it as anything but a submarine attack. They considered that and sabotage their greatest danger; and it was Admiral Bloch's duty as Commander of the District to get that information to me right away. He stated to me in the presence of Secretary Knox that at the time he visualized it only as a submarine attack and was busy with that phase of [144] it and just failed to notify me; that he could see then, after the fact, that he had been absolutely wrong, but that at the time the urgent necessity of getting the information to me had not—at any rate, I did not get the information until after the attack. (R. 311.)

8. *Failure of Aircraft Warning Service to Advise of Approaching Planes, December 7, 1941.*—The third event that might have saved the day was the following:

The aircraft warning service had established mobile aircraft warning stations on the Island of Oahu, as elsewhere related in detail, and had set up an Information Center to utilize the aircraft warning information, plot the course of any incoming planes and to advise the responsible authorities. The organization was set up and operating and was being utilized from 4 a. m. to 7 o'clock on the morning of December 7th as a training method and had been so used for some time past. The Navy was supposed to have detailed officers in the Information Center to be trained as liaison officers, but had not yet gotten around to it. In the Information Center that morning was a Lieutenant Kermit A. Tyler, a pursuit officer of the Air Corps, whose tour of duty thereat was until 8 o'clock. It was Tyler's second tour of duty at the Center and he was there for training and observation, but there were no others on duty after 7 o'clock except the enlisted telephone operator. He was the sole officer there between 7 and 8 o'clock that morning, the rest of the personnel that had made the Center operative from 4:00 to 7:00 a. m. had departed.

At one of the remote aircraft warning stations there were two privates who had been on duty from 4 a. m. to 7 a. m. One of them was Private Lockard, who was skilled in operating the radar aircraft detector, and a Private George E. Elliott, who was [145] the plotting man to plot the information picked up on the radar. This plotter was anxious to learn how to operate the radar, and Private Lockard agreed to show him after the station was supposed to close at 7 o'clock and while they were waiting for the truck to take them to breakfast. He kept the radar open for further operation to instruct his partner, Private Elliott. While Lockard was adjusting the machine to begin the instruction of Private Elliott, he observed on the

radar screen an unusual formation he had never seen in the machine. He thought there was something wrong with it, as the indicator showed such a large number of planes coming in that he was sure that there was nothing like it in the air and there must be a machine error. He continued to check, however, and finally concluded that the machine was operating correctly and that there was a considerable number of planes 132 miles away from the island approaching from a direction 3 degrees east of north. The time was 7:02 a. m., December 7, 1941.

In this record Private Elliott, now Sergeant Elliott, testified that he plotted these planes and suggested to Lockard that they call up the Information Center. After some debate between them, Lockard did call the Information Center and reported to the switchboard operator. The switchboard operator, an enlisted man who testified, was unable to do anything about it, so he put Lieutenant Tyler on the phone. Tyler's answer proved to be a disastrous one. He said, in substance, "Forget it." Tyler's position is indefensible in his action, for he says that he was merely there for training and had no knowledge upon which to base any action; yet he assumed to give directions instead of seeking someone competent to make a decision.

If that be a fact, and it seems to be true, then he should [146] not have assumed to tell these two men, Private Lockard and Private Elliott, to "forget it", because he did not have the knowledge upon which to premise any judgment. (R. 1102.) He should, in accordance with customary practice, have then used initiative to take this matter up with somebody who did know about it, in view of the fact that he said he was there merely for training and had no competent knowledge upon which to either tell the men to forget it or to take action upon it. By this assumption of authority, he took responsibility and the consequences of his action should be imposed upon him.

If Tyler had communicated this information, the losses might have been very greatly lessened. As General Short testified:

If he had alerted the Interceptor Command there would have been time, if the pursuit squadrons had been alerted, to disperse the planes. There would not have been time to get them in the air . . . It would have made a great difference in the loss . . . It would have been a question of split seconds instead of minutes in getting into action. (R. 312-313.)

The attack actually took place at 7:55 a. m.

When the information that showed up on the oscilloscope was communicated, apparently Lieutenant Tyler had in his mind that a flight of B-17s was coming from the mainland and he thought that they might represent what was seen on the screen of the radar machine. As a matter of fact, that probably had something to do with it, as they did come in about this period and were attacked by the Japanese, some of them being destroyed.

9. *Navy Failure to Advise Short of Suspected Naval Concentration in the Jaluits.*—About November 25, 1941, the Navy through its intelligence sources in the 14th Naval District at Pearl Harbor and in Washington had reports showing the presence in Jaluit in the [147] Marshall Islands of the Japanese fleet composed of aircraft carriers, submarines, and probably other vessels. Information of this fleet ceased about December 1, 1941. As Jaluit was 1,500 miles closer to Oahu than the mainland of Japan, the presence of such a strong

force capable of attacking Hawaii was an important element of naval information. This information was delivered to G-2 of the War Department as testified to by General Miles. No information of this threat to Hawaii was given to General Short by either the War or Navy Departments in Washington nor the Navy in Hawaii. Short and his senior commanders testified that such information would have materially altered their point of view and their actions.

Such information should have been delivered by the War Department or the Navy for what it was worth to permit Short to evaluate it; this was not done.

The fact that the actual force which attacked Hawaii has now been identified does not change the necessity for the foregoing action.

10. *The Navy Account of the Japanese Task Force That Attacked Pearl Harbor; Sources of Information to Japanese.*—The following account is based upon the testimony of Captain Layton, who has been Fleet Combat Intelligence Officer, and was at the time of December 7th and shortly before Fleet Intelligence Officer of the Pacific Fleet.

He said that the task force which had been identified by the Navy through numerous captured documents, orders, maps, and from interviewing prisoners who were in a position to know personally the orders and preparations for the attack, had the following history, according to the Navy view of the correct [148] story:⁴⁰

Japan started training its task force in either July or August, 1941, for the attack on Pearl Harbor. They were evidently trained with great care and precision as disclosed by the maps which were found in the planes which were shot down in the attack on Pearl Harbor and in the two-man submarines. These papers and orders show meticulous care in planning and timing, which would take very considerable practice. The initial movement from Japan to the rendezvous at Tankan Bay was about November 22nd, and they awaited word to act before the force moved out on the 27th-28th of November, 1941.⁴¹

The elements of the fleet for this task force consisted of six carriers, two battleships, two heavy cruisers, one light cruiser, and a destroyer division. This is one of the most powerful task forces ever assembled and after the date of [149] the attack upon Pearl Harbor, it took part in a number of similar successful and very disastrous attacks in the Pacific southwest. The elements of this task force left individually from the Japanese mainland and assembled at Tonkan Bay in an uninhabited spot where they would be unobserved. The assembly was completed and the task force departed on November 27th-28th, Eastern Longitude Time, which was apparently after the

⁴⁰ The Japanese striking force assembled in home waters during November and departed from the Bungou Channel area in Japan about 22 November, proceeding to Tankan Bay (sometimes called Hittokapu Bay). This assembly had started between the 7th and 22nd of November. Tankan Bay is located at Etorofu Island in North Japan. It does not appear on the ordinary maps or charts, but is shown in a map of the Japanese Empire in a Japanese encyclopedia under the title "Hittokapu Bay." The task force arrived in this bay approximately November 25th. The entire force departed on the 27th-28th of November (see footnote 2), taking a northerly route south of the Aleutians directly to the east (to avoid being sighted by shipping) and then headed for a position to the north of Oahu, arriving there on the early morning of the 8th of December (Japanese time) or the 7th of December (Hawaiian time). The date of departure of November 27th-28th, according to the numerous documents and prisoners interviewed who had intimate knowledge of this matter and who independently picked the same date, is confirmed beyond doubt according to Admiral McMorris and Captain Layton. This force consisted of six aircraft carriers, two fast battleships, two heavy cruisers, one light cruiser, and some destroyers as well as submarines.

⁴¹ Japanese time and date must be taken into consideration because our December 7th at Honolulu is Japanese December 8th. The time difference between Tokyo and Hawaii is 4½ hours, the time difference between Washington and Tokyo is 10 hours.

date that the counter-proposals (considered by the Japanese as an ultimatum) were delivered by the President of the United States to Japan through Secretary Hull on November 26, 1941. It is significant that the attack of the Japanese task force aircraft upon the Army and Navy planes parked together wing-to-wing as protection against sabotage (Alert #1) must have been as a result of knowledge of that fact, in view of their carefully rehearsed and scheduled attack formations in which they ran down the aprons, setting the planes on fire with incendiary ammunition: it is equally significant that it was well known in the island that Alert #1 was put into effect November 27th and therefore can be assumed to have been communicated to Japan, and that advantage of such information was apparently taken by reason of the nature of the attack and the way it was conducted.

It is also significant, a map having been found upon the pilot of a shot-down Japanese attacking plane, and another map having been found upon one of the crew in a two-man submarine, that there had been entered on these maps, which were old Geodetic Survey maps of the Pearl Harbor area, the location of the hangars that had been built on Hickam Field and of those that were yet to be built. Five of these hangars had been built. Earlier 1936 maps issued by the Hawaiian Department [150] or by the Air Force, showing Hickam Field, showed five of these hangars in full lines and three in dotted lines as being hangars yet to be built. The Japanese are well known as precise copyists. It is apparent that when they made the maps found on the aviator and the submarine crew members they had knowledge later than 1936 of construction either that had been constructed or was to be constructed, because they entered on such maps the additional three hangars in full lines.

The task force proceeded in radio silence due east to a point substantially due north of Oahu and thence proceeded southward under forced draft to a point between 300 and 250 miles from Oahu, from which the flight took off. The two-man submarines were carried on top of the mother submarines and released adjacent to the harbor.

Captain Layton further testified that the orders that were captured and those that they had knowledge of did exist, as reported by captured prisoners, show that the attacking forces were to destroy without a trace any third power's vessels including Japanese and Russian within 600 miles of the destination of the task force; to capture and maintain in radio silence any such vessels including Japanese and Russian within 600 miles of the destination of the task force, but if such vessels had sent any radio communications to destroy them. (R. 3043) This is a good evidence of Japanese character, being unwilling to trust their own people and to sink them without mercy because they happened to be operating by accident in this vacant sea where no vessels normally operate.

This task force was very powerful in the air, having a total of approximately 424 planes; (R. 3048) of this number about 300 actually attacked Pearl Harbor. (R. 3053.) The pilots [151] were of the highest quality and training that have ever been encountered in this war with the Japanese, with the exception of the Battle of Midway where four of these same carriers were engaged and were sunk. (R. 3046.) The maximum total number of airplanes on carriers that the United States could muster on December 7th, on the carriers "Lexington" and "Enterprise", was approximately 180 planes. (R. 3049.)

Captain Layton testified that our Navy in Pearl Harbor would have been unable to have brought the Japanese task force under gunfire because our battleships were too slow and the remainder of our force would probably have suffered severe damage if not defeat on the high seas by reason of the great superiority in the air before our superior gunfire could have been brought to bear. The only possible hope of overcoming such a Japanese force would be in weather that prevented flight of their planes so that the United States force would have superiority of gunfire, irrespective of Japanese superiority of air power.

He stated that no word of this task force was received in any way, from any source, by the Navy. The attack was wholly unexpected, and if it had been expected the probability of the United States' winning in any engagement of this task force was not a bright one. He stated that this task force represented a substantial per cent of the entire Japanese Navy. It provided alone on the Jap carriers 424 aircraft against a possible 180 which we might have mustered if we had had our own two carriers available to operate against them. (R. 3048-3049.)

The information upon which the story of the attack is based has been revealed so far as coming from several sources. [152] First, the Otto Kuehn trial revealed his complete disclosure of the fleet dispositions and locations in Pearl Harbor in the period December 1 to December 6, and a code delivered with the information, so that communication of the information to Japanese offshore submarines adjacent to Oahu could be used. The same information was delivered by the Japanese Consul direct to the homeland.

Otto Kuehn and his co-conspirators, Japanese of the Japanese Consulate in Honolulu, had conspired to send information as to the units of the fleet in Pearl Harbor and their exact positions in the harbor. This information the Japanese Consul communicated principally by commercial lines to Japan. Additionally Kuehn provided a code indicating what units were in the harbor and what were out and means of signaling consisting of symbols on the sails of his sailboat, radio signals over a short-wave transmitter, lights in his house, and fires in his yard, all in order to signal to Japanese submarines offshore. The period during which the signals were to be given was December 1 to 6. If such information has been available to our armed forces it would have clearly indicated the attack. The messages taken from the Japanese Consulate on the subject show clearly what was done and the intention of the Japanese. If authority had existed to tap these lines, this information would have been available to both the Army and Navy. Kuehn was tried by a military commission after signed confessions of his actions and sentenced to death. This was later commuted to imprisonment for fifty years. It is significant that Kuehn was a German agent and had for a long time been living on funds forwarded to him from Japan and had conducted his espionage with impunity until after Pearl Harbor, right [153] under the nose of the Army, the F. B. I., and naval Intelligence.

As Shivers, head of the F. B. I. in the islands, said:

If we had been able to get the messages that were sent to Japan by the Japanese Consul, we would have known, or we could have reasonably assumed, that the attack would come, somewhere, on December 7; because, if you recall, this system of signals that was devised by Otto Kuehn for the Japanese Consul general simply included the period from December 1 to December 6. (R. 3218.)

Shivers testified that the reason why the information being sent over the commercial lines to Japan, other than telephone, was not secured was that while he had the approval of the Attorney General to tap the telephone wires and to intercept telephone conversations, yet they could not get the information out of the cable offices. He testified:

Colonel TOULMIN. I would like to ask him one question. What other means of communication did the Japanese Consul have with the homeland other than a telephone connection?

Mr. SHIVERS. He had commercial communication system.

Colonel TOULMIN. Did you have any opportunity of tapping the commercial lines or of securing any information off the commercial lines?

Mr. SHIVERS. Off of the lines themselves?

Colonel TOULMIN. Yes.

Mr. SHIVERS. No, sir.

Colonel TOULMIN. So that he did have a free, undisturbed communication over those lines?

Mr. SHIVERS. Yes, sir. (R. 3223.)

It was later discovered, when the torn messages of the Japanese Consul were reconstructed after they had been taken on December 7th, that many vital messages were being sent by the Japanese Consul, who was keeping Japan advised of the entire military and naval situation and every move we made in Hawaii.

Another example of this Japanese activity is the telephone [154] message on December 5th from the house of Dr. Mori by a woman newspaper reporter, ostensibly to her newspaper in Japan, an apparently meaningless and therefore highly suspicious message. It was this message that was tapped from the telephone by the F. B. I., translated, and delivered to Military Intelligence and submitted by it to General Short at six o'clock on December 6th. (R. 1417-1419, 2993.) As Short was unable to decipher the meaning, he did nothing about it and went on to a party. (R. 1420.) The attack followed in the morning.

In this same connection, the story of the spying activities of the German, von Osten, is in point. (R. 2442-2443, 3003.) The telephone lines of the Japanese Consulate were tapped by the Navy with the exception of one telephone line to the cook's quarters, which was overlooked, and this was tapped by the F. B. I. (R. 3204.)

The last and one of the most significant actions of the Japanese was the apparent actual entry of their submarines into Pearl Harbor a few days prior to December 7th, their circulation in the harbor, by which they secured and presumably transmitted complete information as to our fleet movements and dispositions.

The story of the bold Japanese invasion of Pearl Harbor prior to the attack on December 7th is even more astounding as to the complete freedom with which Japan operated in getting intelligence out of Hawaii. Shivers of the F. B. I. produced maps 1 and 2, which were copies of maps captured from the Japanese two-man submarines that came into Pearl Harbor on December 7th. The F. B. I., in endeavoring to reconstruct the [155] intelligence operations of any agent who may have been operating in Hawaii prior to the attack, secured these maps from Naval Intelligence. (R. 3210.) Maps 1 and 2 have a legend translating all of the Japanese characters and writing appearing on the maps. Shivers said:

An examination of the map indicated to me rather definitely that there had been Japanese submarines in Pearl Harbor immediately before the attack. (R. 3210.)

Now, on this map is various information relating to the installations at Hickam Field, Pearl Harbor, and areas adjacent to both places. (R. 3211.)

There appeared on the map a code in Japanese which was translated by the F. B. I. and shows that it was intended for use by the submarine commanders in communicating with the Japanese task force enroute to Hawaii. It contains such messages as "indication strong that enemy fleet will put out to sea," or "enemy fleet put out to sea from or through;" in other words, describing the presence, size, composition, and movement of the fleet. (R. 3212.)

As this map shows the complete timed movement in and out of the harbor of the submarine and this information had been prepared partly written in Japanese, it is obvious that the Japanese must have been in the harbor a few days before the attack and evidently were moving into and out of the harbor at will. The data on the chart shows the submarine was so well advised that it went in at about 0410 when the submarine net was open to permit the garbage scow to leave the harbor, and stayed in the harbor until about 0600 and then left by the same route. The map shows the location of our battleships and other naval vessels observed by the submarine. (R. 3212-3213.) As the ships actually in the harbor on December 7th were somewhat different from those shown on the map, it is conclusive proof [156] that this submarine was in the harbor and probably advising the fleet of Japan as to our dispositions prior to December 7th. (R. 3210-3213.)

The real action that should have been feared from the Japanese was not open sabotage, but espionage. It is obvious that the reason why the Japanese aliens did not commit sabotage was that they did not want to stimulate American activity to stop their espionage and intern them. That was the last thing they intended to do; and Short appears to have completely misapprehended the situation, the psychology and intentions of the enemy, by putting into effect his sabotage alert.

Undoubtedly the information of the alert, the placing of planes wing-to-wing, etc., as well as the disposition of the fleet was reported by Kuehn through the Japanese Consul, were all known to the Japanese task force proceeding toward Hawaii. That will explain why they were able to conduct such precise bombing and machine-gunning. The bomb pattern on Hickam Field and the machine-gunning of that field, as well as other fields, show that the attack was concentrated on the hangars, marked on the Japanese maps, and upon the ramps where the planes were parked wing to wing. There was no attack of any consequence upon the landing strips.

From the foregoing it appears that there were a large number of events taking place bearing on the attack; and that a clue to such events and the Japanese actions was in part available to Short and in part not available to him. Both the War Department and the Navy failed to inform him of many vital matters, and our governmental restrictions as to intercepting the communications of the Japanese Consul prevented him from getting still additional information.

[157] If General Short had any doubt on the subject of his authority, he had ample opportunity from November 27th to December 6th to inquire of higher authority and make his position and his actions certain of support and approval. This he did not do.

11. *Information Not Given Short.*—In judging the actions of General Short and whether he carried out his responsibilities, there must be taken into account information that he was not told either by the War Department or by the Navy. Briefly summarized, the fundamental pieces of information were the following:

1. The presence of the task force in the Marshall Islands at Jaluit from November 27th to November 30th and the disappearance of that force. Neither the War Department nor the Navy Department saw fit to advise Short of this important piece of information.

2. The fact that the Chief of Staff with the Chief of Naval Operations had jointly asked (on November 27th) the President not to force the issue with the Japanese at this time. (R. 9.)

3. The delivery on the 26th of November to the Japanese Ambassadors by the Secretary of State of the counter-proposals; and the immediate reaction of the Japanese rejecting in effect these counter-proposals which they considered an ultimatum and indicating that it was the end of negotiations.

4. Short not kept advised of the communications from Grew reporting the progressive deterioration of the relationship with the Japanese.

[158] 5. No reaction from the War Department to Short as to whether his report of November 27th as to "measures taken", i. e., a sabotage alert and liaison with the Navy, were satisfactory or inadequate in view of the information possessed by the War Department.

6. The following information not furnished also existed in the War Department:

Information from informers, agents and other sources as to the activities of our potential enemy and its intentions in the negotiations between the United States and Japan was in possession of the State, War and Navy Departments in November and December of 1941. Such agencies had a reasonably complete knowledge of the Japanese plans and intentions, and were in a position to know their potential moves against the United States. Therefore, Washington was in possession of essential facts as to the enemy's intentions and proposals.

This information showed clearly that war was inevitable and late in November absolutely imminent. It clearly demonstrated the necessity for resorting to every trading act possible to defer the ultimate day of breach of relations to give the Army and Navy time to prepare for the eventualities of war.

The messages actually sent to Hawaii by the Army and Navy gave only a small fraction of this information. It would have been possible to have sent safely, information ample for the purpose of orienting the commanders in Hawaii, or positive directives for an all-out alert.

Under the circumstances, where information has a vital [159] bearing upon actions to be taken by field commanders, and cannot be disclosed to them, it would appear incumbent upon the War Department then to assume the responsibility for specific directives to such commanders.

Short got neither form of assistance after November 28th from the War Department, his immediate supervising agency. It is believed that the disaster of Pearl Harbor would have been lessened to the extent that its defenses were available and used on December 7 if properly alerted in time. The failure to alert these defenses in time by directive from the War Department, based upon all information available to it, is one for which it is responsible. The War Department had an abundance of vital information that indicated an immediate break with Japan. All it had to do was either get it to Short or give him a directive based upon it. Short was not fully sensitive to the real seriousness of the situation, although the War Department thought he was. It is believed that knowledge of the information available in the War Department would have made him so.

General discussion of the information herein referred to follows:

The records show almost daily information on the plans of the Japanese Government. In addition to that cited above and in conjunction therewith the War Department was in possession of information late in November and early in December from which it made deductions that Japan would shortly commence an aggressive war in the South Pacific; that every effort would be made to reach an agreement with the United States Government which would result in eliminating the American people as a contestant in the war to come; and that failing to reach the agreement the [160] Japanese Government would attack both Britain and the United States. This information enabled the War Department to fix the probable time of war with Japan with a degree of certainty.

In the first days of December this information grew more critical and indicative of the approaching war. Officers in relatively minor positions who were charged with the responsibility of receiving and evaluating such information were so deeply impressed with its significance and the growing tenseness of our relations with Japan, which pointed only to war and war almost immediately, that such officers approached the Chief of the War Plans Division (General Gerow) and the Secretary of the General Staff (Colonel Smith) for the express purpose of having sent to the department commanders a true picture of the war atmosphere which, at that time, pervaded the War Department and which was uppermost in the thinking of these officers in close contact with it. The efforts of these subordinate officers to have such information sent to the field were unsuccessful. They were told that field commanders had been sufficiently informed. The Secretary of the General Staff declined to discuss the matter when told of the decisions of the War Plans Division.

Two officers then on duty in the War Department are mentioned for their interest and aggressiveness in attempting to have something done. They are Colonel R. S. Bratton and Colonel Otis K. Stadler.

The following handling of information reaching the War Department in the evening of December 6 and early Sunday morning December 7 is cited as illustrative of the apparent lack of appreciation by those in high places in the War Department of the seriousness of this information which was so [161] clearly outlining the trends that were hastening us into war with Japan.

At approximately 10:00 o'clock p. m. on December 6, 1941, and more than 15 hours before the attack at Pearl Harbor, G-2 delivered

to the office of the War Plans Division and to the office of the Chief of Staff of the Army information which indicated very emphatically that war with Japan was a certainty and that the beginning of such war was in the immediate future. The officers to whom this information was delivered were told of its importance and impressed with the necessity of getting it into the hands of those who could act, the Chief of Staff of the Army and the Chief of the War Plans Division.

On the following morning December 7 at about 8:30 a. m. other information reached the office of G-2, vital in its nature and indicating an almost immediate break in relations between the United States and Japan. Colonel Bratton, Chief, Far Eastern Section, G-2, attempted to reach the Chief of Staff of the Army in order that he might be informed of the receipt of this message. He discovered that the General was horseback riding. Finally and at approximately 11:25 a. m. the Chief of Staff reached his office and received this information. General Miles, then G-2 of the War Department, appeared at about the same time. A conference was held between these two officers and General Gerow of the War Plans Division who himself had come to the Office of the Chief of Staff. Those hours when Bratton was attempting to reach someone who could take action in matters of this importance and the passing without effective action having been taken prevented this critical information from reaching General Short in time to be of value to him.

[162] About noon a message was hastily dispatched to overseas department commanders including Short in the Hawaiian Department. This message which has been discussed elsewhere in this report, came into Short's possession after the attack had been completed.

D. STATUS OF THE PRINCIPAL HAWAIIAN DEFENSES IN 1941 AND THEIR STATE OF READINESS ON DECEMBER 6, 1941, OR THE REASON FOR THEIR LACK OF READINESS

1. *Aircraft Warning Service and Interceptor Command.*—The Aircraft Warning Service on the morning of December 7, 1941, was in operative condition for all practical purposes. It had an information center and five mobile stations. It was sufficiently operative to successfully pick up the Japanese force 132 miles from Oahu. This was done by Private Lockard and Private Elliott, respectively radar operator and plotter, and reported by these privates on their own initiative to the information center, where the Sergeant in charge of the switchboard received the information and relayed it to Lieutenant Tyler, who was a pursuit officer of the Air Corps on temporary duty for training. The stations had been used from 0400 to 0700 hours each morning for the training personnel, and the personnel was reasonably trained by that time, with the exception of certain liaison officers who were still getting their training, like Lieutenant Tyler. If the radar system and information center had been fully manned, as it could have been and as it was immediately upon the disaster at Pearl Harbor and thereafter without further physical additions, it could have been successfully operated on December 7th.

The Air Warning Service had been operating on tactical exercises and maneuvers prior to December 7th for some weeks.

[163] On December 7, 1941 this service could have been a great asset to the defense of the islands had the Command and Staff under-

stood its value and capabilities and had taken more interest in implementing the temporary setup instead of awaiting completion of the permanent installations.

The only mechanical difficulty that was being experienced was in connection with the stand-by motor generator sets, which were to be used to supplement commercial power in case the latter failed. There had been some minor difficulty with the pumps on the motor generator set for the internal combustion engines, but that was not of serious character.

The story of the delay in installing both the temporary, mobile sets and the permanent sets is as follows:

Army personnel had been receiving radar instructions on Navy surface ships and had gone to sea with the ships and had had the benefit of such practical training. Unfortunately the Navy had not detailed its liaison officers to the Information Center, and in that it failed. There also had not been brought about, due to the failure on the part of General Short and Admirals Kimmel and Bloch, a complete integration into a single system of Army and Navy defense including radar and particularly the Army, Navy and Marine fighters which were to pass to the jurisdiction of the Army to form a composite interceptor command, so that the three elements of the system would be working—the aircraft warning service, the interceptor command, and the anti-aircraft artillery.

The only reason that the aircraft warning service as not on a full operating basis on the morning of December 7th was due to the type of alert put into effect but otherwise it should have been in full effect. It was a fully operating [164] service and did so operate shortly after the attack.

Major Bergquist and Major Tindal had been sent to the Interceptor School at Mitchell Field in the early summer of 1941. At that time the AWS was new to the U. S. Army and its organization and development had just started in the United States. For the system to be operative required a considerable amount of highly technical electrical and radar equipment, the supply and manufacture of which was critical.

The whole AWS project was new, novel, and somewhat revolutionary in practice. It took time to get the equipment through War Department priorities, and it took time to teach and train operating personnel, and to indoctrinate the whole Army as well as the public to its operation and value. This process had been going on since May and June, 1941.

Testimony before the Board has indicated that neither the Army, Navy, nor civilian population of the United States or Hawaii anticipated the necessity for immediate use of this service. There was, however, a small group directly in charge of the AWS development in Hawaii, including Major Bergquist, Major Tindal, Major Tetley, and Major Powell, all of the Army, and Lieutenant Taylor of the Navy, who were pushing the AWS project to the fullest extent that their level of authority would permit. As a result of their efforts it is believed that this service in the normal course of events would have been established and in operation in another two or three weeks, which in view of the lack of war-mindedness of the services would have been to the great credit of this group.

Since the No. 1 Alert was the decision due to the logic and judgment of the Department Commander, it is very doubtful had the AWS been 100 per cent completed that it would have been [165] on a full-out operating basis on the 7th of December. General Short has stated in the Roberts report testimony, Volume 14, page 1642, that had he had the matériel and fully equipped radar stations he probably would have operated them just as he did.

Nevertheless, had General Short's judgment led him to have decided to go to Alert 2 or 3 on November 27th, or at any time prior to December 7th, the AWS could have functioned and the fighter airplanes could have been ready for active defense within a period of minutes. From the damage that was accomplished by the few fighters that did get into the air from the Haliewa Airdrome it can be assumed that the seventy or eighty fighters that could have been in the air under a normally active alert system would have made the Jap attack a much more costly venture. This paragraph, however, is hypothesis.

2. *Status of the Aircraft Warning Service on December 7th.*—The aircraft warning service consisting of the Information Center and five mobile radar stations was in operation on the morning of December 7th and had been for several weeks prior to that date. The fact that the Information Center was not in its permanent location and the radar stations were not permanently built had no bearing upon the operation and effectiveness of the aircraft warning system.

It was set up and the men were being trained for, I would say, possibly a month prior to the attack on December 7th.

As testified by General Martin (R. 1825).

The difficulty of putting the AWS into full operation as a practical matter was the insistence of General Short that he retain control for training purposes whereas the best training would have been to put the system into practical operation. [166] Of this General Martin said:

The Department commander would not turn those (the operating stations) over to the Commanding General of the Hawaiian Air Forces until he (Short) had completed the training under his Department Signal Officer. He refused to turn them over unless he considered they were properly trained. So they were still training under those conditions and had not been turned over to the Air Force the morning of the attack on December 7th. (R. 1824.)

Here again is another example of the whole organization of the Army in Hawaii being held in a training status instead of acquiring its training in or near combat positions, where it would have been ready for any eventuality. As General Martin said:

They were capable of operating . . . the equipment used primarily in the training of personnel to take over the operation of the control area. (R. 1824.)

General Martin is confirmed in this by Commander Taylor, loaned by the Navy for the purpose of getting this service into operation. Commander Taylor confirmed the fact that:

On December 7th the plotters were reasonably well trained to watch and able to do checking without any controller on the plane. The only source of controllers we could find was to see the Squadron Commander of the Pursuit Squadrons at Wheeler Field . . . We had no liaison people to man any of the positions . . . On December 7 all the communication lines were in; the radar stations; the Derax equipment was working satisfactorily enough to give air warning and possibly to make interceptions. The air-to-ground radio equipment

was not satisfactory for interception work, but it was possible that enough advance information could be given to pilots so that they could come back without being intercepted. (R. 1082.)

However, the radio equipment that would have enabled control through interception a reasonable distance offshore had been given to the Ferry Command. This situation is treated elsewhere, but it should be pointed out, to avoid confusion, that on and before December 7th the aircraft warning center was able to pick up incoming planes and to give notification of that fact. It was not fully able to perform its other function, [167] which was supplementary to the Information Center, that is, for full cooperation in conjunction with an Interceptor Command to intercept the incoming planes in the full sense of that arrangement.

So far advanced was the organization and apparatus that it would have been fully complete within ten days to two weeks at the time of the attack. As Commander Taylor said:

The only thing that was not carried through after this meeting (a conference to wind up the details of organization) to bring the thing into operation at the end of two weeks was the manpower to operate it. (R. 1083.)

Taylor, in turn, is confirmed in this by one of the most energetic officers who was working with Taylor in pressing this aircraft warning system to conclusion, Colonel Bergquist, then a Major. He endeavored to have 24-hour service by November 24th and stated that the mobile units could have stood it. There was some minor trouble with the stand-by power gas engines, but this was of little importance and the system could have run 24 hours a day. He had been running a school since October known as the "Air Defense School" in which he was training Army and Marine officers and as many pursuit officers of the Air Corps as he could get. The delay was from the Signal Corps. As Colonel Bergquist said:

I was continually harping to the Signal Corps people to get the stations up and get them operating. (R. 1201.)

Despite the efforts of General Martin with Department Headquarters, very few results were secured in making the *Signal Corps let go their technical operation and allow the practical people who were going to operate it go to work*. This is described by Colonel Bergquist, who said:

One of the big arguments was: we wanted to take over the radar stations and get them set up and operating. The [168] Signal Corps said no, that was their job; they wanted to get them up and get them operating and then turn them over to us for our operational control. The Department headquarters decided in favor of the Signal Corps. (R. 1196.)

This delayed the ultimate completion of the system by a month. (R. 1196.)

He stated that:

My opinion on that is that they (the enlisted men) were fairly well trained at that stage of the game. (R. 1197.)

This state of training is further described by him as follows:

Well, I think we had had the sets operating in practice a sufficient length of time so that the radar scope operators that we had were fairly well trained. We had plotters and information center personnel of the Signal Corps fairly well trained. I was in the process of training what I called pursuit officers, which is one of the positions on the board—on the control platform, that is—by running

a roster of the fighter pilots in the Interceptor Command in order to do two things: to both train them to function as pursuit officers on the control board and to acquaint them with the workings of the board in order to better carry out instructions that they received from the board on flying missions. The only controllers that we had, we considered, that could operate, that were trained sufficiently, were myself, Major Tindal—I mean Colonel Tindal; he was a Major at that time—and I did have with me at that time Commander William E. G. Taylor of the Navy. The other positions on the control platform, we did have an anti-aircraft liaison officer, and had conducted problems with them so that they were in a fair state of training. We had not been able to get the Navy liaison officers assigned, so there was no one trained in that. The same applies to the bomber command liaison, the liaison officers with the Hawaiian Department headquarters. (R. 1191-1192.)

At this time the system had a maximum range of approximately 130 miles. (R. 1190.)

On November 24th there was a conference of interested Army and Navy officers on this subject, and the consensus of opinion of these experts among the younger officers who were actually getting this Information Center into operation was expressed by Commander Taylor:

[169] It was felt that the Information Center could be made to function adequately within the next two weeks. (The conference was on November 24, 1941.) We found after that, after this, to qualify it, that that would be except for the air-to-ground radio communications. We learned that we could not keep contact with the fighter aircraft more than five miles offshore with the communication equipment we had at that time. (R. 1077.)

This confirms the testimony of others that the only thing lacking was the IFF equipment on the planes to enable identification of the planes in the air by ground personnel. Considerable equipment had been withdrawn from the Interceptor Command and the Hawaiian Air Force for this purpose for the use of the Ferry Command. (R. 1079.)

As to the operability of the aircraft warning service on the morning of December 7th, Commander Taylor testifying said:

If we had had the Information Center completely manned there would have been some method of identification. Anybody could have told what that (the Japanese) flight was. (R. 1085.)

The Navy had not yet participated in the operation, although Commander Taylor said they had been requested to do so about a week before Pearl Harbor. (R. 1086.)

This brings us to the question of why General Short or his staff did not take more vigorous action in putting this most important part of the defenses into operation, particularly in view of the fact that both the long-distance reconnaissance by the Navy and the inshore reconnaissance by the Army were, for all practical purposes, non-existent. Commander Taylor was asked, when he found these delays, whether he had ever seen General Short, to which Taylor replied in the negative by saying:

I saw his chief of staff. I saw his operations officer. We were very closely tied in with his staff and the Air Force staff. (R. 1089.)

[170] We saw every chief of staff, but we found that somebody else was always responsible. (R. 1088.)

Colonel Powell, Hawaiian Department Signal Officer, said repeated efforts to get the Navy to cooperate by supplying naval officers to complete the working of the service were fruitless. They were not interested. (R. 3906.)

It is significant that when Phillips, Short's Chief of Staff, was asked if Short had tried to expedite these matters he professed ignorance (R. 1143), but it was Phillips, as Chief of Staff to Short, who Taylor and others said was principally responsible for acting on Short's behalf in this matter. (R. 1088.)

Colonel Powell testified that the construction of permanent installations did not hold up the placing of the Information Center and the radar stations into operation because there was adequate equipment for this purpose that was actually installed in temporary buildings for the Information Center and that radar mobile stations were placed around the Island.

As a consequence the Information Center and the radar stations were in operation some time prior to December 7th. The only reason they were not operated continuously 24 hours a day was the desire to conserve tubes, as they were short of tubes and other spare parts.

Two permanent radars, No. 271, were received on June 3, and a third radar, No. 271-A, was also received on June 3. On August 1 six mobile radar stations were received and shortly thereafter put into operation. They were complete and self-contained and only needed to be placed at some appropriate elevation.

Colonel Powell testified that the entire service was operative about the 1st of November, 1941. [171-172] The installations for the permanent radar and Information Center were held up by the Engineer construction and were not held up by any lack of information or drawings or equipment of the Signal Corps.

Colonel Powell testified that the location of the centers was made by a board from Washington. This board ordered the abandonment of Kaala at 4,000 feet on the theory that while the range would be extended to 150 miles from Hawaii yet there would be no detection of planes within the 20-mile radius close to shore. This does not sound logical because the great necessity was the locating of planes at a maximum distance from Hawaii. The other stations lower down were fully capable of picking up the close, inshore approach of aircraft.

Colonel Powell added the significant statement that the Navy took little interest in the radar system and

We were never able to get any liaison officer over from the Navy to take part in the exercises or carry on the work. (R. 3906.)

This is confirmed by the fact that Navy liaison officers never were supplied for the Information Center although it had been in operation for some weeks prior to December 7 and the Army had supplied a number of officers to be trained. (R. 3906.)

General Short testified again as to the reason why he was interested in keeping the aircraft warning service in training. He said:

We had gotten, along in November, the mobile stations, and as soon as we got them we started using them right away; and when this message of the 27th came along, I prescribed that the aircraft warning service would function those hours. In addition to that, they had their normal training. They trained then from 7 to 11, and they had maintenance work, work of that kind, from 12 to 4.

[173] Now, it turned out that we were putting a little bit too great a strain on this materiel, and later in the afternoon period we had three stations working from 11 to 1, and three working from 1 to 4, so that there was a little more chance for maintenance work and keeping them in shape. But that was the situation, and the Interceptor Command was working with them. We were

trying to educate the Interceptor Command and the Aircraft Warning Service, and using this training period as an opportunity to give them work at what we considered the most dangerous time of the day. The Navy had a liaison officer functioning with this outfit. (R. 298.)

Two explanations have been advanced as to the reason why the aircraft warning service was not put into operation fully. The first was that the signal equipment was not ready until very late; the testimony of Colonel Powell, in charge of this matter for the Signal Corps, plus what actually occurred as to its actually going into operation for nearly a month before the permanent construction was erected, is ample to overrule this objection. (R. 3896-3898.)

The second explanation was that there were serious delays in construction. But such delays in permanent construction did not delay the aircraft warning service because it was using temporary housing for its Information Center, and its mobile radar stations were operative without any permanent housing. (R. 3885.)

As to the Interceptor Command and the Information Center of the aircraft warning service, General Burgin, Commanding General of the antiaircraft artillery, said:

It worked, yes, because we would get the information of the planes coming in, and immediately the Interceptor Command would take over. (R. 2604.)

He explained how the Interceptor Command had been working during previous trials and exercises. While the Interceptor Command was not fully functioning due to the lack of IFF instruments on the planes, yet there was ample AWS means for [IFF] defense and interception that it could have used to a material degree on the morning of December 7, 1941. The Interceptor Command was just being set up, but the nucleus of its operation was there, and it would have been an effective instrument had it been used when the attack came. This was not done.

3. *Antiaircraft Artillery and Coast Defenses.*—General Burgin commanded the Coast Artillery Command consisting of seacoast artillery plus all antiaircraft artillery in the Hawaiian Department. He commanded the 53rd Coast Artillery Brigade composed of the 64th Regiment, 251st Regiment, and the 98th Regiment.

He testified that the Interceptor Command was being organized on a temporary basis saying:

We had constant training and maneuvers, practice, where that particular thing was stressed, and the antiaircraft was turned over to interceptor Command * * * For at least six weeks or two months prior to December 7, we had, every Sunday morning, one of these exercises with the Navy. Our AA would go out in the field and take their field positions. They would know that the Navy was coming in, with carrier-based planes, and they would simulate an attack on the island, and we put our guns out mainly along the roadways, sometimes in position, and practiced simulating fire against this simulated attack made by the Navy. And we were out just one week prior to December 7 * * * On Sunday; but, by some stroke, we did not go out on December 7. The fleet was in the harbor.

And again he said, as to the Interceptor Command:

It worked, yes, because we would get the information of the planes coming in, and immediately the interceptor command would take over. All that is, so far as turning it over to the interceptor command, is that the interceptor command tells you when to hold fire and when to resume fire. (R. 2602-2604.)

This brought him to his opinion expressed in the record that if the Interceptor Command had worked during the drills and exercises on the morning of December 7, then it could have worked for the attack. He said in his opinion it would not [175] have made any difference anyway,

because we didn't have ammunition with our mobile antiaircraft. If they had been out in the field without any ammunition, they would have been worse off than they actually were. (R. 2604.)

He said of his antiaircraft batteries:

They were all ready to go into action immediately, with the exception that the mobile batteries did not have the ammunition. (R. 2604.)

A reference to the next section will show that it was General Short who supported the Ordnance Department in refusing to issue this ammunition to troops when they went out for exercises in the field.

Additionally, General Burgin found that he could not even put his guns into final positions because of the conditions now described.

General Burgin pointed out one of the great handicaps to development of field artillery positions was resistance from land owners to letting the artillery go on the land or lease it for the placing of battery positions. He described the situation as follows:

General RUSSELL. Is it true, therefore, General, that prior to December 7, 1941, so far as you can recall, you had never had all of your mobile batteries in the positions which they were to occupy in the event of hostilities?

General BURGIN. That is correct; they had not all been in the actual position they were to go in.

General FRANK. Was that because of this opposition of the people who owned the land?

General BURGIN. Yes, and the fact that we had not yet gotten the leases all fixed up, so that we could move into those positions for practice. (R. 2628.)

He also pointed out that if General Short had gone to Alert No. 3 there would have been great opposition from important and influential civilians on the island and particularly [176] those who compose what is known as the Big Five.

As to this he said:

General RUSSELL. Is there in your mind some thought that there would have been developed a considerable opposition among the influential civilian population here on the island toward the results of Alert Number 3?

General BURGIN. I think there is no doubt about it, in the world.

General RUSSELL. In other words, if General Short had ordered Alert Number 3—and I am asking this question in the interest of clarity—if General Short had ordered Alert Number 3 and thrown all of his people into readiness for immediate combat, including the issuing of ammunition, it might, or, in your opinion, it would have provoked opposition on the part of some of the responsible and influential civilian population here on the island?

General BURGIN. I feel positive it would.

General GRUNERT. Even though he might have explained that to the influential citizens, there would still have been opposition?

General BURGIN. I don't believe you could have explained it, at that time.

General GRUNERT. Who are some of those influential citizens that you think might have voiced their objection?

General BURGIN. Oh, my!

General GRUNERT. Is Dillingham one of them?

General BURGIN. Mr. Dillingham, Mr. Walker.

General FRANK. Which Walker?

General BURGIN. I don't know. He is a sugar man. General Wells. (R. 2629.)

He said amongst those people were the Hawaiian Sugar Planters Association, and those having the land and crop interests in sugar, pineapples, etc.

In this connection it should be noted that there is proof in this record that one of the things that may have influenced Short in selecting Alert Number 1 and not stirring up the Japanese population was the opposition that developed then and [177] later from the large commercial interests on the Island using Japanese labor, that they did not want it disturbed and that they would be shut down in their business if a substantial portion of it was either deported or interned. (R. 2654.)

As General Burgin testified, if the tables had been reversed and Americans had been situated in Japan like the Japanese were in Hawaii they would have been locked up before the war started and not afterwards. (R. 2649.)

4. *Ammunition Issue: Short's and the Ordnance Department's Responsibility.*—The Ordnance Department in the Hawaiian Department in its misdirected effort to safeguard and maintain ammunition in a serviceable condition objected to a full issue thereof to troops except in an emergency. Such issues in an emergency entailed delays which delayed troops in getting into position and action. (R. 2607.)

General Burgin, who commanded the antiaircraft artillery, stated that he and General Murray, who commanded one of the infantry divisions, personally went to the staff and to General Short, who turned them down and refused to allow the issue of the ammunition for the artillery and the infantry. Later there was some relaxation of the issue of infantry ammunition. Colonel Weddington testified that on the morning of December 7th he had insufficient ammunition, that there was none for his rifles and ground machine guns, and that the only extra supply of ammunition was belted ammunition for his aircraft machine guns. (R. 3026-2027.)

The artillery ammunition situation is summed up by General Burgin as follows:

[178] They were all ready to go into action immediately, with the exception that the mobile batteries did not have the ammunition. The fixed batteries along the seacoast, those batteries bolted down to concrete, had the ammunition nearby. I had insisted on that with General Short in person and had gotten his permission to take this antiaircraft ammunition, move it into the seacoast gun battery positions, and have it nearby the antiaircraft guns. It was, however, boxed up in wooden boxes and had to be taken out. The ammunition for the mobile guns and batteries was in Aliamanu Crater, which, you may know or may not, is about a mile from Fort Shafter, up in the old volcano. The mobile batteries had to send there to get ammunition. In addition to that, the mobile batteries had to move out from the various posts to their field positions. They were not in field positions. (R. 2604-2605.)

He described the efforts of General Murray and himself to get the Ordnance Department to release this ammunition and how he was overruled by General Short's staff and General Short himself, in the following language:

General BURGIN. Yes, sir, we did. I would like to answer that a little more elaborately. You may recollect yourself the great difficulty in prying loose ammunition from our storehouses and from the ordnance during peacetime. It was almost a matter of impossibility to get your ammunition out because in the minds of everyone who has preservation of ammunition at heart it goes out, gets damaged, comes back in, and has to be renovated. The same was especially

true here. It was extremely difficult to get your ammunition out of the magazines. We tried the ordnance people without results. General Max Murray and myself went personally to General Short. General Murray pled for his ammunition for the field artillery. I asked for ammunition for the anti-aircraft. We were put off, the idea behind it being that we would get our ammunition in plenty of time, that we would have warning before any attack ever struck.

General FRANK. Was that putting off made directly by the Commanding General or by a staff department?

General BURGIN. Both; staff departments first, then the Commanding General in person.

General FRANK. Supported them?

[179] General BURGIN. In his own office, to General Murray and to me.

General FRANK. Well, what were the staff departments who opposed it?

General BURGIN. The Gs: G-4s, the Ordnance.

General FRANK. And their reasons were?

General BURGIN. Same old reason, that they didn't want to issue any of the clean ammunition, let it get out and get dirty, have to take it back in later on and renovate it; and, besides, we would get our ammunition in plenty of time should any occasion arise. (R. 2607-2608.)

Apparently one of the reasons in General Short's mind was sabotage, if the ammunition was out with the guns. As General Burgin testified:

As long as the ammunition could be left locked up in the magazines, it was pretty safely guarded and could not be tampered with to any great extent. (R. 2608.)

He testified that without ammunition for his guns it would take from a few minutes to six hours before he could get his guns into position and firing. He was never permitted to take live ammunition on any of his practices and as 50% of the mobile guns were on private land he had been unable to even place half of his guns in position, and they were unable to take ammunition with them. (R. 2608-9-10.)

Therefore on the morning of December 7th he was caught in this position with only ammunition adjacent his fixed gun batteries, but half of his guns were without ammunition.

As General Burgin summed it up,

It was just impossible to pry the ammunition loose from the Ordnance, the G-4s, or from General Short himself. (R. 2612.)

General Maxwell Murray testified as to his difficulties in getting ammunition for both his field artillery and his [180] infantry, as follows:

General GRUNERT. . . . First, I would like to talk to you about artillery ammunition, and ask you this question: Why was not sufficient ammunition at hand for the artillery, on December 7?

General MURRAY. There was sufficient artillery ammunition on hand, but it had not been issued to troops.

General GRUNERT. I mean 'at hand,' not 'on hand.'

General MURRAY. I was not authorized to draw the artillery ammunition from the magazines. I requested authority from General Short to draw artillery ammunition and stack it; I suggested either in the gun parks or the division review field, in small stacks. The division review field, as you know, is a large area immediately adjacent to the old artillery park, and had been planned as the dispersal area for the artillery. (R. 3075-3076.)

General GRUNERT. Now, we get back to the ammunition. You say there was no ammunition immediately available to you for quick action; is that right?

General MURRAY. So far as I can recall, we did not have a round of ammunition in the gun parks.

General GRUNERT. And, in case you were turned out, to go on an alert which required ammunition, you would then have to draw it from somewhere?

General MURRAY. We had to draw it.

General GRUNERT. Where did it come from?

General MURRAY. We drew it directly; the majority of it was drawn at Schofield Barracks, although the artillery units of the Eighth Field Artillery, which came directly to the positions in Honolulu and Hickam Field, immediately adjacent to it, were to draw ammunition at the Aliamanu Crater, which was down here near Pearl Harbor. (R. 3080.)

General Murray had made arrangements to have separate entrances to get the ammunition out of the storage houses, but even with that effective arrangement, plus piling ammunition in the warehouses according to unit, it would take an hour at least to get the ammunition so the guns could [181] go to the beaches to defend the island.

As General Murray said:

I was not satisfied, myself, with the status of our ammunition for either the infantry or the artillery. (R. 3081.)

He had a limited amount of machine gun ammunition and rifle ammunition. He had a large number of machine guns in each rifle company, extra guns, and

It was obviously impossible—most of our ammunition was not belted—it was obviously impossible to get out the ammunition and belt it without serious delay. (R. 3081.)

He had only two belt loading machines for each heavy weapon company, and it had taken three days to load up the belted ammunition on a previous trial. (R. 3081.) After applying to General Short he had been authorized to draw and belt machine-gun ammunition, draw the necessary rifle ammunition, and store it in the parks. He was not allowed to have mortar ammunition or high-explosive grenades inside the barracks; that ordnance had to be left in the Ordnance Depot, as was the artillery ammunition. He testified (R. 3081) that it was General Short who was personally supporting his ordnance officer and G-4 in following the peacetime practice of holding ammunition in depots where it would take hours to get it out in the event of a raid.

He testified that his movement of ammunition into the barracks was in violation of the standing orders of the post, but he had made that movement of ammunition on the express authorization of General Short. (R. 3091.)

It is to be recalled that when the War Department ordered General Herron, in 1940, into an alert in which he stayed for six weeks, he was able to draw his ammunition immediately and [182] take it with him into the field.

The testimony of General Burgin as to his inability to get ammunition for use with his anti-aircraft guns is borne out by the testimony of Colonel Weddington of the Air Corps that when he was in command of the Bellows Field base his efforts to get ammunition for his machine guns and rifles were met by a response from the Ordnance Department, on each request he made, that the ammunition was not available and was not authorized and that this was by General Short's order.

Lack of ammunition preparations was shown in the testimony of Colonel Weddington, who was in command of Bellows Field prior to and on December 7th. (R. 3026-3027.) He testified that it was the custom for the ships (aircraft) that were at gunnery practice to be parked on the ramp on Saturday afternoon, close to one another. The guns were taken off the planes for cleaning, the planes were out of gas

and were not to be refueled until Sunday, and the gas was brought over by truck from Honolulu and did not arrive until sometime later in the day. He also indicated that many of the pilots were away over the weekend.

It was in this condition that the attack was launched upon them and they were unable to defend themselves. He said they had 30,000 rounds of belted ammunition but no rifle ammunition for their guards and no machine-gun ammunition. When the attack came they were also without any 30-caliber machine-gun bullets. His repeated efforts to get ammunition from the Ordnance Department met with the statement that it was not available and not authorized, and its failure to be issued was on General Short's order.

[183] 5. *Status of Aircraft Defenses.*—The difficulties with supply of both aircraft and parts to maintain aircraft, due to the conditions depicted in Chapter 2, Background, are no better illustrated than in the case of aircraft. The failure previous to 1941 to provide extended aircraft programs and the necessity for revising designs to meet modern combat conditions, as revealed by the European War, joined together to put the War Department in a difficult situation with respect to a sufficiency of aircraft.

On the deficiency of equipment in Hawaii, General Martin, Commanding General, Hawaiian Air Force, testified he had written General Arnold, Chief of the Army Air Force, personal letters as well as sent official communications with reference to his obsolete aircraft, the lack of spare parts for the modern craft that he had, and the necessity for placing his aircraft in combat condition with adequate weapons, et cetera. R. 1858-A, 1859, 1860, 1861, 1862, 1863, 1874 to 1889, inclusive.)

While correspondence shows a failure on the part of the Army Air Forces to supply the correct equipment, adequate equipment, spare parts, and enough of it to be effective, yet Hawaii was better off than other commands. As General Marshall expressed it:

As to Hawaii, that had the largest troop concentration we possessed, it had the maximum of matériel that we possessed, and we were accumulating the first fighter planes, of the type that we possessed at that time, in the Hawaiian garrison.

As to Panama: if the Hawaiian state of preparation in men and matériel was 100, Panama was about 25 percent, and the Philippines about 10 percent, and Alaska and the Aleutians completely negligible.

[184] As elsewhere stated, on December 7, 1941, General Martin had under his command 123 modern pursuit and bombardment planes, 15 observation planes, 2 transports, 5 observation amphibians, and 8 basic trainers. He had non-modern medium bombers to the number of 39, 9 light bombers, and 62 non-modern pursuit ships.

General Martin testified:

When I took over from General Frank in the Hawaiian Islands we had, you might say, no combat equipment. We had some P-26s, an old obsolete type of fighter which we then called a pursuit airplane. We had some old observation planes, some B-18 bombers which could never protect themselves in any combat at all. They could be used for reconnaissance, but you would lose them as fast as you sent them out, if they went into combat. They were always recognized as not being a combat ship. In the spring of 1941 we received possibly 50 P-36s. They were obsolescent at the time they came over. A little later—as I remember it, about May—we received some P-40 fighters. These ships were brought in on carriers and flown off to the station after they arrived in Hawaii. About May we received 21 B-17s that were ferried over by air. 9 of these, about the 5th

or 6th of September, were transferred to the Philippines by air. The 12 remaining were ordered to proceed to the Philippines; and upon our request that they be delayed, that we could continue the training of combat crews for that type of ship, as the two bombardment groups at Hickam Field would be equipped with that type of airplane, they would go on the tail of some 60-odd airplanes that were being transferred from the mainland to the Philippines. . . . The types of ships which could have been used in combat, which is the P-40, B-17, and ten A-20s, were always possibly 50 percent out of commission due to spare parts. In the beginning of our production program all monies, as possible, were placed into the producing of additional engines, and the spare parts requirements were neglected at the time. Therefore the new airplanes coming out were deficient to meet the requirements of spare parts. We had sent cablegrams and letters on the subject of spare parts through proper channels to our supply agencies, and they were not in a position to help us. I knew that, but I did want them to be sure to realize how important it was to improve the spare-part situation as rapidly as possible. If we had an accident in one of our ships we used what they call cannibalism to rob it of certain spare parts to repair other ships. . . . Therefore the training program had to be rather extensive for the fighters. We were receiving men just out of the schools, who had not had advance training at the time: that is, a limited advance training but not on any of the modern equipment. So they were put through a demonstration of their ability to handle the old, obsolescent P-26, then through the P-36 and on to the P-40, and considerable progress was being made in training these men to take over the P-40 equipment. . . . The bombers, as soon as we got B-17s, in I think it was sometime in May, we had a few of our pilots that had flown the B-17s. They started training others, and as I remember there were one or two officers remained with the first flight of bombers that came over, and helped train other additional crews. So they had to train the pilots to operate the ship, the co-pilots, and all other members of the crew. We had no knowledge of repairing its engines or any of its equipment. . . . In other words, they had consumed some of their own fat, so to speak, to meet the enlargement of the technically school facility. We were getting but a few technical trained men. . . . There were possibly 400 men in these schools, as I remember. (R. 1858-A to 1861.)

It is to be remembered that the record shows that the Japanese carriers had over 400 modern aircraft which they brought against the Island, so that the superiority was overwhelming.

Although General Short gave a high priority to airfield construction, there were many delays due in part to slowness in getting funds and to the inefficiency of contractors under the supervision of the District Engineer.

Some elements of the Air Force in Hawaii had been used during 1941 primarily as a training force for officers and men who were being sent into the Philippines and into the outlying islands. The personnel of these elements, therefore, were largely untrained or partially trained personnel, as the more competent were constantly being forwarded into what was then advance theaters where the danger was deemed to be greater. Therefore, much of the Air Force was in a training status primarily. This has been pictured elsewhere in this report through the testimony of General Short, General Martin, [186] Colonel Mollison, and others.

The great effort in the latter part of 1941 was to get B-17s, of which 180 had been allotted to Hawaii. As there were only 109 B-17s in the entire Army (R. 154) it was obviously impossible to comply with this request. General Marshall testified that he had sent General Arnold to the West Coast to see what he could do to get these B-17s to the Philippines via Hawaii, and that they had been held up by contrary winds and production delays for more than three or four weeks. (R. 167-168.) General Arnold testified as follows:

General FRANK. Had anything held up B-17 production that in any way had an effort on this situation?

General ARNOLD. No; we did not have the facilities to get the numbers that we wanted. If you will remember, at that time in our endeavor to get B-17s we had 90 in January, and by June the 90 was up to 109, and by November it had only gone up to 148. That was the total number of B-17s produced by the Boeing Company. We just did not have the productive capacity to get the numbers required. (R. 180.)

Due to this condition the planes had been flown out with their guns, but without their ammunition, to save weight, a factor that was interpreted by Short as indicating that no attack was expected on Hawaii. (R. 305.)

However, the impression in Washington, as testified to by General Arnold, was that the Hawaiian Air Force was in good shape despite its heavy training mission. He testified:

We were always of the belief that the Hawaiian Air Force was probably better trained than any of our air forces. That is the impression we had here in Washington as a result of our inspections and due to the fact that they were always carrying out some form of mission simulating what they would do in active combat. (R. 179.)

[187] In order to develop this further, the following question was put and answer gained:

General FRANK. What I was about to approach was this point, which your present answer seems to disclaim, namely, that because of the fact that they were charged with training a lot of crews to fly B-17s from California to Honolulu and then conduct a lot of transition training in Honolulu, and do certain training work in preparation for transferring squadrons to the Philippines, that perhaps they got themselves into a training state of mind rather than a war state of mind.

General ARNOLD. I wrote to General Martin, as I said, from time to time, and the establishment of a transition school in Hawaii was not done until we were assured that they would get more effective results by carrying this transition on in Hawaii than if it were done in the United States. In other words, we had no air force, as such, anywhere at that time. No matter where you had that training, it was going to disrupt something. Where could we put that training so it would interfere least with the creation of the small air force that we did have? And it looked to us as if they could carry on this transition in Hawaii and interfere less with the training than anywhere else because we would have the airplanes then available, in case of an emergency, where they would be most needed. (R. 179-180.)

It will, therefore, be seen that the Hawaiian Air Force was handicapped by conducting a training program not only for itself but also for other theaters of action; its ships were mainly obsolete, its modern ships were few, and there was a marked deficiency of spare parts, and its airfield construction was lagging. Such was the status on December 7, 1941, of the Army Air Force installations.

[188]

E. STATUS OF DEFENSES ON SUNDAY MORNING,
DECEMBER 7, 1941

1. *Army Aircraft*.—On Sunday morning, December 7, 1941, the status of the island defenses was at the minimum.

As General Burgin testified:

A peculiar thing attaches to that. For at least six weeks or two months prior to December 7, we had, every Sunday morning, one of these exercises with the Navy.

Our AA would go out in the field and take their field positions. They would know that the Navy was coming in, with carrier-based planes, and they would simulate an attack on the island, and we put our guns out mainly along the roadways, sometimes in position, and practiced simulating fire against this simu-

lated attack made by the Navy. And we were out just one week prior to December 7.

General FRANK. On Sunday?

General BURGIX. On Sunday but, by some stroke, we did not go out on December 7. The fleet was in the harbor. (R. 2603.)

On that morning, due to Alert #1, all planes, with some minor exceptions, were grouped together wing to wing. There were 80 pursuit planes in commission and 69 out of commission in various states of repair. There were 39 bombers in commission and 33 out of commission. Of the bombers in commission the only ones available for a real mission were 6 flying fortresses and 10 A-20s. The old B-18s were of minor value. There were a few fighter aircraft that morning that were at a remote field, apparently unknown to the Japanese, where a squadron was practicing short landings. It was out of this group that there came the brilliant performance of Major (then Lieutenant) Welch, who courageously got his ship off the ground, together with his wing man. Major Welch and his wing man shot down a number of Japanese [189] aircraft.

The Navy had no PBVs in the air that morning, although they usually had four to six for doing reconnaissance. Perhaps this is explained by General Burgin's testimony that while every Sunday morning the antiaircraft artillery had an exercise with the Navy when the Navy sent its carrier-based planes from ship to shore, and this continued up to the Sunday before December 7th, the Navy planes did not get into the air on this particular December 7th. (R. 2603.) The fleet was also in the harbor that Sunday, the only vessels of material character that were out being the carriers ENTERPRISE and LEXINGTON. The ENTERPRISE, with the addition of heavy cruisers and a squadron of destroyers, was about 200 miles west of Oahu. Task Force No. 12 was approximately 425 miles southeast of Midway, with the carrier LEXINGTON (R. 444-445); therefore there was not a single carrier in Pearl Harbor that morning. (R. 540.)

2. *Naval Long-Distance Reconnaissance.*—The situation as to the long-distance reconnaissance supposed to have been conducted by the Navy is admirably and frankly explained by Admiral DeLany, who was assistant chief of staff for operations on the staff of the Commander-in-Chief, United States Fleet, during this period: Admiral DeLany testified that there was absolutely no protection or screen thrown out by the Navy on the morning of December 7th, and no attempt to obtain information about the launching of an attack upon Oahu. He further testified, "There were neither planes, pilots, nor other facilities available to conduct and maintain such a [190] continuous reconnaissance" as would be necessary in order to maintain a 360-degree reconnaissance around the island. They realized the danger but there was nothing that could be done about it. (R. 1728.)

Admiral Bellinger, who was Commander of the Navy Base Defense Air Force, Commander, Patrol Wing 2, and Commander, Task Force 9, said that on the morning of December 7th he had a total of 81 PBVs in Patrol Wings 1 and 2, which included those at Midway, leaving a total of 69 on Oahu, with 9 out of commission. The reconnaissance work that was being conducted normally each morning at sunrise was merely to search the fleet operating areas for submarines so that the

fleet could operate on exercises without molestation. He usually sent out three to six planes "to guard against submarine attack." He testified that the only patrolling being done as a defense against a surprise attack was in the vicinity of Midway. (R. 1600.) He testified as follows:

General FRANK. You had no instructions from anybody to conduct any search against a force to protect you from a surprise attack?

Admiral BELLINGER. We had had on specific occasions, when there was some apparent reason for doing so. That instance had occurred for one or two different sectors over the periods during the year. (R. 1601.)

Admiral Kimmel summarized the situation when he testified as follows:

General RUSSELL. You have testified, and it has been supported by a line of evidence here, that there was not available to the Army and Navy any means for distant reconnaissance to ascertain the location of a Japanese task force.

Admiral KIMMEL. That is correct. (R. 1805.)

[191] General GRUNERT. Were there any planes on distant reconnaissance on that morning?

Admiral BELLINGER. There were no planes on distant reconnaissance in the true sense of the term "distant reconnaissance." (R. 1629-1630.)

This failure to do distant reconnaissance cannot be excused for lack of planes under Navy control because the Navy had 50 PBYS available. The only excuse for not using them was, as stated by Admiral Kimmel:

We wanted to maintain our training status. Up to the last minute we had received no orders to mobilize. (R. 1811.)

Admiral Bellinger testified that the relationship between the Navy and the Army for the use of Army planes from the fighter group of the Army was not in a functioning status. (R. 1622.) He had 33 scout bombers, 7 fighters, and 9 scouts available on the morning of December 7th, but they were not being used. (R. 1623.) As witnesses testified, they were accustomed to seeing PBYS go out each morning, but on Sunday morning, December 7th, they did not go out. (See General Rudolph's and Colonel Brooks' testimony, R. 993-994, 1232-1234.)

3. *Aircraft Warning System.*—The radar aircraft warning system had the information center completed and organized with five mobile radar stations which were operating. They had been in operation from four to seven o'clock each morning for training purposes but had not gone into regular operation. It was because of their being in operation that Lockard and Elliott picked up the Japanese attack force 132 miles from Oahu, and this organization functioned continually after the attack, so it can be assumed it was in operating condition. (R. 439-440-441.) (See Lockard in other testimony.)

[192] As General Short said:

I think that the men were not experts, but I think they were getting trained to the point where they could do pretty well,

as of December 7, 1941. (R. 508.) They had three heavy radar sets complete and six mobile sets complete. (R. 509.) The mobile sets were operating. (R. 510.)

General FRANK. . . . the AWS system was operated with mobile sets up to a distance of about 130 miles. Is not that correct?

General SHORT. That is correct. (R. 512.)

The Interceptor Command "was actually operating," according to General Short. He said, "it was actually operating daily." (R. 525.) An order had not gone out to Burgin and Martin, but it was working.

4. *Antiaircraft Defenses.*—As to the antiaircraft, much of it had never gone into position so far as mobile guns were concerned, and none of the mobile guns was in position on the morning of December 7th. Ammunition had not been issued because the Ordnance Department objected to having it out convenient to the guns because it might get dirty. As General Burgin said,

they didn't want to issue any of the clean ammunition. . . . and, besides, we would get our ammunition in plenty of time should any occasion arise. (R. 2608.)

As it took about six hours to get the ammunition fully out, distributed, and broken open, the delay was a very difficult one. (R. 2608.)

As General Burgin again testified:

It was almost a matter of impossibility to get your ammunition out because in the minds of everyone who has preservation of ammunition at [193] heart is goes out, gets damaged, comes back in, and has to be renovated. The same was especially true here. It was extremely difficult to get your ammunition out of the magazines. We tried the ordnance people without results. General Max Murray and myself went personally to General Short. General Murray pled for his ammunition for the field artillery. I asked for ammunition for the antiaircraft. We were put off, the idea behind it being that we would get our ammunition in plenty of time, that we would have warning before any attack ever struck. (R. 2607.)

The two divisions were in their quarters so that it took them a number of hours to move out after the attack. One of the principal difficulties was the necessity of drawing their ammunition, as elsewhere discussed.

The status of the antiaircraft was this: The mobile guns had to secure their ammunition from Aliamanu Crater, between two and three miles from Fort Shafter. The fixed guns had their ammunition in boxes adjacent to the guns. He had 69 mobile guns and 26 fixed guns and the usual complement of 50-caliber and 30-caliber. He testified as follows:

They were all ready to go into action immediately, with the exception that the mobile batteries did not have the ammunition. (R. 2604.)

On the morning of December 7th he had not gone into operation with the Navy as one previous Sundays. (R. 2603.) This was due to the fleet being in the harbor on that Sunday, and for some reason the Navy was not conducting its usual Sunday exercises with him. (R. 2603.)

5. *Summary.*—Therefore, the situation on December 7th can be summed up as follows: No distant reconnaissance was being conducted by the Navy; the usual four or five PBYs were not out; the antiaircraft artillery was not out on its usual Sunday maneuvers with the fleet air arm; the naval carriers [194] with their planes were at a distance from Oahu on that Sunday; the aircraft were on the ground, were parked, both Army and Navy, closely adjacent to one another; the fleet was in the harbor with the exception of Task Forces 9 and 12, which included some cruisers, destroyers, and the two carriers LEXINGTON and ENTERPRISE. Ammunition for the Army was, with the exception of that near the fixed antiaircraft guns, in ordnance

storehouses, and the two combat divisions as well as the anti-aircraft artillery were in their permanent quarters and not in battle positions. Everything was concentrated in close confines by reason of the anti-sabotage alert No. 1. This made of them easy targets for an air attack. In short, everything that was done made the situation perfect for an air attack and the Japanese took full advantage of it.

[195]

F. THE ATTACK ON DECEMBER 7, 1941

1. *Japanese Intelligence.*—The details of the attack have been already adequately described. To have a competent understanding of the attack and the perfection with which it was executed, we should remember that the Japanese had had exceptional opportunities for securing the very latest information from a wide variety of sources in the islands as to the exact dispositions of the fleet and of our military forces. The maps that were found upon Japanese aircraft that were shot down or on Japanese aviators or upon Japanese submarine crew men indicated a vast amount of meticulously accurate, up-to-date information. The fact that one or more submarines were in Pearl Harbor prior to December 7th and had circulated in the harbor and then gone out again showed a knowledge of what was going on in Pearl Harbor that was substantially complete.

It is interesting to contrast this activity of the Japanese Navy in gaining detailed information of our Fleet with the failure of our Navy to glean any information concerning the task force that attacked Pearl Harbor from the time that it left Japanese home waters, about November 22, 1941, and left Takan Bay about November 28, 1941, until the attack took place.

For instance, the map found on a Japanese aviator brought down at Fort Kamehameha on December 7th, Exhibit No. 22; Exhibits 23, 24, 25, and 26; and Exhibit No. 48, illustrate with what meticulous detail the entire operation was worked out, based upon adequate and complete intelligence by the Japanese. It is difficult to understand this attack and its [196] perfection without first studying these maps. The Japanese came to the attack with full information of our dispositions and defenses: we met the attack with absolutely no information about the Japanese attacking force. The details of the securing of this information are set forth elsewhere in this report. The Japanese realized that this was the foundation of their war and that perfection of execution would have a profound effect politically upon their allies and upon the countries of the Far East in which they intended to operate.

2. *Nature and Composition of the Attacking Force.*—The strength of the attacking force has already been stated in this report, based upon the extended testimony of Admiral McMorris and Captain Layton. It was one of the most powerful naval attacking forces ever assembled up to that time, because of the large complement of carriers. Its aviators were of the highest quality of Japanese encountered during this war. After they were finally disposed of during the later days of the present Pacific war, the testimony is to the effect that no equal or superior Japanese aviators have been met.

Japan evidently brought to bear upon this attack the best brains, the best equipment, and the finest intelligence, with the most expert planning, which it had.

The first indication of the attack on the Island of Oahu was the detection by the U. S. S. ANTARES of a suspicious object in the prohibited area off Pearl Harbor at 6:30 a. m. This was found to be a small two-man submarine, which was attacked and sunk by the concerted action of the U. S. S. WARD and a naval patrol plane between 6:33 and 6:45 a. m. on December 7th. The WARD sent a report of this action to the Naval Base [197] watch officer at 7:12 a. m., who immediately notified his chief of staff. A ready destroyer was dispatched to investigate, but no alert warning was issued based upon the report. This was one of the most important of a succession of mistakes made during this fateful morning. The Navy admits that it did not advise General Short as it should have done.

A second small two-man submarine was sunk inside the harbor between 8:35 and 8:43 a. m., and a third one was grounded in the Kaneohe Bay and was captured. There was a total altogether of five such submarines equipped with two-man crews, one of which was captured. The remaining nine crew members were killed, as confirmed by a Japanese citation later given to these ten men raising them in rank. (R. 3038.) These two-man submarines were launched from mother submarines a short distance from the Island of Oahu.

While Pearl Harbor was provided with an antitorpedo net to prevent the entrance of submarines and this net was kept closed during the hours of darkness, being opened only when necessary for a vessel to pass through the net, it was kept open continuously during daylight hours, upon the assumption that the channel entrance destroyer, the net vessel, and other vessels in the neighborhood, would detect any submarines. On the morning of December 7th, the net was opened at 4:58 a. m. for the entrance of two minesweepers and was left open until 8:40 a. m. when it was closed by order as a result of the attack. The net was not damaged and it was fully functioning. Apparently the submarine got into the harbor at 7 a. m. It will be recalled that prior to December 7th one or more Japanese submarines had already been in this harbor, passing [198] through the net when it was opened at 4 a. m. to permit the garbage scow to go through.

The attacking planes from the six carriers of the attacking force numbered approximately 424. (R. 3048.)

Of this number about 250 to 300 took part in the attack. They consisted of fighting, bombing and torpedo planes that simultaneously and successively attacked Pearl Harbor and the adjacent air bases and airfields on Oahu, starting at about 7:55 a. m. The attack was over by 11 a. m. On these fields the aircraft were carefully lined up, wing to wing, tip to tip, in the most perfect target position for both bombing and machine-gun strafing. This is true both of the Army and of the Navy. The PBVs of the Navy were substantially all destroyed, and a large number of the Army aircraft met a similar fate. The landing strips were substantially without damage, possibly indicating some subsequent intention on the part of the Japanese to employ those landing strips.

Immediately upon the attack being known to General Short he ordered Alert No. 3. This was executed with more than expected promptness.

As already related, this force of attacking Japanese planes was detected about 132 miles north of Oahu. The Japanese force came

over the island as follows: One force came from the north directly across the island, over Schoefield Barracks, Wheeler Field, to Pearl Harbor, attacking Wheeler Field and Pearl Harbor. Another force came in from the east attacking Kaneohe Field, Bellows Field, and Pearl Harbor, and a third force came in from the south attacking Hickam Field and Pearl Harbor. The torpedo planes devoted their [199] attention to the ships in the harbor. A study of the bomb pattern of such places as Hickam Field shows that the attack was concentrated upon the aprons where the planes were parked and upon the hangars as well as upon the machine shops. All objectives were entered and carefully identified by legends placed upon the U. S. Geodetic Survey maps used by the Japanese.

It is significant as to maps secured by the Federal Bureau of Investigation, that there is an abbreviation of a code which takes care of every major contingency before, during and as a result of the attack. Nothing was left to chance. It is particularly noted that the information of construction was shown by the fact that as to Hickam Field the legend indicated,

All concrete structures—or in the process of construction.

[200] G. TIME ELEMENT IN THE EXPECTED ATTACK; THE EFFECT OF USING HAWAII AS A TRAINING GROUND IN ADDITION TO ITS BEING A COMBAT OUTPOST

1. *Attack a Surprise.*—The Chief of Staff and all other witnesses, including Kimmel and Short, have without exception stated that the attack was a surprise. General Marshall testified that the Hawaiian commanders indicated their views that an air attack was their very serious concern. (R. 52.) Yet he also testified:

We did not, so far as I can recall, anticipate an attack on Hawaii; the reason being that we thought, with the addition of more modern planes, that the defenses there would be sufficient to make it extremely hazardous for the Japanese to attempt such an attack. (R. 9.)

An analysis of the probabilities of success from the Japanese point of view shows that the Japanese took an extraordinary chance, if the facts as to their strength as we now know them are reasonably accurate. In race track parlance, it was a "long-shot" and an extraordinary risk because the consequences of failure to the Japanese might have been greater than those to the United States in the event of success. It was a bold and considered venture.

Japan knew with reasonable accuracy the movements and location of our fleet. It knew weekend conditions in Hawaii with the fleet in the harbor as well as we did. It apparently knew of our assumption that Japan would not dare attack the United States and that if it did, it would be in the remote islands of the Pacific, including the Philippines. It accurately gauged our belief that Japan had its eyes turned on Indo-China and the Dutch Indies and was proceeding southwardly with its conquest.

Based upon this shrewd estimate of our national psychology and our estimate of their intentions, Japan proceeded to the [201] execution of the unexpected, the gain from which it estimated would be of incalculable value. In the daring attack Japan was compensated by the gain to her of immobilizing and substantially destroying the

Pacific Fleet, which was a major threat to Japan's left flank in its southward move. The value of such a result was tremendous.

It gave both safety and freedom of action to Japan; and the ability to concentrate both on the Pacific Islands of the United States and the Philippines. By that time Japan believed it would be so entrenched that dislodgment would be substantially impossible.

Japan used in this attack from four to six carriers out of the total of eight available to its fleet. The failure of this mission, by the destruction of such carriers, would have been really fatal to its fleet, at least for long months to come. The daring, therefore, of this attack was out of all proportion to its value because had it not been successful and had its carriers been destroyed it would have been disastrous to the Japanese Navy.

But in making this estimate of Japan's risky action and its considered chances, we were doing so from the occidental point of view. We were completely ignoring the oriental attitude, the Japanese cheap price of life, and her willingness to conduct a suicide attempt without any foundation of occidental reasoning in order to gain an extraordinary advantage. Hull and Grew had warned of this psychology and her penchant for unexpected, reckless, and suicidal moves.

This national urge to take a desperate chance of a military nature has since then become well-known. It was our failure to take into consideration this extraordinary chance [202] taking characteristic, due to the violent and uncivilized reasoning of the Japanese mind, that would approve the making of such a long military and naval chance for the satisfaction of the first blow, and a disastrous one, that was so satisfactory to the oriental mind, which misled us.

2. *Time Element—The Important Factor in All Estimates.*—This analysis is recited for the reason that apparently no one from the Chief of Staff down considered *at the time the attack was made* that any such attempt would be made.

This *time* element is important in understanding the state of mind of the responsible authorities of the United States. The military estimates of the situation from the War Department, the Navy Department, and in Hawaii, clearly show a reasoned and correctly stated analytical estimate of the situation. The missing link in our search for the reason why steps were not taken to carry out the logic of the military and psychological estimate of the situation seems to be in this belief that there was ample time to prepare Hawaii. It was generally thought that Japan would not attempt this attack, if at all, until some time later after it had made its attacks upon the Philippines and intermediate islands. In that, the United States' calculations went far astray for lack of understanding of the long-chance type of the military and naval minds of oriental Japan.

As a consequence a policy was followed that was disastrous to the defense of Hawaii. They gambled upon having time for preparation that did not exist.

3. *Expected Time to Continue Training.*—That assumption of time for preparation resulted in using a portion of the Hawaiian Army Air Force and the Navy as a training force for the training [203] of green personnel followed by the removal of experienced personnel thereof, as they were trained, to other theaters. The Board, al-

though it realizes the great need of organized air forces to serve as training units and that the Hawaiian Air Force was one of the few available, nevertheless it considers it a mistake to so utilize this outpost which should have been on a purely combat basis and not subject to the weakening process of a periodic turnover.

Let us look at the consequence of this. The Navy was either training ashore or constantly training at sea through its three task forces. Those operations in the areas were not, as Short thought, for the purpose of combat reconnaissance or defense duty, but they were training maneuvers for the constant training of new personnel to be used elsewhere.

The training problem, which had been frequently discussed with the War Department and was well known by it, had assumed a position of importance in Hawaii. This evidently strongly influenced Short's decision to adopt Alert No. 1.

He testified:

In addition to that, it was a question of training. Alerts Nos. 2 and 3 would require so many men on duty. Alert No. 3 would take every man, practically, so it would eliminate any training. Alert No. 2 would practically put every man of the harbor defense, the anti-aircraft, and the air on duties that would prohibit training. The situation in the air with regard to training was quite serious. We had been given the mission of ferrying B-17s to the Philippines. We had already sent, I think, two groups, one of 9 and one of 12. We had also sent some crews to San Francisco for the purpose of bringing them back to the Philippine Islands. We had only 6 flying fortresses in commission to train all of these crews. If you remember, at that time a flying fortress was relatively new and you could not just pick up a pilot here and there say he could fly a flying fortress. He had to be stepped up. We had a bunch of the old obsolete B-18 bombers that were death traps if you put anybody in them to fight, but it was one step in teaching a pilot how to handle larger ships. They were put on those. They were put on A-20s [204] for a little time, and finally got to the B-17s. With the limited number of ships we had it took time to train these crews; not just the pilots. In addition to that we had to train the bombardiers and the gunners so they could protect themselves from the Japanese going over the Mandated Islands.

General Martin and I talked over the situation and we felt that we should do nothing that would interfere with the training or the ferrying group. The responsibility was definitely on the Hawaiian Department. It was up to us to get the ships there and get them there without loss; and we could not do it if we started them out with untrained crews.

That had a great deal to do with my decision to go into Alert No. 1 rather than Alert No. 2 or No. 3. (R. 285-286.)

We felt that we required all possible time for training in the Air Corps, because we had to prepare these teams for ferrying to the Philippines. Just as soon as we got a trained unit we lost it by transferring it to the Philippines. (R. 390.)

And again he testified before the Roberts Commission:

Frankly, that is more nearly correct, that I was more serious about training rather than expecting something to happen at the time. (Roberts Record 1622.) (See page 531 of the Grunert Record.)

General Martin, Chief of the Hawaiian Air Force, testified even more vigorously that the selection of Alert No. 1 was largely influenced by their desire to keep on training.

General FRANK. Was there any advantage to conducting Air Corps training in any one of the three alerts? . . .

General MARTIN. There most certainly was, because we were hard pressed to get the men properly trained to meet our requirements in the new organization.

General FRANK. Could you do more technical training for the Air Force in No. 3 Alert, No. 2 Alert, or No. 1 Alert, or was there no difference?

General MARTIN. Of course there was a difference. There would be more under Alert No. 1. (R. 1864-1865.)

Admiral Kimmel said:

The principal one that arises at once is the question of personnel, the necessity for training personnel, from the fact that certainly the Navy was training personnel and shipping them back to the States, that we were constantly getting new personnel. That intensive training program was essential if we were not to have a fleet that was utterly impotent. I have been informed, and I believe firmly, that [205] the Army had just as many troubles as we had, if not more. They brought pilots out there that needed training, and they were depleting their trained airmen of all ratings, and in the weeks immediately preceding the attack on Pearl Harbor, the primary effort for their Hawaiian Air Force, I think it is fair to say, was in ferrying planes to the Asiatic station, and they very greatly depleted their stuff. (R. 1764-1765.)

It is therefore apparent that both services were placing great emphasis on training, possibly to the detriment of preparedness to meet an attack.

4. *Short's Trust in Navy to Give Him Timely Notice. Time Element Again.*—General Short accomplished what he set out to do, to establish a cordial and friendly relationship with the Navy. His instructions from the Chief of Staff to do this were not for the purpose of social intercourse, but for more effectively accomplishing the objective of a sound and complete detail working agreement with the Navy to get results. He successfully accomplished fully only the cordial relationship with his opposite numbers in the Navy, i. e., the top rank of the Navy; he did not accomplish fully the detailed working relationship necessary for his own full information, the complete execution of his own job and the performance of his mission. The claim of a satisfactory relationship for practical purposes is not substantiated. General Short testified:

The one thing that that letter (General Marshall's first letter of February 7th, 1941) emphasized to me, I think, more than anything else, was the necessity for the closest cooperation with the Navy. I think that that part of the letter impressed me more than anything else. (R. 355.)

Apparently Short was afraid that if he went much beyond social contacts and really got down to business with the Navy to get what he had a right to know in order to do his job, he would give offense to the Navy and lose the good will of the [206] Navy which he was charged with securing. That is evidenced by his following statement:

I would say frankly that I imagine that as a Senior Admiral, Kimmel would have resented it if I had tried to have him report every time a ship went in or out, and as I say, our relations were such that he gave me without any hesitancy any piece of information that he thought was of interest. (R. 363.)

He testified that he relied for reconnaissance upon the task forces of the Navy, which employed carriers to search the ocean 300 miles to each side, giving each task force 600 miles of reconnaissance area, and with three forces that would have meant covering 1,800 miles. (R. 284, 384.) Admiral Pye, commander of one of the three task forces of the Pacific Fleet, testified that:

The schedule as arranged was that one task force was at sea practically all the time, that is, one of the three task forces, leaving a period normally of about eight days and about fourteen days in port. (R. 1036.)

Kimmel testified the task forces were in training and not out for reconnaissance. (R. 1773, 1794-1795; Cf. Pye 1037, Burgin 2673.)

He said that this was well known and undoubtedly Short knew about it. (R. 1771-1773; Cf. Short 359.) The Short and Kimmel testimony is in conflict on this point.

Again, Short said he was dependent on the Navy, and particularly the 14th Naval District, or the War Department for securing information as to the movement of Japanese ships. (R. 291.) He said that the combination of the continuous flow of information that the Navy Department had as to the location of Jap ships and the Navy task forces doing long-distance reconnaissance with their carrier-borne planes, led him to the position that

it was a natural thing that I should accept the opinion of the Navy on that particular subject. It seemed to be the best informed opinion that there was in the vicinity [207] (R. 300-301.)

It was for that reason that he accepted the Captain McMorris statement, when visiting with Admiral Kimmel and his staff, that there would be no Japanese attack in early December. (R. 299-301.)

He said he was further strengthened in his opinion, during the period of the 27th of November to the 6th of December, that the Navy either knew

where the Japanese carriers were, or had enough information that they were not uneasy, and with the task forces that I knew they had out, that they felt they could handle the situation. (R. 303.)

Short evidently believed that he was getting full information from the Navy that was available to them. There does not seem to have occurred anything that led him to think he was not being told all the pertinent official naval information there was available. He relied upon complete official interchange which was not in practice.

An examination of the facts showed that the naval forces were insufficient for long-distance patrol, and General Short frankly confesses this situation (R. 375); General Short further points out that the Army had insufficient planes for reconnaissance. (R. 377-378.) Although General Short "looked on task forces as the best means of reconnaissance" (R. 384), he did not know nor try to find out their routes. (R. 359-360, 475.) Short could easily have learned that the task forces conducted only incidental reconnaissance (R. 1773, 1794-1795) and that the Navy was devoting itself to the submarine menace in the areas in which they had their exercises. (R. 1040, 1757, 3041.) Short knew that his inshore patrol was of limited value (R. 473); that Admiral Bloch did not have the planes to carry out the agreement (R. 375); and that all that Admiral Bellinger had was a limited number of PBY reconnaissance planes (R. 456, 1598, 1810); that Bloch had none (R. 1493, 1526. [208] 1532, 1751) and the carrier-borne planes were normally used for antisubmarine reconnaissance. (R. 1039-1040.)

General Short's knowledge of the situation at the time of these events in 1941 is shown in the testimony of General Martin, who said:

I feel that our decision was influenced to a certain extent by the fact that the Navy was patrolling with task forces in waters of which we had no knowledge. Now, as to what areas they were covering, we did not know, but it did affect a decision as to the paramount danger coming from within rather than from without. (R. 1856.)

General Martin said emphatically the fact that the Navy had task forces out influenced his decision, saying:

. . . I had a feeling that the Navy was not properly equipped to conduct a reconnaissance that would be completely satisfactory to me; . . . (R. 1873.)

This was despite the fact, as he said:

. . . we were not completely satisfied with the way this reconnaissance was being done, because there wasn't enough in the air, and your reconnaissance from the air would extend over a larger territory in the limited amount of time, and that was the thing I was complaining to Admiral Bellinger about. (R. 1857.)

As an indication that Short was not getting the information is his own admission:

General FRANK. Another thing; Do you now feel that the Navy withheld from you certain information that they had available that would have been invaluable to you?

General SHORT. I don't believe that they purposely withheld anything from me that they thought really concerned me.

General FRANK. Don't you think that that information about the naval task force with carriers and submarines and battleships down in Jaluit would have vitally affected you?

General SHORT. Yes, possibly.

General GRUNERT. Did the Navy understand your mission and your responsibility sufficient to be able to be a good judge of what should be passed to you or what shouldn't be passed to you?

General SHORT. Oh, I think they did, definitely. (R. 409-410).

[209] He did not learn of the early visit on the morning of December 7th of the Japanese submarine. He did not learn of it until the 8th, when Admiral Kimmel himself told him about it. (R. 364-365.) By his implicit trust in the Navy he let them not only get the information but to evaluate it. In connection with the information about the Japanese submarine sunk by the Navy early December 7th, he said this as to the Navy action:

They did not connect it (the submarine which was sunk by the Navy) with the general raid, they thought it was separate. (R. 365.)

But the point is that Short should have been given this information and have made his own evaluation. As he now testifies, if he had known of this submarine information it

might have worked out to our very great advantage if they (the Navy) had been handled differently. (R. 310.)

In this connection he said,

It was Admiral Bloch's duty as Commander of the District to get that information to me right away. He stated to me in the presence of Secretary Knox that at the time he visualized it only as a submarine attack and was busy with that phase of it and just failed to notify me; that he (Bloch) could see then, after the fact, that he had been absolutely wrong. . . . (R. 311.)

Again, he was not advised of the Japanese task force in the Marshalls, between the 25th and the 30th of November. (R. 361.) He said he was not advised of the naval dispatch of December 3rd, 1941, and never saw that message. That was the message that showed that the Japanese diplomatic and consular posts were destroying certain codes and ciphers, and burning certain documents. He said that he did not receive the naval messages of December 3rd, December 4th, and December 6th from [210] the Navy Department to the Commander-in-Chief of the Pacific Fleet, regarding the destruction of confidential documents.

He said:

General GRUNERT. You had none of the information that was disclosed in those three messages?

General SHORT. No, sir. (R. 425.)

He expressed his relationship with the Navy in this wise:

I felt that Admiral Kimmel and Admiral Bloch, either one, would have definitely given me anything they thought had any bearing on my job; that if they were sure it was an absolutely inside naval proposition that did not concern me in any way they might not have given it (the information) to me. (R. 358.)

This situation was summed up as follows:

General FRANK. The question as to whether or not you got the information was placed upon a trust that you had that they would have given it to you?

General SHORT. Absolutely.

* * * * *

General FRANK. Do you feel that you were secure in that?

General SHORT. I do not know what other basis you could work on. I had no right to demand that they give me all information they had. (R. 358.)

As to naval task forces on which he so thoroughly relied for reconnaissance, he did not have any regular means of knowing where they were or what they were doing,

except as we (Admirals Kimmel, Bloch and Bellinger) happened to talk about in a personal kind of way. (R. 359.)

This brings us to the further observation that Short in dealing with the Navy was trying to do the job himself (R. 1248-1249), which resulted in that he neither got the information completely, accurately, nor consistently, instead of delegating it to his trained staff officers dealing with equally trained [211] staff officers of the Navy so a professional, systematic job could be done. He relied on confidence and natural trust rather than certainty of information; and on personal visits and informal conferences instead of the definiteness of an established organization smoothly operating to an effective end.

II. WHAT WAS DONE IMMEDIATELY AFTER THE ATTACK?

1. *Reason For Analysis of Action Taken After 7 December 1941.*—The question of insufficient means with which to adequately defend Oahu has been raised. General Short's energy was admirable and well directed towards improving the defense of Oahu. As a consequence, we have examined the situation as to what he did before the attack and what he did after the attack with what he had. The first part of the examination has already been related in the previous portions of the report. We now propose to examine two questions: How effectively was Short able to use this very same material, personnel, and available facilities after the attack; and what did Washington do after the attack in giving help to Hawaii that might have been done before?

2. *Hawaii and Washington Action.*—Upon learning of the attack General Short immediately ordered the Number 3 Alert. (R. 1118). The 24th Division was in all battle positions by 1600 hours 7 December 1941. The 25th Division was in all battle positions by 1700 hours 7 December 1941. The Division Artillery drew its ammunition and secured its issue of a unit of fire to take to beaches within one to two hours. It is significant that the war garrison was increased by

Washington from 59,000 to 71,500 after December 7 to defend Kaneohe Bay, "back door to the island," and that increases in air strength and in engineers for [212] aviation purposes were granted. (R. 325.) Harbor troops had ammunition "immediately at hand." The anti-aircraft had theirs sometime later. The first of the sixteen surgical teams reported to the hospital at 0900. At noon there was started evacuation of women and children from Hickam and Wheeler Fields and harbor defense positions. The Ordnance Depot went into two underground rooms. Slit trenches were then dug. (R. 316-317.)

The Department Engineer, under the Department Commander, was put by Washington in complete control of building of field fortifications. The troops started on field fortifications. The slit trenches were not completed on 8 December. (R. 321.) The outlying islands were further garrisoned. (R. 332.) Orders were issued in connection with the defense against chemical air attack, air raid instructions were issued, klaxon horns were distributed for the aircraft warning service and old gas masks were exchanged for new. (R. 529-531.) The Interceptor Command, inactive before December 7 and still in the training stage (R. 1825), was activated 17 December. (R. 4136-4137.) After December 7

the Navy took us over body and soul . . . we did exactly as they ordered us to. We were a part of their Naval Air Force, so to speak,

said General Rudolph. (R. 1223.) Washington gave unity of command. Directives came from the War and Navy Departments to establish a joint operating center for a joint staff of Army and Navy. This was done in tunnels in the Aliamanu Crater and put into use in February 1942. (R. 1534.)

Daily reconnaissance was made after December 7, using Army B-17s and Navy PBYS and "anything they had," even the B-18s. Navy planes were sent from the mainland by Washington after December 7; many B-17s came out almost immediately. Additional PBYS were received and those damaged on December 7 were repaired. [213] If the planes that were available by Washington after December 7 had been available before December 7, distance reconnaissance could have been made, according to the testimony of Admiral Bloch. (R. 1532-1534.) However, the necessity for the ferrying of bombers to the Philippines ceased since they, too, were under attack.

The Interceptor Command was activated immediately after December 7. (R. 2604.)

The status of the anti-aircraft artillery and coast artillery was as follows. After December 7 the ammunition was issued for use with the guns in the field. (R. 2605.) The skeleton crews were replaced with full crews on the fixed coastal guns. (R. 2611.) Only 40 per cent of the allowance of automatic weapons existed before December 7, which was rectified after that date. (R. 2613.) The whole command was put on a five-minute alert and old Alerts Number 1, 2, and 3 became obsolete, the men in camp after December 7 remaining right at their guns. (R. 2639.) The radar and Interceptor Command installations, formerly under the control of the Signal Corps, were taken away from the Signal Corps immediately after December 7 and placed under the Interceptor Command. (R. 2644.)

The aircraft warning system was started full time on December 7 as it could have been weeks before, had the order been given. (R. 4133.) After December 7 the aircraft warning system personnel continued to operate efficiently. They did so in conjunction with the 24-hour duty of the Interceptor Command. As Colonel Bergquist said, in contrasting his efforts to get the aircraft warning service and the Interceptor Command [214] cooperating before December 7, after December 7

I just had to snap my fingers and I got what I wanted. (R. 1205-1206.)

The AWS work moved much faster after December 7. (R. 1218.) After December 7 the controversy between the Air Corps and the Signal Corps, which contributed to the delay in the activation of the Interceptor Command, disappeared. (R. 1216-1217.)

After December 7 the fighter planes were kept ready to take off instantly (R. 3911) and the anti-aircraft warning service was put on a 24-hour basis, as it could have been before, said Colonel Powell, Signal Officer of the Hawaiian Department Corps. (R. 3913.) The aircraft warning sets were in continuous operation after December 7 with three groups operating four hours each. (R. 1029.)

Tillman, an Engineer Corps civilian employee, testified that he as a trouble shooter took charge of construction pertaining to the aircraft warning service after Colonel Wyman was relieved because progress was unsatisfactory. (R. 2135.) He found he was able to complete certain construction projects at aircraft warning stations by scouting around for parts. Prior to December 7 the crews on those projects were not working because they said they had nothing to work with. (R. 2149-2151.)

The most remarkable change between December 6 and December 7 was the change in construction activities under the District Engineer, Colonel Wyman.

A new field was begun at Kahuku on December 7. Bunkers were built at Hickam Field; the field at Haliewa was expanded; construction of a new field at Kipapa was started; a temporary field was put on the Schofield golf course. The troops started on field fortifications. (R. 321.) Authority was requested to [215] build ten airfields. Bombers were put on the outlying islands.

We were able to go ahead and do a lot without funds.

Barracks were built with WPA money. (R. 325.) A pool of lumber was authorized for the Quartermaster. (R. 328.)

All the material and contractors with their machinery were taken over and put to work. Priorities were established on jobs to get more work accomplished, according to Benson, President of the Hawaiian Contracting Company. (R. 3737.) A job at Wheeler Field had not been completed for a long time, due to the delay of plans from the Engineers. (R. 2542.) Barking Sands airport and Kokee radar station jobs had been delayed for many weeks with the material on the ground awaiting someone to act. The Hawaiian Constructors had not put it up. After December 7 the witness Bartlett went to the site, erected the tower in five days and had the station operating.

On December 7 the runways under construction at Bellows Field were incomplete. On the Wednesday after December 7 the work

began on a 24-hour-a-day basis. The second runway was completed in seven days, that is, by the following Thursday, said Colonel Weddington, base commander at Bellows Field. (R. 3020.) After December 7 anti-aircraft emplacements were constructed at Bellows Field. When the attack struck, the planes were concentrated practically wing to wing, but after the attack they were dispersed on the field, 50 to 75 feet apart. (R. 3014.)

The Corps of Engineers also evidenced an appreciation of the situation by raising the contracting authority of the District Engineer from \$50,000 before December 7 to \$5,000,000 after December 7. The Corps of Engineers' red tape of sending [216] all contracts and changes to Washington to the Chief of Engineers was then eliminated by Washington; testimony of Colonel Wyman. (R. 3435, 3874.) The Robert E. McKee Company, which had been discarded by Wyman when he went to the Islands in the middle of 1940, was invited by him after December 7 to join the Hawaiian Constructors. (R. 2405-2407.)

Slit trenches had not been built until the day of Pearl Harbor (R. 1916), but they were built extensively, together with air raid shelters, after December 7. (R. 838.)

After December 7 Admiral Pye testified the Navy kept its forces out of the harbor fairly continuously except for the time necessary in port to overhaul materiel and receive supplies. (R. 1045.)

We, therefore, find that after December 7 an active and vigorous employment of facilities, materiel and personnel was made, and full support and supplies were furnished by Washington some of which might have been done before December 7. The support from the mainland was vastly different after December 7 than before, and the record so reflects this condition. For instance, before December 7 G-2 did not submit to General Short any strategical estimates but after December 7 they submitted such a statement weekly. After December 7 the suspected aliens were rounded up and interned, the Japanese consul and his 200 agents were put out of business and all necessary steps were taken to monitor both telephone and radio communication, all of which might have been done without stirring up the civilian population or the Japanese prior to December 7, 1941.⁴²

[217]

I. SUMMARY

The foregoing concludes the story of Pearl Harbor with the exception of the matter of the construction of the Hawaiian defenses and the particular part of Col. Theodore Wyman, Jr., with respect to those defenses. Col. Wyman's part in the Pearl Harbor disaster is treated in Chapter V.

⁴² List of things done and action taken on or after 7 December 1941 by persons in the Hawaiian Islands: Bloch, volume 13, pages 1532-34; Klatt, v. 13, p. 1465-66; Pye, v. 9, p. 1045; Phillips, v. 10, p. 1118; Murray, v. 27, p. 3080; Martin, v. 17, p. 1825, 1850, 1911; Lockard, v. 9, p. 1029; Bartlett, v. 22, p. 2510-11; Midkiff, v. 25, p. 2805-07-14-40-41; Bergquist, v. 10, p. 1205-06-16-17-18; Rudolph, v. 10, p. 1223; Weddington, v. 27, p. 3020-13-14; Howard, v. 17, p. 1916; Pratt, v. 18, p. 1986; Locey, v. 25, p. 2790; King, v. 23, p. 2542-27-38; Flelder, v. 26, p. 2981; McKee, v. 21, p. 2405-07; Burgin, v. 24, p. 2603-04-07-09-11-13-14-15-39-44; Reybold, v. 6, p. 580; Davidson, v. 36, p. 4133-36-38-42; Powell, v. 32, p. 3904-11-13; Wyman, v. 29, p. 3435-36, v. 32, p. 3874 (affidavit-v. 29, p. 3433-34; Perliter, v. 30, p. 3712; Benson, v. 30, p. 3737; Farthing, v. 7, p. 838; Tillman, v. 19, p. 2135-49-51; Short, v. 4, p. 314-15-16-17-19-20-21-22-25-28-30-31-32-37, v. 5, p. 500, 529-30-31-34-36.

In order to not disturb the continuity of the complete Pearl Harbor story both at Hawaii and in Washington, the next succeeding Chapter No. IV is devoted primarily to the responsibilities for the Pearl Harbor disaster of those in Washington who had some part in the matter. In this way Chapters III and IV, when read together, will give a balanced and complete picture of the principal events and actions taken which contribute to the result of the attack on December 7, 1941.

[218] CHAPTER IV. RESPONSIBILITIES IN WASHINGTON

1. *General*

2. *War Council*

Three groups of conferees.

3. *Secretary of State*

Responsibility for dealing with the Japanese; no authority to commit the United States to War; indecision of the Secretary of State November 25-26; advice to the Secretary of War of the action by the Secretary of State; action by the Secretary of War on the 27th.

4. *War Department*

Policy of War Department to avoid conflict; policy as evidenced in the War Department messages to prevent overt acts; no information to Short of the Secretary of State's counter proposals; confusion resulting from the Navy messages of October 16 and 24; confusion from the messages of the 27th and 28th; how the Long message was delivered and what was done about it; failure to act promptly to notify Hawaii.

5. *Conflict Between the Army and Navy Messages*

The Army-Navy messages were conflicting; the Navy messages predominated with warnings of a conflict; Army messages predominant to avoid overt acts.

6. *Military Intelligence Division*

Field of investigation; necessity for a larger scope in the future; intelligence a national problem.

7. *War Plans Division*

Responsibility for Overseas Departments; responsibility to see the War Plans implemented; no action on Alert No. 1; Gerow's failings; inadequate supervision.

8. *Navy Department*

Failure to carry out agreement with the Army for long-distance reconnaissance; failure to advise of enemy submarine sinking; failure to give Short information of Jaluit task force.

9. *Chief of Staff*

Responsibility for organization and operation of War Department; failure to delegate authority; responsibility to keep General Short advised of international situation; delay in sending message on December 6 and 7; no action on Short's report of measures taken; and lack of knowledge of conditions of readiness in Hawaii November 8 to December 7, 1941.

10. *Summary*

[219] 1. *General.*—The preceding chapter has dealt primarily with Hawaii and the actions of the responsible officers in the Hawaiian Department. It has to some degree and to a lesser extent, by reason of the chronological sequence, dealt with what was done in Washington both with respect to the internal activities in Washington and what Washington sent to Short. This chapter, therefore, will be devoted primarily to the activities in Washington and only secondarily in Hawaii.

2. *War Council.*—The Secretary of War, Mr. Stimson, has discussed the activities of the group in the War Department known as

the War Council. He also described the group consisting of the Secretary of State, Secretary of Navy, Secretary of War and the Chief of Staff of the Army, Chief of Naval Operations of the Navy, who were also called colloquially the "War Council". The third group was that which included the President, Secretary of State, Secretary of War, Secretary of Navy, usually the Chief of Staff and the Chief of Naval Operations, and occasionally Commanding General, Air Force, General Arnold.

All three of these bodies were informal and constituted simply a group of men exchanging ideas and attempting to determine policies without regularity of record of what they did, as far as this Board has been able to determine. It was a sort of clearing house for information, a gathering place for discussion of policies, so that each of the independent actors in the scene would know what was going on and would have information to guide him in making his own decisions that were more or less independent, but at the same time also somewhat dependent on the action of other members of the group.

[220] 3. *Secretary of State*.—The responsibility apparently assumed by the Secretary of State (and we have no other proof that anyone else assumed the responsibility finally and definitely) was to determine when the United States would reach the impasse with Japan. It was the Secretary of State who was in charge of the negotiations with the Japanese; it was the Secretary of State who had long and numerous conferences with the Japanese. He was the contact man and the responsible negotiator.

He was doubtless aware of the fact that no action taken by him should be tantamount to a declaration of war. That responsibility rests with Congress. It is important to observe that the President of the United States had been very careful, according to the testimony of the Secretary of War, to be sure that the United States did nothing that could be considered an overt act or an act of war against the Japanese.

For, as Mr. Stimson testified in the phrasing of the message of November 27, he was particularly concerned with so phrasing it so as to carry out the President's directive which was in accordance with our constitutional method of doing business. Mr. Stimson said:

I had had a decision from the President on that subject, and I regarded it as my business to do what I of course normally would do; to see that the message as sent was framed in accordance with the facts. (R. 4057.)

Mr. Stimson was referring to the status of the negotiations of the previous day on November 26, when the Ten Points were handed by Secretary Hull to the Japanese, and to the fact that the President, as of the 27th of November, 1941, was still desirous that no overt act be committed by [221] the United States.

With this clear understanding, let us see how these serious responsibilities were discharged. In making this statement we are deeply sympathetic with the state of mind, the irritation, the exasperation, the chicanery, trickery and deception of the Japanese ambassadors with whom the Secretary of State had so long and manfully struggled. What he did was human, but the results are the things with which we are concerned.

Undoubtedly the Secretary of State had been frequently advised through the meetings of the War Council of the inadequate status of the defenses of the United States. Our Army and Navy were not ready for war, and undoubtedly the Secretary of State had been fully advised of that fact. So serious was this situation that General Marshall and Admiral Stark drafted a joint memorandum under date of November 27 on this subject.

This memorandum was addressed directly to the President, according to the testimony of General Marshall. It contained two things: first, a statement that the most essential thing then from the United States viewpoint was to gain time and to avoid precipitating military action so long as this could be done consistent with the National Policy because of the fact that the Army and Navy were not ready for war; and second, attention was called to the desirability of counter military action against Japan in event she engaged in specific acts of aggression (described in the memorandum). The memorandum then recommended among other things that

steps be taken at once to consummate agreements with the British and Dutch for the [222] issuance of warnings to the Japanese against taking such aggressive action. (R. 9-10-11.)

The situation was delicate.

Now let us turn back to Mr. Stimson's testimony. The War Council met with Mr. Hull on the 25th of November 1941. The *tentative* U. S. proposals to the Japanese were so drastic and harsh that Mr. Stimson testifies that when he read it his diary shows this was his contemporaneous impression of it:

Hull showed me the proposal for a three months' truce which he was going to lay before the Japanese today or tomorrow. It adequately safeguarded all our interests, I thought, secured it, but I don't think that there is any chance of the Japanese accepting it because it was so drastic.

Apparently the Secretary of War, in the light of his long experience with the Japanese, with whom he dealt extensively when he was Secretary of State to this government, was concerned at the situation, for his diary continues:

We were an hour and a half with Hull, and then I went back to the Department, and I got hold of Marshall.

Thus the Secretary of War felt the situation that was to be precipitated by the action of the Secretary of State, Hull, necessitated his informing the Chief of Staff immediately of the threatened difficulty.

Next, the Secretary of War attended a meeting at the White House. His diary describes it:

Then at 12 o'clock I went to the White House where we were until nearly half past one. At the meeting were Hull, Knox, Marshall, Stark, and myself. There the President brought up the relationship with the Japanese. He brought up the event that we were likely to be attacked perhaps as soon as—perhaps next Monday, for the Japs are notorious for making an attack without warning, and the question was what we should do. We conferred on the general problem.

Apparently, at that time no decision was reached and the [223] entire matter was left for further consideration.

On the following day, November 26, 1941, the Stimson diary continues:

Hull told me over the telephone this morning that *he* had about made up *his* mind not to make the proposition that Knox and I passed on the other day (the

25th) to the Japanese, but to kick the whole thing over and tell them that he had no other proposal at all.

Apparently on the 26th in the morning, Mr. Hull had made up his mind not to go through with the proposals shown the day before to the Secretary of War containing the plan for the "Three Months' Truce".

Evidently the action "to kick the whole thing over" was accomplished by presenting to the Japanese the counter proposal of the "Ten Points" which they took as an ultimatum.

It was the document that touched the button that started the war, as Ambassador Grew so aptly expressed it.

Again Mr. Stimson's diary relates:

The 26th was the day he (Hull) told me he was in doubt whether he would go on with it. (R. 4051-2-3.)

Apparently the Secretary of War was not advised by the Secretary of State that he had handed this so-called ultimatum to the Japanese. The diary of the Secretary of War and his actions indicate that to be a fact.

Witness what it says as of the morning of the 27th of November 1941:

The first thing in the morning I called up Hull to find out what his final decision had been with the Japanese—whether he had handed them the new proposal which we passed on two or three days ago or whether, as he suggested yesterday, he had broken the whole matter off. He told me now he had broken the whole matter off. As he put it, "I have washed my hands of it, and it is now in the hands of you and Knox, the Army and Navy."

[224] His diary continues:

I then called up the President and talked with him about it.

He then took prompt action to confer with Secretary Knox, Admiral Stark, and with General Gerow, who appeared to be representing General Marshall in his absence at maneuvers. He was concerned with revising the draft radio of General Marshall, which became radio #472. Also, as he says,

A draft memorandum from General Marshall and Admiral Stark to the President was examined, and the question of need for further time was discussed. (R. 4054.)

The advice from the Army and Navy to delay matters and get more time for defense preparations and not precipitate the issue evidently did not reach the President or the Secretary of State in time to be considered before the memorandum of the 26th was delivered to the Japanese. It seems well established that the sending of this "Ten Point" memorandum by the Secretary of State was used by the Japanese as the signal for starting the war by the attack on Pearl Harbor. The Japanese attacking force departed from Takan Bay on the 27-28 November for its attack on Hawaii. It also appears that the delivery of the 14-point reply of the Japanese to this memorandum was contemporaneous with the attack.

4. *War Department.*—The intentions of the War Department not to precipitate war, as far as the War Department was concerned, are clear and unmistakable. The messages sent to the Hawaiian Department show this to be a fact. The Navy apparently had the same idea because many of their messages likewise so indicate the situation

and the Hawaiian Department was given the benefit of those messages.

[225] To be concrete: the Navy message of October 16 concluded with the sentence,

In view of these possibilities you will take due precautions, including such preparatory deployments as will not disclose previous intention nor constitute provocative action against Japan.—

the message of November 24, from the Navy Department to Hawaii said in conclusion:

Inform senior Army officers in respective areas utmost secrecy is necessary in order not to complicate the already tense situation nor precipitate Japanese action.—

the message of November 27, #472 from the Chief of Staff to General Short says,

The United States desires that Japan commit the first overt act . . . these measures should be carried out so as not, repeat not, to alarm the civil population or disclose intent.—

the message from G-2 on the same day warns against an incident with the Japanese population by saying,

Axis sabotage and espionage probable.

All this had an effect upon Short because his reply to the message of the 27th was

Department alerted to prevent sabotage. Liaison with the Navy.

In order to prevent an untoward action by Short the message of the 27th as originally drafted started with the opening words, "Negotiations with Japan have been terminated" (R. 4270) were changed by the Secretary of War after consultation with the Secretary of State to the softer caution contained in the Stimson-drafted sentences:

Negotiations with Japan appear to be terminated to all practical purposes with only the barest possibility that the Japanese government might come back and offer to continue. Japanese future action unpredictable. Hostile action possible at any moment.

Then followed the caution not to commit the first overt act.

[226] In continuing on beyond November 27th, was the message from G-2 on November 28, #484, sent by General Arnold which was devoted to sabotage and defensive measures. On the same day the War Department sent message #482 to Short with similar tone and tenor. Short replied to #482 on the 28th with a very long message all dealing with sabotage and espionage. This ends the communications with Short by the Army until the final message of December 7, which arrived too late.

Short was never informed of the Secretary of State's action in delivering the "Ten Points" counter proposals. He testified he first saw or heard of that document after the White Papers were published. General Short said,

I knew nothing of anything of the kind until a year or so afterwards, whenever that State Department paper came out.

The message of November 27th did not convey to Short what it was meant to convey by the people who drafted it. While confusing, it contained information and instructions the significance of which should have been appreciated by Short and his staff.

The two Navy messages of October 16 and 24, both of which cautioned against precipitation of an incident, could have added to Short's confusion in interpreting the message.

The impression that the avoidance of war was paramount was heightened by the messages immediately following the one of the 27th. In the first place, Short had no reaction from the War Department to his reply that he was acting only to prevent sabotage and to keep contact with the Navy. He felt confirmed in this action by the message on the 27th, from G-2, saying,

Actions of sabotage and espionage probable.

[227] Immediately following that the next day were two additional messages dealing with sabotage and espionage.

From that time on, November 28, until the message that was received after the attack, Short received no other word by courier, letter, radio, or otherwise. The only claim that he received any additional information was that he was told of messages of December 3, 4, and 6, about the Japanese destroying their codes and the Navy being instructed to destroy some of its codes. Short denies receiving this information.

These acts of omission and commission on the part of the War Department undoubtedly played their part in the failure to put the Hawaiian Department in a proper state of defense.

The record shows that from informers and other sources the War Department had complete and detailed information of Japanese intentions. Information of the evident Japanese intention to go to war in the very near future was well known to the Secretary of State, the Secretary of War, the Chief of Staff of the Army, the Secretary of Navy, and the Chief of Naval Operations. It was not a question of fact; it was only a question of time. The next few days would see the end of peace and the beginning of war.

If it be assumed that for any reason the information could not have been given to the Hawaiian Department, then it was a responsibility of the War Department to give orders to Short what to do, and to tell him to go on an all-out alert instead of a sabotage alert.

As elsewhere related in detail, when vital information of December 6th reached G-2 of the War Department, not later than nine o'clock the evening of December 6, it was placed in [228] the locked pouch and delivered to the Secretary of the General Staff, Colonel Bedell Smith, now Lt. Gen Smith, with a warning from Colonel Bratton, Chief of Far Eastern Section of G-2, that it contained a vitally important message. In fact the message implied war and soon. Whatever was the reason of Colonel Bedell Smith for not conveying this message to General Marshall on the night of December 6th, it was an unfortunate one. And further, with the top War Department officials fully aware of the critical nature of this situation, standing operating procedure should have required delivery of this vital information to General Marshall at once. He, himself, was responsible for the organization and operation of his own immediate office.

This information could have been sent to Short on the afternoon (Honolulu time) of December 6. Additionally, this same information was given to General Gerow's Executive, Colonel Gailey, of the War Plans Division, and there is no evidence of action taken by that Division.

The responsibility of War Department is clearly defined and plain. Action by it would have been sufficient further to have alerted the Hawaiian Department. It was in possession of the information which was the last clear chance to use the means available to meet an attack. It had the background of the full development of the Japanese preparation for war and its probable date.

Again, the equally important and vital information of December 7th, the day of the attack, was in the possession of the War Department at 0900 on the morning of December 7. Colonel Bratton made an immediate effort to get the Chief of Staff at that hour. [229] It was not until nearly three hours later that any action was taken by the War Department, when time was of the greatest importance.

Under the circumstances of the clear and explicit revelation of Japanese intentions, arrangements should have been made for immediate action to further warn Hawaii and not leave the situation to be acted upon when the Chief of Staff could not immediately be reached. The responsibility is the Chief of Staff's for not providing an arrangement by which another could act in so critical a situation when he could not readily be reached.

Strange as it may appear, the War Department did not know the actual state of readiness of Short's command from November 27th to December 7th, 1941, though this information was contained in Short's report of action taken on November 27th.

5. *Conflict between the Army and Navy Messages.*—The practice of having General Short secure through the Navy in Hawaii copies of the naval messages tended towards confusion. We have taken occasion to compare the messages of the Navy and the messages of the Army delivered to General Short from October 16 to December 7. We find:

a. That they were conflicting.

b. That the Navy messages were predominant with warnings of a conflict and the Army messages predominant with the idea of avoiding a conflict and taking precautions against sabotage and espionage.

Short naturally took his choice between the two types of [230] messages and followed that of the War Department. Examination of the Navy messages of October 16, 24, November 27, December 3, 4, and 6, will show that their tenor was predominantly war. One Army message of November 27 and two of November 28 predominated in antisabotage warnings.

Furthermore, the Navy message of November 27 and the Army message of November 27 from the Chief of Staff were conflicting: the Navy message flatly stated,

This is a war warning. The negotiations with Japan in an effort to stabilize conditions in the Pacific have ended.

Now, contrast the opening sentences of the Army message which indicates that negotiations may still continue, where it says:

Negotiations with Japan appear to be terminated to all practical purposes. Only barest possibility that the Japanese government might come back and offer to continue.

The Navy message contained no warning to Hawaii to take precautions against sabotage or overt acts, and no precautions as to the civilian population. To the contrary, the Army message gave explicit

directions on this subject. This was followed on the same day by a G-2 message, which said,

It appears that the conference of the Japanese had ended in an apparent deadlock. Acts of sabotage and espionage probable.

The Navy war warning was further diluted in its effect upon Short by the Arnold-AG sabotage message on the 28th of November; and the additional G-2 message on sabotage on the 28th. These November 28 sabotage messages undoubtedly influenced Short to continue on his sabotage alert.

Thereafter Short had only silence from Washington. Short was given no further clarification of this conflict amongst the messages.

[231] There is no explanation why Short was not told of the so-called ultimatum. It was known to the Japanese because it was handed to them.

6. *Military Intelligence Division.*—Within the scope of its activities, this division performed well. It gathered much valuable and vital data. Through Colonel Bratton it insisted on the dissemination of this information to Field Commanders.

There was a broad field for investigation, however, which was not touched by it or any intelligence agency of the American Government, either military or civil. In this field were the mandated islands, the home land and the home waters of the Japanese empire, and the areas in which the Japanese Navy and Army were operating.

In these fields, reliance was placed upon sources of information which were inadequate. The Japanese Navy was lost to us for considerable periods in those months prior to the outbreak of war. The task force which made the attack on 7 December 1941, left home ports, assembled at Takan Bay, and notwithstanding that it was a relatively large convoy, sailed for thousands of miles without being discovered. Part of its aircraft was in flight for the targets at Pearl Harbor and on Oahu before we knew of its existence. Its detection was primarily a naval job, but obviously the army was intensely interested. Elsewhere in this report, the mass of detailed information which the Japanese had assembled relating to American activities has been discussed and is not repeated here.

Discussing this subject before the Board, General Miles, G-2 in 1941, testified as follows:

[232] But to answer your question more succinctly, I do not think any Intelligence officer ever thought that he could be sure of picking up a convoy or attack force or task force in Japan before it sailed and know where it was going. That was beyond our terms of efficiency. (R. 107.)

The disadvantages accruing from this situation could have been calamitous. The Japanese armed forces knew everything about us. We knew little about them. This was a problem of all our intelligence agencies. This should not come to pass again. Our intelligence service must be brought in line with the part which we are to play in world affairs.

We must know as much about other major world powers as they know about us. This is an absolute condition precedent to intelligent planning by those charged with formulating our international policies and providing for our security. Our intelligence service should be second to none in its efficiency. It must not be inferred that this is the exclusive function of the M. I. D. It is a national problem.

In the past our intelligence service has suffered from lack of funds, lack of interest, and legal obstacles and regulations. Steps should be taken to correct all of these.

7. *War Plans Division.*—The War Plans Division, the supervising agency for the War Department for Overseas Departments, was charged with directing the preparation of and coordinating the war plans for Hawaii. It had the responsibility and duty to insure the implementing of such plans.

Aside from the letters and telegrams sent throughout 1941 to General Short (and there were no letters from General Marshall to General Short after the first of November 1941,) no action after November 1, 1941, appears to have been taken by way of communications or inspections, or full report of [233] any sort, to reveal whether General Short was doing anything, whether he was doing it correctly, what his problems were, and what help could have been given him.

The War Plans Division took no action when Short put the Alert Number 1 into operation and so reported. It took no steps to stop the use of the Hawaiian Department as a training station and put it on a combat basis, such as an outpost should have been, with threatened war. It took no steps to find out if the Hawaiian defenses were being implemented and built according to schedule and the right priorities. It took no steps to put the control of the building of its defenses on the Department Commander so that he could coordinate the building of defenses with his other defense preparations.

General Gerow's own testimony clearly pictures the lack of organization and management of the War Plans Division of the Overseas Departments, such as the Hawaiian Department. The War Plans Division was responsible for the Overseas Department, said General Gerow. (R. 4334-4335.) The War Plans Division was familiar with the equipment situation in Hawaii, such as lack of parts for radar. (R. 3425.) It was their duty to do all they could to correct the deficiencies but there is no proof that any action was taken. (R. 4325-4326.) The War Plans Division was responsible for drafting the operational messages to the Hawaiian Department. Gerow was responsible for drafting the message of the 27th and managed the drafting and final sending of that message. He admitted that he failed to follow up to see if the message of the 27th was being carried out and that was the War Plans Division's responsibility.

[234] He said:

Admiral STANDLEY. Then who would have been interested in following up that message to see whether those instructions were obeyed or not?

General GEROW. The War Plans Division, sir, should have been—

Admiral STANDLEY. War Plans Division.

General GEROW. Should have been responsible for following it up, sir.

Admiral STANDLEY. That was not done then?

General GEROW. No, sir, it was not.

* * * * *

Admiral STANDLEY. Then those instructions went by the board; nobody followed them up, then?

General GEROW. That is correct, sir; that is, between the 27th and the 7th. (Roberts Report 1857-1858.)

And he again admitted that he made an error in not realizing that the reply of Short, which referred to Message No. 472 by number, referred to that message. He thought it referred to a G-2 message. (Roberts Report 1857-1858.)

He also testified as follows:

General GRUNERT. Without such coordination, there was liable to be confusion and misunderstanding as to the intent of each one of the messages. Was that the War Plans Division? Was it the Chief of Staff?

General GEROW. It was done, usually, General, I believe by a matter of getting concurrences between the various divisions of the General Staff, on something that was going to be sent out. (R. 4336.)

General GEROW. The coordination of concurrences, and then most of these important messages, I believe, went through the Secretary of the General Staff.

General GRUNERT. Then it appears to be the Secretary of the General Staff?
General GEROW. No.

[235] General GRUNERT. It appears you do not know just who does it, do you?

General GEROW. Well, no, sir. (R. 4337.)

He testified that it was not his particular duty in 1941 to coordinate all messages of the War Department that went to our overseas possessions. (R. 4338.)

Therefore the War Plans Division under General Gerow failed as follows:

a. General Gerow failed to take action on Short's reply showing that he was taking precautions against sabotage only. He again failed to take action in that he assumed liaison with the Navy meant Short was taking the correct steps. The documents in the War Plans Division show that the Navy's responsibilities did not start until war was imminent or had taken place and that some formal action by Washington or the Hawaiian Department putting the agreements into effect was necessary.

b. He was responsible for drafting the confusing message of November 27.

c. He took no steps to deliver to Short additional available information. As Gerow testified as to Short's reactions to the message of the 27th:

No one knows what he would have done had he been in that position and *not having perhaps all information we had here.* (R. 1851.)

d. He did not check on the Hawaiian Department's activities to determine its state of readiness from November 28 through December 7. (R. 4306.)

[236] *e.* He relied upon the message of November 27 to give Short all the information he needed for full preparation for war, but did not check to find out if that was a fact. (R. 4256.)

f. The joint air estimate of General Martin and Admiral Bellinger under the joint agreement of General Short and Admiral Bloch as approved by Admiral Kimmel, stated that air attack was the prime threat against Hawaii; and when General Gerow was advised in a conference with the Secretary of War and the report to the Secretary of War from the Secretary of State, in addition to the intelligence information with which he was provided as to the status of the international situation, it was incumbent upon him to do two things which he failed to do:

(1) To correct Short's mistake in going to Alert Number 1 instead of to Alerts Number 2 or 3; and

(2) To direct immediately the activation of the Joint Hawaiian Coastal Defense Plan to put the Army, in conjunction with

the Navy, on a complete war footing, ready for any eventuality.

8. *Navy Department.*—The Navy Department undertook by a signed agreement to provide long-distance reconnaissance in Hawaii. It assumed this responsibility admittedly without means of carrying it out in Hawaii.

The Navy in Hawaii failed to advise Short of the sinking of enemy submarines in the outer harbor between six and seven [237] a. m. the morning of December 7. The Navy failed to advise Short of the Jaluit task force so that he could evaluate the information for himself.

9. *Chief of Staff.*—The responsibility for the conditions in the military component of the War Department as depicted in this chapter rests with the Chief of Staff.

At about this time, November 25-December 7, 1941, there seemed to have been in the War Department a firm conviction that war was imminent but also there seems to have been the conviction that it would start in the Southwest Pacific and evidently nobody had any belief that Hawaii was immediately in danger. There was the belief both in Hawaii and in Washington that war was on our doorstep but not on Hawaii's doorstep. This resulted in the main consideration being given to General MacArthur and the Philippine Islands and the resulting second consideration during this critical time to Hawaii. The unfortunate thing was that the Japanese "crossed us up" with a daring surprise attack. When the famous November 27 message was being prepared, consideration first was given to send it only to MacArthur and then it was decided to include Panama, Hawaii and the Western Defense Command. This shows the trend.

As a result of the message of November 27 Short ordered only a sabotage alert and so reported to the War Department as of the same day. The import of Short's reply was little noticed in the War Department by either General Marshall or General Gerow. Just as General Short failed to interpret the full seriousness of the November 27 message, likewise the Chief of Staff and the Chief of the War Plans Division failed to [238] interpret the limited defense that Short's reply indicated in the face of known impending war.

There was failure of understanding at both ends of the line. The Washington officials had full knowledge of impending events, which full knowledge was not available to Short.

A cardinal principle in good management is the necessity to "follow up" on directions. The War Department had nine days in which to check up on the state of defense in Hawaii, which it did not do.

Repeatedly, since General Short took command in Hawaii in February 1941, General Marshall during this peacetime had written to him at length, advising him on details of operating and here, late in November, with war expected almost daily, he communicated none of those personal messages containing needed inside information.

The evidence indicates that the manner in which authority to act was delegated or not delegated had its influence on this situation. The Chief of Staff had three deputies, Generals Bryden, Arnold, and Moore. None of these three was given the secret information concerning the known Jap intentions. When General Marshall went away on November 27 he had, prior to departure, prepared a first draft of the November 27 message. It was the Secretary of War who initially fol-

lowed through on it on November 27. Then it was given to Gerow to complete. Complete authority to act in General Marshall's absence does not seem to have been given to any one subordinate. Had there been an officer either with authority or with courage to act on the information that was in the War Department on the evening of December 6, and had he sent a message to Short, [239] Hawaii should have been fully alerted.

As has been repeated so many times, there was positive evidence in the War Department that it was only a matter of days before war would ensue and the War Department had notice that Hawaii was on only a sabotage alert, inadequate for full warfare. Had a full war message, unadulterated, been dispatched or had direct orders for a full, all-out alert been sent, Hawaii could have been ready to have met the attack with what it had. What resulted was failure at both ends of the line. Responsibility laid both in Washington and in Hawaii. Hawaiian responsibility has been treated in Chapter III.

To summarize: insofar as the Chief of Staff is related to these events there are specific things which appear in the record with which he was personally concerned. The following are of this nature:

a. Failure to advise his Deputy Chiefs of Staff, Bryden, Arnold, and Moore, of the critical situation in the Pacific so that they might act intelligently for him in his absence.

b. Failure to keep General Short fully informed as to the international situation and the probable outbreak of war at any time.

c. The delay in getting to General Short the important information reaching Washington on the evening of December 6 and the morning of December 7.

d. Noting without taking action the sabotage message of Short which presumptively was on his desk on the morning of November 28, 1941.

e. His admitted lack of knowledge of the condition of readiness of the Hawaiian Command during the period [240] of November 8 to December 7, 1941.

The Board is impressed with the absolute necessity of considering the conduct of all responsible officers in the light of the situation as it existed in November and early December, 1941.

It was a case of intelligent men arriving at the best decision possible with all the facts that were before them. This is the basis for successful procedure in either military or civil affairs. In both of these fields occasional mistakes are made notwithstanding that such principles are followed. Such was the case at Pearl Harbor.

This recital is in explanation, not justification. The thinking in the War Department and the Hawaiian Department was faulty in that it emphasized probabilities to the exclusion of capabilities.

10. *Summary.*—In summarizing the "Responsibilities in Washington" it appears that the issue between the United States and Japan was precipitated before the Army and Navy could prepare themselves to follow through on the consequences thereof and that coordination and cooperation between the State, War and Navy Departments lacked effectiveness, at least in this respect.

As to the War Department's responsibilities there was—

a. A lack of organization for war.

b. A lack of adequate procedure under which to advise the Hawaiian Department and to control its actions.

c. A lack of instructions to the Hawaiian Department based upon full knowledge of its actions [241] and full knowledge of the international situation.

d. Failures on November 26-27, November 28, during the period from November 28 to December 7, and on December 6 and 7, to take adequate and prompt action on vital information then at hand.

These responsibilities in no way mitigate those of General Short as Commanding General of the Hawaiian Department. However, they do add others to the list of those responsible.

[242] CHAPTER V. WYMAN AND CONSTRUCTION DELAYS IN HAWAII

A. PRE-PEARL HARBOR ASSOCIATIONS OF WYMAN AND ROHL: SCOPE OF INVESTIGATION

1. *Relationship of Wyman and Rohl in Los Angeles*

2. *Hawaiian Actions of Wyman and Rohl*

Wyman's actions in Hawaii with other contractors; the initiation of the secret defense construction in Hawaii in November, 1940; Wyman's selection of contractors for the task; the difficulty of Rohl's alien status; Wyman's efforts to get the naturalization of Rohl; the yacht VEGA.

3. *Rohl's Associations*

Rohl's origin and German affiliations; Rohl's association with Werner Plack; Rohl's perjury; Wyman's association with Rohl and Rohl's citizenship considered.

4. *Subsequent Relations—Wyman and Rohl*

The Rohl-Wyman association and the reason for selection of the Hawaiian Constructors.

5. *Delays in Construction*

Wyman's inefficient administration and management; typical delays listed.

6. *Directive of November 24, 1941*

Relationship between contractors and the Corps of Engineers disregarded by Wyman; Rohl's continued relationship with Wyman; Rohl's conduct in the Islands and removal.

7. *Responsibility of the Corps of Engineers*

Lack of supervision by the District Engineer and the Chief of Engineers; inspections made by the Inspector General on the complaint of civilians in Congress; inspections made by direction of Secretary of War.

B. OVERT ACTS

1. *False Official Statement by Wyman as to His Knowledge of Rohl's Alien Status*

2. *Refusal to Accept Low Bidder on Hawaiian Contracts—Wyman Preferred His Friends*

3. *Irregular Purchase of Machinery by Wyman From the Hawaiian Constructors and His Associates*

C. SUMMARY

[243] A. PRE-PEARL HARBOR ASSOCIATIONS OF WYMAN AND ROHL: SCOPE OF INVESTIGATION

1. *Relationship of Wyman and Rohl in Los Angeles.*—The investigation represented by the following summary and by the more detailed report attached hereto on Colonel Wyman (Appendix —) is the result of the direction of the Acting Secretary of War, the Hon-

orable Robert P. Patterson, to investigate the conduct of Colonel Theodore Wyman, Jr. as District Engineer in the Hawaiian Department as his activities had affected Pearl Harbor. We have found it necessary to consider Colonel Wyman's activities and those of his contractor associates prior to his advent in the Hawaiian Islands, because some of them were initiated prior to the departure of Colonel Wyman for the Islands; We found it was necessary to consider the acts for a time after December 7, 1941, as many of them were the fruits of the things done and mistakes made that were initiated before December 7 and the full effect and importance of which would not be appreciated unless the subsequent events after December 7, 1941, were recorded.

In making this summary report we have divided it into two parts: the first part is a running story of Colonel Wyman's activities on the mainland with Hans Wilhelm Rohl and the associated contractors involved in this matter, and the results upon the Pearl Harbor operations by reason of such associations; the second part is an explanation of typical acts of Colonel Theodore Wyman, Jr. which represent many other matters of similar nature which can be found in his conduct. In no sense has this board attempted to draw any complete specifications or charges, but we have confined ourselves to findings of fact.

[244] The record shows that Wyman, as a Captain going to duty as a District Engineer at Los Angeles, was an able and steady officer, devoted to his professional duties and to the government's interest, with a forceful disposition.

While at Los Angeles he fell into the company of Hans Wilhelm Rohl, German alien, who was in a contracting firm that became the successful bidder on a contract to build a breakwater at Los Angeles. This contract was under the administration and jurisdiction of Wyman (R. 3359, 3378).

Rohl's methods of doing business and his personal life were at that time apparently the antithesis of Wyman's. Rohl was a man-about-town in Los Angeles and had become increasingly prominent in the night life and social activities of Los Angeles and Hollywood. His personal habits in connection with extreme drinking and with "party girls" of the community, his extravagant methods of living and his disregard of the domestic and social proprieties of a responsible person increased as the years went by, but they were already well developed at the time of his initial associations with Wyman, who was introduced by him into new and more extravagant methods of living. Rohl evidently introduced Wyman, or at least influenced him to join in extravagant and disgraceful parties as Rohl's house guest in Los Angeles hotels, and in heavy drinking over considerable periods. Trips on Rohl's yacht were expensive and lavish.⁴³ [245] This association involved pleasure trips on Rohl's yacht, membership in a large number of clubs and a scale of riotous living, drunkenness and both private and public misconduct by Wyman and Rohl together.

⁴³ Colonel Hunt in his Inspector General's Report found: "These yacht trips, as described by Colonel Wyman, were for the greater part essentially business trips, primarily to inspect the quarries above referred to. Actually, there existed no necessity for conducting the business of inspecting quarrying activities on Catalina Island in this manner, since there were available to the District Engineer adequate Government-owned vessels. These trips must therefore be classed as pleasure trips at Mr. Rohl's expense, official business being an incidental consideration. . . . It is therefore apparent that Colonel Wyman was on close and intimate social relations with Mr. Rohl during the period when, as the

Thus was born an intimate association, characterized by improper conduct, and it continued over a considerable period into and through the Pearl Harbor events. Rohl, at that earlier time, had distinguished himself by his lack of domestic propriety; he was the father of four illegitimate children by what he called a common-law wife, later discarded. (R. 2223, 2441, 4113.) In 1938, Wyman also divorced his wife of 30 years standing and shortly thereafter acquired another wife. This Rohl association continued actively up until Wyman was ordered to Honolulu as the Hawaiian District Engineer.⁴⁴ It also [246] continued in Hawaii.⁴⁵

2. *Hawaiian Actions of Wyman and Rohl.*—Wyman reported to Hawaii in July 1940 (R. 3371). In the Islands there were not only a large number of able and competent resident contractors but also one of the leading contracting firms in the United States, which had opened up an office in Honolulu and which had been building millions of dollars worth of construction for the Army and Navy. This was an organization of great wealth, high integrity and unquestioned ability and a successful government contractor for a long period of years. They were just concluding some of their contracts when Wyman arrived (R. 2399-2400).

When the contract began to develop for the defenses of Hawaii in November 1940, apparently the general outline of the project was well known and fully considered by Wyman and the [247] Hawaiian Department. They knew generally what they wanted to do, although the details of the plans probably had not been fully worked out by the time of the actual execution of the contract hereinafter mentioned as having been entered into by the Corps of Engineers with the Hawaiian Constructors. Generally, it was desired to have built as a part of the Hawaiian defenses the following: a war reserve storage system for gasoline, aircraft warning service, and improved

Government's representative, he administered extensive work for which Mr. Rohl was the contractor.

"The yacht trips and house parties given by Mr. Rohl and attended by Colonel Wyman were expensive and lavish. Intoxicating liquors were habitually served, with no limitation except the guest's capacity to imbibe. Colonel Wyman, claiming an ability to hold his liquor, imbibed freely. It is not in evidence, however, that his acceptance of Mr. Rohl's entertainment was in any sense necessary to that desirable degree of acquaintance between the Corps of Engineers and the construction industry which may be considered necessary to their mutual interests. These contacts were essentially, if not entirely, social and personal affairs, which by their frequency and character tended strongly to bring discredit upon the Corps of Engineers and to give rise to just such allegations as the ones now in question."

⁴⁴ Colonel Hunt in his Inspector General's report found: "A very careful study of all facts and circumstances brought to light in the course of this investigation leads to the following conclusions:

"During the years 1936-1939, Colonel Wyman, as District Engineer, Los Angeles, maintained a close personal friendship, as distinguished from a business friendship, with Mr. Hans Wilhelm Rohl, which was inappropriate on the part of a United States Army officer administering costly works on which the said Mr. Rohl was engaged as contractor. This relationship extended so far beyond the need for ordinary cordial business relation as to give rise to such presumptions of impropriety as formed, in part, the basis of this investigation. In maintaining that relationship, Colonel Wyman was not sufficiently mindful of that unquestionable reputation for integrity and impartiality which it was the duty of a man in his position to cultivate at all times.

"The flattery of Colonel Wyman personally and professionally, which was bestowed upon him by his wealthy associate, Mr. Rohl, evoked in Colonel Wyman so complete a confidence in the former as to lead him to an unwise acceptance of Mr. Rohl's judgment and advice during their subsequent association in Hawaii. He thereby relinquished to some extent that independence of judgment required of an officer in charge of the Government's interest, as indicated in his too ready acceptance of Mr. Rohl's recommendations relating to equipment purchases and appraisals." (R. 749-750.)

⁴⁵ Colonel Hunt also reported: "d. Various witnesses testified to having seen Colonel Wyman with Mr. Rohl at various semi-public functions, when both men indulged freely in intoxicating beverages. So far as could be ascertained most of those instances were prior to the attack of 7 December. No witness was found who could testify to drunkenness on Colonel Wyman's part." (R. 2114.)

or new airfields . . . There were in all about 148 major projects.⁴⁶ (R. 3432, 3570-3572.)

When it came time to place the contract and negotiate, the Corps of Engineers decided upon a cost-plus-a-fixed-fee contract. Wyman stated that only certain Los Angeles contractors were interested in this work. This is contrary to the evidence. The McKee Company, then doing millions of dollars of work in [248] the Islands, and a number of Island contractors with full equipment and a fine record of performance were anxious and willing to bid on the job. (R. 2416-2418.) Wyman's reason for selecting his friends is without foundation and the net result condemns his choice.

Wyman now proceeded to secure contractors for this task in this manner. By virtue of using a cost-plus-a-fixed-fee type of contract he was able to award the work to contractors comprising his old friends and immediately excluded all others from consideration, both in the Hawaiian Islands and the United States.⁴⁷ (R. 3632, 3722.) He turned to his old Los Angeles alien friend Rohl, who was president of the firm of Rohl-Connolly (and half owner), and their associate companies, the Callahan Company and the Gunther & Shirley Company (R. 2240, 2295, 2319). These companies much later, when they found them [249] selves in difficulty in performing the work, took into partnership certain of the local Hawaiian contractors in a subordinate position. (R. 3727, 3750-51.) These several contractors formed what was known as the Hawaiian Constructors. The chairman of the executive committee and the principal executive steering the organization of Hawaiian Constructors at the outset and the signer of the contract was Mr. Paul Grafe (R. 2299-2301, 2345). Grafe was Vice-president of the Callahan Company.

⁴⁶ Colonel Hunt in his Inspector General's Report found: "As to whether this relationship influenced Colonel Wyman to find a place for the Rohl-Connolly Company in the Hawaiian Constructors, contractor for work ultimately totaling about \$100,000,000 in Hawaii and the South Pacific, there is no conclusive evidence. Colonel Wyman became District Engineer in Hawaii in June 1940. In November of that year, funds became available for road, railroad, fortifications, and allied work to the estimated cost of about \$1,097,673. Details of this work were not available. Colonel Wyman testified that he proposed to perform the work by hired labor, since a proper basis for contracting the work was lacking. Due to a marked propensity on the part of Colonel Wyman to conduct business orally to the exclusion of written records where possible, other references to which will be made in this report, no positive proof of this claim was developed. It was determined by inquiry among contractors in Honolulu that at about the time mentioned by Colonel Wyman, they had been requested to indicate what equipment they had available for rental. Neither Mr. Phillip C. Chew, Chief Clerk of Colonel Wyman's office nor other members thereof could confirm the statement that Colonel Wyman proposed doing the work by hired labor, nor could anything be found in the files which would confirm it. However, there is no reason to doubt that such was Colonel Wyman's original intention. The idea of performing work by contract appears to have reached Colonel Wyman through the office of the South Pacific Engineer Division and the then Division Engineer at San Francisco, California, Brigadier General (then Colonel) Warren T. Hannum, CE. On 6 November 1940, General Hannum in a letter to the District Engineer, Honolulu, suggested a cost-plus-a-fixed-fee form of contract due to the probable difficulties of conducting the work on a fixed price basis while large Navy works in Hawaii were being performed on the fee basis. (Exhibit C.) There followed some telephone conversations between Colonel Wyman and General Hannum, records of which were not kept, and about the middle of December 1940, negotiations were started in the San Francisco office, which ultimately resulted in the signing of Contract "414-Eng-602. That contract originally contemplating a job totaling \$1,097,673 and a fixed fee of \$52,220, value of work to be performed thereunder approached \$100,000,000 and the fee approximated \$1,000,000."

⁴⁷ Rohl-Connolly Company, the W. E. Callahan Company and the Gunther & Shirley Company who became co-adventurers as the Hawaiian Constructors. Colonel Hunt's report reads: "Colonel Wyman testified that he had tried to interest local contractors in taking on the work originally proposed, and that they showed no interest. That statement was not confirmed by inquiry among those contractors, seven of whom were questioned in the matter, all of them denying having been given a chance to take on any part of the work. These contractors were then seeking new work, and the bringing in of an outside contractor without giving them a chance to participate, created a considerable natural resentment on their part"

There was a federal statute that prevented an alien from having any interest in or the management of a secret national defense contract.⁴⁸

This brought about the disclosure to Wyman that Rohl was a German alien, that he was born in Lubeck, Germany, in 1886, that he had entered the United States as an alien, that he had never acquired citizenship, although he had applied for it, but had not consummated the transaction. This story is elsewhere [250] related.⁴⁹

When the contract was about to be placed in Washington, Wyman went to Washington and lived in the same hotel and same hotel room with one of the prospective contractors, Mr. Connolly of the Rohl-Connolly Company and he was later joined by Mr. Grafe of the Callahan Company (R. 2197, 2294-95, 3398-99, 3542). There was no dealing at this time at arms' length by Wyman, the government agent, and his friends. These contractors who appeared to be already predetermined were to get this cost-plus-a-fixed-fee contract. At that time the contract was estimated to be worth a million dollars but which later was extended to an approximate gross business of a hundred and thirty million dollars.

The alien status of Rohl put the parties in a difficult situation.⁵⁰ Rohl was then eliminated as president of the Rohl-Connolly Company by a paper change without change of substance or interest (R. 2160-61). Later action was taken by the Acting Chief of Engineers to write a letter to the Department of Justice, Immigration Bureau, on Wyman's urging General Kingman, requesting that Rohl's application for citizenship be expedited. Then followed efforts with government agencies, stimulated by Wyman, concluded by a hearing before Federal Judge O'Connor in Los Angeles, resulting in Rohl's acquiring citizenship. The complete story of Rohl's alien status and the efforts to get [251] him naturalized appears elsewhere.

⁴⁸ The statute reads:

"NATIONAL DEFENSE
"CHAPTER 440-3D SESSION
"(PUBLIC—No. 671—76TH CONGRESS)
"(H. R. 9822)

"AN ACT to expedite national defense, and for other purposes
"SEC. 11. (a) No aliens employed by a contractor in the performance of secret, confidential or restricted Government contracts shall be permitted to have access to the plans or specifications, or the work under such contracts, or to participate in the contract trials, unless the written consent of the head of the Government department concerned has first been obtained, and any person who willfully violates or through negligence permits the violation of the provision of this subsection shall be fined not more than \$10,000 or imprisoned not more than five years, or both.

"(b) Any alien who obtains employment on secret, confidential, or restricted Government contracts by willful misrepresentation of his alien status, or who makes such willful misrepresentation while seeking such employment, shall be fined not more than \$10,000 or imprisoned not more than five years, or both.

"(c) For the purpose of this section, the term 'person' shall be construed to include an individual, partnership, association, corporation, or other business enterprise.

"Approved, June 28, 1940." (R. 4109-4110.)

⁴⁹ See p. 262 of this report.

⁵⁰ Colonel Hunt reported: "His own testimony and that of other witnesses in this respect indicates that Colonel Wyman maintained a totally unnecessary, and in the circumstances, an undesirable social familiarity with the active head or an organization whose prime business it was to profit from work under his supervision. If there is reasonable doubt that this relationship was with a man whose non-citizenship at the commencement of the contract was known to him, there is no doubt whatever that it was with a man who at the time of this relationship in Hawaii, had been proven to Colonel Wyman to have concealed the fact of his alien status. The least that can be said of that relationship is that it displayed a callousness on Colonel Wyman's part, not only toward the character of his associate, but toward the possible consequence of its public display."

On 22 January 1941 Wyman wrote a vigorous letter to assist this citizenship matter, indicating that Rohl was absolutely essential to the successful operation of the contract by Hawaiian Constructors. (R. 3529-3531, 4187-4188.) With Wyman's help Rohl was naturalized and proceeded to Hawaii, so that he could participate actively in the contract.

Wyman, during his tour in the Hawaiian Islands is shown by this record to have been continuing his acquired habit of drinking.⁵¹ Wyman and Rohl lived in adjoining rooms in the Pleasanton Hotel, which had been taken over by the contractors at government expense (R. 1297-8, 3644-46). They negotiated a charter of Rohl's yacht, the VEGA, which was in the name of Mrs. Rohl. (R. 2203.) It came to the Islands with a cargo of liquor in a government convoy, which was delivered to Rohl. (R. 2266-67, 3403.) The vessel was never used for its intended purpose as a survey ship (R. 1311).

The record shows that there were many delays, confusions, inefficiency in administration, and lack of correct administrative relationship between the contractors and the government agent. The District Engineer failed to secure results in the prompt construction of the defense projects under this contract.⁵² Grave administrative inefficiencies had arisen in the District Engineer's office (R. 2118, 3570-3571).

The drinking⁵³ by Rohl during duty hours in the day as [252] well as night after December 7 was so frequent, excessive, and such a detriment to the business of both the government and the contractors that, upon the request of Wyman's successor, General Lyman, Rohl was requested to leave the Islands and cease further connection with the Hawaiian Constructors (R. 2534-35, 2544). This request was concurred in by Rohl's two associates on the executive committee of which Rohl was chairman (R. 2546).

3. *Rohl's Associations.*—There is testimony in the record of substantial character that the impression that Rohl made a large sum of money on his first large contract, the Los Angeles breakwater, was not well founded, yet his expenditures have been habitually for many years those of a wealthy man (R. 2445, 2449). Rohl made at least one visit to Germany (R. 3996).

There is some evidence in the record to show the following about one, Werner Plack and his associations with Rohl. Plack was an employee of the German Consulate in Los Angeles, working under

⁵¹ R. 748, 777, 1173-1174, 1283-1285, 2114, 2408-1409.

⁵² R. 512, 513, 1261-62, 1331, 1334, 1342, 2063, 2366, 2503-05, 2530, 3018, 3431-32, 3439-43, 3699, 3703, 3770-71, 3837-39, 3886, 3901, 3905.

⁵³ Major Meurlott, in the G-2 Department of the Hawaiian Department and G-2 at the time he testified said:

"Major CLAUSEN. Major Meurlott, I show you a memorandum entitled 'Memorandum for the files' dated July 22, 1942, to the effect that Hans Wilhelm Rohl was such a drunkard that he was even incompetent to be a subversive influence. Did you make this?"

"Major MEURLOTT. Yes, I wrote that." (R. 3925.)

"Memo for files.

(Copy of memorandum)

"7/22/42.

"Decision made to bring this case to a close without the formality of a C1-R1 report. Subject is claimed by Colonel Mollison to be a confirmed drunkard, and, inferentially, to be incompetent as a subversive influence for that reason. Irresponsibility rather than subversion appears to characterize the irregularities in his activities, as brought to the attention of this office.

"Case closed.

"/s/ T. M. MEURLOTT,
"Capt. M. I."

Doctor Gyssling, the German Consul. (R. 2387, 2429, 2442.) Rohl and Plack appeared publicly together in prominent night spots in Los Angeles and were apparently on intimate and friendly terms, as identified by a number of witnesses, (R. 1167-1168, 2387-2388, 2390). In 1940 Plack left the United [253] States under suspicion of being a German agent. The FBI made an exhaustive examination of his baggage before permitting him to depart with Fritz Weidemann, the Consul General at San Francisco, who left for Germany via Japan, taking Plack with him (R. 2519-2520). Weidemann stayed in the Far East as Chief of the Far Eastern Espionage and Sabotage Unit for Germany, while Werner Plack went on to Berlin and was placed by the German government in a position of high responsibility in the German Foreign Office (R. 2389). Flannery, Columbia Radio news commentator, who was then the Columbia correspondent in Berlin, and author of the book "Assignment to Berlin", testified in this record that he was personally well acquainted with Plack in Germany, having dealt with him repeatedly in the German Foreign Office from the period of early January 1941 to 29 September 1941 because Plack censored Flannery's writings. While dealing with Werner Plack he found that he was high in the Nazi councils in connection with radio and other propaganda to the United States, in which he was regarded by the German government as a specialist. Flannery said he did brilliant work, in that he put on the broadcasts of Wodehouse, who was popular in the United States as a writer, the Broadcast of Count von Luckner, who was likewise popular, and had arranged for other similar personalities to improve the quality of German broadcasts so that Nazi propaganda would be listened to (R. 2521). Evidently the entertainment that Werner Plack offered to friends in the Los Angeles area while posing as a wine salesman, during which period he associated with Rohl, was for propaganda purposes for the Nazis. (R. 2522.)

Rohl flatly denied under oath before this board that he [254] even knew Werner Plack (R. 2252-2253). The following witnesses in this record testified as to his open association with Werner Plack in Los Angeles over a considerable period: Willard Bruce Pine (R. 2387-88, 2390), R. E. Combs (R. 2429, 2442), and Fulton Lewis, Jr. (R. 1167-1168).

The conditions surrounding Rohl, his long record of contact with pro-Nazi and German organization and associations, his repeated violations of the Federal laws as to his entry into this country, his long neglect to become a citizen, his open association with the German agent Plack, were widely known (R. 2430-2434). It was Wyman who was responsible for bringing this man and his organization into Hawaii for work on defense contracts (R. 2430-2434).

Rohl's testimony before this board contained conflicting statements either with thoroughly proven facts and documents or with his own previous testimony. (The records were open for investigation and have been for years (R. 2430). Rohl swore falsely on his income tax statements that he was a United States citizen (R. 2380, 2441). He made a false statement when he was placed on his own ship's manifest at Honolulu as an American citizen born in Iola, Kansas (R. 2380-2441).

Wyman as a commissioned officer of the United States Army openly and indiscreetly associated with Rohl and this association continued over a period of several years.

4. *Subsequent relations—Wyman and Rohl.*—Wyman had gone to the Pacific islands to become District Engineer at Hawaii in July 1940 (R. 3371). A great defense contract program in Hawaii was being initiated. Wyman had only one consideration in placing these contracts: to get his friend Rohl as the con- [255] tractor. To do that he exerted great efforts not only to have the contract placed with the group of affiliated companies of which Rohl's company was one but he also exerted himself to the utmost to permit Rohl in person to participate in the contract openly by getting him his citizenship. His written communications, his telephone calls and the pressure he brought to bear in Washington testify to his urgent desire for the accomplishment of this object. His first excuse was that these were the *only* competent contractors, and secondly that only Rohl was the essential man who could get results, because the representatives of the contractors on the ground, both the Hawaiian contractors and the mainland contractors, were not expediting the work (R. 768, 3481, 3527).

The record shows that Rohl did go to Hawaii, and that his contribution consisted primarily in adding to the disorganization, confusion and delays which were already inherent in utilizing the loose association of miscellaneous contractors from the mainland and the Hawaiian Islands under the co-adventurer's agreement which terminated in the formation of the Hawaiian Contractors (R. 2179-81). This loose confederation of contractors, dominated by Rohl, who became the chairman of the executive committee of the group, was poorly organized and was the attempt to conduct an enormous operation through committee management, which was fallacious in principle and unsatisfactory in action (R. 1182-84, 2527-28, 2544, 3771-72).

Here Rohl resumed his drunken conduct. The record is replete with testimony of his drinking.⁵⁴ General Emmons' demand [256] for the relief of Colonel Wyman, and General Lyman's demand for Wyman's relief got results from the Chief of Engineers (R. 1302, 1307-08). It also resulted in the sending of Rohl back to the mainland at the request of Colonel Lyman (R. 2555).

5. *Delays in Construction.*—It is difficult at this late date, within the limited time that this board has had, to make a thorough examination into all of the ramifications of delays in construction due to Wyman's administration as District Engineer. Suffice it to say, the testimony shows⁵⁵ that the organization of Colonel Wyman was bad in its administration, that it was mismanaged, that the engineering work was slow, defective and erratic, and the instructions to the contractors were repeatedly changed, resulting in delays at a time when it required the best type of supervisory organization to meet the difficulties of priorities, the machinery and the personnel. Wyman's conduct in discarding responsible contractors, such as the McKee Company, and others, of whom there were several available in the Hawaiian Islands,

⁵⁴ R. 767, 1433-34, 2114, 2526, 2544, 2555, 2574, 2575, 3288, 3296, 3299, 3648, 3925.

⁵⁵ R. 2092-2129 and reports of Colonel Luther B. Row, Inspector General, Hawaiian Department: R. 2094-99 and reports of Colonel Hunt, Inspector General's Office, Washington, D. C., who made a special investigation: R. 747-752. Also R. 2458, 2465, 2478, 2486-87, 2494, 2502, 2530, 3602, 3625-3626, 3635, 3670, 3671.

and on the mainland, and insisting on limiting the contracts to his friends and intimate associates, can bear but one meaning, namely, that he was not conducting himself as an impartial agent of the United States Government or as a responsible representative and officer of the Corps of Engineers.⁵⁶

Typical delays resulting from this association, aside from the greatly increased expense to the government, were as follows:

[257] (a) Only about 25 out of every 90 employees brought to Hawaii by the Hawaiian Constructors, were good or experienced workers (R. 3670-3671); (b) "a great deal of waste and unnecessary expenditure of time and funds" (R. 2123); (c) frequent changes in supervisory personnel (R. 3590); (d) very slow in getting organized, finally taking four to six weeks to get started after the Under Secretary of War approved the contract negotiated 20 December 1940 (R. 3602); (e) inefficiency, poor organization, and lax planning (R. 3625-3626); (f) the fact that Rohl, their key man, was frequently drunk during working hours and "not particularly inclined to push the work" (R. 3635); (g) a strike by workers against supervision by Japanese employees (R. 2490); (h) bickering and appealing of disputes with the contracting officer, the aloofness of Colonel Wyman from the personnel (R. 2498-2502); (i) failure to use material as soon as it arrived (R. 2511); (j) lack of promptness in handling the payroll (R. 2465); and, (k) poor morale of employees (R. 2530).

6. *Directive of November 24, 1941.*—General Robbins sent a directive on the above date to the District Engineer, Colonel Wyman, laying down one of the most fundamental of all directives for an Engineer office, that is, the relationship between the Corps of Engineers and the contractors. This document was clear and precise that the contractor's responsibility must not be undertaken by the Corps of Engineers.

This directive was honored only in the breach by Colonel Wyman. His organization increasingly assumed, through its inspectors and others, duties of management which were those of the contractor. It even undertook to pay the employees and to [258] feed many of them, which were duties of the contractor (R. 2465-2466, 2551).

In other words, Wyman intervened to the extent of relieving contractors of some of their duties thereby adding to the confusion of his office and to an already difficult situation, which resulted in further delays, changes and gross waste. These things occurred both before and after Pearl Harbor.

The testimony shows that in taking over the paying of employees from the contractor after Pearl Harbor, in continuing this same policy, that weeks would go by without paying the employees, resulting in a poor state of mind and low morale. This condition was aggravated by the fact that the food was bad or insufficient, except where the Army had charge of the messes (R. 2095, 2465-2466, 2529-2530, 2536-2538, 2554).

All of these things lead us to the belief that instead of having a professional Army organization on behalf of the Corps of Engineers that would exert its professional skill in engineering and administration to see that the contractors did their duty promptly, the entire organization of Wyman was disorganized, the relationships with the

⁵⁶ R. 762-63, 764, 2403, 2416-2420, 3627-3629, 3722, 3725, 3751, 3754.

contractors were confused and improper, and that a large number of delays occurred (R. 1268, 3425).

This cost-plus-a-fixed-fee arrangement resulted in a profit to the Hawaiian constructors of about \$1,060,000 (R. 3732-33).

Rohl's presence in the Islands, according to the testimony of all the impartial witnesses, was a detriment in several ways: In the first place, he rendered little assistance in getting the job done on behalf of the contractors, and his own associates on the executive committee of the contractors [259] welcomed his being sent back to the mainland by General Lyman (R. 2525-28, 2533, 2564). His periodic drunken condition interfered with his making decisions or fully attending to business. (R. 2544, 2555). Wyman's contention that Rohl could aid the contract finds no substance in fact in this record, but there are many witnesses to the contrary.⁵⁷ Rohl's presence on the Island brought Wyman back into his old association. The record also shows that large extra profits were made by the contractors in unloading worthless machinery upon the government.⁵⁸ In these transactions we find little evidence of concern by Colonel Wyman for the interests of the United States (R. 778, 1343, 2477, 2576).

7. *The Responsibility of the Corps of Engineers.*—This board feels impelled to direct attention to the lack of supervision and the correction of these conditions which were impeding some of the most important projects for the defense of the United States. There is no showing that General Hannum, the Division Engineer, conducted any investigation or had any organization to do so, to see that Colonel Wyman, while under his jurisdiction, was doing his work and conducting himself honorably and correctly as an Army officer and as a citizen charged with government responsibilities.

We find substantially no supervision, a weak control and a lack of inspection, which would have revealed at an early date the conditions and should have resulted in their remedy. [260] Colonel Wyman was given an unrestricted and free hand without adequate control, inspection or check. These conclusions are supported in the findings of Colonel Hunt in his elaborate report on behalf of the Inspector General's Department. This came about due to the complaints from Civilians directed to Congress and the action of Congressmen in calling this to the attention of the War Department. The Secretary of War in a letter in February or March of 1941 to the Hawaiian Department directed inspections of construction activities. Under the direction of Colonel Row there was a continuous series of investigations made throughout 1941 as to Colonel Wyman's conduct and the actions of the contractors (R. 2100-2101).

It is pertinent to observe that there were several investigations of the activities of Colonel Wyman, including one by Colonel Hunt and two by Colonel Row. Each of these severely criticized him. Letters were written by Colonel Lyman to the Chief of Engineers asking for Wyman's relief from duty and a letter was received by G-2 from the Canadian legation in Canada as a result of a complaint by the Canadians as to Wyman's conduct. Yet in no one instance do we find evidence of disciplinary action in his case on the part of the Chief of Engineers or the War Department.

⁵⁷ R. 767, 2476, 2526-2527, 2544, 2574-2575, 3635.

⁵⁸ R. 751, 757-759, 2140-2143, 2147, 2153, 2154.

We find as a fact that there were delays in the Hawaiian Department construction as follows:

(a) Delays due to red tape in approval of plans and specifications and choice of location for underground gasoline storage and radar stations (R. 3429-32, 3439-43, 3449-3454, 3459-60);

(b) Delays due to lack of adequate priorities (R. 3426-8, 3439-43, 3459-3460, 3566-67);

(c) Delays due to lack of experienced clerical personnel [261] (R. 3415-17);

(d) Delays due to shortage of materials and transportation facilities (R. 3417);

(e) Delays due to necessary importing of labor from the United States (R. 3500);

(f) Delays due to changes in plans (R. 3515-17);

(g) Delays due to the inaccessibility of General Short, when Colonel Wyman found it necessary to consult him, and had to consult the Chief of Staff and Colonel Lyman (with whom he "clashed") (R. 3515-3516);

(h) Other unavoidable delays, which always occur on any job of such magnitude (R. 3425);

(i) Delays due to poor organization and administration of the office of the District Engineer; and

(j) Delays due to poor supervision by the contractors, headed by Rohl.

General Short states as follows:

(a) The plan for radar stations at high altitudes necessarily resulted in delays, as cable had to be procured to draw material up Mt. Kaala (R. 297-298);

(b) "The priority proposition was very complicated"; priorities could not be readily obtained in Hawaii (R. 328); and

(c) Local suppliers ran out of materials and could not replace their stock (R. 328).

The contractors state as follows:

Rohl testified that the delays were due to lack of material and men, beyond the control of the Hawaiian Constructors (R. 2280).

Robert McKee testified many delays occurred, due to [262] inefficiency of Hawaiian Constructors (R. 2407-2409).

Woolley stated that if contractors had been allowed to operate normally, without interference and directives from Washington, then operation would have been accelerated (R. 3770).

Beuson testified that Short switched men and materials on jobs, causing delay (R. 3738).

Therefore all of the witnesses called who had any material knowledge or responsibility in the Hawaiian Department, no matter what their interest, concur that in some cases conditions could have been improved or eliminated by proper inspection and prompt and aggressive action. This action was not taken.

This board has found numerous items of proof and evidence of Colonel Wyman's misconduct. The complete story so far as the record has now been developed will be found in the appendix attached to this report.

However, as illustrative of the situation as revealed by countless witnesses and records before this board, before the House Military

Affairs Committee, and the Tenney Committee, as to the conduct of Colonel Wyman, we select the following overt acts for brief attention:

- I. False official statement by Wyman as to his knowledge of Rohl's alien status.
- II. Refusal to accept low bidder on Hawaiian Contracts. Wyman preferred his friends.
- III. Irregular purchases of machinery by Wyman from the Hawaiian Contractors and associates.

I. False Official Statement by Wyman as to his Knowledge of Rohl's Alien Status

Wyman stated in his testimony that in June 1941 he first learned that Rohl was an alien and that he received this information from Grafe (R. 3503-04). This testimony is similar to that which was given to the Inspector General, Colonel John A. Hunt, IG, by Wyman (R. 3503-3505). Wyman testified:

282. General FRANK. When did you first learn that Rohl was an alien?

Colonel WYMAN. I first learned that Rohl was an alien from Mr. Grafe in June, 1941, when Mr. Grafe informed me that Rohl was an alien, and I immediately sat down without delay and wrote a letter to the Chief of Engineers, announcing that I had been informed by Mr. Grafe of the Hawaiian Constructors that Mr. Rohl was an alien, also that Mr. Rohl had applied for citizenship. I do not recollect what else in the letter, I have forgotten, but I sent that through channels. It went to the Division Engineer, thence to the Chief of Engineers. That was in June, I am certain—the date of the letter is whatever the date of that letter is, that is the date that Grafe told me that Rohl was an alien.

283. General FRANK. Did you meet John Martin in Washington while you were negotiating that contract?

Colonel WYMAN. Well, I remember a person came there while I was in Grafe's room whose name was John Martin, a lawyer. He talked with—well, the group there, and I remember he stated that he was engaged on the claims of a contractor who, due to changes by orders, what we call change orders, had accumulated a lot of claims on the Pennsylvania turnpike, and he discussed in some detail in my hearing the arguments for and against the claims of the contractor. He was there for a little while and then he departed. That was the only occasion I think I have ever seen Mr. John Martin.

284. General FRANK. You did not know that Martin told Grafe in Washington that Rohl was an alien?

Colonel WYMAN. No, I did not know that. I did not know whether he did or not. I do not know.

285. General FRANK. Don't you think it was rather queer, when there was some question about a defense contract being in the hands of an alien, that they should not have told you about it?

Colonel WYMAN. I do not know. If they told me about I would merely have told the Chief of Engineers right on the spot.

286. General GRUNERT. What was the occasion of Grafe informing you of Rohl's status as an alien; what brought it up?

Colonel WYMAN. You see, there was an act of Congress came out about employing aliens on defense work, and [264] we wrote letters to everybody inquiring whether or not they had any aliens in their employ, and it came up as a result of that inquiry.

287. General GRUNERT. This was the date you wrote the letter?

Colonel WYMAN. Yes, sir, that he informed me that he was an alien.

288. General GRUNERT. Was this the time the War Department put this out?

Colonel WYMAN. Oh, no. I put the inquiry out some time before that. I don't know. That is a matter of record. The records show the date. You see, at this time Mr. Rohl was in the United States. He never had been in Honolulu as far as I know, he had never taken any part in the contract.

General FRANK. In these telephone conversations where you were discussing work on the Hawaiian Islands with Rohl, the Hawaiian Islands airdromes were defense contracts, were they not?

Colonel WYMAN. Yes, but he was a citizen when I talked to him. That was after he became a citizen. You see, he came to Honolulu after he became a

citizen. Then he immediately went back to the United States to get plant and men to go to Canton and Christmas Islands, and he went back to the United States and got plant from his job at Highgate Dam, brought it to Los Angeles, rehabilitated it, put it in good shape. He got men and organized them into gangs, superintendents, and put some aboard the transport LUNDINGTON. It was during that period that I recall talking to him about the plant for the Canton and Christmas Islands.

These statements on this record and to the Inspector General were wrong in two particulars: (a) as to date, and (b) as to origin of the information.

The proof to show that Wyman was untruthful in the two particulars is the following:

Testimony of Colonel Lewis J. Claterbos,⁵⁹ Fort Belvoir, Virginia, who served under Colonel Theodore Wyman, Jr., Los Angeles, California, from August 1935 to July 1937, shows Wyman admitted to Claterbos on December 4, 1941, in Honolulu that before the basic contract was signed Wyman casually remarked to Rohl, "You're a citizen, aren't you, Bill?"; and Rohl replied that he was not (R. 4098).

The foregoing testimony is confirmed by a report of the Federal Bureau of Investigation made by Agent Don C. Bird at Richmond, Virginia, on July 3, 1944, who interviewed Claterbos and obtained among other things the foregoing information (R. 4096 Exhibit 70).

Hans Wilhelm Rohl testified before the California State Legislature Joint Fact Finding Committee on Un-American Activities, February 27, 1943, that *before the basic contract was signed* he told the then Major Wyman that he was an alien (Tenney Testimony, 3807). He testified,

On this particular contract, contract 602, being a secret contract, of course, I told him—I had to tell him. (Tenney Transcript, 3808.)

The time that this information was given to Colonel Wyman was fixed as being prior to the award of the contract; in this respect, the Tenney Transcript indicates the following testimony:

Question: When you first obtained the contracts for the construction of military installations did you tell Major Wyman that you were an alien?

Answer: I did on the Hawaiian Constructors. (Tenney Transcript, 3807.)

Mr. Rohl testified that he was familiar with the provisions of the law regarding such contracts. He testified further before we took this contract the War Department was told (Tenney Transcript, 3809).

From a letter in testimony from James A. Dillon, Immigration Inspector, Honolulu, T. H. (see Immigration file) it is shown that Wyman knew of Rohl's alien citizenship and that Rohl knew that Wyman had been interviewed in Honolulu by Mr. Dillon, who advised him at that time, February 1941, of Rohl's alien status (R. 4193). Rohl also knew that Wyman had been interviewed by Mr. Dillon and had been informed of Rohl's alien status as indicated by Rohl's testimony in the file of the Bureau of Immigration and Naturalization (R. 4117).⁶⁰

⁵⁹ Colonel Claterbos testified that he was and still is a friend of Wyman's. His testimony can be weighed in that light.

⁶⁰ Portion of examination of Mr. Rohl by Inspector Ellis, Immigration and Naturalization Service, May 22, 1941. (R. 4116.)

It should be borne in mind that Wyman testified that he had no written communications with Rohl, but that he had had telephone conversations. Rohl admitted charges of the House Interim Report true as to calls (R. 2234). Hence it is an inescapable conclusion that Wyman informed Rohl by telephone from Honolulu that Mr. Dillon had interviewed Wyman at Honolulu. Furthermore, no conclusion with regard to the letter of January 22, 1941 from Wyman to Rohl can be reached other than that this letter similarly was furnished by Wyman to Rohl with the express and sole purpose of assisting Rohl in obtaining his naturalization.

In this regard the testimony of Wyman was to the effect that he took no action whatsoever when Rohl failed to comply with the order contained in the letter. The letter of 22 January was furnished for the sole purpose of initiating and expediting the getting of Rohl's citizenship as a special case. It was a fraud in that it inferred to the uninformed who read the letter that such was not its purpose, and that the writer did not know that Rohl was an alien, whereas he did know, and the letter was written for the purpose of this "speed-up," while [267] not committing Wyman to public knowledge of Rohl's alien status. (R. 2056-2058, 3972-3974).

Dillon, Honolulu Naturalization Examiner, received a letter from Los Angeles, under date of February 20, 1941, which came to him through the District Director, at Honolulu of the Immigration Service, which reads as follows:

DISTRICT DIRECTOR,

Honolulu, T. H.:

One Hans (or John) William Rohl, a native and citizen of Germany, is an applicant for United States citizenship in this District, and through his attorney has presented a photostatic copy of a letter addressed to him by Colonel Theodore Wyman, Jr., District Engineer, Post Office Box 2240, Honolulu, T. H.

A copy of the photostat referred to is enclosed, from which it appears that Mr. Rohl's presence in Honolulu is desired in connection with secret contract #W-414-eng-602. In connection with our investigation concerning the applicant's qualification for citizenship, and in order that appropriate recommendation may be made to the court with reference to the matter, please ascertain whether Mr. Rohl at any time representing himself to Colonel Wyman, Jr., as a citizen of the United States.

A reply by airmail at your earliest convenience will be very much appreciated.

/s/ WILLIAM A. CARMICHAEL,

District Director,

Los Angeles District. (R. 4187-4188.)

As a result of this he interviewed Colonel Wyman a few days after February 20, 1941. (R. 4189.) He identified himself to Colonel Wyman by his identification card to the Department of Justice, indicating that he was a Naturalization Examiner from the Immigration and Naturalization Service. He showed him the letter of February 20, 1941 and discussed the matter of Rohl's alien status from ten to thirty minutes with him. (R. 4190.) As a result, the letter was referred back, as it shows on its face, to the District Director at Los Angeles in reply to the letter of February 20, 1941. (This is under date of March 1, 1941.) (R. 4192.) In that letter of March 1, it was written as [268] follows, representing his conversation:

U. S. DEPARTMENT OF JUSTICE,
IMMIGRATION AND NATURALIZATION SERVICE,
Honolulu, Hawaii, March 1, 1941.
665/Rohl

Air mail.

DISTRICT DIRECTOR, IMMIGRATION AND NATURALIZATION SERVICE,
Honolulu, T. H.:

Los Angeles File B-23-1876, HANS WILLIAM ROHL, Feb. 20, 1941.

In accordance with the directions contained in the above captioned letter, I called on Colonel Theodore Wyman, Jr., District Engineer, United States Army, for information regarding subject alien and particularly whether the alien applicant had ever in any manner represented or assumed himself to be a citizen of the United States.

Colonel Wyman in substance stated that he first became acquainted with the alien in California some time ago. That the Rohl-Connolly Company, with which the alien is associated, had done construction work for the Department of the Interior in the Indian country as well as projects on the Colorado River. During the construction of a breakwater in the California area, Colonel Wyman came in contact more or less with Mr. Rohl. During those business relations in California Colonel Wyman, assumed without any basis therefor, that Mr. Rohl was a citizen of the United States. He knew from hearsay that Rohl was born in Germany and that his father had been a professor of engineering in a German university. Colonel Wyman stated the applicant gathered about him in his organization only high-grade men. That the quality of his work was excellent. Contracts were always faithfully carried out. That Mr. Rohl was a man of integrity. His outstanding social diversion was yachting.

As a result of the national defense efforts, the Rohl-Connolly Company, W. E. Callahan Company and another group, organized the Hawaiian Constructors, Ltd., to procure construction contracts in Hawaii. It was in connection with one of these projects that Colonel Wyman wrote his letter of January 22, 1941, to Mr. Rohl. To summarize in a word, Colonel Wyman said the alien never represented himself to be a citizen of the United States and if there was any misunderstanding in that regard it was due to the assumption of such citizenship by the Colonel himself.

(SEAL)

/s/ JAS. P. DILLON,
U. S. Naturalization Examiner.

Respectfully referred to District Director.

[269] Los Angeles District
(stamp) MAR 1 1941

(Signed) W. G. STRENCH,
District Director, Honolulu District.

(Stamped on face of letter) RECEIVED MAR 11 1941. (R. 4193-4194.)

* * * * *
General FRANK. Mr. Dillon, are you positive that in your conversation with Colonel Wyman you made him understand positively that Mr. Rohl was an alien?

Mr. DILLON. Very definitely, yes.

General FRANK. There is no question about that in your mind?

Mr. DILLON. None at all.

Colonel TOULMIN. What did Colonel Wyman say, when you told him that? Did he express surprise, or was it something he apparently already knew?

Mr. DILLON. No. From reading my report in the anteroom before I came into the hearing, Colonel Wyman appeared to be under the apprehension that Rohl was a citizen of the United States.

Major CLAUSEN. That is what he told you?

Mr. DILLON. Yes. (R. 4195.)

And witness the letter of Rohl's attorney, Cannon, to the Secretary of Commerce:

Theodore Wyman, Jr., Lieutenant Colonel, Corps of Engineers, War Department, in charge of all the above-mentioned defense work in Hawaii, has requested Mr. Rohl and the War Department to have Mr. Rohl give his personal service in

connection with the emergency defense work in Hawaii, and as early as January 1941 and at numerous times since that date Colonel Wyman has tendered Mr. Rohl transportation via clipper or boat to the Islands and has stated to Mr. Rohl over interocean telephone that he will personally obtain special permission, because of Mr. Rohl's alien status, to allow Mr. Rohl to work on this secret contract. (R. 2229).

Rohl says Wyman knew he was an alien before the contract was signed in December 1940:

126. General FRANK. Just while we are on this subject, I would like to ask some questions about these telephone [270] conversations that you had with Colonel Wyman, he in Honolulu, and you in Los Angeles. Do you mean to say that never, in any of those telephone conversations, did you ever bring up the question with him about your alien status?

Mr. ROHL. I don't believe I did, General. I took it for granted that he was told that, in Washington.

127. Major CLAUSEN. What did you base that on?

Mr. ROHL. Well, that's what I would like to explain.

John Martin was back in Washington on other matters, not on my business, or Rohl-Connolly business, Hawaiian Constructors' business. He was back on some other business.

128. General FRANK. Having to do with your firm?

Mr. ROHL. No, sir—with other contractors; no one involved in Hawaiian Constructors, and by accident he met Paul Grafe and Tom Connolly and told them not to sign the contract, until he talked to them further; so John Martin called me, in Los Angeles, from Washington, and told me the nature of the contract, and I gave him permission—not permission, but told him to tell Mr. Grafe and Mr. Connolly my alien status; which he did.

129. General FRANK. Who was responsible, in trying to get the group of contractors interested in this Hawaiian project? Was it, or was it not, Colonel Wyman?

Mr. ROHL. Yes.

130. General FRANK. It was Colonel Wyman?

Mr. ROHL. He was interested in getting a group of contractors.

131. General FRANK. Including the Rohl-Connolly Company, the Callahan Company, and the Gunther & Shirley Company?

Mr. ROHL. Yes, sir.

132. General FRANK. Now, Colonel Wyman, Mr. Connolly, and Mr. Grafe were in Washington together, in a group, discussing this contract, were they not?

Mr. ROHL. Yes, sir.

133. General FRANK. And a hitch that came up in consummating the contract was your alien status, is that correct?

Mr. ROHL. General, by that do you mean—now, I have no knowledge of my own whether Mr.—

[271] 134. General FRANK. Well, I will put it in different words. Maybe the words "consummating" bothers you. You and they felt that you could not participate in the contract because it was a defense project and you were an alien?

Mr. ROHL. That's right.

135. General FRANK. That is correct, isn't it?

Mr. ROHL. That's correct.

136. General FRANK. Therefore, there was some question, considerable question, as to whether or not the Rohl-Connolly Company could participate in this project?

Mr. ROHL. No, General.

137. General FRANK. There was, until you get out of it?

Mr. ROHL. There was no question about Rohl-Connolly Co.

138. General FRANK. To whom were these letters being written, and with whom was this conversation by Wyman, in the United States. It was with you, wasn't it?

Mr. ROHL. General, you mean the letter from the Hawaiian Islands?

139. General FRANK. Yes, the letter was to you?

Mr. ROHL. Direct.

140. General FRANK. Rohl, by name?

Mr. ROHL. Yes, sir.

141. General FRANK. And the telephone conversations by Wyman were with you, Rohl, by name?

Mr. ROHL. That's right.

142. General FRANK. You were the person that he was interested in getting over there; is that not correct?

Mr. ROHL. That is correct.

143. General FRANK. Yes. You were the person that he wanted on the job, as stated in the letter that was written to expedite your naturalization, that is correct, isn't it?

Mr. ROHL. That is correct.

144. General FRANK. Therefore, you were the man who was concerned, and whose alien status threw a monkey-wrench into the smooth operating of getting this contract through, [272] in Washington, because unless you pulled out, the Rohl-Connolly Company could not participate in the project; that is correct, isn't it?

Mr. ROHL. General, by that do you mean, unless I pulled out—

145. General FRANK. As an official.

Mr. ROHL. As an active manager?

146. General FRANK. Yes. That was correct, wasn't it?

Mr. ROHL. That is correct.

147. General FRANK. Therefore, there was some complication because of your personal status as an alien, wasn't there?

Mr. ROHL. No, General.

148. General FRANK. Well, you just said so.

Mr. ROHL. Well, I never had any intention of going to the Hawaiian Islands and managing that contract.

149. General FRANK. Nevertheless, Colonel Wyman in his conversation and in his letters was rather insistent on having you there, was he not?

Mr. ROHL. That's right.

150. General FRANK. Now, since your alien status was the one thing that interfered with this thing, since your alien status was the one point that had to be cleared up in Washington, since your alien status was the one thing that blocked your going to Honolulu, and since Wyman, on the other side, was so insistent on having you come there, do you mean to say that Wyman was never told about it?

Mr. ROHL. Oh, Wyman was told about it. (R. 2239-2240-2241-2242.)

Thomas B. Shoemaker, Deputy Commissioner, Legal Branch, Philadelphia, testified that he was in the Los Angeles office when the letter of January 22, 1941, was brought in, shortly after that day, to the Los Angeles office of the Immigration Bureau, as the basis for expediting Rohl's citizenship. It is on the basis of that and General Kingman's letter⁶¹ and the [273] activities of four lawyers, the Martin brothers, Cannon, and Galloway, former assistant attorney general of the United States, that Rohl's application for citizenship was expedited.⁶² He testified that the report of the inspector on May 24, 1941 in Los Angeles recommending that a warrant for Rohl's arrest be issued and he be deported for illegal entry into the United States was outweighed by the efforts of Colonel Wyman, as a certificate from an Army officer that the alien was needed on a national defense contract would counterbalance the alien's past actions.

He said the result of all these efforts was to expedite Rohl's citizenship, which was granted in September 1941. At that time there was also on the statute books the present statute that an alien enemy would have an entirely different status of naturalization than Rohl

⁶¹ Also letter or wire from Wyman to some Immigration and Naturalization official stating that Rohl was an alien and requesting that his application for citizenship be expedited which communication could not be found in the files of the Immigration and Naturalization Bureau. (R. 2453-2454.)

⁶² See testimony of Benjamin L. Stilphen, lawyer-expediter for the Chief of Engineers. (R. 1540.)

enjoyed, as we were not yet at war with Germany, and that was one of the real reasons, in addition to Wyman's solicitude for the Hawaiian contract, that Rohl was pressing so hard with four lawyers to get naturalized. The fee for a lawyer acting in this capacity is fixed by statute at \$25. It is obvious that these four lawyers were not in the class of such payment of fees. Shoemaker testified it was unnecessary to have a lawyer for any man to become naturalized if it was justified. (R. 4 790.)⁶³

In confirmation of the foregoing is the letter of Rohl's attorney, Cannon, who was handling his trouble with his alien [274] status which had resulted in Rohl being fined \$25,000 for holding in his name as an alien vessel over 75 feet in length. This letter reads:

Theodore Wyman, Jr., Lieutenant Colonel, Corps of Engineers, War Department, in charge of all the above-mentioned defense work in Hawaii, has requested Mr. Rohl and the War Department to have Mr. Rohl give his personal service in connection with the emergency defense work in Hawaii, and as early as January 1941 and at numerous times since that date Colonel Wyman has tendered Mr. Rohl transportation via clipper or boat to the Island and has stated to Mr. Rohl over interoceanic telephone that he will personally obtain special permission because of Mr. Rohl's alien status, to allow Mr. Rohl to work on this secret contract. (R. 2229.)

Rohl testified that Wyman knew he was an alien before the contract of Hawaiian Constructors was signed in December, 1940. Witness the following:

160. General FRANK. Now, since your alien status was the one thing that interfered with this thing, since your alien status was the one point that had to be cleared up in Washington, since your alien status was the one thing that blocked your going to Honolulu, and since Wyman, on the other side, was so insistent on having you come there, do you mean to say that Wyman was never told about it?

Mr. ROHL. Oh, Wyman was told about it. (R. 2242.)

This is the same testimony that Rohl gave before the Tenney Committee in February 1943 (p. 3807):

"Q. When you first obtained the contracts for the construction of military installation (construction), did you tell Major Wyman that you were an alien?

"A. I did, on the Hawaiian Constructors.

"Q. But you didn't, on any other projects?

"A. We don't have it. There are no restrictions. I mean, on a government contract you are not questioned as to whether you are a citizen or not, but on this particular contract, contract 602, being a secret contract, of course, I told him. I had to tell him." (R. 2243.)

The foregoing testimony is significant in connection with what happened at Washington thereafter when Grafe, Connolly and Wyman were jointly working to get from the Corps of Engineers [275] the contract for Wyman's friends, Rohl-Connolly Company, the Callahan Company, and the Gunther & Shirley Company:

General FRANK. Just while we are on this subject, I would like to ask some questions about these telephone conversations that you had with Colonel Wyman, he in Honolulu, and you in Los Angeles. Do you mean to say that never, in any of those telephone conversations, did you ever bring up the question with him about your alien status?

Mr. ROHL. I don't believe I did, General. I took it for granted that he was told that, in Washington.

Major CLAUSEN. What did you base that on?

Mr. ROHL. Well, that's what I would like to explain.

⁶³ See also Barber (R. 3972-3974), Combs (R. 2428).

John Martin was back in Washington on other matters, not on my business, or Rohl-Connolly business, Hawaiian Constructors' business. He was back on some other business.

General FRANK. Having to do with your firm?

Mr. ROHL. No, sir—with other contractors; no one involved in Hawaiian Constructors, and by accident he met Paul Grafe and Tom Connolly and told them not to sign the contract, until he talked to them further; so John Martin called me, in Los Angeles, from Washington, and told me the nature of the contract, and I gave him permission—not permission, but told him to tell Mr. Grafe and Mr. Connolly my alien status: which he did.

General FRANK. Who was responsible, in trying to get the group of contractors interested in this Hawaiian project? Was it, or was it not, Colonel Wyman?

Mr. ROHL. Yes.

General FRANK. It was Colonel Wyman?

Mr. ROHL. He was interested in getting a group of contractors.

General FRANK. Including the Rohl-Connolly Company, the Callahan Company, and the Gunther & Shirley Company?

Mr. ROHL. Yes, sir.

General FRANK. Now, Colonel Wyman, Mr. Connolly, and Mr. Grafe were in Washington together, in a group, discussing this contract, were they not?

Mr. ROHL. Yes, sir.

General FRANK. And a hitch that came up in consum- [276] mating the contract was your alien status, is that correct?

Mr. ROHL. General, by that do you mean—now, I have no knowledge of my own whether Mr.—

General FRANK. Well, I will put it in different words. Maybe the word "consummating" bothers you. You and they felt that you could not participate in the contract because it was a defense project and you were an alien?

Mr. ROHL. That's right. (R. 2239-2240.)

Wyman was in Washington, as his testimony shows, and, as he admits, with Connolly of the Rohl-Connolly Company and Paul Grafe of the Callahan Company. It was on this trip they were occupying the same rooms together at the Hotel Carlton. It was then that the citizenship question came up which stopped the whole thing.

The letter of January 22, 1941,⁶¹ was written by Wyman to Mr. Rohl, Rohl-Connolly Company. This letter created an inference of lack of knowledge of Rohl's alien status by Wyman. Wyman stated before this board that at that time he did not know that Rohl was an alien. That was a false official statement. This letter was obviously written to furnish a basis of getting Rohl to Hawaii and to use any reply to it or action initiated by his letter as a means of pressing the government to expedite Rohl's naturalization.

The testimony of Connolly and Grafe as to their Washington trip and the holdup due to this alien citizenship matter of Rohl is significant. (R. 2162-2170, 2189-2199, 2290-2318.) [277] The fact that Rohl changed his position as president in December 1940 before the contract was signed, in the light of Connolly's testimony of the reason therefor, because of Rohl's alien status, again confirms that these co-conspirators well knew that there would be no contract unless Rohl was camouflaged in the background until they could get him admitted to citizenship. (R. 2160-2161, 2167-2168.)

It is further significant that when Rohl was confronted with his testimony in February, 1943 to the same effect that he had previously given before this board he began then to see the impact of his admissions and endeavored to get out by claiming some error in the Tenney records. (R. 2243-2245.)

⁶¹This letter shows Rohl was addressed as a part of the Rohl-Connolly Company, the letter refers to "secret contracts No. W-414-Eng-602 with the Hawaiian Constructors" and "as you are actively interested in this venture" etc. (R. 3530.)

Again before the Tenney Committee, before whom he admitted having given testimony as before this board (R. 2246-2247) he testified as follows: after having read to him the statute against an alien having anything to do with a secret defense contract he testified before the Tenney Committee,

Absolutely. Now, as a matter of fact, before we took this contract, the War Department was told.

So here again we have proof that he knew perfectly well that Colonel Wyman was fully advised because when questioned he said

Now, whether Mr. Grafe of Mr. Connolly or Mr. Martin told Colonel Wyman, or any one in the Engineer Department that, I don't know. I simply took that for granted. (R. 2247.)

It is obvious that Rohl was not the type of man, on a matter of this vital importance, holding up a contract that ultimately amounted to \$100,000,000, that he would take anything for granted unless he was certain it was so; and one of the things of which he was very certain and to which he repeatedly testi- [278] fied was that Wyman did know he was an alien before Wyman went to Washington to negotiate the contract.

Rohl testified, as a matter of fact, that his alien status was not a secret, saying

There was no reason at all for dodging that point. I mean, it was a fact. I didn't keep it a secret. (R. 2258.)

In attempting to protect his co-conspirators, it will be noted in Rohl's testimony that from time to time, after fully and frankly testifying as to one set of facts and having done so at other times to the same effect, when he was cornered he would try to change his testimony, not once but many times. Under such circumstances the truth probably is that testimony of Rohl's which was the natural and logical testimony that he did tell Wyman when they were negotiating the contract, because he knew, as did Wyman, that that was a fatality they would have to overcome or there would be no Hawaiian Constructors, including the Rohl-Connolly Company.

II. Refusal to Accept Low Bidder on Hawaiian Contracts: Wyman Preferring His Friends

After Colonel Wyman arrived in the Islands following the formation of the Hawaiian Constructors he asked for bids on construction work involving rock excavation, furnishing of rock excavation, furnishing of rock and similar heavy construction. The bids were asked for on two bases, a bid on each individual job and a bid on the total job. The Hawaiian Constructors were one of the bidders and established local contractors with going organizations and equipment and quarries were the other bidders. These local contractors were all organizations of long standing in the Islands, who had constructed some of the largest installations in the Is- [279] lands for both Army and Navy and were fully competent to do the work.

When the bids were opened publicly, a local contracting firm, Clarke-Halawa Rock Company, headed by Mr. Chester R. Clark, was the low bidder. Despite the fact that as a matter of law the District Engineer, Colonel Wyman, was required to place the bid with the low bidder and thereby save the government a sum estimated as \$300,000 by Mr. Clark, the low bidder.

But this action of Colonel Wyman's was not the end of this transaction. The bids stipulated that the work must be completed within 90 days from the acceptance of the bid. Upon the expiration of the 90 days from the date of the bid by Colonel Wyman to Hawaiian Constructors, the latter had not fulfilled the terms of bid and had not proceeded with the contract, thus losing the government three months' time, where time was vital and was so stipulated in the invitation to bid and in the proposals by the contractors. Thereupon Mr. Clark wrote to Colonel Wyman and asked that the award be revoked and the bids reopened and again Colonel Wyman refused to desert his "friends," the Hawaiian Constructors.

In the very beginning Mr. Clark wrote and called upon Colonel Wyman, as had been his custom with other district engineers for whom he had worked satisfactorily. He was told that Colonel Wyman had other plans and did not want anything to do with him. (R. 3627, 3633.) He thus shut off direct dealings with local contractors as a part of his, Wyman's, plan as shown by the facts before this board, to deal exclusively with the Hawaiian Constructors headed by his friend, Rohl, and thus violated all dictates of good business, the best interests of the government, and action that would have expedited [280] the contract through contractors who had going organizations, resident in the Island, with ample equipment, quarries, men on the ground, working and with no need to be imported. (R. 3627-3628.)

It is worth quoting the testimony of Mr. Clark on this subject: _____
when the bids were opened on the 12th of May, 1941, a group of contractors, local contractors, were the low bidders as individuals, on individual airfields, but the organization headed by Mr. Rohl, Gunther-Shirley and I think by Mr. Grafe, were the ones that had—and also a bid by McKee and Company—were high on the total for all the airfields. Adding up the individual bids we were several hundred thousand dollars low and when I consulted with Colonel Wyman in regard to the saving to the government he informed me that all of the local bids were being thrown out and the contract would be awarded to the Rohl-Connolly organization. We thought that quite unfair at the time and wrote two letters to the Engineers in protest, and both of them were ignored. (R. 3627.)

He testified that the bids were publicly opened. He was present at the opening of the bids in the usual manner. He then testified:

Had we been awarded these contracts, my own organization on the Molokai and the Akioia on the Hawaiian one, and the Hawaiian Constructors on the Maui field, all of us would have those fields completed within the year 1941.

He further said:

That was the idea, to get the fields in usable condition, and the bids specified that they should be within use within a hundred days.

Accordingly, Mr. Clarke said:

I wrote a letter to the United States Engineers on the 100th day, asking them what was being done, and the letter was ignored, because we felt that we had a right to protest, owing to the fact that the jobs were being unduly hampered and not started. (R. 3628.)

He stated that his bids were \$300,000 less than the bids of Hawaiian Constructors. (R. 3629.)

The services of his organization were used later by the Hawaiian Constructors as sub-contractors and suppliers of [281] rock and material from the quarries of Clark's company, the Clarke-Halawa Rock Co. Mr. Clarke's record of construction work he had performed in the Island is impressive. (R. 3630-3632.)

Mr. Clarke testified as to repeated news of and discourtesy and arrogant treatment by Colonel Wyman, in entire contrast to all previous District Engineers. (R. 3633-3634.)

He also testified to the constantly drunken condition of Rohl as soon as he got to the Islands and his lack of any help to the work in the Islands. (R. 3634-3636.)

Clarke's experience was not the only one. Mr. Robert E. McKee, general contractor, was in the Islands at this time and had been for several years, constructing Hickam Field and other large government installations. His organization is one of the largest in the country, having completed enormous contracts with the Federal Government in the United States and abroad. He is one of the leading contractors in the United States and heads a firm of great wealth and high reputation for integrity and compliance with its contracts. The story of how McKee's organization was summarily discarded by Wyman is best told in Mr. McKee's words. It is to be noted that McKee had a going organization fully equipped with able men and equipment ready to do business whereas the Hawaiian Constructors were mainland people who had not operated in the Islands and had to import such second- or third-grade men as they could recruit and they were without complete equipment which all agree, including Colonel Wyman, were two primary factors in delaying the work of the Hawaiian Constructors, i. e., the lack of men and lack of equipment and materials.

[282] Here you have some of the reasons for the great delay in getting the work done on these secret defense contracts under Wyman's direction. He refused to take the existing organizations, fully equipped with men and equipment, and went to great trouble to assemble his friends whom he had dealt with in Los Angeles (The Rohl-Connolly Company, The Callahan Company, and the Gunther-Shirley Company) into a new organization and have them start from scratch to assemble men, who were then very scarce, and equipment, that was even scarcer, and get them into Hawaii and try to get started.

It was not until sometime later that any local contractors were taken into the "party" of Wyman's with his favorite contractors. Let it be remembered that the primary excuse given by Wyman for the Hawaiian Constructors was that he had to get somebody whom he knew would be able and efficient to do the job and who was equipped to do it and that he could not trust anybody else. This board finds that such excuses were not founded in fact.

After he began to find that the Hawaiian Constructors were not producing and the work was extremely slow because of the defective organization of the Hawaiian Constructors, their lack of men who were skilled and competent, their lack of machinery, etc., Hawaiian Constructors then invited in two local contracting concerns, Hawaiian Contracting, Inc., headed by Bensen, and the Woolley Company, headed by Woolley.

III. Irregular Purchases Of Machinery By Wyman From The Hawaiian Constructors and Associates

The next chapter on the "side profits" of Hawaiian Constructors, was the following transaction:

[283] Wyman knew that he was going to be relieved on the 15th of March. On the morning of the 12th of March he directed his

second-in-command, Colonel Robinson, to have their official Corps of Engineers appraiser, a civilian named Parker, appraise the machinery of the Rohl-Connolly Company which had been shipped by the latter from Los Angeles some three months before destined for Christmas Island but not being able to unload there it was returned to the U. S., additional renovation work on it was done, and it then was shipped to Hawaii. Parker was instructed to bring back his appraisal by that night. He was given the price of \$166,000 which the Rohl-Connolly Company wanted for this equipment with a list of the machinery and the price wanted. Parker took with him a representative of the Hawaiian Constructors and by great effort he traveled over the Island on the 12th to visit various parts of the Island where the equipment was located.

He found some of the machinery was in bad condition, that some of its defects had been repaired and then painted over, and some of the repairs were of such character that they were unsatisfactory. (R. 3794.) Parker was an experienced appraiser before he came to the Corps of Engineers and knew Island values.

He completed his appraisal at eight o'clock the night of the 12th and delivered it to Colonel Robinson. His appraisal was \$131,000. (R. 3783, 3808.) The latter expressed his disagreement with the appraisal value and the following day called Parker into a meeting with the Hawaiian Constructors, at which were present Rohl, Woolley, Benson and Middleton. (R. 3784.) Parker was placed at a table with these men by himself while Robinson went off and left him. Rohl and Middleton of Hawaiian [284] Constructors did the talking. (R. 3790.) He was then subjected to great pressure to have him change his appraisal, which he refused to do. The testimony of Parker on this score is significant:

They had papers there of figures showing that they had spent so much money fixing up these trucks and the shovels and so forth, and I said, "Well, I still consider that my appraisal is fair, and even though you fixed it up", I said, "It was a poor job, because there's cracks in the pumps, all the shovels are not running and the trucks are broken down right now, and," I said, "They did a very good job of painting over all these defects." (R. 3785.)

Thereafter Robinson developed, under Wyman's direction in cooperation with Hawaiian Constructors, that rental should have been paid on this equipment; and that, if such rental had been paid, the price would have been what the Rohl-Connolly Company wanted, as the rental plus the appraisal of Parker would have amounted to that sum or slightly more.

The basic contract provided, for the rental of equipment through written transactions duly approved by the Secretary of War. There is no scrap of paper found by us showing this was done. As showing how unfounded such rental was, it is to be observed that the purchase price was one thing and the rental was another and so recognized by the contract. (R. 3810.)

In the purchase of equipment outright, rental should not have been combined with the purchase price of the equipment, because the voucher for the purchase must certify that the bill is "correct and just". In this case the voucher was issued for \$166,000 whereas Robinson admits that the appraised value was 26% less. (R. 3811.) The voucher for \$166,000 was therefore in error as the actual value of the machinery was only \$131,000 according to Robinson's own story. The

balance of the \$166,000 was rental which the contract required be handled in an entirely [285] different way.

This 26% of the total value for rental as approved by Wyman and Robinson was the government possession of the equipment for two or three months. (R. 3814.)

The equipment was second-hand to begin with when they loaded it on the to the government transport "Luddington" at Los Angeles. No appraisal was made of it at that time as could have been easily done. (R. 3610.) It was then finally brought to Hawaii and apparently was used to some extent during this period of two to three months.

As to this matter we find the report of the Inspector General, Colonel Hunt, significant. He said (p. 15, par. "e") :

It appears to be reasonably certain that the equipment in question had been in actual use for various lengths of time during January, February, and part of March at the time of purchase, although use records are not available and apparently were not maintained. There was no record of any rental agreement relating to any of this equipment. It is quite possible that assuming the fairness of Mr. Parker's appraisal on 12 March, the equipment had a substantially higher value when delivered to the site of use or at point of shipment. It does not, however, appear that a depreciation of a approximately \$35,000 in value, or about 26% could have occurred in that period. No suitable basis was available upon which to reconstruct a fair value to apply to the equipment as of the date of delivery. Mr. Rohl's efforts to sway the appraiser's judgment by reference to rentals due, seems an obvious effort to distort the facts in his own favor. All trace of the retained voucher and supporting papers was missing. No memoranda or other papers were found in connection with Colonel Wyman's letter directing the purchase at Mr. Rohl's figures. In the absence of justifying evidence or testimony, the conclusion seems inescapable that Colonel Wyman was unduly swayed, contrary to the Government's interests, by an unwarranted acceptance of these representations of Mr. Rohl in the face of conflicting recommendations. (R. 3827-3828.)

There is no document that could be found by this board, despite its efforts to do so, and the demand of the Corps of Engineers and of Robinson to produce any document of this nature, in conformance with the contract, allowing rental. [286] (R. 3815-3816.) To allow rental under the guise of the sales price of the equipment by Rohl-Connolly Company to the government was irregular. This was well known by Wyman and Robinson when they conducted and consummated this transaction. Robinson testifies that he did this under Wyman's direction and with Wyman's full knowledge. (R. 3824-3825-3826.)

The reason for the great haste in making this transaction was given by Colonel Robinson. He said that Colonel Wyman was relieved as of the 15th and he wanted to close up this "loose end." (R. 3827.)

The claimed rental appears exorbitant, even if legally paid, because under the circumstances 26% for two to three months use for second-hand equipment was obviously high.

The Board believes that the plan to pay rental and include this amount in the purchase price of the equipment was an afterthought. It was not in contemplation of the parties, at the time of the agreement, to have the equipment delivered to the government. In Wyman's prepared statement, delivered under oath, he said :

It was decided in October 1941 that the equipment in question was needed on Christmas and Canton Islands in connection with the construction work being done there by Hawaiian Constructors under contract No. 1-414-eng-602. It was discovered that the Rohl Connolly Co. had the needed equipment available at a project it had just completed in Arizona, at Highgate Dam, Parker, Arizona.

The Government could either rent or buy this equipment. Since it was to be shipped to these remote islands, it was agreed that the equipment should be bought by the Government. (R. 3412-13.)

In view of this agreement to buy, it would have been more equitable and resulted in the better protection of the government's interests had a fair value for the equipment at the time of delivery in early December, 1941, at Los Angeles, been determined and paid. Such value could have been [287] established on March 12th very easily, as the equipment had been used little prior to that time.

The procedure to establish the right of Rohl-Connolly to collect rentals and the methods used in assessing the rental values all appear to be very irregular.

The second incident of the purchase of machinery that was against government interest was that involving the Hawaiian Contracting Company. This incident was the subject of inspections by the Inspector General, Colonel Hunt and by Colonel Nurse (R. 3999), the official bottleneck buster.

Here follows the story of the second purchase of equipment by the Corps of Engineers in Hawaii.

The testimony of Colonel Nurse on this subject is significant to the effect that he inspected this equipment, which was purchased by Colonel Wyman for \$156,411 from the Hawaiian Contracting Company.⁶⁵ He, (Nurse) found that since the date of the purchase much of it apparently was never used because it was worthless or obsolete. Some of it had never been moved from the original yard in which it was at the time of the appraisal and this despite the fact that during this entire period there was the greatest demand for this type of equipment. Colonel Nurse produced his contemporaneous reports as to this situation and we quote from his testimony as follows:

Colonel NURSE. In 1943, in one of our investigations, we became aware that there was considerable equipment stored in the Hawaiian Contractors' yard that belonged to the Government and never had been removed . . . (R. 3999.)

Colonel Nurse then read from the report that he had made, as follows:

[2887] —“found stored in the yard of the Hawaiian Contracting Company, a large amount of construction equipment and tools which had been acquired by the U. S. E. D. on 15 March 1942 for \$147,611.00. A good deal of this equipment is apparently in unserviceable condition, though it is felt that much of it could be put back in service or parts stripped for repair of other equipment. Some few items on the original purchase order had been removed and receiving reports are being checked to determine if it was received by the U. S. E. D. The list of equipment remaining includes such items as: automobiles, draglines, buckets, bulldozers, compressors, cranes, drill machines, finishers, graders, hammers (pile driving), hoists, mixers, pumps, road rollers, scrapers, shovels, spreaders, tractors, trucks, trailers, and also three lighting outfits (new). Apparently the fact that these belonged to the Government was overlooked until the curiosity of a B. B. was aroused through having done some snooping. This information, together with a list of equipment has been turned over to Captain Spencer, who will take immediate action in removing it to his Base Yard.” . . .

General FRANK. Do you have reason to believe or to know that after that equipment had been bought it had never been removed from the yard?

Colonel NURSE. Well, I saw it, a great deal of it, myself, and the grass and the weeds were grown up around it so that you couldn't—some of it was hard to find. They just had to go out there and dig it out, send men in there to cut the weeds and grass in order to get some of it out where they could move it. . . .

⁶⁵ Note the difference from Hawaiian Contractors

General FRANK. Well, were they extremely short of equipment over there, so that they normally were in need of it and would have used it?

Colonel NURSE. Yes, but a big portion of this equipment was unserviceable, and I was led to believe that it was remaining in this yard for repair at such time as the Hawaiian Constructors could get around to do the work, but the superintendent there of the Hawaiian Constructors told me that the U. S. E. D. had turned in so much other equipment for repair that he just was bogged down; he never had been able to get at the repair of this equipment that was purchased from them. (R. 4000-4002.)

Please contrast this finding of failure to use with Colonel Robinson's statement that they bought the equipment from Benson and the Hawaiian Contracting Company as a member of the Hawaiian Constructors because of the urgent need for the equipment. The facts completely refute his statement and a reasonable investigation of the records of the Corps of Engineers, [289] such as Nurse's report, would have prevented him from making such a statement. For instance:

General RUSSELL. Based on that list which you saw representing the items of equipment purchased and the list which you compiled of the unused part of those items, it is now your testimony that the greater part of this property was never used by the Government?

Colonel NURSE. That is my opinion, yes, sir, that is it was not used, with the exception of a few items which were unserviceable. Two lighting outfits were brand-new, never had been taken out of the box, but outside of that I think all the rest of the equipment in the yard, with the exception of a crane they had there that couldn't very well be moved, was unserviceable, and it was held, a good deal of it, with the idea of repairing it, although much of it was antiquated equipment there that—well, there were mule-drawn dump wagons and things of that sort that we never would use in this day and age. . . .

Colonel TOULMIN. As a matter of fact, Colonel, it was a bunch of junk, wasn't it?

Colonel NURSE. That that remained in the yard, with the exception of a few items.

Colonel TOULMIN. With the exception of the two lighting outfits and the one crane, it was a bunch of junk, wasn't it?

Colonel NURSE. I would tell you that was pretty nearly true.

Colonel TOULMIN. Wasn't there a demand for good equipment in the Islands?

Colonel NURSE. Yes, sir.

Colonel TOULMIN. And anybody who bought that as a bunch of junk wouldn't be getting anything he could use, would he?

Colonel NURSE. Some of it could be repaired, and I think they had requisitioned parts for the repair of some of the items.

Colonel TOULMIN. That had never been done, had it?

Colonel NURSE. They hadn't received parts up to the time I made my investigation.

General FRANK. And this was a year after it was bought?

Colonel NURSE. Yes, sir.

Colonel TOULMIN. And in the interim of that year [290] there was a great demand for machinery, wasn't there?

Colonel NURSE. There was. (R. 4006-4007.)

A statement of this transaction is clearly set off in the report of the Inspector General, Colonel Hunt. He says:

The procedure was to base payment upon an appraisal to be made by a Mr. Bruce Gentry, representing the Hawaiian Constructors; a Mr. H. J. Rohlee, employee of the Edward R. Bacon Company of Honolulu and a third man representing the owner. In the case of the equipment purchase now in question, the third party was Mr. Edward Ross, employee of the Hawaiian Contracting Company. These three appraised the equipment in question, placing an upper value of \$156,150 upon it. This appraisal was substantially the amount named in a letter addressed by Mr. Rohl to the District Engineer dated 9 January, 1942. In this case, the Government was not properly represented. Mr. Rohlee, ostensibly the Government's representative, owed his livelihood to the Edward R. Bacon

Company, of which the Hawaiian Contracting Company was a substantial customer in equipment purchases, his interests relating to those of his employer and its substantial customer. Mr. Gentry was a contractor employee and Mr. Ross obviously served the interests of the vendor.

Page 14, paragraph "c":

The items hauled to salvage, unused, totaling \$9,100, were examined by the investigating officer. These items were so far obsolete as to warrant the description "archaic". Some of the Watson wagons (hand operated, bottom dump wooden wagons) were arranged for animal draft, while others had been equipped with trailer tongues. All had been robbed of metal parts before the purchase, some were badly rotted and others were termite eaten beyond any possible usefulness. Scrapers, scarifiers and like items were incomplete, badly rusted and of doubtful useability, even in an extremity. Other items accepted and taken into possession of the District Engineer subsequent to 1 July 1942 aggregated another \$20,511. These last items were useable, but their acquisition was totally unnecessary, suitable like items having been available in sufficient quantity prior to acceptance by the District Engineer's forces.

Page 15, paragraph "d":

This transaction was directed by Colonel Wyman on 13 March 1942, and payment was effected in the same manner as in the case of the Rohl-Connelly equipment (paragraph 7). The files yielded no correspondence in the matter other than that mentioned herein. In the course of Major Lumsden's inquiry, it developed that the District Engineer's appraiser had undertaken an appraisal of some items of this equipment, had been denied access to it on [291] the first attempt, and had later been permitted to examine it with the result that on the items inspected, values were recommended which were in substantial agreement with those later used, in the actual purchases. Nothing further was done at that time, however, and when the purchase was finally directed, this appraisal was ignored and the new one made as indicated above." (R. 3828-3829-3830.)

When Colonel Robinson was asked why worthless equipment was bought along with equipment that was usable from the Hawaiian Contracting Company, he said that the contractor refused to sell the good without the worthless (R. 3614-3616), so the government bought worthless property and the usual government certificate was issued as the basis for the voucher certifying the bill was "correct and just". The purpose of the certificate is to prevent matters of this character from occurring.

Henry P. Benson, who headed the Hawaiian Contracting Company, took the position that he would not sell the good equipment to the government which it needed without taking the junk off his hands. The following is probably explanatory of the holdup of the government that Colonel Robinson and Colonel Wyman permitted.

Colonel TOULMIN. And playing fair, so-called, with the contractor at the government's expense by taking the junk off his hands, because he wouldn't sell you the good equipment without the junk: isn't that it? That what you testified to.

Colonel ROBINSON. Well, your wording is different than mine, sir, but it's all right. . . .

Colonel TOULMIN. Well, then do you want us to understand that all the equipment you bought was good equipment?

Colonel ROBINSON. No, sir. I have testified to the condition of the equipment. Colonel TOULMIN. Some of it was good and some was worthless or substantially worthless; is that right?

[292] Colonel ROBINSON. Yes, sir.

Colonel TOULMIN. All right. Benson told you that he wouldn't let you have the good equipment unless you took the other stuff that wasn't so good or was worthless with it; that is right, isn't it?

Colonel ROBINSON. Yes, sir. (R. 3615-3616.)

In this connection it is to be noted that Colonel Robinson said: "We desperately needed equipment." (R. 3616.) Contrast that statement of "desperately needed equipment", for which the price of

\$156,411 was paid, with the fact that it turned out to be either unnecessary because suitable items had been available in sufficient quantities at that time to the Corps of Engineers, or "items were so far obsolete as to warrant the description 'archaic'". (R. 3829-3830.)

The evidence before the Board lacks definiteness as to the exact value of the property purchased from the Hawaiian Contracting Company. The Board believes, however, that the evidence indicates that the price paid was very excessive and fails to establish a valid reason for paying any sum for worthless equipment. This matter should be further investigated.

C. SUMMARY

Colonel Wyman's conduct in the Hawaiian Islands resulted in many delays in the completion of essential defenses. His association with Hans Wilhelm Rohl, German alien, and an interested member of the Hawaiian Constructors, was improper in a government agent. The award of the contract to the Hawaiian Constructors was favoritism on the part of Wyman and resulted in selecting an organization that was put together for the purpose of the Hawaiian contracts and was not equipped with personnel, mechanical equipment or organization to promptly and effectively do the work; and the result was that delays occurred. Additionally, there were contractors, resident in [293] the Islands, and contractors from the mainland working in the Islands, who had organizations, equipment, personnel, and the facilities for doing the same work more promptly. These men and their organizations excluded arbitrarily by Colonel Wyman.

We find that Wyman committed the following overt acts amongst many others:

(1) Knowingly made a false official statement as to his knowledge of Rohl's alien status.

(2) Wyman refused to accept the low bidder on a Hawaiian contract and gave the bid to the high bidder, which exceeded the low bidder by a large sum.

(3) Wyman made irregular purchases of equipment from the Hawaiian Constructors and their associate companies and directed payment incorrectly certifying the bills as "correct and just."

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CHAPTER VI. CONCLUSIONS

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CHAPTER VI. CONCLUSIONS

I. EXPLANATIONS

As a prelude to the citation of conclusions the following is pertinent:

1. Scope

Attention is called to the fact that the record developed by the investigation of this Board contains a great amount of evidence, both oral and documentary, relating to incidents and issues about which no conclusions are drawn. Evidence was introduced on these so that anything which might have had a bearing on the Pearl Harbor disaster would be fully explored. The Board considered that its mission implied the revealing of all pertinent facts to the end that charges of concealment would be fully met. In formulating its conclusions the Board has selected for treatment only those things which it considers material for a clear understanding of the events which collectively caused the Pearl Harbor disaster. The full report of the Board discusses and analyzes the testimony in its entirety and must be read for a clear understanding of the history of the Pearl Harbor attack.

2. Estimates upon which action was based

The responsible officers in the War Department and in the Hawaiian Department, without exception, so far as this Board has been able to determine, estimated the situation incorrectly. They were influenced in this estimate by facts which then seemed to impel the conclusion that initially the impending war would be confined to the land and seas lying south of the Japanese homeland, as forces of the Japanese Army and Navy were concentrating and [296] moving in that direction. British and Dutch forces were being organized and made ready to move in opposition. The Philippine Islands which were in this theater constituted a threat to the flank of the Japanese forces if the United States should enter the war. Supplies and reinforcements were being rushed to the Philippines. There was complete ignorance of the existence of the task force which attacked Pearl Harbor. Intelligent officers in high places made the estimate and reached the conclusions in the light of these known facts. They followed a sane line of reasoning. These statements are in explanation, not justification.

The estimate was in error. The procedure in arriving at it was faulty, because it emphasized Japanese probabilities to the exclusion of their capabilities. Nevertheless, the thinking of these officers was colored and dominated by this estimate and their acts were similarly influenced.

3. *Relationship of Commanders in Hawaii*

The relations between General Short and Admiral Kimmel and Admiral Bloch, the commanders of the Army and Navy forces in Hawaii, were very cordial. They were making earnest and honest efforts to implement the plans which would result in the two services operating as a unit in an emergency. These highly desirable ends had not been accomplished at the time of the Pearl Harbor attack.

4. *Interchange of information—State and War Departments*

The Board was impressed with the apparent complete interchange of information between the State Department and the War Department. As a result the War Department was kept in close touch with international developments and the State Department knew of the Army's progress and its preparations for war.

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II. GROUPING OF CONCLUSIONS

The conclusions group themselves logically in two divisions: the Pearl Harbor attack, and operations of the Engineers in Hawaii. We shall consider these in the order stated.

1. *Pearl Harbor Attack*

a. The attack on the Territory of Hawaii was a surprise to all concerned: the nation, the War Department, and the Hawaiian Department. It was daring, well-conceived and well-executed, and it caught the defending forces practically unprepared to meet it or to minimize its destructiveness.

b. The extent of the Pearl Harbor disaster was due primarily to two causes:

1. The failure of the Commanding General of the Hawaiian Department adequately to alert his command for war, and

2. The failure of the War Department, with knowledge of the type of alert taken by the Commanding General, Hawaiian Department, to direct him to take an adequate alert, and the failure to keep him adequately informed as to the developments of the United States-Japanese negotiations, which in turn might have caused him to change from the inadequate alert to an adequate one.

c. We turn now to responsibilities:

1. The Secretary of State—the Honorable Cordell Hull. The action of the Secretary of State in delivering the counter-proposals of November 26, 1941, was used by the Japanese as the signal to begin the war by the attack [298] on Pearl Harbor. To the extent that it hastened such attack it was in conflict with the efforts of the War and Navy Departments to gain time for preparations for war. However, war with Japan was inevitable and imminent because of irreconcilable disagreements between the Japanese Empire and the American Government.

2. The Chief of Staff of the Army, General George C. Marshall, failed in his relations with the Hawaiian Department in the following particulars:

- (a) To keep the Commanding General of the Hawaiian Department fully advised of the growing tenseness of the Japanese situation which indicated an increasing necessity for better preparation for

war, of which information he had an abundance and Short had little.

(b) To send additional instructions to the Commanding General of the Hawaiian Department on November 28, 1941, when evidently he failed to realize the import of General Short's reply of November 27th, which indicated clearly that General Short had misunderstood and misconstrued the message of November 27 (472) and had not adequately alerted his command for war.

(c) To get to General Short on the evening of December 6th and the early morning of December 7th, the critical information indicating an almost immediate break with Japan, though there was ample time to have accomplished this.

[299] (d) To investigate and determine the state of readiness of the Hawaiian Command between November 27 and December 7, 1941, despite the impending threat of war.

3. Chief of the War Plans Division, War Department General Staff, Major General Leonard T. Gerow, failed in his duties in the following particulars:

(a) To keep the Commanding General, Hawaiian Department, adequately informed on the impending war situation by making available to him the substance of the data being delivered to the War Plans Division by the Assistant Chief of Staff, G-2.

(b) To send to the Commanding General of the Hawaiian Department on November 27, 1941, a clear, concise directive; on the contrary he approved the message of November 27, 1941, (472) which contained the confusing statements.

(c) To realize that the state of readiness reported in Short's reply to the November 27th message was not a state of readiness for war, and he failed to take corrective action.

(d) To take the required steps to implement the existing joint plans and agreements between the Army and Navy to insure the functioning of the two services in the manner contemplated.

[300] 4. Commanding General of the Hawaiian Department, Lieutenant General Walter C. Short, failed in his duties in the following particulars:

(a) To place his command in a state of readiness for war in the face of a war warning by adopting an alert against sabotage only. The information which he had was incomplete and confusing but it was sufficient to warn him of the tense relations between our government and the Japanese Empire and that hostilities might be momentarily expected. This required that he guard against surprise to the extent possible and make ready his command so that it might be employed to the maximum and in time against the worst form of attack that the enemy might launch.

(b) To reach or attempt to reach an agreement with the Admiral commanding the Pacific Fleet and the Admiral commanding the 14th Naval District for implementing the joint Army and Navy plans and agreements then in existence which provided for joint action by the two services. One of the methods by which they might have become operative was through the joint agreement of the responsible commanders.

(c) To inform himself of the effectiveness of the long-distance reconnaissance being conducted by the Navy.

(d) To replace inefficient staff officers.

[301] 2. *Operations of Engineers in Hawaii*

a. The Board found no evidence to indicate that the lack of progress in construction activities in Hawaii and the delays connected therewith, were due to enemy agents, or to persons connected with such activities who, by intent, influenced the existing lack of progress and the delay that ensued.

b. The peacetime organization and conduct of the Corps of Engineers' construction activities, together with the red tape involved in staff procedure, priorities, and procurement, were such as made delay practically inevitable.

c. Chief of Engineers.

1. In the field the organization of divisions and districts of the Corps of Engineers, under the Washington office, was a very loose one, without sufficient supervision and inspection. This resulted in the improper conduct of Colonel Wyman in Los Angeles going without official detection and in his operations as District Engineer in Honolulu being inefficient.

2. Reports of inspections of Colonel Wyman's activities by Colonel John Hunt of the War Department Inspector General's Office and by Colonel Lathe B. Row of the Hawaiian Department Inspector General's Office, included adverse findings, some of which called for disciplinary measures, yet no corrective or disciplinary action seems to have been taken by the Chief of Engineers.

d. The Hawaiian Constructors had a loose and inefficient organization; was poorly managed; lacked means with which to successfully prosecute the work; and generally were incapable of doing a first-rate job, which resulted in lack of progress and delays.

[302] e. The District Engineer, Colonel Theodore Wyman, Jr., CE, the contracting officer:

1. Was very aggressive and efficient in the execution of isolated jobs within his capabilities. He did not appreciate the magnitude of the task in Hawaii and lacked the capacity to measure up to its requirements. His manner was brusque, abrupt and objectionable, and resulted in discord and inefficiency in his administration.

2. In his associations with one Hans Wilhelm Rohl, a member of the Rohl-Connolly Contracting Company of the Hawaiian Constructors, he conducted himself in a highly indiscreet manner.

3. He was most inefficient in the handling of his office and in administrative matters, which indirectly caused delays.

4. He was negligent in his duties relating to the contract, in that he failed:

(a) To properly investigate the loyalty of Rohl.

(b) To adequately investigate the availability of qualified contractors before the award of the basic contract and the supplemental agreements thereto.

(c) To properly supervise the performance of the work by the contractors.

(d) To inform his higher headquarters of delays and deficiencies of the contractors.

(e) To take appropriate action to overcome [303] the delays and correct the deficiencies of the contractors.

5. He made false statements under oath to the Board.

6. He failed to protect the interests of the United States in the purchase of equipment for the Government from the Hawaiian Constructors and their associates.

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CHAPTER VII. RECOMMENDATIONS

Recommendations: NONE.

GEORGE GRUNERT,
Lieut. General, U. S. Army,
President.

HENRY D. RUSSELL,
Major General, U. S. Army,
Member.

WALTER H. FRANK,
Major General, U. S. Army,
Member.

FRIDAY, 20 October 1944.

[1]

APPENDIX No. 1

SUPPLEMENTAL REPORT OF ARMY PEARL HARBOR BOARD ON PHASES MENTIONED IN HOUSE MILITARY AFFAIRS REPORT WHICH RELATE TO THE PEARL HARBOR DISASTER

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[2] SUPPLEMENTAL REPORT OF ARMY PEARL HARBOR BOARD ON PHASES MENTIONED IN HOUSE MILITARY AFFAIRS REPORT WHICH RELATE TO THE PEARL HARBOR DISASTER

1. *Scope and extent of inquiry of Army Pearl Harbor Board*

The Secretary of War, by orders dated 12 and 22 July 1944 copies of which are hereto attached and marked Exhibits "A" and "B", assigned the following missions to the Army Pearl Harbor Board in connection with the House Military Affairs Committee Report dated 14 June 1944:

Ascertain the facts and make appropriate recommendations to the Secretary of War concerning all matters mentioned in the Congressional Committee Report which relate to the Pearl Harbor disaster. These phases involve primarily alleged delays and deficiencies in the construction of defense projects in Hawaii and alleged derelictions of the District Engineer, Colonel Theodore Wyman, Jr., C. E.

It is the understanding of the Board that the remainder of the matters mentioned in the Congressional Committee Report, other than the Pearl Harbor matters, will be investigated in accordance with the order of the Secretary of War dated 12 July 1944.

2. *Findings of fact*

The following facts have been found by the Board after careful consideration of the evidence and due deliberation. These findings are based upon the sworn testimony of many witnesses heard by the Board at Washington, San Francisco, and in Hawaii and the study of numerous authenticated documents. Specific references are made in some instances to the transcript, the exhibits, and other appropriate

sources of reliable informa- [3] tion. The evidence so indicated is not exclusive, however, of other proof which was adduced before the Board.

a. *Construction work contemplated and need for speed in construction.*—The original work contemplated in the fall of 1940 for defense projects in Hawaii, as later expressed in the basic contract dated 20 December 1940 (Exhibit No. 46), comprised the following categories:

A. Ammunition storage magazines on the Island of Oahu complete with service roads, railroad spur tracks and appurtenances * * *.

B. Aircraft warning service stations on the Islands of Oahu, Hawaii, Maui and Kauai, involving certain installations, including buildings, roads, trails, cableways, haulage ways as directed by the Contracting Officer.

C. Railway trackage on the Island of Oahu at certain locations to be designated, in accordance with detailed instructions to be issued from time to time by the Contracting Officer * * *.

D. Fortification structures for use in connection with fixed fortifications at locations to be determined by the Contracting Officer.

E. An addition to radio station WTJ in accordance with detailed instructions to be issued by the Contracting Officer.

Speed in completing this construction program was made of the essence in the contract. The increasing tempo of the world war, the sympathetic attitude which we had evidenced toward the victims of the aggressor nations, and the probability that we would be "next on the list", all pointed to the need for strengthening our Pacific outposts in the shortest possible time.

The Secretary of War was personally

taking up very vigorously * * * a long series of steps that were connected with use of radar in picking up attacks from the air. (R, [4] v 35, p 4064.)

Indicative of this interest was a letter dated 7 February 1941 from the Secretary of War to the Secretary of the Navy, which stated in part:

WAR DEPARTMENT,
Washington, February 7, 1941.

Subject: Air Defense of Pearl Harbor, Hawaii.
To: The Secretary of the Navy.

1. In replying to your letter of January 24, regarding the possibility of surprise attacks upon the Fleet or the Naval Base at Pearl Harbor, I wish to express complete concurrence as to the importance of this matter and the urgency of our making every possible preparation to meet such a hostile effort. The Hawaiian Department is the best equipped of all our overseas departments, and continues to hold a high priority for the completion of its projected defenses because of the importance of giving full protection to the Fleet.

* * * * *

4. With reference to the Aircraft Warning Service, the equipment therefor has been ordered and will be delivered in Hawaii in June. All arrangements for installation will have been made by the time the equipment is delivered. Inquiry develops the information that delivery of the necessary equipment cannot be made at an earlier date.

* * * * *

(Exhibit No. 22, Robert's Comm. Report.)

Hence, the contract provided:

The Contractor shall, in the shortest possible time, furnish the labor, materials, tools, machinery, equipment, facilities, supplies not furnished by the Government, and services, and do all things necessary for the completion of the following work. (Article II, 1.)

It is estimated * * * that the work herein contracted for will be ready for utilization by the Government within six (6) months from the date of this contract. (P. 4.)

[5] *b. Duties of the District Engineer, the Division Engineer, and the Chief of Engineers relating to the award of the contract.—*

The District Engineer and Contracting Officer on this work in the Hawaiian Islands during the time in question was Colonel Theodore Wyman, Jr., CE. In accordance with policies established by the Under Secretary of War to award contracts impartially and to local contractors if possible, Colonel Wyman was charged with the duties of ascertaining and recommending the availability of competent contractors in Hawaii to undertake this construction; and, if none were there available, of ascertaining and recommending the availability of such contractors in the United States. (R. v. 6, p. 600, 640, 642, 644, 646; R. v. 18, p 2032.) He was also charged with the duty of investigating the loyalty and background of the contemplated contractors. (R. v. 6, p. 599, 648, 650, 651, 658; R. v. 18, p. 2037.) It was the duty of the Division Engineer and the Chief of Engineers to review and supervise the performance of these duties by the District Engineer. (R. v. 6, p 636, 643; R. v. 18, p 2037, 2065.)

c. Investigation of possible contractors.—

Col. Wyman did not conduct an adequate investigation to determine whether any contractors were available in Hawaii. He failed to communicate with such local contractors as would have been able to perform the work well and with speed and dispatch. R, v. 29, p. 3388; v. 30, p. 3626 et seq., 3721 et seq; 3750 et seq; v. 21, p. 2402, 2403, 2418 et seq; v. 24, p. 2764 et seq; p. 61-63 Report of Col. John A. Hunt, IG.)

Col. Wyman also failed to conduct an adequate investigation to determine the availability of competent contractors [6] on the mainland. He merely came to the mainland; and, within the period of a very few days, interviewed several contractors in California went, to Washington, D. C. and concluded negotiations with representatives of a joint venture comprising the Rohl-Connolly Co., Gunther-Shirley Co., and the W. E. Callahan Construction Company. It is clear that Col. Wyman showed favoritism toward the persons who comprised this joint venture. He did not even inform other possible mainland contractors that the job contemplated by the basic contract would later be expanded, which was something he knew at the time. (R, v 18, p 2051 et seq; v 29, p 3537, 3588; p 61-63 Report of Col. John A. Hunt, IG.)

Although the contract covered secret defense projects of the most crucial importance to our military outpost in Hawaii, Col. Wyman failed also to investigate the loyalty and background of the persons comprising the joint venture. (T, v 6, p 600; v 29, p 3579.) A mere cursory investigation would have revealed that Hans Wilhelm Rohl, the guiding spirit of the Rohl-Connolly Co., was then a German alien of doubtful loyalty and with a most dubious background. He first entered the United States as a German alien on 23 October 1913. At that time he was admitted for permanent residence. Later, he left and returned to the United States on about twelve occasions without disclosing his alien status, thus violating immigration laws then in existence. He also falsely represented himself as a United States citizen on Federal income tax returns and to a Federal income tax

investigator and on a ship's manifest. From 1934 to 1940 he directed the affairs of the Rohl-Connolly Co. as its President and a stockholder. This firm, by reason of his alien [7] status, owned and operated a number of ships in violation of the law. For these latter violations the Rohl-Connolly Company paid a fine of \$25,000 on 4 September 1941 in lieu of a statutory penalty forfeiture of the ships. (Exhibit No. 6; v 10, p 1161 et seq; v 20, p 2222 et seq; v 21, p 2375 et seq; v 22, p 2427 et seq; v 33, p 3972 et seq; v 34, p 4015 et seq; v 35, p 4103 et seq; v 37, p 4338 et seq, 4366 et seq.)

Rohl, as of the time his firm was awarded the secret Hawaiian contract, had a record of having been investigated by the Federal Bureau of Investigation and the Office of Naval Intelligence for alleged subversive activities. The Federal Bureau of Investigation had even received information in July 1940 that Rohl may have been a German agent during the first World War. This disclosure was prompted by knowledge of the informant that Rohl had been granted large Army contracts in the vicinity of Los Angeles. The Office of Naval Intelligence was informed in October 1940 that Rohl was an alleged dangerous German alien. Col. Wyman could have obtained this information merely making use of the telephone.

An excerpt from a Naval Intelligence Service Report on Hans Wilhelm Rohl, dated 5 March 1941 (R, v. 34, p. 4032) states that the inspector:

* * * believes subject to have been dishonest in his actions and that his actions indicate possible subversive activity.

(R, v. 19, p. 2200 et seq.; v. 34, p. 4027, 4030.)

The favoritism which Col. Wyman exhibited toward Rohl stemmed from an unwholesome and inappropriate relationship that had long existed between them. Their friendship began in 1935 when Col. Wyman was assigned as District Engineer at Los [8] Angeles. Col. Wyman so mixed his business and social activities with Rohl that it is clear these improper activities acutely affected the discharge of his duties, to the detriment of the Government. He accepted from Rohl excessive entertainment in and out of business hours. There was much joint drinking, carousing, and indulgence in off-color activities. This questionable relationship increased in tempo and grew more intimate and indiscreet as time went on. Several large Army contracts were awarded to Rohl's firm on the recommendation of Col. Wyman. He sought to explain this relationship on the ground that he reciprocated the entertainment. Clearly, however, such an explanation from an Army officer does not excuse, but only aggravates the original wrong.

This questionable personal and business relationship also involved at times Paul Grafe of the W. E. Callahan Construction Co. (Exhibit No. 6; R., v. 10, p. 1161 et seq; v. 21, p. 2375 et seq., 2398 et seq; v. 22, p. 2427 et seq; v. 23, p. 2580-A et seq; v. 29 p 3477; v. 33, p. 3957 et seq; v. 34, p. 4022 et seq; v. 35, p. 4095 et seq.)

It is significant that the Chief of Engineers, Major General Eugene Reybold, frankly testified concerning Col. Wyman in his business transactions:

He is the most indiscreet man that I ever knew. * * * In what he does on the side he evidently is very, very indiscreet. (R., v. 6, p. 611.)

Col. Robert J. Fleming, CE, also testified :

There has been a lot of discussion in the engineers, sir, for years, on the fact that a lot of people have always believed Colonel Wyman was a little bit too familiar with the contractors. (R. v. 11, p. 1289.)

[9] d. *Award of basic contract to Hawaiian Constructors.*—As previously stated, Col. Wyman came from Hawaii to California and spent but a few days ascertaining the availability there of contractors for the Hawaiian projects. He then went to Washington, D. C., and recommended to the Chief of Engineers that the Rohl-Connolly Co., W. E. Callahan Construction Co., and Gunther and Shirley Co. be awarded the basic contract. In pursuance of this recommendation the secret cost-plus-fixed-fee contract No. W-414-Eng-602 was executed with these firms on 20 December 1940. This contract called for work estimated to cost \$1,097,673 at a fee of \$52,220. (R., v. 6, p. 639 et seq; v. 18, p. 2032 et seq; v. 29, p. 3388, 3487 et seq; v. 20, p. 2288 et seq.)

e. *Award of supplemental contracts to Hawaiian Constructors.*—Supplemental agreements to the basic contract were later awarded the Hawaiian Constructors, mainly on the recommendations of Col. Wyman. These were 52 in number. Finally, the estimated cost of the work was expanded to about \$112,031,375, and the fee eventually received by the Hawaiian Constructors was thereby increased to \$1,060,000. In view of this fee which “ballooned” from \$52,220 to \$1,060,000, it is interesting to read the following sworn testimony given by Rohl on 22 May 1941 to an Inspector of the Immigration and Naturalization Service :

Question. Have you anything further that you wish to state?

Answer. I would like to say that the defense contract we have in Honolulu, is not a money making venture. We were requested to take that contract and they especially wanted me in on it because I have done a lot of work for Colonel Wyman, and he believes that I am able. We considered it our duty to take that contract. We are [10] donating our services, that is why I am anxious to expedite this investigation in my case. (R., v. 35, p. 4117.)

These supplements covered secret defense projects of the same general type as that contemplated by the basic contract. (Exhibit No. 6; R., v. 31, p. 3797.)

f. *Times fixed for completion of work.*—At the request of the Commanding General, Hawaiian Department, Col. Wyman, as the contracting officer, issued various job orders to the contractor to proceed with phases of the work. Summaries of some of these job orders are in evidence. (Exhibits 4 to 4-N; R. v. 7, p. 778 et seq.) An examination of the summaries will show that the facilities for the aircraft warning services, the ammunition storage magazines, the fire control stations, the underground gasoline storage tanks, and the other vital defense projects were supposed to have been completed long prior to 7 December 1941.

g. *Required manner of performance and right of Government to terminate contract.*—The basic contract (Exhibit No. 46) provides in Article I, 4, that :

The work shall be executed in the best and most workmanlike manner by qualified, careful, and efficient workers, in strict conformity with the best standard practices.

The contract further provides in Article VI, 1, that:

Should the Contractor at anytime refuse, neglect, or fail to prosecute the work with promptness and diligence, or default in the performance of any of the agreements herein contained, or should conditions arise which make it advisable or necessary in the interest of the Government to cease work under this contract, the Government may terminate this contract by a notice in writing from the Contracting Officer to the Contractor.

h. Access of Rohl to classified information.—[11] Col. Wyman informed Rohl in conferences at Los Angeles and San Francisco, in negotiations looking toward an award of the contract, that extensive defense work was to be done in the Hawaiian Islands. (R., v. 20, p. 2244, 2249 et seq.; v. 29, p. 3394.) An alien with a background of alleged subversive activities was thus informed that a program of highly secret defense work was to be undertaken in Hawaii. Not only did Col. Wyman have a responsibility as the Contracting Officer and the District Engineer to conduct an investigation which would have disclosed Rohl's alien background, but he had a clear duty under the provisions of AR 380-5, 10 June 1939, not to disclose to a German alien such as Rohl, information classified as Secret and information that defensive work was to be undertaken in the Hawaiian Islands.

The Chief of Engineers testified:

General FRANK. What if any rules or regulations did Colonel Wyman violate in event that he, having been informed that Rohl was an alien, discussed with him details of a secret defense project contract?

General REYBOLD. What did he violate?

General FRANK. Yes.

General REYBOLD. I would say, the rules of good judgment and common sense.

General FRANK. Is there any written regulation or specific document that covers that?

General REYBOLD. AR 380-5, to safeguard military information, certainly covers it.

General GRUNERT. When was that published?

General REYBOLD. June 10, 1939. (R. v. 6, p. 607.)

The evidence indicates Col. Wyman knew, before the basic contract was signed, that Rohl was a German alien. A friend of Col. Wyman testified that Col. Wyman had so admitted to him. [12] (R., v. 35, p. 4095, et seq.) Col. Wyman admitted to the Inspector General that he "knew that Mr. Rohl was born in Germany, had come to the United States on or about the year 1912 and had been in the United States since." (P. 63 Report of Col. John A. Hunt, IGD.) Rohl testified before the California State Legislature's Joint Fact Finding Committee on Un-American activities that he had informed Col. Wyman that he was an alien. He stated, "I told him—I had to tell him." (P. 3807, 3808, Exhibit No. 7.) Rohl said he gave Col. Wyman this information because he, (Rohl), knew the law which prohibited an alien from having access to secret defense projects. (See WD Cir. No. 120, 1940.)

Furthermore, an official of the Bureau of Immigration and Naturalization informed Col. Wyman on or before 1 March 1941 that Rohl was an alien applicant for citizenship. (R., v. 36, p. 4186.) This information was given Col. Wyman because officials of the Bureau considered the employment of such an alien on such secret defense work very "peculiar." (R., v. 18, p. 4018-4019.) Despite this notice, Col. Wyman arranged for Rohl's firm to be awarded additional contracts for secret work. (Exhibit No. 6; v. 18, p. 2048 et seq; v. 29, p. 3501,

3509, 3533, 3539, 3558, 3559.) Colonel Wyman testified that he was not informed until June 1941 that Rohl was a German alien. But even if this were so, then at that time at least Col. Wyman knew the Government had been victimized by the most crass deception. For, by their own admissions Thomas E. Connolly of the Rohl-Connolly Co., and Paul Grafe of the W. E. Callahan Construction Co. and Gunther and Shirley Co., were informed in December 1940, before the contract was signed, that Rohl was a German alien. This caused a complete reorganization because the contract was [13] secret. Mr. Connolly said the information was a shock and Mr. Grafe stated it was "a bombshell." Furthermore, both Mr. Connolly and Mr. Grafe met Mr. Martin, attorney for the Rohl-Connolly Co., in Washington during the conferences preceding the execution of the contract. Mr. Martin stated to Mr. Connolly that he "was in Washington in the interests of acquiring citizenship or furthering citizenship applications for Mr. H. W. Rohl." Col. Wyman also was in Washington during this period and roomed and met with these associates of Rohl. (R., v. 19, p. 2158; v. 2, p. 2288; Exhibit No. 6.)

Thus, if Col. Wyman was not advised until June 1941, he did nothing about the deception but continued nevertheless to grant contracts to Rohl and his associates and later gave Rohl full access to the secret plans and work.

The fact from a security standpoint is that details of secret defense plans for the Hawaiian Islands actually were disseminated to the aggressor nations who later became our enemies. (R. 31, p. 3797 et seq; 3799 et seq.) Rohl was also shown to have been acquainted with one Werner Plack, a German agent (R., v. 22, p. 2375 et seq; 2517.)

i. Performance by Hawaiian Constructors.—It is clearly established that from the very inception of the construction work in Hawaii and Hawaiian Constructors failed and neglected to prosecute the work with promptness or diligence and defaulted in the performance of the agreements. Paul Grafe, with whom Col. Wyman had been intimate in Los Angeles, was the representative in Hawaii of the three firms comprising the Hawaiian Constructors until Rohl arrived and assumed charge in September 1941. Undue delays of the contractors became notorious. [14] Impartial observations of the way in which the contractors conducted their affairs indicated that they were most inefficient. Projects were not completed on time and were not prosecuted in the manner required by the contract.

A well know contractor in Hawaii of some 15 years experience had observed the work of the Hawaiian Constructors and testified that it lagged badly and that Rohl was incapable of speeding up the work on account of his condition. He testified that the Hawaiian Constructors, in comparison with other contractors, were most inefficient. (R., v. 20, p. 2264 et seq., v. 30, p. 3623, et seq.) He cited several examples of delays which arose through neglect of the Hawaiian Constructors after they were awarded contracts. For example, the Hawaiian Constructors were awarded a competitive contract, although they were not low bidders, for two airfields on Hawaii, one airfield on Maui, and one airfield on Molokai. The Government would have saved about \$300,000 if the contract had been granted to the lowest bidders. Moreover, view from a military standpoint, the low bidders possibly could have had the airfields completed by

7 December 1941, whereas the Hawaiian Constructors had only just started the construction as of that date. (R., v. 30, p. 3628.)

Lt. Col. J. J. Kestly, C. E. classified the work done by the Hawaiian Constructors as third rate and testified that "the progress is what I am saying was poor." (R., v. 30, p. 3668.)

Mr. Henry P. Benson, President of the Hawaiian Contracting Co. which later became a part of the Hawaiian Constructors, testified that the local contractors could have handled the work more expeditiously and more economically than did the Hawaiian Constructors. (R. v. 30, p. 3724.)

[15] Mr. Walter F. Dillingham, one of the stock holders of the Hawaiian Contracting Co., testified that after the work had commenced under the Hawaiian Constructors he stated to Mr. Benson, "It's an awful mess." (R., v. 24, p. 2758.) Following the execution of the basic contract and in the year 1941 the persons comprising the joint venture sold a 20% interest therein to Mr. Ralph E. Woolley, a local contractor, for the sum of \$65,000. (R., v. 30, p. 3750.)

Later in the year 1941 the persons then comprising the joint venture commenced negotiations which were consummated in the early part of the year 1942 whereby a 20% interest in the joint venture was sold to the Hawaiian Contracting Co. for the sum of \$100,000. (R., v. 30, p. 3727.) During this period the work covered by the contract and the supplemental agreements was increased to over \$100,000,000.

In passing it may be noted from the record that a joint venture of this kind has been criticized as successfully preventing competition and creating a monopoly to the disadvantage of the Government. (R., v. 21, p. 2404, 2414.)

The Inspector General, Hawaiian Department, produced many inspection reports from the official files which showed irregularities and deficiencies of long standing in the performance of the Hawaiian Constructors. (R., v. 28, p. 3226.)

Mr. A. Sisson, civilian employee of the U. S. Engineering Department testified regarding the work of the Hawaiian Constructors from his observations as an Area Engineer. He testified "All of the work here at the time was badly handled," * * * "It wasn't handled in an efficient manner." (R., v. 28, p. 3266, 3268.)

[16] He further stated, regarding the Hawaiian Constructors, "I think their main fault was the inefficiency, sort of a don't care a darn what the costs are," and that if the contractors were efficient builders "they surely must have sent this 'scrub team' over here to do it" and that "I have thought that there was a laxity, or I would say that the Hawaiian Constructors or members of the Hawaiian Constructors have gipped the Government to a considerable extent in the renting of the equipment." (R., v. 28, p. 3280, 3281.)

The former General Superintendent for the Hawaiian Constructors, Mr. H. J. King, testified from his observations that the character of the work which had been done was "very poor." (R., v. 23, p. 2529.) He referred to many examples of undue delays. (R., v. 23, p. 2531 et seq.) To use the vernacular of an affidavit he made, "The work that had been accomplished under the supervision of Col. Wyman prior to December 7, 1941, was pretty lousy." (R., v. 23, p. 2529.) The basis for this opinion was his observations of what

had been done under Col. Wyman and the conditions of Col. Wyman's operations. (R., v. 23, p. 2546.) He gave as his reasons for these inefficiencies the "lack of organization, lack of knowledge, lack of experience," and "lack of supervision" from the top all the way down. (R., v. 23, p. 2537.) He further stated that the system of the contract and the supervision by the Corps of Engineers was bad but that the connection of Rohl with that system aggravated an already bad situation. (R., v. 23, p. 2558.)

Another former employee of the Hawaiian Constructors, Mr. Rea B. Wickiser, testified that the grades for the runways at the Hilo Airfield were changed nine times during the course of [17] construction. He stated that before the Pearl Harbor attack he had been employed by the Territory Airport Constructors and that their work was being capably performed on a fixed contract basis and that the inefficient conditions arose when the work was given to the Hawaiian Constructors after the attack. (R. v. 22, p. 2458, 2465.)

Mr. Robert E. McKee, general contractor of many years experience testified on the basis of what he knew concerning a contract which his organization had with the Hawaiian Constructors. He stated that "the organization (Hawaiian Constructors) wasn't very efficient" * * * "they were not operating a very efficient organization." He further testified as to undue delays. (R., v. 21, p. 2407 et seq.) He stated that the basic reason for this inefficiency was lack of supervision; (R. v. 21, p. 2419) and mentioned that before Pearl Harbor he had tried unsuccessfully to get contracts for some of the airfields and that if these contracts had been awarded to contractors other than the Hawaiian Constructors the work would have been performed in a more efficient manner and at a considerable saving to the Government. (R., v. 21, p. 2411, 2418.)

George F. Bartlett, a Principal Engineer with the United States Engineering Department testified as follows concerning the Hawaiian Constructors:

General FRANK. In your observation of the operation of the contractors did you observe anything that indicated that was any intent on the part of the contractors to delay the work? Was there anything that showed intent to delay the work?

Mr. BARTLETT. Well, that would be an opinion. My opinion is yes, there was an intent, but I couldn't definitely put my finger on anything right now.

General FRANK. What led you to your opinion that [18] there was intent?

Mr. BARTLETT. Well, we would want certain things done at a certain time, and it would be resented on the part of the contractor. If I gave them a definite order that such and such a thing would have to be done at a certain time to make the work proceed in an orderly way, why, they would quite often find some subterfuge for not doing it, apparently, and we did not get along very well. There was considerable bickering on the job, but we made them to a certain extent expedite the work.

(R. v 22, p 2497, 2498.)

An employee in the Operations Office United States Engineering Department, testified that he had been called in as a sort of trouble shooter on the AWS construction because the work was lagging. He found that the reason for these undue delays was "the superintendent didn't pay much attention to these AWS constructions" referring to the superintendents of the Hawaiian Constructors. (R. v 19, p 2137.) He stated that "there was quite a complaint from the Signal Corps that we were not making any progress." (R. v 19, p 2138.)

Major General F. L. Martin, Commanding General of the Army Air Forces in Hawaii at the time of the attack, testified on this point also:

I complained with reference to the time that was required to get these permanent stations for the RDF installation; but as I remember those stations were being constructed under the supervision of Col. Wyman rather than Colonel Lyman, who was the Division Engineer. Now, as to who actually had charge of the construction, I will not be positive, but it is my impression at the present time that Colonel Lyman—at least, he was pushing it at the time, trying to unravel the knots that were preventing progress. (R. v. 17, p. 1891.)

Admiral Kimmel testified that General Short wrote him in August 1941 that the Army would have the radar in operation very shortly. (R. v. 16, p. 1785.)

Colonel Robert J. Fleming, CE, who was assigned to the Hawaiian Department during the time in question testified that [19] the association of Rohl and Colonel Wyman was "unhealthy" and that as far as the Hawaiian Constructors were concerned "I think there were indications of an awful lot of inefficiency in the setup." (R. v. 11, p. 1294.) He also testified that in his opinion, "If somebody with ability as an engineer had been District Engineer and could have been quick to find out what the military side of the picture had been, I think some of the things might have been speeded up a little bit." (R. v. 11, P. 1342.) As one specific example of undue delay, he cited the building of an elaborate road to a permanent AWS site, which road was far in excess of what was actually needed. (R. v. 11, p. 1328.) He also referred to the hot feud which had existed between Col. Wyman and Gen. Lyman of the Hawaiian Department and said "it would certainly prolong discussions." (R. v. 11, p. 1278.) He also stated that Paul Grafe, who was the directing head of the Hawaiian Constructors before the arrival of Rohl and who dominated the situation before Rohl assumed charge in September 1941, was a negative character so far as getting work done. (R. v. 11, p. 1325.)

A table set forth on pages 39 and 40 of the Report of the House Committee on Military Affairs, which was substantially verified by a witness before the Board, indicates the striking contrast between the estimated contract completion date of June 1941, the required completion dates of the job orders, and the actual state of completion of the work as of 7 December 1941. (R. v. 7, p. 778, 789; Exhibit No. 5.)

Some of these delays may be attributed to conditions which should be expected, such as lack of personnel, materials, and priorities. But the conclusion is clear that in the majority of cases the contractors were largely at fault.

[20] *j. Administration of contract and supervision of work by District Engineers.*—It was the duty of the Contracting Officer and District Engineer, Col. Wyman, to administer the contract and exercise general supervision over the performance of the contractors and to prod them or terminate the contract, if necessary, so that the work would be completed in the required time and manner. (R. v. 6, p. 596, 656.)

Instances abound in the record of maladministration and neglect by Col. Wyman. Following are a few examples of the more gross derelictions.

The District Engineer continued in Hawaii the improper relations that had existed between him and Rohl in Los Angeles.

A former civilian employee of the United States Engineering Department testified concerning many instances of drunkenness on the part of Col. Wyman which she had observed from her close association with him in the office of the District Engineer. (R. v. 23, p. 2568 et seq.)

Col. Robert J. Fleming, CE, also testified that Col. Wyman's addiction to excess drinking when he was assigned to the Third Engineers at Schofield Barracks, prior to his assignment as District Engineer, grew so pronounced that his superior finally forced him to take the pledge. (R. v. 11, p. 1284.) Col. Fleming stated that Col. Wyman's superior, Col. Lyman, "had enough on him (Col. Wyman) that he just about had to." As to Col. Wyman's general characteristics, he testified that Col. Wyman "was about the most impossible person personally that we had in the Engineers; that he was just one of those people who made everybody mad at him being always—he was just a bull in a china [21] shop." (R. v. 11, p. 1282.) This unsatisfactory state of affairs was brought to the attention of Gen. Short (R. v. 11, p. 1282), since the feud between Col. Wyman and Col. Lyman "got very bad, sir, oh, around the first of November, 1941." (R. v. 11, p. 1283.) On one occasion he observed Col. Wyman drink to excess at a party given by some Air Corps Generals about January 1942 and that he made "some very regrettable statements." (R., v. 11, p. 1286.)

Concerning the relationship between Rohl and Col. Wyman in Hawaii, he testified (R., v. 11, p. 1290):

General FRANK. What was it after the war?

Colonel FLEMING. After the war—well, I think after the war a lot of people thought that they were together too much of the time.

General FRANK. Were they drinking?

Colonel FLEMING. Yes, sir.

General FRANK. To excess?

Colonel FLEMING. I don't know, sir. I never saw them.

General FRANK. What were the reports circulating about that drinking?

Colonel FLEMING. Oh, there were all sorts of reports circulated about it, sir, but I think everybody in the Territory was mad at Colonel Wyman, about that time.

General FRANK. Everybody was what?

Colonel FLEMING. Was mad at Colonel Wyman.

He further testified, "I had had personal knowledge that in my opinion Col. Wyman associated too much with contractors." (R., v. 11, p. 1307.)

Col. Lathe B. Row, former Inspector General for the Hawaiian Department, testified concerning many derogatory reports which his office made of Col. Wyman's activities, and that while Col. Wyman repeatedly promised that corrective action would [22] be taken, such in fact was never done. (R., v. 19, p. 2093.)

He further pointed out that compared with the Construction Quartermaster, the work of the Hawaiian Constructors under the direction of the District Engineer was distinctly inferior. (R., v. 19, p. 2126.) These opinions were based upon a series of construction inspections

which were made by his office pursuant to directions of the Secretary of War. (R., v. 19, p. 2129.) This direction was as follows:

AG 600.12
(2-13-41)M-IG

EJ/as

FEBRUARY 17, 1941.

Inspection of Cost-Plus-A-Fixed-Fee Construction Projects.

COMMANDING GENERAL,
Hawaiian Department,
Fort Shafter, T. H.

1. Reference is made to letters from this office of November 20, 1940 (AG 333.1 (10-31-40) M-Sec. GS-M) : of January 6 1941 (AG 600.12 (1-2-41)M-IG) ; and of January 15, 1941 (AG 333.1 (1-4-41) M-Sec GS-M), subject Assignment of Inspections of Constructing Quartermaster, Fiscal Year 1941.

2. A national defense construction project on a cost-plus-a-fixed-fee contract is being undertaken in the Hawaiian Department under the supervision of the District Engineer, Honolulu District, the inspection of which is a responsibility of the Commanding General, Hawaiian Department, under the provisions of the letters cited above.

3. The Chief of Engineers has been directed to notify you of the specific locations where military construction on cost-plus-a-fixed-fee basis is being undertaken in your Department, and of any additional locations where projects of the same type may be undertaken in your Department in the future. There will be furnished to you for the use of your Inspector General the instructions issued or to be issued by the Chief of Engineers for the administration of projects being constructed under his supervision by cost-plus-a-fixed-fee contracts.

4. Inclosed for the information of your Inspector General, is a copy of "Manual for Field Auditors on Cost-Plus-A-Fixed Fee Contracts" issued by The Quartermaster General for the use of Constructing Quartermasters on Quartermaster construction projects, together with a copy of a Guide utilized by officers of the Office of The Inspector General in inspecting such projects.

By order of the Secretary of War :

[23]

JOHN B. COOLEY,
Adjutant General.

2 Incls.

Incl. #1—Manual for Field Auditors.

Incl. #2—Inspection Guide.

The former Inspector General testified concerning the Hawaiian Constructors, "I was definitely of the opinion that there was a great deal of waste and unnecessary expenditure of time and funds." (R., v. 19, p. 2123.)

Concerning certain of these deficiencies, Mr. King stated (R., v. 23, p. 2535) :

General FRANK. Who was responsible for that?

Mr. KING. Well, it was certainly the Engineer Corps, no one else. They were doing it. They were keeping the time. They were signing the pay checks.

In this regard, since the Engineers were doing work which should have been done by the contractors, attention is invited to the following letter :

OFFICE OF THE CHIEF OF ENGINEERS,
Washington, November 24, 1941.

Subject : Conduct of Work under Cost-Plus-A-Fixed-Fee Contracts.
To. Division and District Engineers :

1. When work is to be done under a cost-plus-a-fixed-fee contract, the Government exercises great care to select a contractor of outstanding ability and experience and pays him a fee for the use of his organization. It is expected that the contractor will be allowed to exercise the organizing and directive ability which he demonstrated prior to his selection by the War Department. It is also to be understood that the contractor has a vital interest in the preservation of his reputation for performing work in a skillful and economical manner. If the Government forces assume any of the functions of the contractor in directing

the work, in procurement, and in planning operations, the United States will not only be paying for services which are not fully rendered, but there will be an increase in Government costs due to duplication of functions.

2. It is realized that the many checks and approvals required when Government funds are being expended under cost-plus- [24] a-fixed-fee contracts tend to make Contracting Officers and Project Engineers assume responsibilities with regard to the conduct of work which they would not think of doing under a competitive bid form of contract. This tendency must be guarded against. The Government's representative must, of course, prevent the waste or improper use of funds, see to it that the contractor maintains required progress, and that he builds according to the plans and specifications. However, it is believed these functions can be exercised without infringing upon the proper responsibilities of the contractor.

3. It is directed that in the future each cost-plus-a-fixed fee contractor submit to the District Engineer on the tenth and twenty-fifth day of each month a brief report setting forth his views as to progress being made, difficulties encountered, anticipated difficulties, and recommendations for improving conduct of the work. This report will be submitted through the Project Engineer who will, by indorsement thereon, make such comments as are pertinent and then forward it within twenty-four hours to the District Engineer. The District Engineer will, without delay, forward the report to this office through the Division Engineer. It is expected that in this manner the contractor will be enabled to express his opinions freely on matters which affect his work and a record of the conduct of the work will be secured for future reference. Contractors will be encouraged to render frank reports and every effort will be made to insure that this system of reports does not develop into a useless routine.

Thomas M. Robins,
/S/ THOMAS M. ROBINS,
Brigadier General,
Assistant to the Chief of Engineers.

41/2733.

Chester R. Clarke, owner and operator of the Clarke-Halawa Rock Co., testified that in April 1941 he and other local contractors were low bidders by several hundred thousand dollars on a proposal to construct airfields on the Islands of Hawaii, Maui, and Molokai. But the Hawaiian Constructors nevertheless were given the jobs. They did not start or complete the work within the specified time limit. For this reason, the airfields were not completed by 7 December 1941, but would have been completed had the local contractors been given the contract. His firm had had considerable experience in this type of work. He attempted without success to get work on Bellows Field but this also was given to the Hawaiian Constructors. He had observed [25] that the work of the Hawaiian Constructors lagged badly and that Rohl, on account of his condition, was not capable of speeding up the work. Efforts of this contractor to do some of this work was unavailing. (R., v. 30, p. 3623 et seq.)

He also testified that Rohl used a technique of getting people enmeshed in his wrong-doings and thus made them subservient to his desires. (R v 30, p 3634.)

The Hawaiian Constructors were inefficient but Col. Wyman failed to prod them into an adequate performance or to terminate the contract. Col. Wyman, in face of all the evidence, even claimed before the Board that the Hawaiian Constructors were not negligent. (R v 29, p 3425.)

Col. Wyman permitted the Hawaiian Constructors to continue in performance of the contract although Rohl, its directing head, who was in charge since about September 1941, was frequently drunk. This condition seriously delayed the work and reflected the unstable state

of affairs which permeated the whole organization of the Hawaiian Constructors. Rohl's drunkenness and general inattention to duties became such a sore subject with the Army and the other members of the joint venture that finally he was ordered home in June 1942.

It is significant that before Rohl went to the Hawaiian Islands on this work he asked the Division Engineer, Brigadier General Warren T. Hannum, to assist him in getting transportation. General Hannum testified (R. v 18, p 2080) :

I didn't like his appearance at the time.

Major CLAUSEN. What was wrong with it?

General HANNUM. Well, he didn't appear to be absolutely sober.

Major CLAUSEN. And what did you do about it?

[26] General HANNUM. I assumed that he had been out to the club, or somewhere, and has just come in to see me, and that it was just a temporary matter.

Major CLAUSEN. What did you do about it, Sir?

General HANNUM. I did nothing further about it.

An officer testified that while assigned to G-2, Hawaiian Department, he conducted an investigation as a result of which he reached the conclusion that Rohl was such a drunkard he was even incompetent to be a subversive influence. (R, v 32, p 3925).

Mr Arthur T. Short, manager of the Pleasanton Hotel stated that Col. Wyman and Rohl were always together and had quarters in the hotel. Speaking of these quarters he said "they had more parties up there, dancing and drunks." (R, v 30, p 3648.)

Miss Helen Schlesinger, a civilian girl employee of the United States Engineering Department, testified concerning the drunkenness of Rohl and that she observed his drunken condition on one occasion especially when she responded to a call from Col. Bernard C. Robinson, C. E., to come down to the Pleasanton Hotel at about 9 p. m. to get out some contract documents. (R, v 28, p 3287 et seq.)

Mr. Dillingham, previously referred to as a stock holder in the Hawaiian Contracting Co. which became a member of the Hawaiian Constructors, testified that he didn't like Rohl and had suspicions as to his sobriety. (R, v 24, p 2761.)

Mr. King testified that Rohl was a play boy, was "playing pretty hard" * * * "he just wasn't paying very much attention to business, I know that" and that he never saw him when Rohl wasn't more or less drunk. (R, v 23, p 2525, 2526.) He testified further that Rohl originally was Chairman of the Executive Committee of the Hawaiian Constructors and that his supervision [27] was generally ineffective because of his use of liquor. (R, v 23, p 2544.) He stated, concerning Rohl that "insofar as the work was concerned, rather than his being of value, he was more of a detriment." (R, v 23, p 2534.) He pointed out that in addition to drinking so hard, Rohl would interfere with the work. For example, Rohl would commit higher authority in the military to actions without going through channels. (R, v 23, p 2555.)

Mr. Ray B. Wickiser also testified to the general interference and disruption which Rohl caused with the work. (R, v 22, p 2476.)

Col. Row testified that Rohl evaded attempts to obtain statements from him concerning his derelictions. (R, v 19, p 2107.)

Col. Wyman favored the inefficient Hawaiian Constructors to the exclusion of the more competent local contractors in subcontracting work. Reference is made to the previously cited testimony.

Col. Wyman shoved through government purchases of equipment from the Hawaiian Contracting Co. and the Rohl-Connolly Co. at excessive prices and without proper regard for the interests of the Government. For the details reference is made to excerpts from the report of Col. John A. Hunt, IGD, which are hereafter set forth, and to testimony before the Board. (R, v. 31, p 3775 et seq; R, v 19, p 2134; et seq; R, v 7, p 745; R, v 33, p 3996 et seq, R, v 30, p 3588, et seq; v 32, p 3803 et seq.)

Despite these conditions and delays by the contractors the Board was advised by the present District Engineer, Honolulu, T. H. (1st Ind., 10 Aug 44) :

There is no record in this office of any formal com- [28] plaints registered by the Government concerning delays of the contractor during 1941.

Mr. Clarke testified that Rohl "did not seem particularly inclined to push the work here" * * * "He made Hawaii one round of good times for Mr. Rohl. There isn't any doubt of that."

Mr. King who had been acquainted with Col. Wyman's activities in Los Angeles testified :

Major CLAUSEN. The General has brought out that point. Did you know prior to Pearl Harbor, from hearsay and general knowledge, anything concerning Colonel Wyman?

Mr. KING. Yes, I did.

Major CLAUSEN. And what was that concerning his proclivities for playboying or drinking?

Mr. KING. Well, the general impression around Los Angeles where Colonel Wyman was stationed was that he was pretty much of a playboy too.

Major CLAUSEN. And what about his drinking?

Mr. KING. Well, that was generally understood, that he was a pretty hard drinker. (R, v 23, p 2526, 2527.)

Reference is also made to the previously mentioned testimony concerning the activities and excess drinking of Col. Wyman at Los Angeles.

Col. Wyman failed to inform higher authority of the delays and deficiencies of the contractors. (R. v 6, p 589, 600, 602, 618, 655.)

Attention is invited to possible effects of these delays and deficiencies of the contractors. Exhibit No. 5 in evidence indicates generally the state of completion of certain of the more vital defense projects as of 7 Dec 41. (R, v 7, p 789.) In addition to a lack of facilities for the AWS permanent stations, the ammunition storage magazines, the fire control station and the underground gasoline storage tanks, there was a dearth of [29] airfields on the Island of Oahu and the adjoining islands. Since this subject is one of primary importance, and in order that no unwarranted conclusions may be reached, the following quotations from the testimony are set forth:

Major General Roger B. Colton, Chief of the Engineering and Technical Service, Signal Corps, testified:

General FRANK. Can you tell us what were the number and location of the permanent aircraft warning stations contemplated for the Hawaiian Islands to complete a phase of Contract No. W-414-Eng-602?

General COLTON. The number and location of permanent aircraft warning stations originally contemplated for the Hawaiian Islands were three 271 and 271-A fixed stations and five SCR-270 mobile stations. The three fixed stations 271 and 271-A were planned to be located at Kaala, Kokee, and Haleakala. Three of the five mobile stations were planned to be located at Nuuana Pali, Manawahua, and Manna Loa. The other two mobile stations were designated as

roving stations. There is no record of the Corps of Engineers' contract W-414-Engineering-602 in the files of the Chief Signal Officer, and I have no familiarity with it. (R. v. 6, p. 671, 672.)

General FRANK. What equipment was to be furnished by the Signal Corps?

General COLTON. The equipment to be furnished by the Signal Corps was three fixed stations 271 delivered complete with shelter, except for the concrete foundation of the shelter, and also five mobile radar stations 270 to be delivered complete and ready for operation. (R. v. 6, p. 672.)

General FRANK. How did such priority compare with similar equipment furnished at about the same time to installations in the Philippines and Panama?

General COLTON. Under the priority furnished by the War Department under date of March 10, as I have already stated, Hawaii was scheduled to get the third, fourth, and fifth sets; Panama was scheduled to get the first and second sets. (R. v. 6, p. 675.)

General FRANK. When was the Hawaiian radar equipment actually delivered to the quartermaster for shipment?

General COLTON. The Hawaiian radar equipment was delivered as follows, to the Quartermaster, for shipment: All components of one 271-A were turned over by the Signal Corps to the Quartermaster Corps for shipment by 26 May 1941. All components of two SCR-271s were turned over to [30] the Quartermaster Corps for shipment by 26 June 1941. Foundation plans were furnished in advance of the above dates.

The five mobile stations, SCR-270, were delivered to the Quartermaster Corps for shipment on 22 July 1941, together with one additional mobile station, which had in the meantime been authorized by the War Department for the Hawaiian Department. I would like to say in this connection it should be noted that three additional fixed stations for Hawaii were authorized by the War Department 28 May 1941, for inclusion by the Chief Signal Officer, in a supplemental estimate for fiscal year 1942. (R., v. 6, p. 675, 676.)

General FRANK. Now, when these were delivered, you say they included "all components." Does that mean that that included the towers?

General COLTON. Yes, sir; that included the towers.

General FRANK. Did it include the generator sets?

General COLTON. It included generator sets.

General FRANK. What about extra tubes?

General COLTON. It included the extra tubes. Of course, they were not contemplated. It was not contemplated that tubes were to be furnished for the entire life, but spare tubes were furnished. (R., v. 6, p. 676, 677.)

General FRANK. Was the equipment ready for installation when delivered?

General COLTON. The equipment was ready for installation when delivered. May I go back a moment, General? You asked me only about the fixed stations, previously? You haven't asked me as to the readiness of the mobile station.

General FRANK. Will you state as to the readiness?

General COLTON. The previous testimony related to the fixed stations. The mobile stations were delivered complete and ready for operation. (R., v. 6, p. 677.)

General FRANK. And you have already testified that three fixed sets were turned over to the Quartermaster for shipment, one in May and two in June of 1941, and five mobile sets were turned over to the Quartermaster for shipment the 22nd of July 1941; is that correct? Six. That is right?

General COLTON. Yes, sir; except that one additional mobile station was also turned over on the 22nd of July, making the total of six. (R., v. 6, p. 681.)

General FRANK. No.

[31] When was the equipment for the information center furnished?

General COLTON. There was no standardized filter or information center arranged for equipment. Such equipment was furnished on requisition against project funds.

I want to change the emphasis of that statement. I say, such equipment was furnished on requisition against project funds. I mean to say that that was the plan set up for it, that it was intended to be requisitioned by the local authorities against project funds.

In this connection, however, I would like to make reference to a document that I have here which indicates that information centers were in operation prior to the 14th of November, 1941.

General FRANK. Therefore they were equipped with the necessary equipment and in operation in November 1941?

General COLTON. Yes, sir; and I may say that I have at one time or another seen pictures of the installation, but I have no information as to exact dates. (R., v. 6, p. 686, 687.)

The following testimony was given by Col. C. A. Powell, Signal Officer of the Hawaiian Department during the fall of 1941:

General FRANK. On December 7, what was the situation with respect to the installation of the information center?

Colonel POWELL. The installation of the information center was by means of a temporary structure which I had built with my own soldiers in what we now call the "Signal Corps Area." It was a temporary structure, and it was operative.

General FRANK. Had they had exercises prior to December 7?

Colonel POWELL. They had, sir.

General FRANK. And it had operated successfully?

Colonel FRANK. Yes, sir.

General FRANK. And what was the situation with respect to the permanent radar sets? Had they arrived in the island?

Colonel POWELL. They had, sir.

General FRANK. When had they arrived, please?

Colonel POWELL. Two radar SCR-271s—that is the [32] temporary set—were received the 3d of June, and one SCR-271-A, which has the higher tower, was received also the 3d of June.

General FRANK. Were they complete?

Colonel POWELL. No, sir; they were not complete. I have a prepared memorandum here which I would like to introduce, which I think would give you a picture.

General FRANK. Will you state the date on which all equipment was here and complete so that they could be erected?

General RUSSELL. You mean these three?

General FRANK. Yes.

Colonel POWELL. I do not have that information available, when the things were received, except I consider that when you say "complete" that means everything, including the conduit and the fittings and everything else.

General FRANK. Well, so that they could operate; that is what I mean.

Colonel POWELL. Oh, I see. Well, to the best of my knowledge and belief, I think that they could have been operated in November of that year.

General FRANK. Was installation of the permanent sets held up?

Colonel POWELL. Yes, sir.

General FRANK. What were the reasons?

Colonel POWELL. The reasons were that the engineers were unable to complete the sites for these permanent installations.

General FRANK. Why were they unable to complete the sites, do you know?

Colonel POWELL. I do not know, sir. (R., v. 32, p. 3885, 3886, 3887.)

General FRANK. You had equipment for how many sites?

Colonel POWELL. We had equipment for permanent stations. Now, wait a minute—there were only three permanent stations, General Frank. (R., v. 32, p. 3887.)

General FRANK. All right. Was there any delay in furnishing the Corps of Engineers with drawings for the preparation of these sites—any delay on the part of the Signal Corps?

Colonel POWELL. Not by my office.

[33] General FRANK. Well, was there any?

Colonel POWELL. No, sir.

General FRANK. Did you get the drawings from the Washington office of the Signal Corps?

Colonel POWELL. Yes, sir. We gave them all the information that they asked for. (R., v. 32, p. 3892.)

General FRANK. Was there any delay in the building of the roads to the sites?

Colonel POWELL. That is what held us up.

General FRANK. That is what held you up?

Colonel POWELL. Yes, sir.

General FRANK. Who was responsible for building those roads?

Colonel POWELL. The Corps of Engineers. (R., v. 32, p. 3892, 3893.)

Major CLAUSEN. Sir, you referred to Kaala, Kokee, and Haleakala as being the sites for the permanent sets, is that correct?

Colonel POWELL. That is correct.

Major CLAUSEN. When were those sites originally selected?

Colonel POWELL. That was approved by the War Department on the fourth endorsement, June 27, 1940. (R., v. 32, p. 3895.)

Major CLAUSEN. You know, therefore, that as of that date, the engineers were also advised that those were prospective sites?

Colonel POWELL. Yes, sir. (R., v. 32, p. 3895.)

Major CLAUSEN. I have a letter referring to your permanent sites dated November 14th, 1941, to Colonel Colton, Chief, Materiel Branch, from yourself, Department Signal Office, then Lieutenant Colonel, Signal Corps, reading:

(Memorandum for Colonel Colton, Chief, Material Branch, from C. A. Powell, Lt. Col. Signal Corps, Department Signal Officer, Hawaiian Department, November 14, 1941, is as follows:)

"In recent exercises held in the Hawaiian Department, the operation of the radio set SCR-270 was found to be very satisfactory. This exercise was started [34] approximately 4:30 in the morning and with three radio sets in operation. We noted when the planes took off from the airplane carrier in the oscilloscope. We determined this distance to be approximately 80 miles, due to the fact that the planes would circle around waiting the assemblage of the remainder from the carrier.

"As soon as the planes were assembled, they proceeded towards Hawaii. This was very easily determined and within six minutes, the pursuit aircraft were notified and they took off and intercepted the incoming bombers at approximately 30 miles from Pearl Harbor.

"It was a very interesting exercise. All the general officers present were highly pleased with the proceedings of the radio direction finding sets and the personnel associated with the information centers.

"We have had very little trouble with the operation of these sets. When the fixed stations are installed in the higher mountains surrounding Hawaii, we expect to have as good an air warning system available for use as is now operating for the British on their tight little island, as their situation is approximately the same as ours is on Hawaii."

Do you recall that, sir?

Colonel POWELL. No, sir.

Major CLAUSEN. Just to shorten our proceedings here, I am going to ask you the general question whether or not the facts you set forth in this letter are correct?

Colonel POWELL. Yes, sir. (R., v. 32, p. 3896, 3897.)

General FRANK. Do you consider that there were any avoidable delays in the construction of the aircraft warning service system by the Engineers or by the contractors?

Colonel POWELL. I thought that they should have given the air warning a higher priority than they did, to get our work done. They were working on the airfields, and we had to take our priority behind the airfields. (R., v. 32, p. 3901.)

General FRANK. Was this place on the priority list that the aircraft warning service held called to General Short's attention?

Colonel POWELL. I am sure it was, because he decided on it. I am sure he decided the priority. (R., v. 32, p. 3901.)

Major CLAUSEN. It is just a question of putting up a tower?

Colonel POWELL. Yes, the higher tower you can get the greater distance you obtain, due to the curvature of the earth. That is solely due to the curvature of the earth. That is solely due to the curvature of the earth at a low altitude.

Major CLAUSEN. Getting back a moment to my question, as to whether the Japanese planes actually did all come in [35] very low along the water, I show you a graph of a plat of the Opana Station, and ask you whether you have seen that before?

Colonel POWELL. Yes, I have seen that.

Major CLAUSEN. That indicates that the planes were actually picked up by the Opana mobile station at what range, what distance. That is exhibit No. 15 in evidence.

Colonel POWELL. Well, I cannot figure that from this, but, as I recall it, it was around 80 miles.

Major CLAUSEN. At least 80 miles?

Colonel POWELL. Yes.

Major CLAUSEN. That indicates to you, therefore, what, with respect to the height of the attacking Japanese planes that came in that morning?

Colonel POWELL. It would indicate they were at least 500 feet in the air. (R., v. 32, p. 3903.)

Major CLAUSEN. Now, you said something about the fact that the mobile sets were subject to a conservation of instruments. Is it not true also that the mobile sets were powered not by commercial power but by auxiliary power or gasoline motors, is that correct.

Colonel POWELL. That is true. (R., v. 32, p. 3904.)

General GRUNERT. Then there is no reason why there was any delay on the part of the Engineers concerning the height of the towers on your permanent stations?

Colonel POWELL. No, sir. I do not see any excuse for it. (R., v. 32, p. 3905.)

As of the date of the basic contract, 20 December 1940, the War Department had authorized the construction of three permanent AWS stations at Mt. Kaala on Oahu, Mt. Haleakala on Maui and Mt. Kokee on Kauai, seven mobile stations and an information center at Fort Shafter. (Letter from Chief of Engineers, 13 August 1944.)

Brig. Gen. James A. Mollison, AC, gave the following testimony:

General RUSSELL. Suppose that you people had had ample warning of the approach of these hostile aircraft but there had been no interference with their take-off from the points from which they did depart: did you have any defensive means to have repelled the attack of dive bombers [36] on the naval craft, naval ships?

General MOLLISON. Oh, I think we could have done a lot of damage to them. I think that we could have kept almost all of those slow-moving torpedo bombers out. Those things were just like shooting fish; they were going along at, I should say, a hundred and ten miles an hour. They didn't look to me as though they were a bit faster than that. The dive bombers were faster. They were probably 160 to 170. And the zero, the little fighter, was a good fast airplane.

General RUSSELL. What type of aircraft produced the great damage to our naval ships?

General MOLLISON. The torpedo bomber was the one that caused the most damage to the largest number of ships. The most positive damage that was done was done by high-altitude horizontal bombing on the battleship Arizona. They just happened to get some lucky hits down the stack of the Arizona, and she went up.

General RUSSELL. Those were the people who were 10,000 feet up.

General MOLLISON. They were, I should say, between eight and ten thousand feet. All of our anti-aircraft was hitting way below and behind these planes.

General RUSSELL. The question the General has stated is that if ample warning of the attack had been given the effect of the attack could have been greatly minimized, if not completely eliminated.

General MOLLISON. I think there is no doubt about that. If we could have put 50 fighters in the air that morning—and we could have if we had had ample warning—I do not think we could have done a thing against them offensively as far as their carriers were concerned; we did not have the type of aircraft with which to do it. But we could certainly have raised Cain with their formations that came in if we had 50 fighters in the air.

General RUSSELL. And you had more than 50 fighters available?

General MOLLISON. We had 105; 103 P-40s and we had something like 22 P-36s, but strangely enough that P-36 would not have been any good at all, but the chap in the P-36 did shoot down one plane. We had about 14 fighters in the air that morning, total. (R., v. 7, p. 829, 830.)

General FRANK. You said that under normal conditions you had a certain number of the planes in each squadron, or certain squadrons that were designated as alert squadrons?

General MOLLISON. That would not be under normal; [37] that was under alert condition, I should have said, General; under conditions of alert.

General GRUNERT. But not under conditions of Alert 1?

General MOLLISON. Yes, sir.

General GRUNERT. Sabotage?

General MOLLISON. Yes, sir. There were alert squadrons, alert crews.

General FRANK. How long did it take you to get those planes off the ground in case of emergency?

General MOLLISON. They were supposed to be ready to go in thirty minutes, General. You see, that is Alert A or condition of Readiness A.

General FRANK. Where did the crews sleep?

General MOLLISON. The crews slept in tents or hutments immediately adjacent to the planes when the bombers were in dispersed position. When they were on the line they slept in the operations rooms and hangars.

General FRANK. Is that where the pilots also slept?

General MOLLISON. Yes, sir.

General FRANK. So there were certain pilots and crews sleeping on the line?

General MOLLISON. Yes, sir. May I add that that could not help matters at all that morning during the attack because these things were on everybody before there was a possibility of doing anything about it; they were just going down the line.

General RUSSELL. The 4-minute alert would not have helped you, would it, General?

General MOLLISON. A 5-second alert would not have helped, because if they are on top of you you can't take a plane off without being shot down if you have got a bunch of Zeros sitting up there waiting for you to take off.

General GRUNERT. Then, the only effect, as far as I can gather from your testimony, is that the difference between Alerts Nos. 1 and 2 as to protection against what happened, would have been a certain amount of dispersion?

General MOLLISON. That is all. It would not have helped a bit, unless you had warning of from 30 minutes to two hours before these people are going to attack you, because when they are sitting up there looking down your throat you can't take an airplane off the ground.

[38] General GRUNERT. Then, your only source of warning would have been the air warning service or information from the Navy; is that correct?

General MOLLISON. Yes, sir, that is true. (R., v. 7, p 821, 822, 823.)

Maj. Gen. F. L. Martin, AC, testified:

General FRANK. Now, had you been alerted so that your fighters could have taken the air, to what extent do you estimate 80 fighters could have interfered with the attack?

General MARTIN. Well, they could have done considerable damage. They could not have prevented it. It would have been impossible to have prevented it, but they could have reduced its effectiveness quite materially.

General FRANK. How many Jap planes actually were shot down over Oahu?

General MARTIN. I do not know. The Air Forces shot down about 10. The anti-aircraft shot down others. As I remember, it was possibly 29 or 30. There is a record of that.

General FRANK. Yes, I know.

General MARTIN. I do not remember exactly. I think it was about 29 or 30. But in my opinion, seeing a large number of those ships leaving the area with gasoline streaming out behind them, they never made the carriers, and that was true in many cases that I saw where there would be a white plume of gas—why it didn't catch fire I never knew—leaving the tanks of the the airplanes that were making for the sea. (R., v. 17, p. 1901.)

General RUSSELL. General Frank asked you some questions a moment ago, General, about what could have been accomplished by 80 fighters on December 7th. I want to ask you: Did you have 80 fighters available on December 7th before the Japanese came in and destroyed a great part of your force?

General MARTIN. Now, let me see. We had approximately 100 P-40s.

General RUSSELL. And they are fighters?

General MARTIN. Yes, they are fighters. We had approximately 50 P-36s.

General RUSSELL. And they are fighters?

General MARTIN. They are fighters. At least half of those were always on the ground, on account of lacking spare parts, so I reduced it to 75. Out of the 75 there [39] is always probably ten or fifteen per cent that would be out of commission from day to day. They would be in today and out tomorrow. So it is something less than 75 that would be the maximum that could have been put in the air on that day. (R., v. 17, p. 1909, 1910.)

Rear Admiral Husband E. Kimmel, testified:

General RUSSELL. Admiral, I have had some curiosity about what was done with your radar as far as the ships in the harbor were concerned.

Admiral KIMMEL. I have been informed by experts, and knew at the time, that the radar on ships in port was virtually useless on account of the surrounding hills, and the towers and buildings in the Navy Yard; and we never made any attempt to use it, but depended entirely on the shore for radar information. Furthermore, radar properly mounted on shore, and high up, has much longer range than anything we could get, because one of the elements in the range of the radar is the height above the sea at which it is mounted. (R., v. 17, p. 1809.)

General GRUNERT. Let us go forward with the intercepting command; and we included as one of its functions the Air Warning Service. I want to find out from you just what you knew about that in the latter part of November and early in December, and what you thought of it as to its status and its ability to operate.

Admiral KIMMEL. Well, at the time, I thought the aircraft warning service of the Army was probably somewhat better than it later proved to be. I knew that in the drills that we had conducted they had been quite successful in following the planes, and I recall that General Short, on one occasion, told me that he thought he could give us a coverage up to 150 miles and probably to 200 miles. This was just conversation, I didn't inquire too closely into it, because that was quite satisfactory to me; and if he could do that, that was, I thought, doing pretty well.

I knew that they were standing watches in the aircraft warning center to the limit of their personnel and equipment; and I knew that, even though I think now I had somewhat overestimated the capacity of it, I knew it was far from perfect and far from a finished product; but it was all we had, and I believed they were doing the very best they could with it.

General GRUNERT. Did you know they were "standing watch," as you call it, only from 4 a. m. to 7 a. m., and that that was only for practice purposes?

Admiral KIMMEL. In detail, I didn't know just the hours that they were standing watch. The aircraft warning service was manned during most of the day. I had been informed of that. (R., v. 16, p. 1789, 1790.)

[40] General RUSSELL. If the success of such an attack was assured and the Japanese seemed to have known everything about the situation out there, why would they not have made an attack which had to be successful?

Admiral KIMMEL. Well, of course there are two or three answers to that. One is that the Japanese Air Force, I think, without question, was much more efficient than we had believed it to be. The attack was a well-planned and well executed attack. Another phase is that the greatest damage done there was done by aircraft torpedoes. We believed prior to the 7th of December that they could not launch an aerial torpedo in Pearl Harbor. We thought that the water was not deep enough. Our air service had not been able to do it; and we had received official information from the Navy Department which convinced us that it could not be done. We were wrong. The major part of the damage was done by such torpedoes.

So far as reconnaissance is concerned, we had plans for reconnaissance and could run reconnaissance of a sort, but in our estimate which had been submitted to Washington, and which was on file in both the War and Navy Departments, it was clearly stated that we had to know the time of the attack, within rather narrow limits, in order to have anything like an effective search, because we could not maintain a search except for a very few days. Then of course we were hoping to get more planes all the time, and we had been promised additional planes, patrol planes, and additional Army bombers, all of which were necessary for the defense of Oahu. (R., v. 16, p. 1805, 1806.)

General GRUNERT. Knowing what you did about radar and the information center, did you feel that, on December 7, that had let you down?

ADMIRAL KIMMEL. Of course, I knew nothing about the receipt of any information at all in the Army radar, until the Tuesday, I think it was, following the attack; and when I found out that they had known where these planes came from and located within rather narrow limits the attacking forces—yes, I felt let down, because that was the information we wanted above everything else. I have been informed that the Navy, Admiral Bellinger, and Captain Logan Ramsey, called the Army information center several times each, during this attack of December 7, and asked them if they had been able to locate the direction from which these planes had come, and to which they returned; and each time they were informed they couldn't get anything.

Then, when this information was reconstructed two days later, we felt that it was unfortunate that we had not had that information available. (R., v. 16, p. 1791, 1792.)

Col. Lorry N. Tindal, AC, testified:

Major CLAUSEN. If the higher stations had been [41] completed, do you know if the direction of these returning planes could have been ascertained more accurately?

Colonel TINDAL. Yes.

Major CLAUSEN. And is it a fact they could have been obtained more quickly?

Colonel TINDAL. Yes, in my opinion. (R., v. 40, p. 4493, 4494.)

Col. Robert J. Fleming, CE, testified regarding the lack of airfields:

At the beginning of the war there was only one airfield in the entire Hawaiian Department from which a bombardment plane could operate. That was also true on the day of December 7th. There was only one runway in the entire Department from which a B-17 could take off, and that was at Hickam Field. On the afternoon of Thursday, following December 7, whatever date that may be, they had a 5,000-foot runway at Bellows Field, on a field which was never authorized or approved by the War Department. (R., v. 11, p. 1331.)

Gen. Martin gave this testimony concerning this condition:

General RUSSELL. Well, did any arrive?

General MARTIN. On the morning of December 7th we had nothing but our 12 B-17's coming from the mainland. Those ships arrived during the time the attack was taking place. We warned them in the open, because that is the only way we could warn them, to remain in the air as long as possible; that we had no airdromes at other islands that would accommodate them as yet. They were only partially completed. Four of the eight were lost from the attack of the Japanese. Eight were made available to the Air Force afterwards. Some were damaged in landing. One landed at a golf course. One landed at Bellows Field with the prevailing wind, on a very short runway. The new runway was not yet completed there and it was badly crashed. (R., v. 17, p. 1896.)

Mr. Chester R. Clarke testified concerning the state of completion of the defense projects as of the time of the attack:

Mr. CLARKE. I would say a very pitiful condition that that should occur when it did, because I frankly believe that had local contractors and mainland contractors like Mr. McClure and Mr. McKee and some of the others had this work, we would not have been in such a condition as we were when the Japanese attacked Pearl Harbor. We were certainly far less progressed in our work than we should have been. (R., v. 30, p. 3636.)

[42] Mr. George F. Bartlett of the United States Engineering Department, stated:

General FRANK. Which of those projects, in your opinion, should have been finished prior to Pearl Harbor?

Mr. BARTLETT. The radio transmitter station (AWS) on Kokee should have been finished.

General FRANK. That is up on Kauai?

Mr. BARTLETT. Kauai, yes, sir. And the radio transmitter (AWS) tunnel should have been finished.

General FRANK. On Kauai?

Mr. BARTLETT. No.

General FRANK. At Shafter?

Mr. BARTLETT. At Shafter. (R., v. 22, p. 2502.)

This witness further testified:

General GRUNERT. What do you know about that particular situation?

Mr. BARTLETT. Well, I finished the job over there. That is where they sent me on the second of December. I went over there as area engineer to speed up the Barking Sand Airport, and the Kokee radar station.

General GRUNERT. You went over there on the 2nd of December?

Mr. BARTLETT. Yes, sir.

General GRUNERT. What did you find when you got over there?

Mr. BARTLETT. Well, I found the Hawaiian Constructors there with three supervisory personnel. They hadn't the tower up. The material had been there for some time.

General FRANK. How long, about?

Mr. BARTLETT. Oh, it had been there for—it was a matter of weeks. I couldn't recall now just how long; but we had it up; in five days, that tower was up. (R., v. 22, p. 2510, 2511.)

k. Conduct of certain witnesses before the Board.—Col. Wyman, at the request of the Board, appeared at Honolulu for the hearings. He was accompanied by counsel made [43] available to him by the War Department, namely, Brig. Gen. John S. Bragdon, Office of the Chief of Engineers, and Maj. Bolling R. Powell, Jr., GSC, Legislative and Liaison Division, Major Lue Lozier, JAGD, who had studied the case while assigned to the Office of the Chief of Engineers, was also made available at Hawaii for their assistance. Col. Wyman was afforded an opportunity to present to the Board whatever evidence he desired. He gave testimony on various matters set forth in the Report of the House Military Affairs Committee. Gen. Bragdon also testified as to his research. (R., v. 26, p. 2894, 2923; v. 23, p. 3831.)

Col. Wyman testified that he was first advised in June 1941 that Rohl was an alien. (R., v. 29, p. 3503, 3534, 3552, 3579.) The falsity of this statement is apparent from the testimony and exhibits previously mentioned. A similar false statement was made by Col. Wyman to the Inspector General. (P. 68, 601, Report of Col. Hunt.)

Col. Wyman testified that Paul Grafe was the source of his information that Rohl was an alien. (R., v. 29, p. 3504, 3534, 3551, 3552.) The falsity of this statement is observed from reading the testimony and exhibits previously referred to. A similar false statement in this respect was also made to the Inspector General. (P. 68, 601, Report of Col. Hunt.)

Col. Wyman testified that he did not help Rohl get naturalized. (R., v. 29, p. 3506, 3507, 3530.) The falsity of this statement is readily shown. For example, Col. Wyman sent Rohl the letter dated 22 January 1941 which was used by Rohl's lawyers (Martin at Los Angeles and Galloway at Washington) for the purpose of having Rohl's naturalization petition favorably con- [44] sidered, treated as special, and pushed through.

In this regard attention is invited to the startling history and details of Rohl's naturalization. He applied at Los Angeles, California, on February 3, 1941, for permission to file a petition for naturalization. On 10 March 1941 he filed the petition. Rohl testified at the preliminary examination that his marriage to his then wife was his second and that he was first married in 1914 to a Marian Henderson by whom he had four children. He also testified that this marriage was dissolved by a divorce in 1924. Later, on 11 March 1941, he confessed that this testimony was false. Investigations which followed the filing of the petition disclosed the previously mentioned violations of immigration laws. Consequently, on 27 May 1941, the Inspector in Charge at Los Angeles submitted to the Central Office a formal application for a warrant of arrest of Rohl on the ground that he was in the United States in violation of the Immigration Law of 1924. The Central Office did not concur in this request because the three year period of limitations had expired. The files of the Bureau of Immigration and Naturalization and the Federal Bureau of Investigation indicate that the letter dated 22 January 1941 from Col. Wyman to Rohl was only one of several communications by Col. Wyman to have

Rohl's petition favorably considered. (R., v. 22, p. 2427; v. 33, p. 3972 et seq; v. 34, p. 4015; v. 35, p. 4103 et seq; v. 36, p. 4186, v. 37, p. 4338, 4366.)

The letter reads as follows:

[45]

Via Clipper

WAR DEPARTMENT,
UNITED STATES ENGINEER OFFICE,
Honolulu, T. H., January 22, 1941.

Address reply to District Engineer,
U. S. Engineer Office, P. O. Box 2240, Honolulu, T. H.
Refer to File No.
Contract No. W-414-eng-602

Mr. H. W. ROHL, ROHL-CONNOLLY COMPANY,
4351 Alhambra Avenue, Los Angeles, California.

DEAR SIR: Reference is made to Secret Contract No. W-414-eng-602 with the Hawaiian Constructors for work in the Hawaiian Islands.

As you are actively interested in this venture, I desire you to proceed to Honolulu at your earliest convenience to consult with the District Engineer relative to ways and means to accomplish the purpose of the contract. You will be allowed transportation either by clipper or steamboat, both ways, and travel allowance not to exceed \$6.00 per day while en route in accordance with existing laws and regulations.

You will make application to either the District Engineer at Los Angeles or the Division Engineer, South Pacific Division, San Francisco, for transportation.

Very truly yours,

s/s THEODORE WYMAN, JR.,
Lt. Col., Corps of Engineers, District Engineer.

In light of the language of this letter it is interesting to observe Col. Wyman's testimony to the effect that when the contract was signed he did not expect that Rohl would go to Hawaii. (R., v. 29, p. 3528). Col. Wyman testified that he received no response from Rohl as to the letter but nevertheless did nothing. (R., v. 29, p. 3531). This testimony should be further considered with Col. Wyman's answer to Gen. Russell [46] that he sent the letter because of a fuss which he had with Grafe, although he later stated to General Russell that this fuss arose in February, 1941. (R., v. 29, p. 3556). Gen. Hannum indicated that Col. Wyman had this row with Grafe about May 1941. (R., v. 18, p. 2055). Significantly, also, Gen. Hannum who was the superior of Col. Wyman was never shown a copy of the 22 January 1941 letter. (R., v. 18, p. 2057).

Attention is invited to this extract of a letter from Rohl's attorney David H. Cannon of Los Angeles to the Secretary of Commerce.

Major CLAUSEN. In any event, do you know anything about a letter by this Mr. Cannon, David H. Cannon, 650 South Spring Street, Los Angeles, California, to the Secretary of Commerce, dated August 29, 1941, which states in part as follows: (Paragraph 5.)

"Theodore Wyman, Jr., Lieutenant Colonel, Corps of Engineers, War Department, in charge of all the above-mentioned defense work in Hawaii, has requested Mr. Rohl and the War Department to have Mr. Rohl give his personal service in connection with the emergency defense work in Hawaii, and as early as January 1941 and at numerous times since that date Colonel Wyman has tendered Mr. Rohl transportation via clipper or boat to the Islands and has stated to Mr. Rohl over interocean telephone that he will personally obtain special permission, because of Mr. Rohl's alien status, to allow Mr. Rohl to work on this secret contract." (R., v. 20, p. 2229.)

Attention is also invited to the following letter dated 15 August 1941 which Col. Wyman sent to the Chief of Engineers :

Via Clipper

WAR DEPARTMENT,
UNITED STATES ENGINEER OFFICE,
Honolulu, T. H., August 15, 1941.

In reply refer to :
ND 600.114-602
" 230

Subject : Request for Final Citizenship Papers of Mr. H. W. Rohl of Rohl-Connolly Company, San Francisco and Los Angeles, California.

To : The Chief of Engineers, U. S. Army, Washington, D. C.

(Through The Division Engineer, South Pacific Division.)

[47] 1. Mr. Paul Grafe, Attorney-in-Fact for the Hawaiian Constructors, a joint venture consisting of the W. E. Callahan Construction Company, Los Angeles, California ; Gunther & Shirley Company, Los Angeles, California ; and Mr. Ralph E. Woolley, contractor of Honolulu, prosecuting Cost-Plus-A-Fixed-Fee Contract No. W-414-Eng-602, has requested the District Engineer to bring to the attention of the Engineer Department the status of Mr. H. W. Rohl, 2519 Hollywood Boulevard, Los Angeles, California, one of the principal stockholders of the firm of Rohl-Connolly Company. Mr. H. W. Rohl applied to the U. S. District Court at Los Angeles, California on January 15, 1941 for his final citizenship papers which, it appears, have not been issued to date.

2. Mr. H. W. Rohl is a very skillful construction supervisor. He has personally supervised several large construction jobs for the Engineer Department under various contracts, also, other agencies of the United States. Some of the outstanding work performed by Mr. Rohl was the construction of the Los Angeles-Long Beach Detached Breakwater, the construction of the Headgate Dam at Parker, Arizona for the Indian Service, and miscellaneous dams, tunnels, and other heavy construction in the State of California. Mr. Rohl is a man of outstanding ability, and of excellent judgment and resourcefulness for the management of difficult construction work.

3. Due to the fact that part of the work being performed under Contract No. W-414-Eng-602 is of a restricted nature, and because of his alien status, Mr. Rohl has been reluctant to take any active part in the supervision or management of the work under Contract No. W-414-Eng-602 ; therefore, his valuable services have been lost.

4. While District Engineer at Los Angeles, California, the writer had frequent contacts with Mr. Rohl in connection with the Los Angeles-Long Beach Detached Breakwater construction and the dredging of the Los Angeles Harbor. It is the writer's opinion that Mr. Rohl's loyalty to the United States is beyond question.

5. In view of the scarcity of qualified supervisory personnel for construction work in the Hawaiian Islands, it is the District Engineer's opinion that Mr. Rohl's services would prove invaluable in prosecuting the work at hand under the above cited contract ; therefore, it is recommended that the Attorney General's attention be invited to the case with a request that action on his application for final citizenship papers be expedited.

Office, Division Engineer
South Pacific Division
Aug 18 '41 9 00 AM
San Francisco, California

THEODORE WYMAN, JR.,
Lt. Col., Corps of Engineers.
District Engineer.

Inclosure : Ltr., 8/15/41 fr., HAWAII CONSTRS.
cc :—Mr. H. W. Rohl.

[48] On or about August 28, 1941, in pursuance of requests and information from Col. Wyman and Rohl's attorney, the Acting Chief of Engineers wrote the following letter to the Bureau of Immigration and Naturalization. (R., v. 14, p. 1539 et seq ; v. 6, p. 543 et seq.)

WAR DEPARTMENT,
OFFICE OF THE CHIEF OF ENGINEERS,
Washington, August 28, 1941.

LEMUEL B. SCHOFIELD,

*Special Assistant, Bureau of Immigration and Naturalization,
Office of the Attorney General, Department of Justice,
Washington, D. C.*

DEAR MR. SCHOFIELD: The Hawaiian Constructors, a joint venture consisting of the W. E. Callahan Construction Co., Los Angeles, Calif.; Rohl-Connolly Co., San Francisco and Los Angeles, Calif.; Gunther & Shirley Co., Los Angeles, Calif., and Ralph E. Woolley, contractor of Honolulu, T. H., are working on very important defense construction at Honolulu, T. H., pursuant to Engineer Corps Contract No. W-414-Eng-602.

Mr. H. W. Rohl, 8519 Hollywood Boulevard, Los Angeles, Calif., one of the principal stockholders of the Rohl-Connolly Co., applied to the United States district court at Los Angeles, Calif., on January 15, 1941, for his final citizenship papers which have not, as yet, been issued. Mr. Rohl is possessed of outstanding ability, excellent judgment, and resourcefulness for the management of difficult construction work. Some of the outstanding work performed by Mr. Rohl was the construction of the Los Angeles-Long Beach detached breakwater, the construction of the Headgate Dam at Parker, Ariz., for the Indian Service, and the miscellaneous dams, tunnels and other heavy construction in the State of California. To date, Mr. Rohl's valuable services have not been available for Government defense projects because of his alien status.

The services of Mr. Rohl are of vital importance to the expeditious completion of the afore-mentioned defense construction project because of his peculiar qualifications and scarcity of qualified supervisory personnel. It is the understanding of this office that Mr. Rohl's loyalty to the United States is beyond question. It is therefore requested that the granting of Mr. Rohl's final citizenship papers be expedited.

Your consideration and cooperation will be very much appreciated.

Very respectfully,

JOHN J. KINGMAN,
*Brigadier General,
Acting Chief of Engineers.*

[49] Accordingly, the petition of Rohl was specially heard as a contested case on 15 September 1941 by the United States District Court, Los Angeles, Judge J. F. T. O'Connor presiding. Rohl was represented in court by still another attorney, one David H. Cannon of Los Angeles. The court granted the petition after a statement of facts had been presented by the Bureau of Immigration and Naturalization. This included a representation to the court that "no objection will be made to the granting of this petition." The statement also set forth that:

The petitioner is the President of the Rohl-Connolly Contracting Co., located at 4351 Valley Blvd., Los Angeles, and has been awarded a secret contract in connection with a defense construction project in Honolulu. His participation in this project is being held up until he has been naturalized.

The basis for this latter statement included the quoted letters. The Board received from the former Division Engineer a copy of a letter dated 10 October 1941 from the Immigration & Naturalization Service to attorney Benjamin L. Stilphen, of the Office of Chief of Engineers, reading in part:

You are advised that all the facts in the case were presented to the court. * * *

Wyman testified that he had maintained the same relations with other contractors as he maintained with Rohl. (R., v. 29, p. 3360, 3364, 3365, 3383, 3564.) The falsity of this statement is clear from what has previously been found as to the extraordinary and abnormal relations which actually had existed between Rohl and Col. Wyman,

Col. Wyman testified that he conducted an adequate investigation to determine the availability of contractors in Hawaii. (R., v. 29, p. 3388, 3481.)

The falsity of this statement is indicated by the proof that many local contractors were available in Hawaii and would [50] have welcomed the work and were more competent than the Hawaiian Constructors. Col. Wyman did not even communicate with these contractors for this purpose.

Col. Wyman testified that there were no delays attributable to the neglect of the Hawaiian Constructors. (R., v. 29, p. 3425.) The falsity of this statement is apparent from the showing of undue delays and deficiencies.

Col. Wyman testified that he was not relieved from Hawaii for any deficiencies. (R., v. 29, p. 3516, 3575.) In an apparent effort to support this statement he referred to his award of a Distinguished Service Medal for his services in Hawaii. (R., v. 29, p. 3374.) Since the point is thus raised, it becomes necessary to examine the history of this decoration. The citation for this award reads:

GENERAL ORDERS
No. 42

WAR DEPARTMENT,
WASHINGTON, August 17, 1942.

EXTRACT

II—AWARD OF DISTINGUISHED-SERVICE MEDAL— * * *

THEODORE WYMAN, JR., colonel (Lieutenant colonel, Corps of Engineers), Army of the United States. For exceptionally meritorious and distinguished service in the performance of duty of great responsibility as District Engineer, Honolulu (T. H.) Engineer District, from October 14, 1941, to March 15, 1942. On October 14, 1941, Colonel WYMAN was directed to proceed with emergency construction in the South Pacific Area, to be available for use by January 15, 1942, at locations difficult of access and widely separated. Under extremely difficult conditions of supply and construction, Colonel WYMAN completed the work in 11 weeks from the date of notice to proceed, and on December 28, 1941 over 2 weeks ahead of schedule, reported the projects ready for use. Colonel WYMAN displayed unusual judgment, foresight, and energy in carrying out his duties, and through his accomplishment rendered a service of great value to the defense of this and cobelligerent countries. * * *

By order of The Secretary of War:

G. C. MARSHALL,
Chief of Staff.

[51] OFFICIAL:
J. A. ULIO,
Major General,
The Adjutant General.

It appears that that award was recommended by Brigadier General Warren T. Hannum, the former Division Engineer and superior of Col. Wyman. (R., v. 6, p. 630.) It further appears, however, that General Hannum first tried unsuccessfully to get the Commanding General, Hawaiian Department, to recommend the award. (R., v. 19, p. 2048.) General Hannum also knew since October 1941 of the complaints from the Hawaiian Department against Colonel Wyman. (R. 2041.)

Col. Wyman testified that he never even visited the chain of islands which had been prepared as an air route. (R., v. 29, p. 3545.) The Board further discovered that the impetus for the award came from Mr. Walter F. Dillingham who was a stockholder in the Hawaiian Contracting Co. during the period in question. This firm benefitted

from the mentioned equipment purchase and was one of those which comprised the Hawaiian Constructors. Mr. Dillingham had communicated with his lawyer in Washington, Mr. Lee Warren, concerning the initiation of the award. (R., v. 24, p. 2779.)

On this subject Mr. Wickiser testified:

* * * But I can tell you again that as far as the men that were working out there, working on the construction work, they thought it was a joke.

General GRUNERT. Do you know anything about his work on the string of air bases down toward Australia? Did you have anything to do with that?

Mr. WICKISER. No, sir.

General GRUNERT. Then, those who may have known about it and appeared to be surprised that he received a decoration didn't know but what he may have done extraordinary work on something else of which they were not aware?

[52] Mr. WICKISER. That might have been. But I might also say that most of these men also knew of Colonel Wyman in Los Angeles, sir, which goes back a little further than that time. (R, v 22, p 2473.)

It was of record that Gen. Tinker finally ordered the Hawaiian Constructors out of the chain of islands for apparent incompetence. (R, v 22, p 2486.)

With respect to the work of Col. Wyman on Christmas Island, which was one of the islands in question, following is a report of Col. E. W. Leard, IOD, to the Inspector General, Hawaiian Department:

The following report is contained in a folder marked Secret the title of which is "Report of Inspection of Station "X" Christmas Island, Pacific Arch. Inspected: 2730 January, 1942 By: Captain W. E. Wilhelm, C. E."

19 FEBRUARY, 1942.

Memorandum for: Colonel Lathe B. Row.

Subject: Analysis of Report of Inspection of Station X.

1. An analysis of the report of inspection of station "X", made by Captain W. E. Wilhelm, CE, shows:

- a. That conditions at Station "X" are very bad.
- b. That these conditions are entirely due to the fault of the District Engineer.
2. The following specific failures of the District Engineer are indicated:
 - a. Material for assembling various types of tanks was sent, but no hardware, valve fittings, etc.
 - b. A ship load of lumber was sent, but no door jambs, window jambs, door screens, etc.
 - c. Insufficient laundry facilities have been provided.
 - d. Insufficient motor transportation has been provided.
 - e. Insufficient heavy machinery has been provided.
 - f. Insufficient messing and cooking equipment has been provided for personnel.
 - g. Necessary quantities of asphalt, plumbing material, electrical material, hardware, sinks, showers, lights, fans, and furniture have not been provided.

3. The following conditions have been permitted to exist without apparent remedial action:

- a. Sanitary conditions are very bad.
- b. No effort has been made to provide adequate living conditions for personnel.
- [53] c. Apparently no effort has been made to provide recreation and comforts.
- d. The Navy has been permitted to take over Pan-Air facilities and Hotel, and the engineers operate a mess for the Navy and perform all their chores.
- e. The medical officer has not been required to fully perform his duties.
4. The following indicates that the work of the engineers has not been satisfactory.
 - a. Too much time is required for the construction of runways.
 - b. Runways and bays are not properly completed.
 - c. Radio equipment is left unpacked and untried, and some equipment is out of order.
 - d. One laundry is not in operating condition.
 - e. No effort has been made to provide the work camp with water.
 - f. No apparent effort has been made to utilize the filters and purifying apparatus of the Pan Air Station.

5. The above resume taken from the report submitted by Captain Wilhelm to the office of the District Engineer indicates that a very bad state of affairs exists at Station X, and that this state of affairs can be attributed only to lack of proper supervision and competent personnel from the office of the District Engineer.

/s/ E. W. L.
E. W. LEARD,
Lt. Col. I. G. D.

The Comanding General, Hawaiian Department directed that two letters, dated 14 and 27 February requesting the relief of Col. Wyman for what amounted to gross inefficiency in office, be sent to the Chief of Engineers. These letters were sent and are as follows:

Letter of February 14, 1942, Colonel Lyman to Major General Reybold:

Major General EUGENE REYBOLD,
Chief of Engineers,
Washington, D. C.

DEAR GENERAL REYBOLD: We have had an unfortunate and unpleasant situation develop here in the Hawaiian Department. The District Engineer has executed some of his work in a most efficient manner, however, [54] due to an unfortunate personality he has antagonized a great many of the local people as well as some of the new employees and officers who have recently been assigned to his office. Since this atmosphere exists whenever any condition arises such as slowness in making payments to dealers or to employees, even if this condition is beyond the control of the District Engineer, the people wrathfully rise up in arms against him.

Prior to December 7 I did not have very many official dealings with the District Engineer and I know little about the efficiency of his administrative and engineering organization, but since December 7, when it was believed that it would be more economical and in the interest of efficiency to continue using his office as the procurement and dispersing agency for the Department Engineer's office, I have had many dealings with him. Some of the work which they were called upon to perform for me has been carried on in a highly satisfactory manner but there are many other items of work, which for some reason or other there was a slowness in getting results. This, I am told by various Post and Station Commanders, obtains generally and as a result many of their assistants carry resentments towards the office of the District Engineer. I shall have to state that there was rather a very abrupt change made when the ACQM was taken over by the District office and some of the difficulties were undoubtedly created by a lack of a suitable transition period.

Even though this area has been officially declared a Theatre of Operations, the District continues to function independently or under the Division Engineer on certain work over which I have no control, and as a result there is a lack of cohesion in our operations, and the whole engineer program is [55] suffering with a consequent loss of prestige by the Engineers in both civilian and military circles. However, this could be overcome by certain corrective measures in the District Engineer's organization and methods, and many of these are now being undertaken. It is extremely questionable whether a change in sentiment or method of operation by the District Engineer at this time could better the situation in the future due to the intense antagonism that now exists among civilians and worse among military personnel towards the District Engineer. It may be that the present District Engineer has outlived his usefulness in this Department.

The Department Commander discussed this situation with me two days ago and suggested that I warn you that he may conclude that a change is necessary. I know that General Emmons thinks very highly of the present District Engineer in some of the work that he has performed; however, the General feels that possibly an insurmountable condition has developed which is a handicap to efficient operation and he may decide to recommend a change. Before doing this, however, he has directed me to confer with the District Engineer and suggest changes in both his organization and his method of operation in an attempt to improve the existing unsatisfactory service.

Very truly yours,

A. K. B. LYMAN,
Colonel, Corps of Engineers, Department Engineer.

[56] Letter 27 February 1942 from Colonel Lyman to General Reybold:

DEAR GENERAL REYBOLD: I wrote you on 14 February 1942 in regard to the unsatisfactory situation in the District Engineer office here. Since that time I have personally investigated conditions and find that they are unsatisfactory, particularly in the administrative branches. The administration of his office and his handling of the air field construction program are not altogether pleasing to the Department Commander and the general unpleasant feeling toward him makes it desirable to effect his replacement.

With an organization as large as the present one of the District Engineer, decentralization of authority is essential. Colonel Wyman appears unwilling to grant authority to subordinates and attempts to carry too much of the load himself. As a result some phases of the work suffer from lack of sufficient attention. In addition three of the officers whom he has selected for important line island projects have had unfavorable reports submitted against them evidencing lack of judgment on the part of the District Engineer in the selection of key personnel.

When I wrote before, the Department Commander had not definitely decided that a change in District Engineers was necessary. He realizes that Colonel Wyman has done an excellent job in many respects and does not want to take official action that would tarnish the record of the officer. General Emmons feels that perhaps Colonel Wyman has been in this semitropical climate too long or that the pace at which the District Engineer has been driving himself has clouded his judgment. On several occasions Colonel Wyman has received important verbal instructions and failed to carry them out, either through forgetfulness or failure to understand. A reconsideration of the entire situation by the Department Commander has resulted in asking me to informally request the replacement of Colonel Wyman as District Engineer.

I sincerely hope that you will see fit to ease Colonel Wyman out of the Hawaiian Department in such a manner as to reflect no discredit on him and replace him with someone who can visualize the high degree of cooperation which is necessary between the various commanders, civilians, and the District Engineer's office in order that the Engineer Service may function to the fullest extent. I, personally do not believe there is any solution to the problem short of the relief of the present District Engineer.

In the event that you see fit to make a change I strongly recommend that two experienced administrative assistants, thoroughly familiar with the Departmental procedure, be either transferred here or sent on temporary duty to reorganize the administrative branch of the District office to permit it to carry the tremendous mass of detail expeditiously and effectively. The present administrative heads have not had sufficient experience to manage the large organization that is now required to perform the administrative detail. Errors in the preparation of pay rolls and vouchers and delay in making payments have resulted in some hardship and unpleasant feeling among local labor, contractors, except possibly the one large company handling the bulk of his work, and supply firms.

Sincerely

(s) A. K. B. LYMAN,
Colonel, Corps of Engineers,
Department Engineer.

[58] To this the Chief of Engineers, Maj. Gen. Eugene Reybold replied by letter dated 16 March 1942, which reads in part:

I appreciate very much your frank letter advising me of conditions in your Department. As you will know upon receipt of this letter, we have effected the reassignment of Colonel Wyman for important military construction activities in another theatre of operations.

The Inspector General, Hawaiian Department, made a report dated 14 February 1942, to the Chief of Staff of the Commanding General, Hawaiian Department, concerning gross inefficiencies and irregularities of the District Engineer. This reads in part as follows:

1. a. That the District Engineer has antagonized the business firms of Honolulu and private individuals of the community by his failure to properly meet obligations, peremptory actions, and lack of tact on the part of himself and certain members of his staff.

b. That due to the District Engineer's failure to coordinate the procuring, auditing, and disbursing sections of his organization payments to dealers for merchandise delivered and services rendered are in some cases long overdue. Some firms are threatening to refuse further sales unless outstanding obligations are paid in full and kept current. Many smaller businesses now are faced with financial difficulties due to their inability to collect amounts due them from the District Engineer. It has been ascertained that of the larger firms approximately \$500,000.00 is due Lewers & Cooke and approximately \$60,000.00 is due Mr. MURPHY, the owner of Murphy Motors and Aloha Motors. There are indications that similar large amounts are due other firms.

c. That the District Engineer's delay in paying wages, sometimes for periods of several weeks, is adversely affecting the prosecution of defense projects and the morale of employees engaged on these projects.

d. That the failure on the part of the District Engineer to properly and systematically take over the activities of the Zone Constructing Quartermaster on 16 December has resulted in disruption of administrative functions to a marked degree.

e. That the District Engineer's office as a whole has not been organized in such a manner as to operate with efficiency.

f. That there is evidence that the District Engineer [59] has harassed the former employees of the Zone Constructing Quartermaster and has subjected them to mental persecution to such an extent that many of the key men have refused to work in his office.

g. There is evidence to indicate that the employees of the former Zone Constructing Quartermaster who have been transferred to the office of the District Engineer are discontented and dissatisfied over conditions existing therein.

2. Mr. MURPHY, the owner of the Murphy Motors and Aloha Motors, stated yesterday (13 February 1942) that he has been unable to collect past due obligations for trucks and automobiles purchased by the District Engineer. He further stated that he is going to the mainland by clipper within three days and that he contemplates bringing these matters to the attention of Delegate KING and such other authorities in Washington as may be necessary to secure remedial action unless he can be assured his unpaid bills will be settled promptly. He also stated that he contemplates refusing to make delivery on orders now on hand for more motor transportation. Mr. MURPHY is extremely bitter of the manner in which he and other automobile dealers have been treated by the District Engineer.

3. In addition to the matters mentioned above, past inspections and recent numerous incidents requiring investigation have disclosed that the administration and operation of the District Engineer activities since 7 December 1941 have been exemplified by extravagance and waste and general mal-administration. It was discovered during the course of inspections of District Engineer activities prior to 7 December that his administrative setup was improperly coordinated and was so mentioned in these reports of inspection. The District Engineer, in his replies, has stated that steps had been initiated to correct the irregularities and deficiencies reported. It is now evident that many of these irregularities and deficiencies still existed on 7 December 1941 and have been aggravated by the increased volume of his activities incident to the outbreak of war and the taking over of the functions of the Zone Construction Quartermaster on 16 December 1941. Colonel WYMAN's methods of administration have been such as to antagonize many persons, military and civil, both within and without his organization. His actions have also been ridiculed and criticized in the community. I believe that this condition is to the great detriment of Army as a whole and the Engineer Corps in particular.

4. In my opinion Colonel WYMAN does not possess the necessary executive and administrative ability or the leadership to cope with the present situation existing in this Department. In addition to the matters set forth in paragraph 1 above, inefficiency of his office has further been demonstrated by:

a. His methods of purchase, assignment and use of motor vehicles.

[60] b. His waste of money in the renting, remodeling and furnishing of offices for himself and his staff.

c. The building of elaborate and expensive (\$41,652.46) air raid shelters at the Punahou School for the use of himself and the executives of the contractor. These shelters have sufficient capacity to protect only a small percentage of the number of employees on the Punahou Campus.

d. Directing his contractor to take over and operate the Pleasanton Hotel at an estimated loss of \$2,500.00 per month when a mess is operated and at the

rates and room assignments fixed by the District Engineer. The principal beneficiaries of the use of this hotel to date have been Colonel WYMAN and wife, and his staff and their dependents. This hotel was taken over on 16 January 1942 and a mess was established on 26 January 1942.

e. Failing to utilize to best advantage the services of Lieutenant Colonel HAROLD, former Zone Constructing Quartermaster, and his highly trained assistants.

f. His failure to stabilize assignments of personnel to positions of responsibility, and his failure to delegate authority to his administrative assistants to act for him.

g. His failure to establish a system of accountability to insure the proper accounting for the receipt and issuance of construction material.

h. His failure to issue directives in necessary detail and to organize his staff to insure compliance with directives issued by him.

i. His disregard for and violation of orders of the Military Governor concerning the curfew law.

5. Although several of the investigations relative to matters mentioned in paragraph 4 have not been completed, the evidence already obtained substantiates the statements made above and indicate that Colonel THEODORE WYMAN, Jr., C. E., does not possess the necessary executive and administrative ability to properly conduct the affairs of his office. The fact that Mr. MURPHY contemplates such drastic action and the fact that business firms threaten to refuse delivery on future orders submitted by the District Engineer indicate the seriousness of the situation and the need for immediate remedial action.

6. I strongly believe that unless a change in the administration of the office of the District Engineer is accomplished within a short time, most serious repercussions will result.

7. CONCLUSION

That it is to the best interests of the United States and [61] of the Hawaiian Department that Colonel WYMAN be relieved at once as District Engineer.

8. RECOMMENDATION

That Colonel WYMAN be relieved as District Engineer at once.

Accordingly, Col. Wyman was relieved on 15 March 1942 as District Engineer in Hawaii.

Captain William A. E. King, JAGD, testified that in the early part of 1942, while assigned to the Hawaiian Department, he rendered an opinion as to the serious derelictions of Col. Wyman which had existed before 7 December 1941. (R, v. 39, p. 4455, et seq.)

Charges that Col. Wyman was inefficient have also been confirmed by subsequent investigations of the Office of the Inspector General, Washington, D. C. Reference is made especially to that of Colonel John A. Hunt, IGD. (R, v. 7, p. 745, et seq.) His observations and studies were very helpful to the Board as a starting point for the exploration of facts. The Board developed many additional points of evidence.

[62] The report of Colonel Hunt, dated 14 June 1943 states in part:

b. Mr. Rohl was owner of the yacht Ramona, at one time Commodore of the Newport Harbor Yacht Club and well known as a sportsman and spender. During the period of Colonel Wyman's duties in Los Angeles, 1935-1939, he was the guest of Mr. Rohl aboard the Ramona and later the Vega, which Mr. Rohl acquired in 1937. Colonel Wyman testified that the number of such occasions was probably no more than four or five. These yacht trips, as described by Colonel Wyman, were for the greater part essentially business trips, primarily to inspect the quarries above referred to. Actually, there existed no necessity for conducting the business of inspecting quarrying activities on Catalina Island in this manner, since there were available to the District Engineer adequate Government-owned vessels. These trips must therefore be classed as pleasure trips at Mr. Rohl's expense, official business being an incidental consideration.

During the same period, Colonel Wyman was many times the guest of Mr. Rohl at the latter's Beverly Hills home. Colonel Wyman testified that he was very meticulous in the matter of removing any sense of obligation to Mr. Rohl by repaying these courtesies in kind. It is therefore apparent that Colonel Wyman was on close and intimate social relations with Mr. Rohl during the period when, as the Government's representative, he administered extensive work for which Mr. Rohl was the contractor.

c. The yacht trips and house parties given by Mr. Rohl and attended by Colonel Wyman were expensive and lavish. Intoxicating liquors were habitually served, with no limitation excepting the guest's capacity to imbibe. Colonel Wyman, claiming an ability to hold his liquor, imbibed freely. It is not in evidence that he became intoxicated to an obvious extent. It is not evident, however, that his acceptance of Mr. Rohl's entertainment was in any sense necessary to that desirable degree of acquaintance between the Corps of Engineers and the construction industry which may be considered necessary to their mutual interests. These contracts were essentially, if not entirely, social and personal affairs, which by their frequency and character tended strongly to bring discredit upon the Corps of Engineers and to give rise to just such allegations as the ones now in question.

With respect to the duty of Colonel Wyman to ascertain whether competent contractors were available in Hawaii for the construction of the defense projects, Col. Hunt reported:

e. Colonel Wyman testified that he had tried to interest local contractors in taking on the work originally proposed, and that they showed no interest. That statement was not confirmed by inquiry among those contractors, seven of whom were questioned in the matter, all of them [63] denying having been given a chance to take on any part of the work. These contractors were then seeking new work, and the bringing in of an outside contractor without giving them a chance to participate, created a considerable natural resentment on their part.

Concerning the fact that Col. Wyman knew of Rohl's alien status when the contract was executed, Col. Hunt reported:

It is difficult, therefore, to escape the conclusion that Colonel Wyman knew of Mr. Rohl's non-citizenship when the contract was entered into, or at latest shortly after writing the unanswered letter summoning him to Hawaii. In such circumstances any close relationship between Colonel Wyman and Mr. Rohl thereafter would have involved the former in dealings with a man of doubtful loyalty to the United States.

As to the continuance in Hawaii of the unwholesome relationship between Col. Wyman and Rohl which had existed in Los Angeles, Col. Hunt reported:

d. Various witnesses testified to having seen Colonel Wyman with Mr. Rohl at various semi-public functions, when both men indulged freely in toxicating beverages. So far as could be ascertained, most of these instances were prior to the attack of 7 December. No witness was found who could testify to drunkenness on Colonel Wyman's part. His own testimony and that of other witnesses in this respect indicates that Colonel Wyman maintained a totally unnecessary, and in the circumstances, an undesirable social familiarity with the active head of an organization whose prime business it was to profit from work under his supervision. If there is reasonable doubt that this relationship was with a man whose non-citizenship at the commencement of the contract was known to him, there is no doubt whatever that it was with a man who at the time of this relationship in Hawaii, had been proven to Colonel Wyman to have concealed the fact of his alien status. The least that can be said of that relationship is that it displayed a callousness on Colonel Wyman's part, not only toward the character of his associate, but toward the possible consequences of its public display.

Concerning the purchase of equipment from the Rohl-Connolly Co. and the Hawaiian Contracting Co., Col. Hunt reported:

7. a. It is next alleged that immediately prior to his departure from Hawaii, Colonel Wyman rushed through the purchase from the Rohl-Connolly Company of certain equipment owned by the latter, paying the price asked by Mr. Rohl,

although his own appraiser valued that equipment at approximately \$35,000 less than the price asked. At [64] this point it is pertinent to indicate that the original composition of the Hawaiian Constructors had been twice changed by the addition of two more co-adventurers prior to the events here in discussion. On 22 May 1941, Mr. Ralph E. Wooley, an independent contractor of Honolulu, had been added to the membership. On 4 January 1942, the Hawaiian Contracting Company became the fifth associated contractor, with Mr. H. P. Benson, President, becoming a member of the Executive Committee. Both of these men figure in the purchase of the equipment here in discussion, as well as in other equipment purchases. Some time prior to 9 December 1941, the need for more construction equipment became evident as increased operations to the south of Hawaii became necessary. It was known by Colonel Wyman that the Rohl-Connelly Company owned certain equipment which was then idle at the Caddoa project in Colorado. It was arranged that this equipment would be shipped to Los Angeles for overhaul and trans-shipment to Canton Island, Christmas Island, and other points in the Pacific. Efforts to trace the movements of this equipment failed, although it was determined that some reached Canton Island, some was en route to Christmas Island on 7 December 1941 when the ship carrying it was diverted by Navy orders, and some reached Honolulu. Under date of 11 March 1942, a letter signed by Mr. Rohl on behalf of the Hawaiian Constructors requested the District Engineer to purchase certain listed equipment from the Rohl-Connelly Company at prices stipulated therein. (Exhibit M.) The items listed appear to have been among those referred to above, though strict identification was not found possible. On 10 March 1942, Mr. M. C. Parker, employed by the District Engineer, was directed to appraise this list of equipment, which he did, reporting his findings of a value of \$131,411.03 on 11 March 1942. On 12 March 1942, Mr. Parker was ordered to report to Colonel B. L. Robinson, Operations Officer under Colonel Wyman. The former discussed the appraisal with Mr. Parker and they directed him to confer with Mr. Rohl in the matter. Mr. Parker was directed to a table at which Mr. Rohl sat with Mr. Ralph E. Wooley and Mr. H. P. Benson. A discussion was had, in which Mr. Rohl displayed certain paid repair bills relating to the equipment in question, with the evident intention of swaying Mr. Parker's appraisal. The latter refused to recede from his recorded judgment, whereupon Mr. Rohl asked him if he was aware that a good deal of back rental was due on the equipment. Mr. Parker disclaimed any knowledge thereof, but insisted that the fact would not alter his appraisal of the value of the equipment as he had observed it.

b. Both Mr. Wooley and Mr. Benson testified that they had no part in this discussion and were not aware of its subject or trend. Colonel Wyman expressed a complete ignorance of the discussions. On 12 March, Mr. Parker sent a memorandum to Colonel Robinson recommending that if back rental were due in an amount which, added to the amount of his appraisal, would equal or exceed the price requested [65] by Mr. Rohl, the latter figure be approved as the purchase price. (Exhibit N.) By letter dated 13 March, Colonel Wyman directed purchase of the equipment at prices stated by Mr. Rohl in his letter of 11 March. (Exhibit O.) The purchase was completed accordingly. Payment in the amount of \$166,423.17 was made by Captain W. P. McCrone, CE, on 19 March who had been displaced as disbursing officer several days previously when disbursements were taken over by the Department Finance Officer. Diligent search of files and inquiry among possible witnesses having knowledge of the matter, failed to disclose any facts explaining or justifying the rejection of Mr. Parker's appraisal and the payment of prices asked by Mr. Rohl. Colonel Robinson could not be reached, he having been transferred to some place in Australia.

c. It appears to be reasonably certain that the equipment in question had been in actual use for various lengths of time during January, February, and part of March at the time of purchase, although use records were not available and apparently were not maintained. There was no record of any rental agreement relating to any of this equipment. It is quite possible that assuming the fairness of Mr. Parker's appraisal on 12 March, the equipment had a substantially higher value when delivered to the site of use or at point of shipment. It does not, however, appear that a depreciation of approximately \$35,000 in value, or about 26% could have occurred in that period. No suitable basis was available upon which to reconstruct a fair value to apply to the equipment as of the date of delivery. Mr. Rohl's effort to sway the appraiser's judgment by

references to rentals due, seems an obvious effort to distort the facts in his own favor. All trace of the retained voucher and supporting papers were missing. No memoranda or other papers were found in connection with Colonel Wyman's letter directing the purchase at Mr. Rohl's figures. In the absence of justifying evidence or testimony, the conclusion seems inescapable that Colonel Wyman was unduly swayed, contrary to the Government's interests, by an unwarranted acceptance of these representations of Mr. Rohl in the face of conflicting recommendations.

8. a. It is next alleged that just prior to his departure from Hawaii, Colonel Wyman rushed through a purchase of equipment from the Hawaiian Contracting Company paying \$156,411 for the lot, including a considerable amount of equipment, as mentioned in c below, that was unfit for the emergency use for which, it was represented, it was immediately needed. In this connection, the procedure to be followed in purchasing equipment in Hawaii was recommended in a letter signed by Mr. Rohl. (Exhibit P.) The procedure was to base payment upon an appraisal to be made by a Mr. Bruce Gentry, representing the Hawaiian Constructors; a Mr. H. J. Roblee, employee of the Edward R. Bacon Company of Honolulu and a third man representing the owner. In the case of the equipment purchase now in question, the third party was Mr. Edward Ross, employee of [66] the Hawaiian Contracting Company. These three appraised the equipment in question, placing an upper value of \$156,150 upon it. This appraisal was substantially the amount named in a letter addressed by Mr. Rohl to the District Engineer dated 9 January 1942. In this case, the Government was not properly represented. Mr. Roblee, ostensibly the Government's representative, owed his livelihood to the Edward R. Bacon Company, of which the Hawaiian Contracting Company was a substantial customer in equipment purchases, his interests relating to those of his employer and its substantial customer. Mr. Gentry was a contractor employee and Mr. Ross obviously served the interests of the vendor.

b. Data secured by Major George R. Lumsden, Assistant to the Inspector General, Hawaiian Department, from the files and records of the District Engineer, indicated that much of the equipment concerned in this purchase had been appropriated by U. S. Engineer agencies upon the outbreak of war, putting it to use on authorized projects. Testimony taken by this investigating officer confirmed these facts. Other items were obtained from time to time as needed, still others remaining in the owner's equipment yard until many months after the purchase was consummated, and a substantial portion remained at the time of the present investigation in the District Engineer's salvage yard where it had been placed directly from the owner's equipment yard. The facts, in detail, are indicated in the tabulation, Exhibit Q.

c. The items hauled to salvage, unused, totaling \$9,100, were examined by the investigating officer. These items were so far obsolete as to warrant the description "archaic". Some of the Watson wagons (hand operated, bottom dump wooden wagons) were arranged for animal draft, while others had been equipped with trailer tongues. All had been robbed of metal parts before the purchase, some were badly rotted and others were termite eaten beyond any possible usefulness. Scrapers, scarifiers and like items were incomplete, badly rusted and of doubtful useability, even in an extremity. Other items accepted and taken into possession of the District Engineer subsequent to 1 July 1942 aggregated another \$20,511. These last items were useable, but their acquisition was totally unnecessary, suitable like items having been available in sufficient quantity prior to acceptance by the District Engineer's forces.

d. This transaction was directed by Colonel Wyman on 13 March 1942, and payment was effected in the same manner as in the case of the Rohl-Connolly equipment (paragraph 7). The files yielded no correspondence in the matter other than that mentioned herein. In the course of Major Lumsden's inquiry, it developed that the District Engineer's appraiser had undertaken an appraisal of some items of this equipment, had been denied access to it on the first attempt, and had later been permitted to examine [67] it with the result that on the items inspected, values were recommended which were in substantial agreement with those later used, in the actual purchases. Nothing further was done at the time, however, and when the purchase was finally directed, this appraisal was ignored and the new one made as indicated above.

e. Mr. Benson, President of the Hawaiian Contracting Company, owner of the equipment, testified that in his opinion, all the equipment was useable. Confronted with the writer's description of what he found, Mr. Benson's protesta-

tions weakened, being obviously unsupportable. Colonel Wyman testified that he was not familiar with the details and that he left such matters largely to Colonel Robinson. Mr. Woolley and Mr. C. C. Middleton, the latter Administrator for the Hawaiian Constructors, professed ignorance of the matter beyond the fact that the purchase was made. Mr. Benson protested that by seizing his company's equipment, the District Engineer had deprived the company of the means of operating as a contractor. This was true excepting that as a part of the Hawaiian Constructors it did continue in business. Furthermore, Mr. Benson chose first to justify and then to ignore the fact that the questionable items were useless or nearly so, and that many had already been depreciated off the company's books.

f. The most charitable construction applicable to this transaction is that the Hawaiian Constructors, Colonel Wyman, the owner and the appraisers negligently failed to ascertain that the United States received in each case property reasonably worth the price paid. Such a construction strains credulity. That Colonel Wyman in failing to require such assurance was negligent cannot be doubted. The several co-adventurers who desired to dispose of equipment to the Government had a common interest in upholding evaluations. The arrangement by which the Hawaiian Contracting Company's equipment was appraised is an obvious violation of the principle that in such matters the Government be directly represented, if not actually a deliberate evasion of that principle. The circumstances disclosed indicate a highly probable arrangement between Mr. Rohl and Mr. Benson to serve their respective interests. While proof of actual conspiracy was not procurable, the presumption thereof is strong.

Concerning the charges connected with the lease of the Yacht Vega, Colonel Hunt reported:

e. The charge that Colonel Wyman permitted his friendship for Mr. Rohl to govern in this transaction is lent color by the absence in the official files of any correspondence indicating that the chartering of the Vega had been discussed with the actual charterers, the Hawaiian Constructors, who were to be and now are being held responsible in the matter. Their first official entrance into [68] the case appears to have occurred only after receipt by them of Colonel Wyman's directions that they enter into a charter agreement some one and one-half months after the plan had been conceived by Colonel Wyman. Mr. Woolley, Mr. Benson and Mr. Grafe, the responsible heads of the Hawaiian Constructors, aside from Mr. Rohl himself, all disclaimed prior contact with the arrangement. There is reason to believe that these gentlemen found the entire scheme distasteful, and that they believed that Mr. Rohl had dealt unfairly with them in seeking to dodge certain responsibilities by adhering to what they judged to be the fiction that Mrs. Rohl, not H. W. Rohl was the Vega's owner. (Exhibit R.) Certainly the absence of written matter, frankly and openly expressing interest, proper consideration and the fixing of clear responsibilities for action taken, is strong cause to suspect irregularity and questionable scheming. While proof of the allegation under discussion was not found, it is again obvious that Colonel Wyman's addiction to the making of verbal commitments laid the foundation for those charges, involving both himself and the Corps of Engineers in an undesirable situation.

Colonel Hunt reached the following conclusions among others:

CONCLUSIONS

21. A very careful study of all facts and circumstances brought to light in the course of this investigation leads to the following conclusions:

a. During the years 1936-1939, Colonel Wyman, as District Engineer, Los Angeles, maintained a close personal friendship, as distinguished from a business friendship, with Mr. Hans Wilhelm Rohl, which was inappropriate on the part of the United States Army officer administering costly works on which the said Mr. Rohl was engaged as contractor. This relationship extended so far beyond the need for ordinary cordial business relation as to give rise to such presumptions of impropriety as formed, in part, the basis of this investigation. In maintaining that relationship, Colonel Wyman was not sufficiently mindful of that unquestionable reputation for integrity and impartiality which it was the duty of a man in his position to cultivate at all times.

b. The flattery of Colonel Wyman personally and professionally, which was bestowed upon him by his wealthy associate, Mr. Rohl, evoked in Colonel Wyman so complete a confidence in the former as to lead him to an unwise acceptance of Mr. Rohl's judgment and advice during their subsequent association in Hawaii. He thereby relinquished to some extent that independence of judgment required of an officer in charge of the Government's interests, as indicated in his too ready acceptance of Mr. Rohl's [69] recommendations relating to equipment purchases and appraisals.

* * * * *

e. Colonel Wyman did not act in the Government's best interest when in purchasing Rohl-Connelly equipment at a cost of \$166,423.17 against the appraised value of \$131,411.03, he failed to fully justify for the record, the payment of the larger of the two amounts. * * *

f. Colonel Wyman did not act in the Government's best interests in the purchase of equipment from the Hawaiian Contracting Company at a cost of \$156,000, in that he based that payment upon a prejudiced appraisal, and failed to take such action as would insure that the equipment purchases was actually required, was in good condition and useable and was worth the amount paid. * * *

g. The inefficiencies charged to the management of construction matters in Hawaii actually existed, * * *

Since the Board uncovered more evidence than was adduced by Col. Hunt, it is now possible to determine more accurately the derelictions of Col. Wyman and the extent to which the inefficiencies of the Hawaiian Constructors were due to his acts and omissions.

The report of Col. Hunt was preceded by an investigation of Col. L. George Horowitz concerning Col. Wyman's activities on the Canal Project and the Alcan Highway in the Northwest Division to which he was assigned after his tour in Hawaii. (Exhibit No. 6.) These recommendations conclude with the statement:

The retainment of the Division Engineer (Col. Wyman) in his present capacity will and must eventuate in disgraceful performance or failure.

In this regard reference is made to information supplied the Board by the Assistant Chief of Staff, G-2, to the effect that the Canadian Government had suggested the reassignment of Col. Wyman from Canada because of the way in which he conducted himself. (R., v. 34, p. 4034.)

[70] Col. Wyman was also officially reprimanded under the 104th Article of War for neglect in connection with his duties as Division Engineer in the Northwest Division. Following is the direction of the Commanding General, Army Service Forces:

WAR DEPARTMENT,
HEADQUARTERS, ARMY SERVICE FORCES,
Washington, D. C., May 5, 1943.

SPAAW 201-Wyman, Jr., Theodore

Subject: Reprimand Under 104th Article of War.

To: Commanding General, Eighth Service Command.

1. It is directed that you administer a reprimand under the 104th Article of War to Colonel Theodore Wyman, Jr., now a member of your command, substantially as follows:

a. Pursuant to instructions of the Commanding General, Army Service Forces, War Department, you are hereby reprimanded under the 104th Article of War for your failure to enforce safety precautions in connection with the field operations of the Miller Construction Company and the Oman-Smith Company, which failure was in part responsible for the explosion and fire which occurred at Dawson Creek, British Columbia, on February 13, 1943.

b. Should you prefer to stand trial, under the provisions of the 104th Article of War rather than accept this reprimand, you will so indicate, by indorse-

ment hereon, within three (3) days following receipt hereof. Should you elect to accept this reprimand in lieu of trial, no action other than acknowledge receipt hereof need be taken by you.

2. Advise this officer of your action.

By command of Lieutenant General SOMERVELL:

/s/ Madison Pearson,
MADISON PEARSON,
Brigadier General, G. S. C.,
Deputy Chief of Administrative Services.

Col. Wyman testified that he had no relations with Rohl which tended to interfere with the proper discharge of his duties. (R., v. 29, p. 3383.) The falsity of this statement is apparent from what has previously been shown.

[71] Reference should also be made to the significant features of certain testimony of other witnesses before the Board. For example, the Chief of Engineers, Major General Eugene Reybold, testified that he conducted no investigation even after he received the derogatory reports concerning Rohl. (R. 576, v. 6, p. 9); that the system regarding the award of contracts and the investigation of contractors was admittedly loose; (R. v. 6, p. 581, 607) that he did not know whether Col. Wyman had taken any steps to expedite the work. (R. v. 6 p. 593.) The Chief of Engineers testified:

169. General FRANK. Did you ever receive notice or have knowledge of any reports concerning the activities of Colonel Wyman in Hawaii that were derogatory to Colonel Wyman?

General REYBOLD. No; I never had any such report.

170. General FRANK. Were you Chief of Engineers when he was relieved from Hawaii?

General REYBOLD. Yes. (R. v. 6 p. 608.)

General Hannum testified:

General FRANK. Did you state that you knew nothing about the association of Wyman and Rohl in Los Angeles?

General HANNUM. No; I did not know of any relationship between Wyman and Rohl. I knew that Rohl was a contractor, but I had no knowledge of any particular social relations or other relations, other than official, that Wyman may have had with Rohl.

[72] General FRANK. When Wyman had the supervision of this contract in which Rohl was involved, in Los Angeles, was he then under your jurisdiction?

General HANNUM. No, General Kingman was then Division Engineer, here. I relieved General Kingman, here, in January 1938, and that contract, as I recall, for the breakwater had been made the year or two before that.

General FRANK. The contract had been made, but Wyman was operating down there, in 1938 and 1939, while you were the division engineer here?

General HANNUM. Wyman went out there in 1935, I believe.

General FRANK. Out where?

General HANNUM. To Los Angeles. He was assigned as district engineer in 1935 or 1936, along about that time.

General FRANK. And when did he go to Honolulu?

General HANNUM. He went out there in 1939 or 1940, as I recall.

General FRANK. Therefore, he was in Los Angeles for over a year under your jurisdiction while you were division engineer here?

General HANNUM. Yes, yes; that is correct.

General FRANK. And you knew nothing of his associations?

General HANNUM. No, no. I don't know that he had any association with Rohl during the period that he was district engineer, after my arrival. It never came to my attention. We had no contracts with Rohl in the Los Angeles district, at that time.

General FRANK. When did they have the breakwater contract down there?

General HANNUM. That breakwater was finished, as I recall, in December 1938.

General FRANK. What kind of system or arrangement did you have as division engineer to check on your district engineers?

General HANNUM. Well, when the engineering papers came in, these plans and specifications were reviewed in the engineering division in my office, and comments submitted to me, and I passed on them, and the contracts at that time had to be approved in Washington. Copies of the contract, plans and specifications, and I went out and [73] inspected the work with the district engineer, to inspect the progress, and also see whether the work was being carried out, and discussed with him as to whether it was being carried out in accordance with the plans and specifications.

General FRANK. Did he know you were coming, generally?

General HANNUM. Generally speaking, I think he did; yes. I customarily let him know when I was coming, to make sure that they would be there when I arrived. (R., v. 18, p. 2070, 2071.)

Major CLAUSEN. Do you recall, when you testified before Colonel Hunt, with regard to Colonel Wyman, you said: "On one occasion, not necessarily in serious conversation, I know that he indicated that he could hold his liquor, indicating that he had a capacity to consume a considerable amount, without it very seriously affecting him."

General HANNUM. I recall it.

Major CLAUSEN. When did you have that discussion with Colonel Wyman?

General HANNUM. With Colonel Wyman? I don't recall the exact incident, whether it was on this side, or over in Honolulu. (R., v. 18, p. 2082.)

Major CLAUSEN. Sir, with respect to this portion of the letter where it says—

"There were many other items of work, on which, for some reason or other, there was a slowness in getting results."

—what did Colonel Lyman tell you about that?

General HANNUM. He didn't tell me anything about that, specifically. What he mentioned was that he said to me when I was over there that Wyman's administration had not been efficient or effective.

Major CLAUSEN. And this was May that you were there, or October, 1942, did you say?

General HANNUM. I know it was in May that I went over there. No, I guess it was probably in October. I was over there in October 1941; it may have been that Lyman mentioned something to me about that time. There were differences between Wyman and Lyman at that time when I was over there in October 1941.

[74] Major CLAUSEN. This trip that you made in October 1941 was a sort of inspection trip, was it not, sir?

General HANNUM. It was. I made one in May 1941—I think it was May 1941—and also in October 1941. (R., v. 18, p. 2041.)

Colonel Bernard L. Robinson, CE, gave this testimony on recall with respect to a statement he submitted in an attempt to justify the purchase of equipment from the Hawaiian Contracting Co.:

General FRANK. Haven't you already submitted this as sworn testimony?

Major CLAUSEN. Yes.

Colonel ROBINSON. Yes, sir.

Major CLAUSEN. And had we not had the privilege of cross-examining you, don't you know that this may have swayed the Board?

(There was no response.)

Major CLAUSEN. Who is this Mr. H. J. Roblee that you refer to in your statement?

Colonel ROBINSON. I will have to find out, sir.

Major CLAUSEN. You don't know?

Colonel ROBINSON. I don't know at this time, no, sir.

Major CLAUSEN. All right. Who else was in on this appraisal that you referred to here? Mr. Gentry and Mr. Roblee and who else?

Colonel ROBINSON. As far as I know, those were the only two appraisers, as given by this record right there.

Major CLAUSEN. Wasn't there a Mr. Ross?

Colonel ROBINSON. Not to my knowledge.

Major CLAUSEN. A Mr. Edward Ross, an employee of the Hawaiian Contracting Company? You don't know that either, sir?

Colonel ROBINSON. Well, we had the Hawaiian Contracting Company price here. I don't know who his represent—who brought up this price over here.

Major CLAUSEN. Well, do you know if a Mr. Edward [75] Ross, an employee of the Hawaiian Contracting Company, had anything to do with this appraisal?

Colonel ROBINSON. No, sir; I don't recall Mr. Ross.

Major CLAUSEN. Do you know whether this appraisal that you have offered to the Board here this morning is the amount, substantially, named in a letter addressed by Mr. Rohl to the District Engineer, dated 9 January 1942, that he wanted?

Colonel ROBINSON. That may be true. I don't know, sir.

Major CLAUSEN. Do you know that?

Colonel ROBINSON. No, sir, I don't.

Major CLAUSEN. You haven't found that in your search of the files?

Colonel ROBINSON. My search of the files simply asked for—calling for the documents on the appraisals.

Major CLAUSEN. No. Colonel, you say you have reviewed the files?

Colonel ROBINSON. Yes, sir.

Major CLAUSEN. Relative to that appraisal?

Colonel ROBINSON. I have reviewed these files.

Major CLAUSEN. Now, just refer back to the Rohl-Connolly equipment. That was finally at a price set by Mr. Rohl; isn't that correct? Some \$166,000?

Colonel ROBINSON. That was his asking price, yes, sir. I believe so, sir.

Major CLAUSEN. Yes. Now, I am asking you the question, with regard to this property purchased from the Hawaiian Contracting Company, whether the same thing wasn't true there, that Mr. Rohl suggested this price that was finally the appraisal of these three men, Gentry, Roblee, and Ross.

Colonel ROBINSON. It may have been. I do not know, sir.

Major CLAUSEN. Now let me ask you this: You said here in this statement this morning—

(There was colloquy off the record.)

Major CLAUSEN. You say now something about this equipment not being junk. You make the bald statement here:

[76] "It is to be noted that each and every item of equipment was appraised by competent appraisers at some substantial value and any statement therefore that this equipment or any item of it was 'valueless', 'worthless', or 'junk' is in error and any inference that the government did not get full value is incorrect."

Whose language is that sir?

Colonel ROBINSON. That is my language, sir.

Major CLAUSEN. And when did you dictate that?

Colonel ROBINSON. I did not dictate it, sir. I wrote it in longhand on the—Saturday, I believe it was.

Major CLAUSEN. Don't you know, sir, that some of that same equipment is, even today, or as recently as a few days ago, unused because it was just plain, clear junk?

Colonel ROBINSON. No, sir, I don't know that.

Major CLAUSEN. Have you looked to see?

Colonel ROBINSON. No, sir.

Major CLAUSEN. Have you inquired to find out?

Colonel ROBINSON. No, sir.

Major CLAUSEN. And yet you made that statement that it is not junk, and you haven't inquired to find out?

Colonel ROBINSON. I base that on this record right here.

Major CLAUSEN. You base it on the appraisal?

Colonel ROBINSON. Yes, sir.

Major CLAUSEN. But the appraisal was made before the price was paid, wasn't it?

Colonel ROBINSON. Yes, sir.

Major CLAUSEN. So you don't know whether the equipment was ever used or not, do you?

Colonel ROBINSON. No, sir, I don't.

Major CLAUSEN. All right; that is about all. (R., v. 32, p. 3817, 3818, 3819, 3820.)

[77] 3. Acknowledgments.

The Board desires to express its appreciation to the House Military Affairs Committee and its Chief Counsel, H. Ralph Burton, Esq., and to the California State Legislature's Joint Fact Finding Committee on Un-American Activities and its Chief Counsel, R. E. Combs, Esq., and to many witnesses who appeared and assisted in uncovering

facts and leads which have been the subject of this report. Through the courtesy of Mr. Burton and Mr. Combs the Board also received a great deal of reliable information from investigators for these legislative committees.

[78]

EXHIBIT "A"

WAR DEPARTMENT,
Washington, D. C., Jul 12 1944.

Memorandum for the Judge Advocate General.

Subject: Report of House Military Affairs Committee alleging neglect and misconduct of Colonel Theodore Wyman, Jr., and others, concerning Hawaiian and Canadian Defense Projects.

1. The recommendations contained in paragraph 5 of the memorandum dated July 10, 1944, of Major Henry C. Clausen, J. A. G. D., to Mr. Amberg, Special Assistant to the Secretary of War, on the above subject, are approved. Major Clausen is directed to continue his investigation of the above matter and to cooperate with the House Military Affairs Committee in its investigation of this matter in the way described in paragraph 5 of Major Clausen's memorandum.

2. Immediately upon the appointment of a board of officers pursuant to Public Law 339, 78th Congress, to investigate the facts surrounding the Pearl Harbor catastrophe, the phases of the present matter relating thereto will be referred to such board for investigation and such other action as may be proper under the directive appointing such board. As it is understood Major Clausen will be detailed as assistant recorder of this board, he will continue in that capacity to coordinate the activities referred to paragraph 1 hereof with the activities of the Pearl Harbor Board in the present case.

/s/ Robert P. Patterson,
ROBERT P. PATTERSON,
Acting Secretary of War.

[79]

EXHIBIT "B"

WCM mer 2401
Off Br-WCM-ph 78270

In reply
refer to: AGPO-A-A 210.311 (21 Jul 44).

WAR DEPARTMENT,
THE ADJUTANT GENERAL'S OFFICE,
Washington 25, D. C., 22 July 1944.

Subject: Supplemental Orders.

To: Each Officer Mentioned.

1. The Board appointed by letter orders, this office, AGPO-A-A 210.311 (24 Jun 44), 8 July 1944, subject: "Orders", as amended by letter orders, this office, AGPO-A-A 210.311 (10 Jul 44), 11 July 1944, subject: "Amendment of Orders", pertaining to each of the following-named officers will consider the phases which related to the Pearl Harbor Disaster of the report of the House Military Affairs Committee, as directed by the Acting Secretary of War in his memorandum for the Judge Advocate General, 12 July 1944:

Lt. Gen. George Grunert, O1534, USA,

Maj. Gen. Henry D. Russell, O212769, USA,

Maj. Gen. Walter H. Frank, O2871, USA, Col. Charles W. West, O12774,
JAGD.

2. Major Henry C. Clausen, O907613, JAGD, is appointed as Assistant Recorder without vote on the above referred to Board.

By order of the Secretary of War:

/s/ W. C. McMILLION,
Adjutant General.

1 Incl. Memo 12 July
The Adjutant General's Office
Official
War Department

[a] ARMY PEARL HARBOR INVESTIGATION
TOP SECRET REPORT AND TOP SECRET MEMORANDA

1. Top Secret Report of Army Pearl Harbor Board, discussing certain evidence and documents.

2. Top Secret Memorandum of Judge Advocate General, dated 25 November 1944, reviewing Secret and Top Secret Reports of Army Pearl Harbor Board, and recommending further investigation.

3. Top Secret Memorandum of Judge Advocate General, dated 14 September 1945, reviewing Secret and Top Secret Reports of Army Pearl Harbor Board on the basis of additional evidence.

4. Top Secret Memorandum of Judge Advocate General, dated 14 September 1945, reviewing in greater detail certain aspects of the Top Secret Report of Army Pearl Harbor Board in the light of additional evidence and modifications of previous testimony.

[b] TOP SECRET REPORT OF ARMY PEARL HARBOR
BOARD

[c] Memo: To The Secretary of War:

The following is a brief discussion of the evidence and documents in the possession of the Army Pearl Harbor Board, which for reasons of security should not be incorporated in the General Report. The Secretary of War is entirely familiar with this type of evidence and the Board is sure concurs in its decision to treat it separately and as Top Secret.

[1] 1. *General.* Information from informers and other means as to the activities of our potential enemy and their intentions in the negotiations between the United States and Japan was in possession of the State, War and Navy Departments in November and December of 1941. Such agencies had a reasonably complete disclosure of the Japanese plans and intentions, and were in a position to know what were the Japanese potential moves that were scheduled by them against the United States. Therefore, Washington was in possession of essential facts as to the enemy's intentions.

This information showed clearly that war was inevitable and late in November absolutely imminent. It clearly demonstrated the necessity for resorting to every trading act possible to defer the ultimate day of breach of relations to give the Army and Navy time to prepare for the eventualities of war.

The messages actually sent to Hawaii by either the Army or Navy gave only a small fraction on this information. No direction was given the Hawaiian Department based upon this information except the "Do-Don't" message of November 27, 1941. It would have been possible to have sent safely information, ample for the purpose of orienting the commanders in Hawaii, or positive directives could have been formulated to put the Department on Alert Number 3.

This was not done.

Under the circumstances, where information has a vital bearing upon actions to be taken by field commanders, and this information cannot be disclosed by the War Department to its field commanders, it is incumbent upon the War Department then [2] to assume the responsibility for specific directions to the theater commanders. This is an exception to the admirable policy of the War Department of decentralized and complete responsibility upon the competent field commanders.

Short got neither form of assistance from the War Department. The disaster of Pearl Harbor would have been eliminated to the extent that its defenses were available on December 7 if alerted in time. The difference between alerting those defenses in time by a directive from the War Department based upon this information and the failure to alert them is a difference for which the War Department is responsible, wholly aside from Short's responsibility in not himself having selected the right alert.

The War Department had the information. All they had to do was either to give it to Short or give him directions based upon it.

The details of this information follow:

2. *Story of the Information as to the Japanese Actions and Intentions from September to December 1941.* The record shows almost daily information as to the Japanese plans and intentions during this period.

1. For instance, on November 24, it was learned that November 29 had been fixed (Tokyo time) as the government date for Japanese offensive military operations. (R. 86)

2. On November 26 there was received specific evidence of the Japanese' intentions to wage offensive war against Great Britain and the United States. (R. 87) War Department G-2 advised the Chief of Staff on November 26 that the Office of Naval Intelligence reported the [3] concentration of units of the Japanese fleet at an unknown port ready for offensive action.

3. On December 1 definite information came from three independent sources that Japan was going to attack Great Britain and the United States, but would maintain peace with Russia. (R. 87)

As Colonel Bratton summed it up:

The picture that lay before all of our policy making and planning officials, from the Secretary of State, the Secretary of War down to the Chief of the War Plans Division, they all had the same picture; and it was a picture that was being painted over a period of weeks if not months. (R. 243-244)

The culmination of this complete revelation of the Japanese intentions as to war and the attack came on December 3 with information that Japanese were destroying their codes and code machines. This was construed by G-2 as meaning immediate war. (R. 280) All the information that the War Department G-2 had was presented in one form or another to the policy making and planning agencies of the government. These officials included Secretary of State, Secretary of War, Chief of Staff, and Chief of the War Plans Division. In most instances, copies of our intelligence, in whatever form it was presented, were sent to the Office of Naval Intelligence, to keep them abreast of our trend of thought. (R. 297)

Colonel Bratton on occasions had gone to the Chief of the War Plans Division and to the Assistant Chief of Staff, G-2, and stood by while they read the contents of these folders, in case they wished to question him about any of it. Colonel Bratton testifies:

I had an arrangement with Colonel Smith, Secretary to the General Staff, how he could get me on the telephone at any time in case the Chief [4] of Staff wished to be briefed on any of them. (R. 299)

4. When the information on December 3 came as to the Japanese destroying their codes and code machines, which was construed as certain war, Colonel Bratton took the information to General Miles and General Gerow and talked at length with both of them. General Gerow opposed sending out any further warning to the overseas command. General Miles felt he could not go over General Gerow's decision. (R. 283) Colonel Bratton then went to see Commander McCullom of the Navy, Head of the Far Eastern Section in ONI, and he concurred in Bratton's judgment that further warning should be sent out because this action of the Japanese meant war almost immediately. Colonel Bratton then returned after making arrangements

with McCullom and persuaded General Miles to send a message to G-2, Hawaiian Department, instructing him to go to Commander Rochefort, Office of Naval Intelligence, with the Fleet to have him secure from Rochefort the same information which General Gerow would not permit to be sent directly in a war warning message. (R. 283-284)

All of this important information which was supplied to higher authority in the War Department, Navy Department, and State Department did not go out to the field, with the possible exception of the general statements in occasional messages which are shown in the Board's report. Only the higher-ups in Washington secured this information. (R. 302) G-2 was prevented as a matter of policy from giving out intelligence information of this sort to G-2 in overseas departments. The Navy also objected to any of this type of intelligence being sent by the Army without its authority.

[5] The War Plans Division refused to act upon the recommendations of G-2. Intelligence Bulletins were distributed giving this information. When G-2 recommended, for instance, the occupation of the outer Aleutians ahead of the Japanese, the War Plans Division took no action upon the estimate and recommendation, with the result that we later had to fight two costly campaigns to regain Attu and Kiska. (R. 301-302)

Captain Safford of the Communications Security Division in Naval Operations, testified as to the type of information that was coming into the Navy during November and December.

Tokyo informed Nomura on the 22nd of November that the 25th was the last date they could permit him negotiations. (R. 121) On November 26th specific information received from the Navy indicated that Japan intended to wage offensive war against the United States. (R. 123-124) Nomura on the 26th said he thought he had failed the Emperor and that his humiliation was complete, evidently referring to the ultimatum delivered to him by the Secretary of State.

Colonel Sadtler testified as to the information that was coming in as to Japanese intentions in the fall of 1941, saying:

The information began to assume rather serious proportions regarding the tense and strained relations between the two countries, and the number of messages about warnings of conditions that obtain in case of hostilities really reached a climax around the middle of November, to such an extent that we were of the opinion that there might be a declaration of war between Japan and the United States on Sunday, November 30. This, as you all know, proved to be a "dud," and on Monday, December 1, if I recall the date correctly, messages that morning began coming in from Tokyo telling the Consuls to destroy their codes and to reply to Tokyo with one code word when they had so complied with their directive.

[6] The Japanese Embassy in Washington was advised to destroy their codes on December 3. (R. 249-250)

3. *The "Winds" Message.* Colonel Sadtler said that about November 20, a message was intercepted by the Federal Communications Commission, to the effect that the Japanese were notifying nationals of possible war with the United States. The "winds" message was indicated in these instructions, which would indicate whether the war would be with the United States, Russia, or Great Britain, or any combination of them. The Federal Communications Commission was asked to listen for such information.

On the morning of December 5, 1941, Admiral Noyes, Chief of Naval Communications, called Colonel Sadtler at 9:30 saying, "Sadtler, the message is in!" He did not know whether the particular message was the one that meant war with the United States, but it meant war with either the United States, Russia, or Great Britain. He immediately advised General Miles and Colonel Bratton.

Sadtler was instructed to go back to Admiral Noyes to get the precise wording used, but Admiral Noyes said that he was too busy with a conference and he would have to attend to it later. Colonel Sadtler protested that that would be too late. (R. 251-252) He reported back to General Miles. He then went to see General Gerow, Head of the War Plans Division, and suggested a message be sent to Hawaii. General Gerow said, "No, that they had plenty of information in Hawaii." He then went to the Secretary of the General Staff, Colonel Smith, and made the same suggestion. When Smith learned that G-2 and the War Plans Division had been talked to, he declined to discuss it further. [7] It was about the 5th or 6th of December that Tokyo notified the Japanese Embassy at Washington to destroy their remaining codes. It was on December 5 that Sadtler discussed this matter with General Gerow and Colonel Smith, because as Sadtler said, "I was sure war was coming, and coming very quickly." (R. 254)

Colonel Bratton arranged on behalf of G-2 for monitoring of Japanese weather broadcasts with the Federal Communications Commission. These arrangements were made through Colonel Sadtler. (R. 57, 103) Colonel Bratton testified that no information reached him as to the break in relations shown by the "winds" message prior to the Pearl Harbor disaster, December 7, 1941, and he does not believe anybody else in G-2 received any such information. (R. 58-59)

He conferred with Kramer and McCullom of the Navy. The message sent to him by the Federal Communications Commission was not the message he was looking for. (R. 60) Later he learned from the Navy about their monitoring efforts in Hawaii and the Far East, and the fact that they would probably secure the "winds" message sooner than he would in Washington. That is the reason why he sent the message of December 5. to Fielder, G-2, in Hawaii, to make contact with Commander Rochefort, to secure orally information of this sort. (R. 62-63) A copy of this message has been produced in the record showing that it was sent. Colonel Bratton and Colonel Sadtler testified to the fact that their records showed that it was sent. (R. 69, 70, 71) But Colonel Fielder said he got no such message. (R. 68) The Navy now admits having received this "winds" activating message about December 6, but the War Department files show no copy of such message. (R. 89, 281)

[8] From the naval point of view Captain Safford recites the story of the "winds" message saying that Japan announced about the 26th of November 1941 that she would state her intentions in regard to war with Russia, England, the Dutch, and the United States, by the "winds" message. On November 28, 1941, the "winds" code was given. On December 3, 1941, the Naval Attaché at Batavia gave another version of the "winds" code. All three of these messages indicated the probability of the breaking off of relations and offensive warfare by Japan against the United States or the other nations mentioned.

On December 4, 1941, information was received through the Navy Department which was sent to Captain Safford which contained the Japanese "winds" message, "War with England, War with America, Peace with Russia." (R. 132)¹

This original message has now disappeared from the Navy files and cannot be found. It was in existence just after Pearl Harbor and was collected with other messages for submission to the Roberts Commission. Copies were in existence in various places but they have all disappeared. (R. 133-135)

[9] Captain Safford testified:

General RUSSELL. Have you helped or been active at all in this search which has been made in the Naval Department to discover this original message?

Captain SAFFORD. I have. As a last resort I requested copies of the message repeatedly from 20G, and on the last occasion I asked the officer in charge, who was Captain Stone, to stir his people up a little harder and see if they couldn't make one more search and discover it. And when Captain Stone discovered it couldn't be found, he called for—required written statements for anybody who might have any notice of that; and though the written statements disclosed a lot of destruction of other messages and things—not messages, but the intercepts; not the translations—nothing ever came to light on that message, either the carbon copy of the original incoming message, which should have been filed with the work sheet, or of the translation. And one copy of the translation should have been filed under the JD number, which I think is 7001, because that number is missing and unaccounted for, and that falls very close to the proper date. It actually comes in with the 3rd, but things sometimes get a little bit out as far as putting those numbers on was concerned. And the other should be filed under the date and with the translation. We had a double file.

The last time I saw that message after the attack on Pearl Harbor about the 15th of December, Admiral Noyes called for the assembling of all important messages into one file, to show as evidence to the Roberts Commission; and Kramer assembled them, and I checked them over for completeness and to see that we strained out the unimportant ones; and that "Winds" translation, the "Winds execute," was included in those. I do not recall whether that ever came back or not. So far as I know, it may even be with the original papers of the Roberts Commission. It never came back that I know of, and we have never seen it since, and that is the last I have seen of it.

We also asked the people in the Army on several occasions if they could run it down and give us a copy. We were trying to find out the exact date of it and the exact wording of the message, to run this thing down and not make the thing a question depending upon my memory or the memory of Kramer or the memory of Murray, who do districtly recall it.

* * * * *
General RUSSELL. Well, now, let us talk cases.

Captain SAFFORD. Yes, sir.

[10] General RUSSELL. I want to know if over there in 20G you had a place where you had 20G files of messages, and then over here some other place you had a JD file which was separate and distinct from the one I have just discussed.

Captain SAFFORD. Yes, sir.

General RUSSELL. But you had messages over there in the JD file?

Captain SAFFORD. We had. Yes, sir; that is correct.

General RUSSELL. And they were the same as the ones in the 20G file?

Captain SAFFORD. Yes, sir, but they were in a different order.

General RUSSELL. All right. Now, this message of December 4th, when it went to the JD file, was given the number, according to your testimony, of 7001?

¹ Captain Safford testified that the Japanese were no longer using the code employed to transmit the wind messages; that there was no reason now why they should not be discussed openly.

Colonel Rufus Bratton, on the contrary, testified that it would be dangerous to acquaint the Japanese with the fact that we intercepted the winds message, as this might result in further code changes by the Japanese.

The Board, as a matter of course, decided to follow the safe plan and treat these messages as Top Secret.

Captain SAFFORD. It probably was.

General RUSSELL. You don't know that?

Captain SAFFORD. Not to know; only circumstantial evidence.

General RUSSELL. Well, is JD 7000 in that file now?

Captain SAFFORD. JD 7000 is there, and 7002.

General RUSSELL. But 7001 just isn't there?

Captain SAFFORD. The whole file for the month of December 1941 is present or accounted for except 7001.

General RUSSELL. Now let us talk about 20G, which is some other place in this office. Is this December 4th message the only one that is out of those files?

Captain SAFFORD. That is the only one that we looked for that we couldn't find. It is possible that there will be others missing which we haven't looked for, but we couldn't find that serial number. We looked all through the month to make certain. That is the only one that is missing or unaccounted for.

[11] The radio station logs, showing the reception of the message have been destroyed, within the last year. Captain Safford testified that this message, and everything else they got from November 12 on, was sent to the White House by the Navy. It was a circulated copy that circulated to the White House and to the Admirals of the Navy.

It is this message which the Army witnesses testified was never received by the Army. It was a clear indication to the United States as early as December 4. The vital nature of this message can be realized.

4. *Account of the Delivery of the Long 14 Part Message; the Short Implementing Message.* The first 13 parts of the long reply of the Japanese finally terminating the relationships with the United States began to come in in translated form from the Navy on the afternoon of December 6, and the 13 parts were completed between 7:00 and 9:00 the evening of December 6. Colonel Bratton, Chief of the Far Eastern Section of the Intelligence Branch of War Department G-2, was the designated representative for receiving and distributing to the Army and to the Secretary of State copies of messages of this character received from the Navy. The Navy undertook to deliver to the President and to its own organization copies of similar messages.

Colonel Bratton delivered a copy of the first 13 parts between 9:00 and 10:30 p. m., December 6, as follows:

To Colonel Smith (now Lt. Gen. Smith) Secretary of the General Staff in a locked bag to which General Marshall had the key. (R. 238) He told General Smith that the bag so delivered to him contained very important papers and General Marshall should be told at once so that he could unlock the [12] bag and see the contents. (R. 307)

To General Miles by handing the message to him (R. 238), by discussing the message with General Miles in his office and reading it in his presence. (R. 239-241) He stated that General Miles did nothing about it as far as he knows. (R. 241) This record shows no action by General Miles.

Thereafter he delivered a copy to Colonel Gailey, General Gerow's executive in the War Plans Division. (R. 238)

He then took a copy and delivered it to the watch officer of the State Department for the Secretary of State and did so between 10:00 and 10:30 p. m. (R. 234, 239)

Therefore, Colonel Bratton had completed his distribution by 10:30, had urged Colonel Smith, Secretary to General Staff, to communicate with General Marshall at once, and had discussed the matter with

General Miles after reading the message. This record shows no action on the part of General Smith and none by General Miles. Apparently the Chief of Staff was not advised of the situation until the following morning.

In the meantime, as the testimony of Captain Safford shows, the following action was taken with the distribution of the same 13 parts of the message by the Navy which clearly indicates its importance.

Captain Safford testifies that the first 13 parts came in on the afternoon of December 6 and were translated to English and delivered to the Army to Major Doud by 9 o'clock Saturday night, December 6. This portion of the message was distributed as follows: Commander Kramer consulted with the Director of Naval Intelligence, Admiral Wilkinson, and was directed to go to the White House to deliver a copy. He then delivered a [15] copy to Admiral Wilkinson at his house. As the President was engaged, Kramer gave a copy to the White House Aide, Admiral Beardall. When Kramer reached Admiral Wilkinson's house he also gave a copy to Admiral Turner, Director of War Plans. He delivered the final copy by midnight to Admiral Ingersoll, who read it and initialed it. Admiral Wilkinson phoned Admiral Stark, as did also Admiral Turner. Admiral Stark ordered Kramer to be at his office at 9:00 Sunday morning. Kramer came back to the Navy Department about 1 a. m. to see if part 14 had come in, but it had not.

When part 14 did come in it was ready for delivery to the Army in English by 7:15 a. m., December 7. (R. 158, 160, 164, 166)

The net result was that no one took any action based upon the first 13 parts until the 14th part came in and the Army took no action on that until between 11:30 and 12:00 on the morning of December 7, or about 13 hours after the first 13 parts came in which clearly indicated the rupture of relations with the Japanese.

Nothing more was done with this clear warning in the first 13 parts of the long message until the following events occurred.

Colonel Bratton received from a naval officer courier between 8:30 and 9:00 a. m. on the Sunday morning of December 7, the English translation of the 14th part of the long message and the short message of the Japanese direction the Ambassador to deliver the long message at 1 p. m. on December 7 and to destroy their codes. Colonel Bratton immediately called General Marshall's quarters at 9:00 a. m. (R. 85) [14] General Marshall was out horseback riding and he asked that he be sent for. General Marshall called him back between 10:00 and 11:00 a. m. General Marshall came into his office at 11:25 a. m., of which there is a contemporaneous written record maintained by Colonel Bratton. In the meantime, Colonel Bratton called his Chief, General Miles, and reported what he had done. (R. 77) Neither General Miles nor General Gerow were in their office on Sunday morning. General Miles arrived at the same time as General Marshall at 11:25 a. m. The Chief of Staff prepared a message to General Short and called Admiral Stark, who said he was not sending any further warning but asked General Marshall to inform the Navy in Hawaii through Short.

The answer to the following question on the record has not been supplied this Board:

Why were not the first 13 parts, which were considered important enough by the Navy to be delivered to the President and everyone of the important Admirals

of the Navy, delivered by the War Department officers to the Chief of Staff, and his attention called to it so that he could have taken some sort of action upon it? (R)

The only possible answer lies in the testimony that Colonel Smith, Secretary to the General Staff was told about 9 p. m. December 6 that there was an important document and that General Marshall should see it right away. (R. 242) There is no proof that Colonel Smith did so act except that from General Marshall, which shows that he was not advised of this situation until the following morning when he received a message from Colonel Bratton between 10:00 and 11:00 a. m., December 7.

The record shows that subordinate officers who were [15] entrusted with this information were so impressed with it that they strongly recommended that definite action be taken.

When subordinate officers were prevented from sending this information to the Hawaiian Department, by arrangement with their opposite numbers in the Office of Naval Intelligence, upon learning that the Navy had this information in Hawaii, an apparently innocuous telegram was dispatched by G-2 to Colonel Fielder, G-2 in Hawaii, telling him to see his opposite number in the Office of Naval Intelligence, Commander Rochefort, to secure information from him of importance.

The story of the message of November 27 takes on a whole new aspect when the facts are really known as to the background of knowledge in the War Department of Japanese intentions. At the time the Chief of Staff drafted the message of the 27th on the 26th, he knew everything that the Japanese had been proposing between themselves for a long period of time prior to that day, and knew their intentions with respect to the prospects of war. The message of the 27th which he drafted in rough and which was apparently submitted to the Joint Board of the Army and Navy, therefore could have been cast in the clearest sort of language and direction to the Hawaiian Department.

It was no surprise that the Japanese would reject the Ten points on November 26; that course of events had been well pictured by complete information of the conversations between the Japanese Government and its representatives available to the Government of the United States.

[16] 5. *Summary.* Now let us turn to the fateful period between November 27 and December 6, 1941. In this period numerous pieces of information came to our State, War and Navy Departments in all of their top ranks indicating precisely the intentions of the Japanese including the probable exact hour and date of the attack.

To clinch this extraordinary situation we but have to look at the record to see that the contents of the 13 parts of the Japanese final reply were completely known in detail to the War Department, completely translated and available in plain English, by not later than between 7 and 9 o'clock on the evening of December 6 or approximately Honolulu time. This information was taken by the Officer in Charge of the Far Eastern Section of G-2 of the War Department personally in a locked bag to Colonel Bedell Smith, now Lt. Gen Smith, and Chief of Staff to General Eisenhower, who was then Secretary to the General Staff, and he was told that the message was of the most

vital importance to General Marshall. It was delivered also to G-2 General Miles, with whom it was discussed and to the Executive, Colonel Gailey, of the War Plans Division, each of whom was advised of the vital importance of this information that showed that the hour had struck, and that war was at hand. Before 10:30 o'clock that night, this same officer personally delivered the same information to the Secretary of State's duty officer.

General Marshall was in Washington on December 6. This information, as vital and important as it was, was not communicated to him on that date by either Smith or Gerow, so far as this record shows. When the final part 14 came in [17] on the morning of December 7 and with it the short message directing the long message be delivered to the Secretary of State at 1 p. m., December 7, 1941. It was then that this same officer, Colonel Bratton of G-2, took the initiative and went direct to General Marshall, calling him at his quarters at Fort Myer and sending an orderly to find him, where he was out horseback riding. When he finally did reach him on the phone, General Marshall said he was coming to the War Department. He met him at about 11:25 a. m., after which time the message of December 7 was formulated by General Marshall in his own handwriting. It failed to reach its destination due to sending it by commercial Western Union—RCA. It arrived several hours after the attack.

This brings us to the "winds" message. The "winds" message was one that was to be inserted in the Japanese news and weather broadcasts and repeated with a definite pattern of words, so as to indicate that war would take place either with Great Britain, Russia, or the United States, or all three.

The Federal Communications Commission was asked to be on the outlook for these key words through their monitoring stations. Such information was picked up by a monitoring station. This information was received and translated on December 3, 1941, and the contents distributed to the same high authority. The Navy received during the evening of December 3, 1941, this message, which when translated said, "War with the United States, War with Britain, including the NEI, except peace with Russia." Captain Safford said he first saw the "winds" message himself about 8 a. m., on Thursday, December 4, 1941. It had been received the previous evening, [18] according to handwriting on it by Commander Kramer, who had been notified by the duty officer, Lt. (jg) Brotherhood, USNR, who was the watch officer on the receipt of this message.

It was based upon the receipt of the message that Captain Safford prepared five messages between 1200 and 1600 December 4, ordering the destruction of cryptographic systems and secret and confidential papers on the Asiatic stations. Captain McCullom of the Navy drafted a long message to be sent to all outlying fleet and naval stations. This was disapproved by higher naval authority. This message was confirmation to Naval Intelligence and Navy Department Communications Intelligence Units that war was definitely set.

This "winds execute" message has now disappeared from the Navy files and cannot be found despite the extensive search for it. It was last seen by Commander Safford about December 14, 1941, when he collected the papers together with Commander Kramer and turned

them over to the Director of Naval Communication for use as evidence before the Roberts Commission.

There, therefore, can be no question that between the dates of December 4 and December 6, the imminence of war on the following Saturday and Sunday, December 6 and 7, was clear-cut and definite.

Up to the morning of December 7, 1941, everything that the Japanese were planning to do was known to the United States except the final message instructing the Japanese Embassy to present the 14th part together with the preceding 13 parts of the long message at one o'clock on December 7, or the very hour and minute when bombs were falling on Pearl Harbor.

[a] Memorandum for The Secretary of War
Subject: Army Pearl Harbor Board Report, 25 November 1944

[1] 25 Nov 1944.

MEMORANDUM FOR THE SECRETARY OF WAR

Subject: Army Pearl Harbor Board Report.

You have referred to me for opinion the Report of the Army Pearl Harbor Board dated 20 October 1944 together with the testimony and exhibits. I have examined this Report with great care and submit herewith my views. The present memorandum does not cover so much of the investigation as pertains to the conduct of Colonel Theodore Wyman, Jr. and related matters referred to in the Report of the House Military Affairs Committee dated 14 June 1944.

Technical Legality of Board's Proceedings:

No question of the technical legality of the Board's proceedings is presented. As shown in the Report (Rep. 1) the Board was appointed by the Secretary of War by Letter Order AGO, 8 July 1944, (AGPO-A-A 210.311 (24 Jun 44)), as amended and supplemented, in order to meet the wishes of Congress as expressed in Public Law 339, 78th Congress, approved 13 June 1944. The Board followed judicial forms, affording full opportunity to witnesses to produce any data in their possession. Interested parties such as General Short and others were likewise offered the fullest possible opportunity to appear before the Board and submit information.

Board's Conclusions in General:

The Board concludes broadly that the attack on Pearl Harbor was a surprise to all concerned: the nation, the War Department, and the Hawaiian Department, which caught the defending forces practically unprepared to meet it and to minimize its destructiveness (Rep. 297). The extent of the disaster was due, the Board states, (a) to the failure of General Short adequately to alert his command for war; (b) to the failure of the War Department, with knowledge of the type of alert taken by Short, to direct him to take an adequate alert; and (c) the failure to keep him adequately informed of the status of the United States-Japanese negotiations, which might have caused him to change from the inadequate alert to an adequate one (Rep. 297). The Board follows these general conclusions by criticizing the conduct of the Secretary of State, the Chief of Staff, the then Chief of War Plans Division, and General Short (Rep. 297-300). The Board makes no recommendations.

It is believed that the most feasible method of examining the Report is to take up first the Report's conclusions as to General Short and the other conclusions later.

[2] *Board's Conclusion As to General Short:*

Taking them up in their order the Board concludes that General Short failed in his duties in the following particulars:

(a) To place his command in a state of readiness for war in the face of a war warning by adopting an alert against sabotage only. The information which he had was incomplete and confusing but it was sufficient to warn him of the tense relations between our government and the Japanese Empire and that hostilities might be momentarily expected. This required that he guard against surprise to the extent possible and make ready his command so that it might be employed to the maximum and in time against the worst form of attack that the enemy might launch.

(b) To reach or attempt to reach an agreement with the Admiral commanding the Pacific Fleet and the Admiral commanding the 14th Naval District for implementing the joint Army and Navy plans and agreements then in existence which provided for joint action by the two services. One of the methods by which they might have become operative was through the joint agreement of the responsible commanders.

(c) To inform himself of the effectiveness of the long-distance reconnaissance being conducted by the Navy.

(d) To replace inefficient staff officers. (Rep. 300.)

Short's Defenses:

General Short, as the commander of a citadel taken by surprise, is in the position of the captain of a ship which has been wrecked: it is a question of the validity of his defenses.

Within a half hour after receiving the 27 November warning radio signed "Marshall," (see p. 8, present memorandum) Short ordered Alert No. 1, which his SOP described as a defense against sabotage "with no threat from without." (Tr., Short 283, 395, Ex. 1, p. 2, p. 5, par. 14.) He did this without consulting his staff, other than his Chief of Staff, and without consulting the Navy. (Tr., Short 282, 395.)

He also ordered into operation the radar air raid warning system, but only from 4 to 7 a. m., and primarily on a training basis. (Tr., Short 297, 442.)

[3] The action of Short, which was taken in pursuance of the 27 November wire signed "Marshall," did not contemplate any outside threat. (Tr., Short 283, Ex. 1, p. 2, p. 5, par. 14.) His failure to provide for an outside threat was a serious mistake and resulted in overwhelming tactical advantages to the attackers, his being taken by surprise, the destruction of his aircraft on the ground, the severity of the damage done to the warships in Pearl Harbor and military installations. Short testified that when he ordered Alert No. 1 he did not consider there was any probability of an air attack and that in this regard "I was wrong." (Tr., Short 440.)

Numerous witnesses confirm that the failure of Short to provide against an outside threat constituted a grave error of judgment. (Tr., Allen 3113; Bargin 2618, 2655; Farthing 838-839; Gerow 4274; Hayes 268; Herron 238; King 2700; Murray 3096-3097; Phillips 1127-1128, 1151-1152; Powell 3911-3912; Throckmorton 1395-1396; Wells 2731; Wilson 1380-1381.)

Short sought to excuse his error by claiming: (1) that he had assumed the Navy knew the whereabouts of the Japanese fleet and would warn him in ample time in the event of an impending attack (Short, Ex. 1, p. 55; Tr., 299, 300, 451, 452; cf. Kimmel 1769); (2) that in response to the radio signed "Marshall" of 27 November he informed the War Department of the alert against sabotage and

the War Department had acquiesced therein and did not give him additional warnings after 27 November (Short, Ex. 1, p. 54; Tr., 286, 287, 308); (3) that measures to provide for threats from without would have interfered with training (Ex. 1, p. 16), and would have disclosed his intent and alarmed the civilian population (Ex. 1, p. 16-17) contrary to War Department instructions, and that the prime danger was sabotage. (Tr., Short 285, 286, 289, 428, 522; Ex. 1, p. 13-18, 54-57.)

These excuses are untenable. Short's belief that the Navy knew the whereabouts of the Japanese fleet and would warn him in time cannot excuse him for his failure to take precautions against an outside threat. In the same way he cannot be heard to justify his failure to adopt the necessary alert against an air attack because of fear of sabotage, or disclosure of possible intent, or possibility of alarming the civilian population, or interference with his training program. These latter must clearly be subordinated to the overshadowing danger of a possible air attack.

Short's testimony indicates that he felt he was not given sufficient information as to the true Japanese situation by Washington and that what information he got was at least in part misleading. (Short, Ex. 1, p. 54-56; Tr., 278-281, 291, 4427.)

The Board in its conclusion stated:

The information which he had was incomplete and confusing but it was sufficient to warn him of the tense relations between our government and the Japanese Empire and that hostilities might be momentarily expected. (Rep. 300.)

[4] General Short took command 7 February 1941. That very day the Secretary of War transmitted to him a copy of a letter from the Secretary of the Navy dated 24 January 1941 which stated:

If war eventuates with Japan, it is believed easily possible that hostilities would be initiated by a *surprise attack* upon the fleet or the naval base at Pearl Harbor. (Roberts Report, p. 5) (*Italics supplied.*)

Secretary Knox further stated that "inherent possibilities of a major disaster" warranted speedy action to "increase the joint readiness of the Army and Navy to withstand a raid of the character mentioned * * *." The letter proceeded:

The dangers envisaged in their order of importance and probability are considered to be: (1) Air bombing attack, (2) air torpedo plane attack, (3) sabotage, (4) submarine attack, (5) mining, (6) bombardment by gunfire. (Roberts Report, p. 5.)

The letter stated that the defenses against all but the first two were satisfactory, described the nature of the probable air attack and urged that the Army consider methods to repel it. It recommended revision of joint Army and Navy defense plans and special training for the forces to meet such raids. (Roberts Report, p. 5.) Short admitted he received Secretary Stimson's letter inclosing Secretary Knox's letter, both of which he recalled very well. (Tr., Short 368-369.)

On the same date, 7 February 1941, General Marshall wrote Short a letter containing the following statement:

My impression of the Hawaiian problem has been that if no serious harm is done us *during the first six hours of known hostilities*, thereafter the existing defenses would discourage an enemy against the hazard of an attack. The risk of sabotage and the risk involved in a *surprise raid by Air* and by submarine, constitute the real perils of the situation. Frankly, I do not see any landing threat

in the Hawaiian Islands so long as we have air superiority. (Tr., Marshall 17) (Italics supplied.)

On 5 March 1941 General Marshall wrote Short a follow-up letter saying:

I would appreciate your early review of the situation in the Hawaiian Department with regard to defense from *air attack*. The establishment of a satisfactory system of coordinating all means available to this end is a matter of *first priority*. (Tr., Marshall 19) (Italics supplied.)

[5] Short replied by a letter, dated 15 March 1941, outlining the situation at length and stating:

The most serious situation with reference to an *air attack* is the vulnerability of both the Army and Navy airfields to the attack. (Tr., Marshall 21.) (Italics supplied.)

Short further stated:

The Island is so small that there would not be the same degree of warning that would exist on the mainland. (Tr. Marshall 24.)

On 14 April 1941 Short, reporting progress in cooperating with the Navy, sent General Marshall three agreements made with the Navy to implement the Joint Coastal Frontier Defense Plan and concluding with the remark:

We still have some detail work to do with reference to coordinating the air force and the *anti-aircraft* defense. (Tr., Marshall 27.) (Italics supplied.)

General Marshall on 5 May 1941 complimented him for "being on the job. (Tr., Marshall 27.)

On 7 July 1941, The Adjutant General sent Short a radio fully advising him of the Japanese situation. It told him that the Japanese Government had determined upon its future policy which might involve aggressive action against Russia and that an advance against the British and Dutch could not be entirely ruled out. It further advised him that all Jap vessels had been warned by Japan to be west of the Panama Canal by 1 August, that the movement of Japanese shipping from Japan had been suspended, and that merchant vessels were being requisitioned. (Tr., Marshall 33, Fielder 2974, Stimson 4055.)

Indicating his awareness of the threat of an air attack, Short sent General Marshall a tentative SOP, dated 14 July 1941, containing three alerts, Alert No. 1 being the all-out alert requiring occupation of field positions; Alert No. 2 being applicable to a condition not sufficiently serious to require occupation of field positions as in Alert No. 1; and Alert No. 3 being a defense against sabotage and uprisings within the Islands "with no particular threat from without." It will be noted that these alerts are in inverse order to the actual alerts of the final plan of 5 November 1941. It will be noted further that in paragraph 13 of the SOP, HD, 5 November 1941, as well as in the earlier tentative draft of the SOP, sent to Washington, Short expressly recognized the necessity for preparation for "*a surprise hostile attack*." (Short, Ex. 1, pp. 5, 64.) (Italics supplied.)

[6] On 6 September, Colonel Fielder, Short's G-2, advised the War Department that many of the Summaries of Information received from the War Department originated with the Office of Naval Intelligence, 14th Naval District, and that he had already received them. He stated that as the cooperation between his office, the Office of Naval Intelligence, and the FBI was most complete, that all such

data was given him simultaneously with its dispatch to Washington and recommended that such notices from Washington to him be discontinued to avoid duplication of effort. (Tr., Bratton D. 292-293.)

On 16 October, the Chief of Naval Operations advised Kimmel that the Japanese Cabinet resignation created a grace situation, that the new cabinet would probably be anti-American, that hostilities between Japan and Russia were strongly possible, and that since Japan held Britain and the United States responsible for the present situation there was also a possibility that Japan might attack these two powers. The radio concluded:

In view of these possibilities you will take due precautions, including such preparatory deployments as will not disclose strategic intention or constitute provocative action against Japan. (Tr. Short 279.)

Short admits receiving this message. (Tr., Short 278.)

Secretary Stimson testified the War Department had this warning sent to Short. (Tr., Stimson 4055.)

On 17 October, Short's G-2 furnished Short's staff with a full estimate of the Japanese situation which stated the situation was extremely critical, that Japan would shortly announce her decision to challenge militarily any nation which might oppose her policy, and that the major successes of the Axis afforded an unparalleled opportunity for expansion with chances of minimum resistance, that probable moves included an attack upon Russia, upon British possessions in the Far East, a defense against American attack in support of the British, and a simultaneous attack upon the ABCD bloc "at whatever points might promise her greatest tactical, strategic, and economical advantages." The report stated that a simultaneous attack on the ABCD powers

* * * cannot be ruled out as a possibility for the reason that if Japan considers war with the United States to be inevitable as a result of her actions against Russia, it is reasonable to believe that she may decide to strike before our naval program is completed. (Tr. 3688.)

[7] On 18 or 20 October the War Department advised Short:

The following War Department estimate of the Japanese situation for your information. Tension between the United States and Japan remains strained but no, repeat no, abrupt change in Japanese foreign policy seems imminent. (Tr., Short 412-413, Hain 3307, Gerow 4258, 4264.)

Short's G-2 gave him a further estimate of the Japanese situation on 25 October 1941 stating that there had been no fundamental change in the situation since his warning advice of 17 October above referred to. It stated that a crisis of the first magnitude was created in the Pacific by the fall of the Japanese Cabinet, that actions of the new cabinet "definitely places Japan in a camp hostile to the United States" and "forces America into a state of constant vigilance." It predicted Jap use of peace negotiations "as a means to delude and disarm her potential enemies." It predicted a major move would be made before the latter part of November "with a chance that the great break, if it comes, will not occur before spring." (Tr., 3689-3694.)

On 5 November, the War Department G-2 wrote Short's G-2 that Hirota, head of the Black Dragon Society, had stated that

* * * War with the United States would best begin in December or in February. * * * The new cabinet would likely start war within sixty days. * * * (Tr., Bratton D. 289-291.)

Colonel Bicknell, Short's Asst. G-2, testified that early in November in his Weekly Intelligence Summary the statement was made that

* * * from all information which had been gathered in our office in Hawaii it looked as though hostilities could be expected either by the end of November or, if not, then not until spring. (Tr., Bicknell 1439-1440.)

Captain Edwin T. Layton, Intelligence Officer of the Pacific Fleet, testified he believed he had informed Colonel Edwin Raley, G-2 of the Hawaiian Air Force and who had been assigned as liaison with the Navy, that Japanese troops, vessels, naval vessels, and transports were moving south. This information came from Naval observers in China, the naval attaché in Tokyo, the naval attaché in Chungking, British and other sources. This intelligence indicated that the Japanese would invade the Kra Isthmus. Jap submarines about this time had been contacted in the vicinity of Oahu. (Tr., Layton 3030, 3031, 3040-3041.)

[8] On 24 November 1941, the Chief of Naval Operations radioed the Commander-in-Chief, Pacific Fleet, that

There are very doubtful chances of a favorable outcome of negotiations with Japan. This situation coupled with statements of Nippon Government and movements of their naval and military forces indicate in our opinion that a surprise aggressive movement in any direction including an attack on the Philippines or Guam is a possibility. The Chief of Staff has seen this dispatch and concurs and requests action addresses (CINCAF, CINCAP, COMS 11, 12, 13, 14) inform senior army officers their respective areas. Utmost secrecy is necessary in order not to complicate an already tense situation or precipitate Jap action. Guam will be informed in a separate dispatch. (Tr., Gerow 4258; cf. Bloch 1503-C.)

This message was presented to General Short by Captain Layton with his estimate. Not only did he deliver the message but he discussed it fully with Short. (Tr., Layton 3058-3059.) Short said, "I do not think I ever got that message. * * * I might have seen it, * * * and I might have forgotten about it." (Tr., Short 414.)

On 26 November 1941, the War Department radioed Short:

It is desired following instructions be given pilots of two B-24's on special photo mission. Photograph Jaluit Island in the Carolina group while simultaneously making visual reconnaissance. Information is desired as to location and number of guns, aircraft, airfields, barracks, camps and naval vessels including submarines * * * before they depart Honolulu insure that both B-24's are fully supplied with ammunition for guns. (Tr., Gerow 4259.)

The War Department sent Short three messages on 27 November, all of which arrived. The one signed "Marshall" read as follows:

Negotiations with Japanese appear to be terminated to all practical purposes with only the barest possibilities that the Japanese Government might come back and offer to continue. Japanese future action unpredictable but hostile action possible at any moment. If hostilities cannot, repeat cannot, be avoided, United States desires that Japan commit the first overt act. This policy should not, repeat not, be construed as restricting you to a course of action that might jeopardize your defense. Prior to hostile [9] Japanese action you are directed to undertake such reconnaissance and other measures as you deem necessary but these measures should be carried out so as not, repeat not, to alarm the civil population or disclose intent. Report measures taken. Should hostilities occur you will carry out the tasks assigned in Rainbow 5 as far as they pertain to Japan. Limit dissemination of this highly secret information to minimum essential officers. (Tr., Gerow 4259-4260, Short 280-281.)

This same day, 27 November, G-2 of the War Department radioed Short's G-2 as follows:

Advise only the Commanding Officer and the Chief of Staff that it appears that the conference with the Japanese has ended in an apparent deadlock. Acts of sabotage and espionage probable. *Also possible that hostilities may begin.* (Tr., Gerow 4260.) (Italics supplied.)

The third message sent Short on 27 November 1941 was through the Navy Department, reading as follows:

This dispatch is to be considered a war warning. Negotiations with Japan looking toward stabilization of conditions in the Pacific have ceased and an aggressive move by Japan is expected within the next few days. The number and equipment of Jap troops and the organization of naval task forces indicates an amphibious expedition against either the Philippines or the Kra Peninsula or possibly Borneo. Execute an appropriate defensive deployment preparatory to carrying out the task assigned in WPL 46X. Inform District and Army authorities. A similar warning is being sent by the War Department. Spanavo informed British. Continental district Guam Samoa directed to take appropriate measures against sabotage. (Tr., Gerow 4262.)

Short admits he got this message. (Tr., Short 415, 416, 469.)

The following day, 28 November, The Adjutant General sent Short a long radio stating that the critical situation demanded that all precautions be taken immediately against subversive activities and sabotage. (Tr., Arnold 170, Short 293, Scanlon 4176.) Short stated he took this as tacit consent to his alert against sabotage only (Short, Ex. 1, p. 54) and as a reply to his radio report of 27 November. (Tr., Short 422.) Short sent a long reply to this message giving the various precautions taken by him against subversive activities and sabotage. (Tr., Short 294-296.)

[10] There was a further message from the Chief of Naval Operations, dated 30 November, stating that Japan was about to launch an attack on the Kra Isthmus. (Roberts Report, p. 8.) Short also received Admiral Kimmel's Fortnightly Summary of Current International Situations, dated December 1, 1941, which stated that deployment of Jap naval ships southward indicated clearly that extensive preparations were under way for hostilities and referred to naval and air activity in the Mandates. (Tr., Kimmel 1769-1770.) An FBI or War Department report that the Jap Consuls in Honolulu were burning their codes and secret papers was given to Short's G-2 on 5 or 6 December 1941. (Tr., Fielder 2986, Bicknell 1413-1414.) The Navy advised Kimmel on 3 December that Jap Consulates in Washington and London were destroying codes and burning secret documents. (Tr., Bloch 1512-1513.) There were two Navy messages on 4 December 1941, the first on information copy to Kimmel of advice to certain naval commanders to destroy confidential documents (Tr., Bloch 1514), the second a similar radiogram advising "be prepared to destroy instantly in event of emergency all classified matter you retain." (Tr., Bloch 1514, Safford C. 187.) Another Navy message of 6 December "directed that in view of the tense situation naval commanders in Western Pacific areas should be authorized to destroy confidential papers." (Tr., Safford C. 189, Bloch 1514.)

In addition to all the above, G-2 of the War Department radioed Short's G-2 on 5 December 1941 to contact Commander Rochefort, in charge of naval cryptographic work in Pearl Harbor, relative to Jap weather broadcasts from Tokyo "that you must obtain" and stating categorically "contact him at once." This had reference to the important "Winds" intercept, to be discussed more fully later. (Tr., Bratton

B. 62, D. 283.) Also, Colonel Bicknell of Short's G-2 staff advised Short's entire staff on 5 December that the Jap Consulate was burning papers and that to him this meant war was imminent. (Tr., Bicknell 1413.) Colonel Fielder, Short's G-2, confirmed the fact that Colonel Bicknell so reported. (Tr., Fielder 2986.)

On 5 December 1941, Hawaii time, Colonel Van S. Merle-Smith, U. S. Military Attache in Melbourne, Australia, sent a cable to the Commanding General, Hawaiian Department, stating that the Netherlands Far Eastern Command had ordered the execution of Plan A-2 based on their intelligence report of Japanese naval movements in the vicinity of Palau. (Tr., O'Dell 4506-4507.) Lieutenant Robert H. O'Dell who was then Assistant Military Attache in the American Legation, Melbourne, Australia, testified that Plan A-2 was integrated into the Rainbow Plan. (Tr., O'Dell 4511-4512.) The message in question was supposed to be relayed to the War Department by the Commanding General, Hawaiian Department, for deciphering and repeat. (Tr., O'Dell 4509.) The record does not show whether Short ever received this message. Other messages in the same code had been transmitted between the Commanding General, Hawaiian Department, and the American Legation in Australia. (Tr., O'Dell 4510.) Colonel Merle-Smith had not sent the cable in question to Washington in the first instance in order that there should be no delay.

[17] Lastly, on 6 December 1941, Short's Assistant G-2, Colonel Bicknell, informed him that the FBI at Honolulu had intercepted a telephone conversation between one Dr. Mori, a Japanese agent in Honolulu, and a person in Tokyo who inquired as to the fleet, sailors, searchlights, aircraft, and "Hibiscus" and "poinsettias," (probably code words). This message evidently had "military significance" as Mr. Shivers, the FBI Agent in charge, and Colonel Bicknell testified. (Tr., Shivers 3205, Bicknell 1415-1416.)

Short knew that the most dangerous form of attack on Pearl Harbor would be a surprise air attack at dawn. He had participated in plans and exercises against such a possibility. The fact is that on 31 March 1941 he signed the Martin-Bellinger Air Operations Agreement with the Navy, paragraph IV of which provided that daily patrols should be instituted to reduce the probability of "air surprise." (Tr., Short 387-388.) Paragraphs (d) and (e) of this Agreement (quoted in Report on page 98; Roberts Record 556-D-F) state:

(d) * * * It appears that the most likely and dangerous form of attack on Oahu would be an air attack. * * *

(e) In a dawn air attack there is a high probability that it would be delivered as a complete surprise in spite of any patrols we might be using and that it might find us in a condition of readiness under which pursuit would be slow to start * * *.

General Short himself testified that he was fully aware of a possible surprise air attack. (Tr., Short 388.)

General Hayes, Short's Chief of Staff up to the middle of October 1941, (Tr., Hayes 242) testified that he, General Martin, Short's air chief, and Admiral Bellinger, the naval air chief, considered a surprise air raid as the most probable enemy action and that this was the estimate of the Hawaiian Department in Short's time and also in the time of his predecessor General Herron. (Tr., Hayes 267-268.) Colonel Donegan, Short's G-3 at the time of the attack (Tr., Donegan 1929),

testified that the possibility of a surprise air raid had been discussed "many, many times." (Tr., Donegan 1961-1963.) Short had at least one air defense exercise each week with the Navy from March (Tr., Short 293) and he conducted an air raid drill as late as 29 November 1941. (Tr., DeLany 1727.)

General Short admitted that while the 27 November message instructed him to undertake reconnaissance, this only indicated to him that "whoever wrote that message was not familiar with the fact that the Navy had assumed the full responsibility for that long-distance reconnaissance * * *." (Tr., Short 4442.)

[12] Thus, Short concluded that in drafting the message Washington did not understand the situation but that he, Short, did. It should be borne in mind that Short at no time called on Washington for clarification of any of these messages.

Short contended that both the War Department message of 16 October and that of 27 November stressed the necessity of avoiding provocative action against Japan (Short, Ex. 1, p. 14, 54; Tr., 279-281) and that when the 27 November message was sent there was still hope in the minds of the War Department that differences might be avoided. (Tr., Short 281.) He likewise interpreted the 27 November message to mean that he must avoid any action which would alarm the Japanese population, which was confirmed by The Adjutant General's radio to him of 28 November. (Short, Ex. 1, p. 14, 54; Tr., 293-294.) As Short testified:

Everything indicated to me that the War Department did not believe that there was going to be anything more than sabotage . * * *. (Tr., Short 437.)

Short testified he was confirmed in this conclusion by the action of the War Department in sending the flight of B-17's to Hawaii without ammunition for defense. The planes arrived in this condition during the attack. (Short, Ex. 1, p. 21, 22, 55; Tr., 307, 471.)

Asked about "the possibility of confusion" created by the messages from Washington and whether he did not think the situation demanded vigorous action on his part, Short replied "very definitely not, from the information I had." (Tr., Short 453.)

The Board stated in its conclusions that the information furnished General Short was "incomplete and confusing." (Rep. 300.)

Notwithstanding any information from Washington which Short regarded as conflicting or qualifying, the responsibility rested upon Short to be prepared for the most dangerous situation with which he could be confronted. This precaution on his part as the Commanding General was mandatory. Short was adequately advised of the imminent rupture in diplomatic relations between the United States and Japan, of the imminence of war, of the probable momentary outbreak of hostilities by Japan against the United States, and of the possibility of sabotage and espionage. The prime and unanswered question was when and where Japan would strike. As to this danger, the limitations and restrictions set forth in the messages were at all times subordinate to the principal instruction, namely that war was imminent and Short should be prepared for it. The instruction to this effect contained in the message of 27 November was as follows:

[13] * * * This policy should not, repeat not, be construed as restricting you to a course of action that might jeopardize your defense. * * * (Tr., Short 280-281.)

Thus, a mere reading of the messages will show that Short should not have been misled as to their essential meaning, namely, that he must be on the alert against threats both from within *and from without*.

Short stresses greatly his reply to the 27 November message signed "Marshall." This reads:

Department alerted to prevent sabotage. Liaison with the Navy. (Short, Ex. 1, p. 16; Tr. 286.)

As previously pointed out, Short sent this brief reply within thirty minutes after receipt of the 27 November radio from Washington, and without consulting the Navy or the members of his staff. This decision and action by Short occurred before Short's G-2 received the message which the War Department G-2 radioed to Short on 27 November, clearly indicating that both sabotage and hostilities might commence and be concurrent. (Tr., Short 282, 395, 520, Fielder 2962). Short claims his report to Washington, quoted above, was in effect a notice that he had only ordered an alert against sabotage, pursuant to the directive to report contained in the 27 November message signed "Marshall."

He testified:

Everything indicated to me that the War Department did not believe there was going to be anything more than sabotage; and, as I have explained, we had a very serious training proposition with the Air Corps particularly, that if we went into Alert No. 2 or 3 instead of No. 1 at the time that we couldn't meet the requirements on the Philippine ferrying business. Also the fact that they told me to report the action taken unquestionably had an influence because when I reported action taken and there was no comment that my action was to little or too much I was a hundred per cent convinced that they agreed with it. (Tr., Short 437.)

When, however, he was asked what that portion of his reply reading, "liaison with the Navy" meant, he replied:

General SHORT. To my mind it meant very definitely keeping in touch with the Navy, knowing what information they had and what they were doing.

General GRUNERT. Did it indicate in any way that you expected the Navy to carry out its part of that agreement for long-distance reconnaissance?

[14] General SHORT. Yes. Without any question, whether I had sent that or not, it would have affected it, because they had signed a definite agreement which was approved by the Navy as well as our Chief of Staff. (Tr., Short 380)

Both the Army and Navy messages of 27 November 1941 pictured an emergency and called for action under the War Plan. The Navy message expressly stated:

This dispatch is to be considered a war warning. * * * Execute an appropriate defensive deployment preparatory to carrying out the task assigned in WPL 46X. Inform District and Army authorities. A similar warning is being sent by the War Department.* * * (Tr., Gerow 4262)

The symbols WPL 46X refer to the Rainbow Plan. (Tr., Bloch 1512)

On 27 November 1941, the Navy informed the Army authorities of the message. (Tr., Layton 3041, Kimmel 1779) Short admits he received this message. (Tr., Short 416, 469) The corresponding warning sent by the War Department was Radiogram No. 472, 27 November 1941. That message after stating "hostile action possible at any moment" goes on to say that after the outbreak of hostilities the tasks assigned in the Rainbow Plan will be carried out in so far as they pertain to Japan. The implementation of that portion of the Plan by means of reconnaissance refers to paragraph 18 (i) of the Plan which

provides that the Navy shall undertake the distant reconnaissance. (Tr. Kimmel 1745)

Short is in a dilemma in contending that distant reconnaissance was a Navy responsibility, (Short, Ex. 1, p. 14, 15; Tr. 54, 281, 373, 377-380, 383, 393-394, 4443-4444) because it only became a Navy responsibility if and when the Joint Army and Navy Agreement was put into effect. Yet Short made no effort to put it into effect, even in part. (Tr., Lawton 2675-2676, Short 4437, 4441)

General Gerow, Chief of War Plans Division at the time, testified:

* * * A threat of hostile attack was clearly stated in the War Plans message of November 27, and there was no reason for members of the War Plans Division to believe that the CG of the Hawaiian Department did not recognize that threat as imminent, and that he would not take action in accordance with the Joint Coastal Frontier Defense Plan of the Hawaiian Department and the Fourteenth Naval District. (Tr., Gerow 4283-4284)

[15] General Gerow testified further that from Short's reply "liaison with the Navy" it was reasonable for General Gerow to assume further that

General Short was working out reconnaissance and other defensive measures in coordination with the Navy. This would be normal procedure under the basic Plan. * * * (Tr., Gerow 4289)

Thus, in reality, the reply of Short indicated to the War Department not only that he had taken precautions against sabotage but also that defense measures were being taken in accordance with the basic War Plan. There is nothing in the Plan to compel its being put into effect *in toto*. Paragraph 15 (c), (2) of the Plan provides:

Such parts of this plan as are believed necessary will be put into effect prior to M-Day as ordered by the War and Navy Departments or as mutually agreed upon by local commanders. (Tr., Bellinger 1584)

It is therefore clear that even assuming that the Chief of the War Plans Division should have checked up more thoroughly on the inadequacy of the brief report by Short, nevertheless Short did not inform the War Department that he had merely alerted his command against sabotage. In any event, a military commander with a great responsibility cannot entirely divest himself of that responsibility with respect to 7 December 1941 by giving the War Department on 27 November 1941 the report that he did. Furthermore, during the time which intervened from 27 November to 7 December he received other messages, heretofore quoted, which called for his reexamination of his decision.

Reconnaissance: Means Available:

Short's reply did not fully or accurately inform the War Department of his action taken. For example, on 27 November, after receiving the message in question, he ordered the radar air raid warning service into operation but only from 4 to 7 a. m. (Tr., Short 297, 469-470) and primarily on a training basis. (Tr., Short 516, 4442) No mention of this was made in his reply. One of the most important means of reconnaissance was the radar air raid warning service. The 27 November message signed "Marshall" ordered Short "to undertake such reconnaissance and other measures as you deem necessary." An added reason for twenty-four hour operation of the radar is Short's claim that the Hawaiian Department did not have sufficient aircraft

for 360 degree reconnaissance. It is clear that the radar air raid warning system was capable of twenty-four hour operation since this schedule was maintained immediately following the attack. (Tr., Short 470)

[16] Short assumed that the Navy was conducting long-distance reconnaissance by air and water to a measurable extent (Tr., Short 284, 385), but he also realized that such reconnaissance by the Navy was not perfect. (Tr., Short 375, 384) He even failed to ascertain from the Navy, in a business-like way, just what reconnaissance was in fact being conducted. (Cf. Roberts Report, p. 18, 19) The Navy conducted reconnaissance but this was only incidental to the maneuvers of the task forces of the fleet. These maneuvers were for training purposes and also to guard against Japanese submarines. (Tr., Short 359-360, 384; Bloch 157; Bellinger 1600; DeLany 175; Kimmel 1773; 1794-1795; 1802; McMorris 2885; cf. Roberts Report, p. 16)

According to Admiral Kimmel, the Navy "had plans for reconnaissance and *could run reconnaissance of a sort*, but in our estimate which had been submitted to Washington, * * * it was clearly stated that we had to know the time of the attack, within rather narrow limits, in order to have anything like an effective search, because we could not maintain a search except for a very few days. Then of course we were hoping to get more planes all the time * * *'" (Tr., Kimmel 1806) (Italics supplied) Concerning the air force necessary for naval reconnaissance, Admiral Kimmel stated:

* * * I think it is generally accepted that proper reconnaissance against aircraft attack requires that the patrol planes run out to about 800 miles from Oahu, around a 360 degree arc, if you want a full coverage, *and this will take about 84 planes*, assuming a 15 miles visibility, for one day. * * * (Tr., Kimmel 1763) (Italics supplied)

How many planes were available? From Kimmel's own testimony it appears that the Navy had 81 patrol planes:

* * * it was planned to utilize so many of the patrol planes of the fleet as might be available at any one time, augmented by such planes as the Army could supply to do that distant reconnaissance. *The number of patrol planes in the fleet was 81, all told*. Of those approximately between 50 and 60 were in the Island of Oahu and suitable for service on the 7th of December. * * * and they had to cover all the Hawaiian Islands and cover all actions of the Pacific Fleet * * *. (Tr., Kimmel 1739; cf. Bellinger 1598, 1630) (Italics supplied)

Testifying from hearsay only and not purporting to render an expert opinion, Admiral Bloch stated 170 aircraft and 350 pilots would be needed for such reconnaissance. (Tr., Bloch 1494)

According to General Martin, 72 long-range bomber planes were needed for distant reconnaissance,

flying at an interval of five degrees. (Tr., Martin 1872)

An additional 72 ships were required for the next day's reconnaissance mission, with 36 remaining on the ground as the striking force. * * * This brought the total of heavy bombardment to 180. (Tr., Martin 1873)

Short contended that perfect 360 degree reconnaissance would have required 180 B-17 Flying Fortresses. (Tr., Short 324, 374) But Short testified that he believed the naval task forces and planes from outlying islands were conducting reconnaissance equivalent to covering a 180 degree arc (Tr., Short 385; cf. Roberts Report, p. 16), and that the task force reconnaissance covered a strip 600 miles wide. (Tr., Short 4438) On Short's assumption only 90 B-17 Flying Fortresses would have been

needed to cover the remaining 180 degree arc. (Tr., Short 324, 374) According to Kimmel 42 planes could have scouted that arc. (Tr., Kimmel 1763) The Navy had about 58 patrol planes available in Oahu (Tr., Bellinger 1598, 1630; Kimmel 1739), but how many of these could have been used for reconnaissance is debatable. Some at least were needed to scout ahead of the then operating task forces. The Army had available 6 B-17's, 10 A-20's, and 54 B-18's. (Tr., Short 281, 314, 479) These B-18's were not the best type of plane, but as General Martin says,

* * * *They could be used for reconnaissance*, but * * * were always recognized as not being a combat ship. (Tr., Martin 1859) (Italics supplied)

General Martin was not asked whether for purposes of distant reconnaissance a B-18 or A-20 plane was substantially the equivalent of a Navy Flying Fortress.

Thus, there were 58 naval planes and 70 army planes, or a total of 128 planes in Oahu in late November and early December. How many of these planes were actually available for operations as distinguished from those undergoing repairs, is not clear from the record. It is clear, however, from the above that a substantial number of planes were available by which reconnaissance could have been undertaken to some extent. Hence, the testimony of both Kimmel and Short that the number of planes on hand was entirely insufficient for reconnaissance must be taken with some qualifications.

I agree with the following statement in the Roberts Report (paragraph XV, p. 12) :

[18] Under the joint coastal frontier defense plan, when the plan became effective the Navy was to conduct distinct air reconnaissance radiating from Oahu to a distance of from 700 to 800 miles. Prior to December 7, 1941, no distant reconnaissances were conducted, except during drills and maneuvers. The fleet from time to time had task forces operating in various areas off the island of Oahu and, in connection with such operations, carrier and patrol planes conducted reconnaissances of the operating areas. The sectors searched, however, constituted but small arcs of the total arc of 360°, and rarely extended to a radius of 700 miles.

Means were available for distant reconnaissance which would have afforded a measure of security against a surprise air attack.

General Short assumed that the Navy was conducting distant reconnaissance, but after seeing the warning messages of October and November from the War and Navy Departments he made no inquiry with respect to the distant reconnaissance, if any, being conducted by the Navy.

*Information Not Received by Short; In General: **

Short claimed that the War Department had considerable important information prior to the attack which should have been but was not transmitted to him and the Board so found. (Top Secret Rep., p. 1) The Board held that under these circumstances, where vital information cannot be disclosed by the War Department to its field commanders it is incumbent upon the War Department to assume the responsibility for specific instructions to these commanders. (Top Secret Rep., p. 1) I do not feel that these are proper conclusions in the present case.

It should be made clear at the outset that so far as the present record or the Roberts Report shows, the War Department possessed no information definitely pointing to an attack on Pearl Harbor and no advance information as to the date of an attack anywhere. This is contrary to many past and current newspaper stories. Indeed, aside

from the Top Secret information which will now be considered, the Dutch-British-United States agreement for joint action, which Short said would have made him "more conscious" war was practically unavoidable, (Tr., Short 449-450), and possibly Navy messages not presented to the Board, there was no substantial information in the War Department which was not transmitted to Short. Short, as Commanding General, must be charged with having all the important information sent to his G-2. It is a fact also that Short received important information from his G-2 of which the War Department was not informed.

[19] An examination of the Top Secret Report of the Board indicates that it is mainly a collection of conclusions by the Board which cite as a basis references to Top Secret transcripts and exhibits. These references in turn indicate that the testimony given by the witnesses consists largely of their conclusions or evaluations of certain intercepts. The testimony of some of these witnesses is undefined and inconclusive. Moreover, the quantum of the information thus received by the War Department and not sent to Short has been magnified out of all proportions to its reasonable evaluation as each message was received from day to day. This is all the more apparent when fundamental military concepts are borne in mind as to the responsibilities of the commander of the Hawaiian Department. The Board considered that the most damning indictment of the War Department was that it has possession of information which indicated war at a time certain (Top Secret Rep., p. 3) and that this information was exclusively in the possession of the War Department and did not go to Short. (Top Secret Rep., p. 4) The basis for this conclusion by the Board, however, is that the War Department was advised that the Japanese in London, Washington, and elsewhere were burning their consular records, and destroying their codes and confidential papers. (Top Secret Rep., p. 4) But Short's G-2, Colonel Fielder, and his Asst. G-2, Colonel Bicknell, had information before 7 December that the Japanese Consulate in Honolulu was likewise destroying its codes and burning its secret papers, which information in the opinion of Colonel Bicknell meant war. (Tr., Fielder 2985-2986; Bicknell 1413-1417) Furthermore, Colonel Fielder testified that he believed the source of his information was the War Department. (Tr., Fielder 2986) It must be presumed that Short was informed of his own G-2's information. Colonel Bicknell testified definitely that he told Short's staff he had such information and that to him this meant war. (Tr., Bicknell 1413-1414) Colonel Phillips, Short's Chief of Staff, testified Short was given this information. (Tr., Phillips 1242-1243) Moreover, the Navy at Hawaii had received information of the burning of codes by Japanese Consular agents in London and Washington (Tr., Bloch 1512-1513) which information, according to Short's G-2 would come to him in the natural course. (Top Secret Tr., Bratton D. 292-293)

The principal information of the character above described is contained in Top Secret Exhibit "B", a series of forty-seven intercepted radiograms principally between Washington and Tokyo and the so-called "Winds" message. In order to compare the information Washington had and what it sent Short it is necessary briefly to recite the contents of these various messages:

24 September, translated 9 October. Tokyo to Honolulu. Requesting reports on vessels in Pearl Harbor and dividing Pearl Harbor into various subdivisions for that purpose.

14 October, translated 16 October. Ambassador Nomura, Washington to Tokyo. Giving interview with Rear Admiral Turner; Turner suggesting Japan abandon her obligations under the Three-Power Alliance and gradually withdraw Jap troops from China.

[20] 16 October, translated presumably 17 October. Toyoda, Foreign Minister, Toyko to Washington. Stating war between Germany and U. S. might result in Japan joining, fulfilling its obligations under Three-Power agreement. At the same time, Japan wished to make a success of the Japanese-American negotiations, hence Japan was warning the U. S. of the above.

22 October, translated 23 October. Nomura, Washington to Tokyo. Advises Tokyo of his lack of success in negotiations and asks to be relieved.

5 November, translated 5 November. Tokyo to Washington, of utmost secrecy. Setting 25 November as deadline for signing agreement and urging renewed effort.

14 November, translated 26 November. Tokyo to Hongkong. Stating that should U. S.-Jap negotiations collapse Japan will destroy British and American power in China.

15 November, translated 3 December. Foreign Minister Togo to Honolulu stating:

As relations between Japan and the United States are most critical, make your "ships in harbor report" irregular, but at a rate of twice a week.

16 November, translated 17 November. Tokyo to Washington. Referring to impossibility to change deadline of 25 November and to press negotiations with the U. S.

18 November, translated 6 December. Kita, Honolulu to Tokyo. Bringing Tokyo up to date as to warships in Pearl Harbor and giving course of eight destroyers entering harbor.

19 November, translated 20 November. Tokyo to Washington. Advises to present "the proposal" and that "if the U. S. consent to this cannot be secured, the negotiations will have to be broken off."

19 November, translated 26 November. Tokyo to Washington. Giving three code words to be added at end of Jap intelligence broadcasts if Jap-U. S.-Russian-British relations should become dangerous.

22 November, translated 22 November. Tokyo to Washington. Extends time for signing agreement from 25 November to 29 November. Latter is absolute deadline. "After that things are automatically going to happen."

[21] 26 November, translated 28 November. Ambassador Nomura and Kurusu to Tokyo. Advising hardly any possibility of U. S. considering the "proposal" *in toto*, that if situation remains tense as it is negotiations will inevitably be ruptured, if indeed they may not already be called so. "Our failure and humiliation are complete." Suggest that rupture of present negotiations does not necessarily mean war between Japan and U. S. but would be followed by U. S. and English military occupations of Netherlands Indies, which would make war inevitable.

26 November, translated 26 November. Tokyo to Washington. Stating "the situation is momentarily becoming more tense and tele-

grams take too long." Contains code for future telephone conversations.

26 November, translated 26 November. Conversation between Kuruusu and Yamamoto, Kuruusu stating U. S. will not yield, that he could make no progress.

26 November, translated 29 November. Nomura to Tokyo. Stating great danger responsibility for rupture of negotiations will be cast upon Japan and suggesting plan to avoid this.

28 November, translated 28 November. Tokyo to Washington. Stating that in spite of Ambassadors super-human efforts, U. S. has "presented a humiliating proposal and Japan cannot use it as basis for negotiations"; therefore answer will be sent Ambassadors in two or three days after which negotiations will be de facto ruptured. Ambassadors are told not to give impression negotiations are broken off.

29 November, translated 5 December. Tokyo to Honolulu. "We have been receiving reports from you on ship movements, but in the future will you also report even when there are no movements."

29 November, translated 30 November. Tokyo to Washington. Instructing Ambassadors to make one more attempt and giving line of approach.

30 November, translated 1 December. Tokyo to Berlin. Advising Japan's adherence to Tri-Partite Alliance and that U. S. on 26th made insulting proposal, in effect demanding Japan not give assistance to Germany and Italy in accordance with alliance. "This clause alone, let alone others, makes it impossible to find any basis in the American proposal for negotiations" and that United States in collusion with the allied nations "has decided to regard Japan, along with Germany and Italy, as an enemy."

[22] 30 November, translated 1 December. Tokyo to Berlin. Stating negotiations with Washington "now stand ruptured—broken" and to give Hitler and Ribbentrop a summary of the developments; that England and the United States have taken a provocative attitude, were planning to move forces into East Asia which would require counter measures by Japan, that there was extreme danger that war might suddenly break out and that "the time of the breaking out of this war may come quicker than anyone dreams." This message was to be sent to Rome and to be held "in the most absolute secrecy."

30 November, translated 30 November. Telephone conversation between Kuruusu, Washington, and Yamamoto. Discussion as to stretching out negotiations and effect of return of President Roosevelt.

1 December, translated 5 December. Tokyo to London. Directing destruction of code machine and to confirm this by cable.

1 December, translated 1 December. Tokyo to Washington. Date set in deadline message has gone by. To prevent U. S. becoming unduly suspicious press has been advised negotiations are continuing. States note will not be presented to U. S. Ambassador in Tokyo as suggested, but in Washington only.

1 December, translated 1 December. Tokyo to Washington. Advising when faced with necessity of destroying codes to use chemicals on hand for that purpose.

1 December, translated 4 December. Washington to Tokyo. Advising continuation of negotiations and meeting leaders, if not top leaders then those lower down.

1 December, translated 4 December. Tokyo to Hsinking. Advising that it was Jap policy to have Manchuria participate in war and that British and American Consular rights would not be recognized.

2 December, translated 3 December. Washington to Tokyo. Reciting conversation between Jap Ambassadors and Under Secretary Welles wherein Japs complain against pyramiding U. S. economic pressure upon Japan and expressing doubt as to whether Japan could consider again proposals of 26th. Japan convinced U. S. would like to bring about a speedy settlement which fact Foreign Office should consider in making reply to new American proposals.

2 December, translated 3 December. Tokyo to Washington. (Strictly Secret) Destroy all codes except one, destroy one code machine unit and destroy all secret documents.

[23] 3 December, translated 5 December. Washington to Tokyo. Stating that in event of occupation of Thailand joint military action by Great Britain and U. S. with or without declaration of war was a certainty.

4 December, translated 5 December. Berlin to Tokyo asking for certain members of London staff in event Jap Embassy in London was evacuated.

5 December, translated 6 December. Washington to Tokyo. Reports destruction of codes and states that since negotiations are still continuing request delay in destruction of one code machine.

6 December, translated 6 December. Tokyo to Washington. Gives advance notice of memorandum for U. S. to be sent in fourteen parts and to prepare to present it when directed.

6 December, translated 7 December. Washington to Tokyo, urgent. Stating that in addition to negotiating with Hull Japs had worked with other Cabinet Members some of whom had dined with President and advised against Jap-American war.

7 December, translated 7 December. Tokyo to Washington, extremely urgent. Advising that after deciphering fourteenth part of final memorandum, Japan to U. S., to destroy at once remaining cipher machine and all machine codes, also all secret documents.

7 December, translated 7 December. Budapest to Tokyo stating: "On the 6th, the American Minister presented to the Government of this country a British Government communique to the effect that a state of war would break out on the 7th."

The final message, outside the "Winds" message which will be noticed in detail later was the diplomatic note of the Japanese Government to the United States Government sent from Tokyo to Washington 6 December 1941 in fourteen parts, thirteen of which arrived and were translated on 6 December and the fourteenth part the morning of 7 December. (Top Secret Ex. "B"; Tr., Safford C. 154) The Japanese note in general is a review of the Japanese-American negotiations and the Japanese position, complaining in effect of an insult and breaking off the negotiations. A radio from Tokyo to Washington 7 December, translated the same day, marked "urgent, very important," instructs the Ambassador to present this note to the United States at 1:00 p. m., 7 December. (Top Secret Ex. "B")

[24] *The Winds Message:*

The Federal Communications Commission, around 20 November 1941, intercepted a message from Tokyo to Japanese diplomatic repre-

sentatives to the effect that "in case of emergency (danger of cutting off our diplomatic relations)" a warning message would be given in the middle and the end of the Japanese daily short-wave news broadcasts as follows:

- (1) In case of a Japan-U. S. relations in danger:
HIGASHI NO KAZEAME (EAST WIND RAIN)
- (2) Japan-U.S.S.R. relations:
KITANOKAZE KUMORI (NORTH WIND CLOUDY)
- (3) Japan-British relations:
NISHINO KAZE HARE (WEST WIND CLEAR)

When this signal was heard, all codes and papers were to be destroyed. (Exhibit "B", 19 Nov., S.I.S. 25432; Tr., Marshall A. 35; Sadtler D. 250; Safford C. 125-126)

A radio from Tokyo to Washington, dated 19 November and translated 26 November, was to the same effect. (Top Secret Ex. "B", S.I.S. 25432) The Army, Navy, and Federal Communications intercept stations immediately commenced a close watch for the second or implementing "Winds" message. On 5 December, Admiral Noyes, Chief of Navy Communications, phoned Colonel Sadtler, in charge of Army codes and ciphers, saying, "The message is in." Asked which one it was, Admiral Noyes stated he did not know but believed it meant war between Japan and Great Britain. (Tr., Sadtler D. 251) Sadtler immediately went to General Miles, A. C. of S., G-2, where he was joined by Colonel Bratton of G-2. Discussing Admiral Noyes' uncertainty as to which message it was, General Miles stated: "Do you think you can verify that word? This may be a false alarm." Colonel Bratton telephoned Admiral Noyes, who was on his way to a meeting and had no time to discuss the matter except to say that he could not verify it at that time but would telephone later. Sadtler returned to General Miles, who told him to keep on the lookout. (Tr., Sadtler D. 252-253) Colonel Sadtler then advised General Gerow of the message and suggested that the various overseas stations including Hawaii should be notified. General Gerow replied, "I think they have had plenty of notification," and the matter dropped. Sadtler then informed Colonel (now Lieutenant General) Bedeli Smith, Secretary of the General Staff, of the message and that he had talked to G-2 and War Plans, and Colonel Smith did not wish to discuss it further. (Tr., Sadtler D. 253-254)

It will be noted from the above that the activating or second "Winds" message apparently indicated a breach in diplomatic relations with Great Britain. Colonel Sadtler testified he told General Miles and Colonel Bratton that Admiral Noyes was positive that it did not indicate a breach in Japanese-American relations. (Tr., Sadtler D. 252) According to [25] Colonel Bratton no one in G-2 ever received a message of this latter character. (Tr., Bratton B. 59, 66-67; see also Marshall A. 36-38) The present record fails to show whether Colonel Sadtler or Colonel Bratton ever ascertained the exact meaning of the Navy activating "Winds" message. Colonel Sadtler apparently made no further inquiry of Admiral Noyes nor did the Board examine him further on the subject. On this general subject there is the testimony of General Marshall who stated: "I find that no officer of the Navy advised General Miles or Colonel Bratton that any message implementing the 'Winds' code (indicating with whom relations

would be ruptured) had been received by the Navy." (Tr., Marshall A. 38-39) It seems clear that no Japanese message using the "Winds" code was intercepted by the FCC or by the Army Signal Corps until after Pearl Harbor. (Tr., Marshall A. 37) Colonel Sadtler testified that he discussed with General Miles and Colonel Bratton the Navy activating "Winds" message, indicating to him, war with Great Britain. (Tr., Sadtler D. 251-252) Apparently, therefore, the source of the activating or second "Winds" message was the Navy.

The Navy story as to the "Winds" message is as follows: Captain Safford, head of the Navy Communications Security Division, stated that on 4 December the activating "Winds" message came in and was sent to him in teletype. Lieutenant Commander Kramer, the senior language officer, wrote on the bottom of it, "War with England, War with America, Peace with Russia." The message was different in wording from what had been expected but, according to Captain Safford, its meaning was clear. It was given immediately to Admiral Noyes. (Tr., Safford C. 131-132) According to Captain Safford two copies were sent to the War Department. (Tr., Safford C. 133) Colonel Gibson of War Department G-2 testified that there is no record that G-2 of the War Department or the Army Signal Intelligence ever received any implementing message from the Navy. (Tr., Gibson D. 273) Neither the original nor copies of the message can now be found in the files of either the War or Navy Departments according to Captain Safford. The message was distributed to various high officials of the Navy Department and copies were sent to the State Department and White House. (Tr., Safford C. 133, 136-138, 172) The proof that it got to the White House seems to be that this was routine distribution (Tr., Safford C. 136-138); the same is true as to its getting to the Secretary of State. (Tr., Safford C. 138)

Captain Safford also testified that the Navy had roughly around sixty intercepted Japanese messages pertaining to this period which were in the possession of the Navy Court of Inquiry. (Tr., Safford C. 139-140, 152) Whether these include the forty-seven messages submitted in evidence by Colonel Bratton (Top Secret Ex. "B") is not known as they do not appear in the present record. Captain Safford testified that Commander Kramer told him in 1943 that when he submitted S.I.S. 25850, the message to the Jap Ambassadors to present the Japanese reply at 1:00 p. m., to Secretary Knox, he sent a note along with it saying in effect, "This means a sunrise attack on Pearl Harbor today and possibly a midnight attack on Manila." (Tr., Safford C. 167)

[26] Captain Safford testified that coupling the "Winds" activating message with the messages instructing destruction of codes and secret papers, he became worried and telephoned Commander McCollum and asked him whether Naval Intelligence was doing anything to get a warning out to the Pacific Fleet. McCollum said they were and as a result McCollum finally succeeded in having sent a message to the Pacific naval commanders, including the Commandant of the 14th Naval District, Honolulu, to the effect that the Japanese had been instructed to destroy their codes. (Tr., Safford C. 182-184) Safford stated he also arranged for four additional messages to be sent out to various naval attaches in the Far East advising destruction of our own secret papers. (Tr., Safford C. 184-185) This message was sent 4 December. A message to the same effect was also

sent to Guam, (Tr., Safford C. 186-187) with an information copy to the Commandant of the 14th Naval District in Honolulu. (Tr., Safford C. 187) An additional message was sent to the Commander-in-Chief, Pacific Fleet, covering destruction of papers on Wake Island. (Tr., Safford C. 188-190)

One of the members of the Board, General Russell, had in his possession a statement, unidentified as to source, but which he says "reached the Naval authorities and which it is alleged was sent over to the War Department." (Tr., Russell A. 30) This statement apparently was the testimony given by Captain Safford which was contained in a volume of the examination of various witnesses conducted by Admiral Thomas C. Hart, during April to June 1944, in accordance with directions of the Secretary of the Navy. (Tr., Safford C. 120, 123, 145, 152, 168) Examining General Marshall from this document, General Russell stated:

This same naval source from which I have been quoting stated that:

"On the 4th of December, 1941, Commander McCollum drafted a long warning message to the Commanders-in-Chief of the Asiatic and Pacific Fleets, summarizing significant events up to that date, quoting the 'Winds Message', and ending with the positive warning that war was imminent."

Now, this is on the 4th day of December:

"Admiral Wilkinson approved this message"—

which I shall talk about in a minute more definitely,

—"and discussed it with Admiral Noyes in my presence. I was given the message to read after Admiral Noyes read it, and saw it about three p. m., Washington time, on December 4, 1941. Admiral Wilkinson asked, 'What do you think of the message?' Admiral Noyes replied, 'I think it is an insult to the intelligence of the Commander-in-Chief.' Admiral Wilkinson stated, 'I do not agree with you. Admiral Kimmel is a very busy man,' and so forth. (Tr., Russell A. 33-34)

[27] Colonel Gibson referred to the above incident, stating that "Admiral Noyes said they had been alerted enough" and disapproved sending it. (Tr., Gibson D. 276-277)

Colonel Bratton testified that on receipt of the 2 December message translated 4 December, from Tokyo to Washington, ordering destruction of codes and code machines, he took a copy of this message to General Miles and General Gerow and discussed it with them at some length. Bratton advocated sending further warnings or alerts to our overseas commanders. General Gerow felt that sufficient warning had already been given. General Miles felt that he could not go over General Gerow's decision. Bratton, however, continued to feel uneasy about the matter and went over to the Navy Department where he had a conference with Commander McCollum who felt as he did that further warnings should be sent out. McCollum stated that Commander Rochefort in Honolulu had gotten the first "Winds" message and was listening for the implementing message. He suggested that as a way out of their difficulty a wire be sent to the Army G-2 in Hawaii to see Rochefort at once. (Tr., Bratton D. 283-284) Bratton stated he managed to get General Miles to OK this message which was sent 5 December to Short's G-2 and read as follows:

"Commander Rochefort, who can be located through the 14th Naval District, has some information on Japanese broadcasts in which weather reports are mentioned that you must obtain. Contact him at once." (Tr., Bratton D. 283)

In addition to the "Winds" message, the sheaf of forty-seven intercepts, Top Secret Exhibit "B", contains a somewhat similar message from Tokyo, dated 19 November 1941, reading as follows:

"When diplomatic relations are becoming dangerous we will add the following at the beginning and end of our general *intelligence* broadcasts:

- (1) If it is Japan U. S. relations "*HIGASHI*"
 - (2) Japan Russia relations "*KITA*"
 - (3) Japan British relations; (including Thai, Malay, and NEI) '*NISHI*'
- (Top Secret Ex. "B", S. I. S. 25392)

There is a conflict as to the meaning of the "Winds" message, namely, as to whether it meant war or only a breach of diplomatic relations. (Tr., [28] Bratton B. 60-71; Safford C. 126-130; Sadtler D. 250; See also Top Secret Ex. "B", S. I. S. 25392 and 25432, both 19 November 1941) This conflict is not significant, however, as it was common knowledge that Japan might begin war prior to terminating diplomatic relations. Even Short realized this. (Tr., Short 456-457; see also Stimson 4051)

There is no clear showing in the record as to what higher officers in the War Department got either the original "Winds" message, in whatever version, or the activating message, or got the brief message of 19 November as to the single code word to be inserted in the intelligence broadcasts when diplomatic relations became dangerous. (Top Secret Ex. "B", S. I. S. 25392)

Colonel Bratton, apparently testifying from Top Secret Exhibit "B", a sheaf of forty-seven messages, stated:

All the information that we had was presented in one form or another to the policy making and planning agencies of the Government. * * * The officials to whom I refer include the President, the Secretary of State, the Secretary of War, the Chief of Staff, and the Chief of the War Plans Division (Tr., Bratton D. 297)

Assuming this refers to the 47 intercepts, there is no testimony that any one of these specifically got to the various officials mentioned, or if so, when. Nor, assuming some or all of these intercepts got to these officials, is there any showing of the form in which they received them. Such general testimony as that of Colonel Bratton's, above quoted—relying, as it apparently does, entirely on a practice, without specific recollection of specific occasions—cannot be regarded as fairly bringing home to any of the individuals concerned knowledge of any specific intercept. This is certainly so where the record contains a specific denial, such as in the case of General Marshall, of any recollection of having seen some of these documents. (Tr., Marshall A 30-31, 33-40, 209-211)

Discussion of Foregoing Information:

It is obvious that these Top Secret intercepts show a gradual deterioration in Japanese-American relations and the probability of war. Short, however, was specifically advised of the possibility of the outbreak of hostilities at any time and in this respect these intercepts are merely cumulative. Some of them, however, are very pointed; for example, the radio of 24 September, translated 9 October, from Tokyo to Honolulu, requesting reports on vessels in Pearl Harbor and dividing Pearl Harbor into subdivisions for that purpose; the radio of 15 November, translated 3 December, from Togo to Honolulu, requesting that the "ships in harbor" [29] report be made

twice a week in view of the critical Jap-U. S. relations; the radio of 18 November, translated 6 December, from Honolulu to Tokyo, bringing Tokyo up to date as to war ships in Pearl Harbor and giving the course of eight destroyers entering the harbor; the radio of 24 November, translated 5 December, from Tokyo to Honolulu, asking for a "ships in harbor" report even when there were no movements. The above appear to point to some specific action against Pearl Harbor. However, this inference is in the light of after-events; at that time these radios, to an unimaginative person, were consistent with routine Japanese effort to keep themselves advised as to our naval strength in the Pacific or possible sabotage attacks on ships in Pearl Harbor by native Jap fishing boats. Similarly, the radio of 5 November, translated the same day, from Tokyo to Washington, setting 25 November as the deadline for signing the agreement; the radio of 16 November, translated 17 November, reiterating the impossibility of changing the deadline; the radio of 22 November, translated the same day, extending the deadline from 25 November to 29 November, and stating "after that things are automatically going to happen" indicate in the light of information we now have, but which was not available prior to the attack, that steps were being taken for an early attack. But at that time these dates had no such significance. As General Marshall testified, November 29 came and passed and nothing happened. (Tr., Marshall A. 4-5) As to the "Winds" message, according to War Department witnesses this meant war between Japan and Great Britain, not war with the United States. The most significant messages were the radios of 1 December, translated the same day; 2 December, translated 3 December, 5 December, translated 6 December, directing the destruction of codes, code machines, and secret papers. There is also the reference to destroying codes in the "Winds" message. These messages, to Colonel Bratton, meant war. But General Short had already been warned that war was imminent and hostilities might commence at any moment. Whether, had General Short received these messages, he would have altered his view that there was no threat from without is problematical. One message clearly suggested an attack on Pearl Harbor, namely the radio of 2 December from Tokyo to Honolulu, inquiring as to the war ships there, whether there were barrage balloons above Pearl Harbor, and whether the war ships there were provided with anti-mine nets. But this message was not received until 23 December and not translated until 30 December 1941. (Top Secret Ex. "B", S. I. S. 27065)

It is a fair conclusion from the testimony that the Navy interpretation of the "Winds" message was that it meant war with the United States. Also, there is the testimony of Captain Safford that Commander Kramer told him in 1943 that when he handed Secretary Knox S. I. S. 25850 instructing the Jap Ambassadors to present the Japanese reply at 1:00 p. m., he sent along a [30] note stating "This means a sunrise attack on Pearl Harbor today." (Tr., Safford C. 167) Action upon this information if believed credible, was a Navy responsibility. There is no testimony it was communicated to the War Department.

The most that can be said relative to the Top Secret information available in Washington is that a keener and more incisive analysis

by the intelligence sections of either service of the over-all picture presented by these intercepts, along the line of Commander Kramer's deductions (Tr., Safford C. 167), might have led to an anticipation of the possibility, at least, of an attack on Pearl Harbor at or about the time it actually occurred. The danger in attempting to make such an estimate is, however, the fact that unconsciously we do so in the light of after-occurring events and read into each message a significance which was not obvious at the time of receipt. It must also be borne in mind that substantially all the definite information received as to Jap naval movements pointed to activity in the Philippines or in Southeast Asia.

As to whether if Short had gotten the Top Secret information above referred to he would have made a different estimate of the situation and placed in operation a different alert, we are in the realm of conjecture. The fact that Short regarded as unimportant the information he got on 3 December 1941 that the Japanese Consuls in Honolulu were destroying their codes and secret papers (which meant war to Short's Asst. G-2) is very significant in postulating what Short would have done if he had gotten all the information he complains he did not get.

As I have previously stated, while there was more information in Washington than Short had, Short had enough information to indicate to any responsible commander that there was an outside threat against which he should make preparations. To the same effect was the testimony of General Marshall (Tr., Marshall A. 14-15), General Gerow (Tr., Gerow 4300, Sadtler D. 253; Bratton D. 283), General Bedell Smith (Tr., Sadtler D. 253), General Miles (Tr., Miles 127-128, 128-129; Sadtler D. 253-254; Bratton D. 283), Admiral Stark (Tr., Marshall A. 7-8, 14; Bratton B. 78), and Admiral Noyes (Tr., Gibson D. 276-277; Russell A. 34). This was the opinion of the Roberts Board. (Roberts Rep., pp. 18-21)

Comment on Short's Defenses:

The fundamental fact to bear in mind and from which there can be no escape is that Short was the sole responsible Army commander charged with the mission of defending Pearl Harbor. Knowing as he did that there were threats both from within and from without and that the most dangerous form of attack which he could expect was a surprise air attack, he cannot now [31] be heard to say that he was led into becoming sabotage-minded to the exclusion of all else by War Department messages stressing sabotage. It is obvious that General Marshall's radio of 27 November was not intended to change the official War Department estimate, solidly imbedded in elaborate war plans and stressed continuously from Short's assumption of command 7 February 1941 into the fall of 1941, that a surprise air attack was a primary threat. It is equally obvious that Short's reply to General Marshall's radio of 27 November did not amount to a communication by Short to the War Department that he had arrived at a new and entirely different estimate of the situation which excluded a surprise air attack as a then present basic threat.

As to Short's defense that he was not given sufficient information, or, as held by the Board, that the information which he had was "incomplete and confusing" (though the Board held it sufficient), it is clear that the information given Short continually stressed the pos-

sible outbreak of war which necessarily implied a threat from without. But, as seen, Short's Alert No. 1 expressly excluded the idea of a threat from without. Unless it can be said that Short would have interpreted the Top Secret intercepts as indicating a specific attack on Pearl Harbor, an unreasonable assumption, they merely stress the inevitability of war. But this would not necessarily have led Short to establish Alert No. 3, bearing in mind the Navy view that there was no chance of an air attack on Pearl Harbor and Short's claim that in any event he could rely upon the Navy for warning in ample time of the whereabouts of the Jap fleet. Short's defense that Alert No. 3 would have interfered with training and that Alert No. 3 would have disclosed his intent and alarmed the civilian population, is refuted by the statement in General Marshall's radio to him of 27 November that the policy of avoiding the first overt act should not be construed as restricting him to a course of action that might jeopardize his defense. But they are also answered by the fact that Alert No. 2, at least, would not have disclosed his intent or alarmed the civilian population. It should be borne in mind that Short's problem was two-fold, both to guard against an outside attack and at the same time to do so without alarming the civil population. This should not have been beyond the capabilities of an experienced commander.

I am of the opinion therefore that the Board's conclusion (Rep. 300) that Short failed in his duties (a) to place his command in a state of readiness for war, in the face of a war warning, appears justified except in so far as it holds the information which Short had was incomplete and confusing.

I likewise agree that the Board's conclusion (b) that Short failed in his duties in not reaching an agreement with the naval authorities in Hawaii for joint Army and Navy action under the various plans, is supported by the record. I also concur in the opinion of the Board (c) that Short failed in his duties in not informing himself of the effectiveness of the long-distance reconnaissance being conducted by the Navy.

[32] The question whether Short's failure in the performance of these various duties constituted a neglect of duty in the sense of an offense under military law, will be discussed later. In my opinion Short's various failures were not so much the result of a neglect of duty as of serious errors of judgment. His first error of judgment was in the erroneous estimate of the situation which he made and which led him to the conclusion that the Japanese would not attack Pearl Harbor from the air. His second error was in failing to realize that it was his duty to be on the alert against even what might appear to him as the highly improbable. I believe, however, that these mistakes were honest ones, not the result of any conscious fault, and, having in mind all the circumstances, do not constitute a criminal neglect of duty.

Board's Conclusion (d) as to Short's Failure to Replace Inefficient Staff Officers:

The Board found that Short failed in his duty to replace inefficient staff officers. (Rep. 300) This conclusion is related to the statement in the body of the Report that "Phillips was recognized by the staff as without force and far too weak for a position of such importance." (Rep. 74)

A careful reading of the transcript citations upon which the Board relies for its findings as to Colonel Phillips shows that certain witnesses were asked as to their *opinion* of Phillips as Chief of Staff. Their replies varied from complete reluctance to answer (Tr., Donegan 1946) to positive expressions that the Colonel was unqualified. (Tr., Throckmorton 1408-1409) General Burgin considered Phillips "one of General Short's fair-haired boys," high-handed, not prone to confer with subordinates, not "extremely efficient, or otherwise—the average, run-of-the-mine." (Tr., Burgin 2625-2626) General Hayes, the preceding Chief of Staff, very mildly stated that Phillips had a G-3 trend, and that he did not "feel that he had worked himself into the position of Chief of Staff by the time of the Pearl Harbor attack." (Tr., Hayes 265) Colonel Pratt merely added that he considered that Hayes had been a stronger Chief of Staff. (Tr., Pratt 1977-1978)

These scattered opinions, unsupported by a factual examination of Phillips' training, experience, and activities can hardly be thought to support the blanket conclusion of the Board about Short's staff. The Board adds, however, that Phillips' own testimony "as to his conception of his duty and what he did and failed to do in aiding Short to competent decisions in critical situations, is sufficient evidence of the matter." (Rep. 74) The testimony cited by the Board to support this finding is that Phillips and Short considered the inevitable interference with training which would occur if Alerts 2 or 3 were ordered, that all phases of the situation were discussed, the danger of a Jap landing, of an air attack, [33] what Phillips considered to be his duties as Chief of Staff, how Short ordered Alert No. 1 without a "specific recommendation" from Colonel Phillips, and a general discussion of activities in the Department after 27 November. (Tr., Phillips 1134-1144)

It is established, of course, that Phillips was inexperienced as a Chief of Staff, as he had not been appointed until 5 November 1941, (Tr., Phillips 1108) and that Short did not treat Phillips as a Chief of Staff, for example, in not having him present at important Navy conferences. (Rep. 74) But there is no substantial evidence that Phillips was inefficient to a degree that would require his removal by Short, or that Short's failure to remove Phillips was in any way a proximate or concurrent cause of the Pearl Harbor disaster. The most that can be said is that there were indications that Short selected a man not fully qualified as Chief of Staff. These indications were not fully investigated by the Board, either as to their accuracy or as to their possible contribution to the disaster on 7 December 1941.

Aside from the above as to Colonel Phillips, there is no testimony in the record as to the efficiency or inefficiency of Short's G-1, G-3, or G-4. Short's G-2, Colonel Fielder, testified at length but there is no substantial testimony either from his own lips or from other witnesses from which the Board could hold Colonel Fielder inefficient. The worst that can be said against Fielder is that he failed to realize the importance of the Dr. Mori message and the fact that Japanese Consuls were destroying their codes and burning their papers. However, this viewpoint was shared by Short who was as fully informed as Fielder about these matters.

The Board also stated that

While the various assistant Chiefs of Staff testified that harmony existed, the results are more important in their conclusive effect that there was a lack of requisite harmony and teamwork and it was quite evident to the Board that their testimony was colored by their very evident loyalty to General Short. (Rep. 74)

The only testimony on this score was the testimony of Colonel Throckmorton, Short's G-1 at the time of the attack, who testified there was complete harmony when General Hayes was Chief of Staff and that "such disharmony as existed under Phillips I do not think was of a serious enough nature to have affected what happened on December 7." (Tr., Throckmorton 1409) There is, therefore, no substantial testimony as to any significant disharmony among Short's staff.

It follows from the above that the Board's conclusion (Rep. 300) that Short failed in his duty to replace inefficient staff officers is not justified.

[34] *Board's Conclusions as to General Marshall:*

The Board concludes that General Marshall failed in his relations with the Hawaiian Department in the following particulars:

(a) To keep the Commanding General of the Hawaiian Department fully advised of the growing tenseness of the Japanese situation which indicated an increasing necessity for better preparation for war, of which information he had an abundance and Short had little.

(b) To send additional instructions to the Commanding General of the Hawaiian Department on November 28, 1941, when evidently he failed to realize the import of General Short's reply of November 27th, which indicated clearly that General Short had misunderstood and misconstrued the message of November 27 (472) and had not adequately alerted his command for war.

(c) To get to General Short on the evening of December 6th and the early morning of December 7th, the critical information indicating an almost immediate break with Japan, though there was ample time to have accomplished this.

(d) To investigate and determine the state of readiness of the Hawaiian Command between November 27 and December 7, 1941, despite the impending threat of war. (Rep. 298-299)

Adequacy of General Marshall's 27 November Warning Message:

The Chief of Staff testified that the message of 27 November signed "Marshall" should be regarded as containing all the information concerning the Japanese and the instructions necessary for General Short to accomplish his mission. (Tr., Marshall A. 14, 15; C. 197)

The Board's statement that General Marshall failed "to keep the Commanding General of the Hawaiian Department fully advised of the growing tenseness of the Japanese situation" (Rep. 298) overlooks the fact that the 27 November message signed "Marshall" pictured the Japanese-United States situation accurately as it appeared from the information available to the War Department at that time and up until 7 December. The negotiations between the Japanese representatives in the United States and our State Department actually continued up to 7 December, and various intercepts suggest the possibility that they may have been conducted by the envoys in good faith and with evident hope of a peaceful settlement.

[35] Thus, on 29 November Tokyo radioed its representative in Washington to make one more attempt at settlement along certain lines and "in carrying out this instruction, please be careful that this does not lead to anything like a breaking off of negotiations." (Top Secret Ex. "B")

Mr. Kurusu, in talking to Tokyo on 30 November, spoke to Tojo's drastic statement, and urged that unless greater caution was exercised, the Japanese negotiators would be in a difficult position. Further, he stated they were doing their best and that negotiations were to continue. (Top Secret Ex. "B")

On 1 December Tokyo radioed its representatives in Washington, suggesting a possible approach for making some progress in negotiations. (Top Secret Ex. "B")

On 2 December a radio intercept from Washington to Tokyo stated:

Judging from my interview with Secretary of State Hull on the 1st and my considerations of today, it is clear that the United States, too, is anxious to peacefully conclude the current difficult situation. I am convinced that they would like to bring about a speedy settlement. Therefore, please bear well in mind this fact in your considerations of our reply to the new American proposals and to my separate wire #1233. (Top Secret Ex. "B")

On 5 December a Japanese radio to Tokyo requested approval to delay destruction of one code machine as Japanese negotiations were still continuing. (Top Secret Ex. "B")

Former Ambassador Grew said with regard to the alleged inevitability of war:

* * * If the whole problem had lain with the military authorities, I would have said without question that war was inevitable, but there were times when I believed the Japanese government was doing its best to prevent war for the reason that it realized much better than the military people did what might be the result of war. * * * Now the question at that time was whether they would be successful or not, and, as I say, I was not in a position to answer that question definitely and finally prior to the outbreak of war. (Tr., Grew 4213-4214)

When asked when it became evident that war with Japan was inevitable, Mr. Grew replied:

[36] I could not put my finger on any particular date, General. My own position, there, was that I was going to fight up to the last possible minute to prevent war; and I did everything in my power to prevent it; and, not being a defeatist by nature, I was unwilling to admit that war was inevitable, up to the last minute. So that I cannot mention any particular date, prior to December 7, 1941, when I felt that war was definitely inevitable. (Tr., Grew 4199)

With reference to Japan's decision to go to war, he stated that there were "two Japans." The Army and Navy were practically independent and reported directly to the Emperor over the heads of the Cabinet and the Prime Minister.

I think it is perfectly possible that the Cabinet was not informed of the plans for attacking Pearl Harbor. My belief is—well, I won't say confirmed, but it is increased by the fact that I had a conversation with Mr. Togo, the foreign minister, at half past twelve, half past midnight, on December 7, 1941. That was about three hours before Pearl Harbor. And I have always been convinced from the nature of that conversation that Mr. Togo did not at that moment know that Pearl Harbor was about to break. I have other evidence, too, which convinces me personally that he didn't know. * * * (Tr., Grew 4214-4215)

When asked about the effect of the economic sanctions in forcing action by Japan, Mr. Grew stated:

I do not mean to say, when you say something had to be done about it, that it had to be war, because there were other things to do about it besides war. The Japanese at that time could have taken steps to meet some of our views in connection with their expansion through the Far East. They could readily have done that, and if they had done that we might, for our part, have relaxed

some of the economic pressure which we were placing on them. I think that that would have been a perfectly logical thing to have happened, but it didn't happen. (Tr., Grew 4218)

As to the 25 November deadline, later extended to 29 November, General Marshall stated that this had certain significance, but that the War Department was unable to tell just what it was. (Tr., Marshall A. 5) It was first thought that the 25 November deadline pertained to the anti-Comintern pact. When the time was extended to 29 November that possibility was removed. (Tr., Marshall A. 4) "November 29 arrived and passed, and we entered into December without anything happening other than the continuation of these movements, which we could follow fairly well, down the China coast and Indo-China and headed quite plainly towards Thailand and the Gulf of Siam." (Tr., Marshall A. 4-5)

[37] In the light of all the information possessed by the War Department at that time and the fact that the 14th part of the Japanese note breaking off negotiations, and the direction to the Japanese representatives to present the fourteen parts at 1:00 p. m. (Washington time) 7 December, was not available until that day, it is my opinion that the 27 November message signed "Marshall" was an accurate and adequate description of the Japanese situation at the time it was sent, and up until 7 December. Furthermore, this message should be read in the light of the other Army and Navy messages to Short.

General Marshall's Views on Warning:

The Chief of Staff emphasized that the so-called "Winds" message referred not to war but to the rupture of diplomatic relations and that "very remarkable things had been done under the rupture of diplomatic relations while still evading an actual act of war." (Tr., Marshall A. 45-46) With respect to other information of the Japanese activities which reached him from secret sources and influenced his thinking as to the imminence of war, the Chief of Staff testified that while it may have been practical and feasible to have sent this information to Short, nevertheless in his opinion at that time, it would have been unwise. (Tr., Marshall A. 46) The Chief of Staff conceded that "considering what has happened. * * * the situation might well have been helped by translating that information to them." (Tr., Marshall A. 46) Speaking of his decision at the time, however, he stated:

In our own view, an alert of the character, particularly the character of the two that occurred at that time, the Naval alert and then the later Army alert, (messages to Short from War Department and Navy Department) were sufficient for any Commander with a great responsibility; and in addition to that you must remember that we were pouring through Hawaii, on the way to the Philippines, convoys, rushing everybody. Everything was being pushed to the last extreme. Nobody could look at that without realizing that something very critical was in the wind. Our great problem was how to do these things, energized in the way we were—the shipments, and collecting the means and getting them out, particularly to the Philippines, which passed entirely through Hawaii—without giving such notice to the Japanese that it would have an unfortunate effect in our stalling off this affair.

Undoubtedly they did obtain that view. I think they were rushed in their decision by the fact that if they didn't catch it, didn't act within a certain period of time, it would be too late; we would have gained the necessary strength to make it undesirable, to make it too dangerous for them to act.

[38] All of that was apparent to the Commanders in the place. Only the most critical necessities would have involved us in taking over all that commercial shipping, in taxing the Pacific Fleet's resources in providing convoys. Everything was involved there at the time, and I cannot see how—I never have quite understood how the change from a great fear, as expressed in all the previous communications, of an air assault, suddenly seemed to lapse. I don't know what the explanation of it is, and I myself have never discussed it. (Tr., Marshall A. 46-47)

As already indicated, General Marshall had no information of any kind which indicated an immediate attack on Hawaii. (Tr., Marshall A. 27-28)

The Chief of Staff also believed that Short had adequate weapons, ammunition, and other means for the discharge of his mission to protect Pearl Harbor. (Tr., Marshall A 27) He also was under the belief in late November and early December of 1941 that Short had adequate reconnaissance agencies to carry out the desired reconnaissance. In this regard, he testified:

We had made every conceivable effort to deploy the radar out there ahead of other places. We had done everything we could to provide the means to carry out the air functions of that command, particularly as they were determined in the final agreement between General Short and Admiral Kimmel. (Tr., Marshall A. 27)

The Chief of Staff knew that this agreement called for distant reconnaissance by the Navy. (Tr., Marshall A 26)

The Chief of Staff further testified that Hawaii was but one of several places on the Japanese front and that "it was by far the best prepared that we had." (Tr., Marshall A 25) He stated:

* * * if the Hawaiian state of preparation in men and matériel was 100, Panama was about 25 percent, and the Philippines about 10 percent, and Alaska and the Aleutians completely negligible. (Tr., Marshall A. 23)

The Chief of Staff continued:

I think we all knew that we were poverty stricken, * * * (Tr., Marshall A 26)

To show the ramifications of the activities of the Chief of Staff and the over-all supervision which was required of him from a global perspective, the Chief of Staff testified concerning the Panama Canal Department:

[39] * * * we had had very peculiar things there, and of course they could chop into us very badly there. We were open in a more vulnerable way in the Panama Canal than we were in Hawaii. (Tr., Marshall A 13-14)

General Marshall's 7 December Message:

Concerning the Board's conclusion (c) (Rep. 298) that the Chief of Staff should have advised Short on the evening of 6 December or the early morning of 7 December of an almost immediate break with Japan, the Chief of Staff testified that he did not receive the intercept which indicated such a break until about 11 o'clock on 7 December. (Tr., Marshall A. 6) He then immediately conferred with appropriate members of his Staff and wrote a draft of a message to be transmitted

to Short. (Tr., Marshall A. 7-8) He gave this message when completed to Colonel Bratton for transmittal by radio to the Western Defense Command, the Panama command, the Hawaiian command, and the Philippine command. (Tr., Marshall A. 8) The Chief of Staff knew that the time required for coding was "a very quick procedure. It is done on a machine as rapidly as the girl types." (Tr., Marshall A. 13) Colonel Bratton took the message to the Message Center and upon his return was asked by the Chief of Staff as to the procedure which would be followed and the time within which it could be expected the message would reach the recipients. The Chief of Staff did not understand the explanation by Colonel Bratton, so he with Colonel Bundy was sent back for additional information. (Tr., Marshall A. 9) Colonel Bundy was on duty in the War Plans Division of the General Staff in charge of matters pertaining to the Pacific. (Tr. Marshall A. 9-10) When Colonel Bratton and Colonel Bundy returned they informed the Chief of Staff in effect that the message would be in the hands of the recipients within thirty minutes from that moment. (Tr. Marshall A. 10) It being still not clear to the Chief of Staff as to what were the time elements, he sent Colonel Bratton and Colonel Bundy back for a third time to check again. When they returned their reply confirmed that the time for transmittal would be satisfactory. (Tr., Marshall A. 10)

The Chief of Staff believed that the message would reach the recipients before the one o'clock hour at which things might happen. (Tr., Marshall A. 14)

Actually, and unknown to the Chief of Staff, the Signal Corps sent the message to San Francisco by Western Union and from San Francisco to Hawaii via Radio Corporation of America. This was because the Army radio was not able to get through to Hawaii. (Tr., Marshall A. 10) A further delay, which was also unknown to the Chief of Staff was caused by the nonoperation of a teletype at Honolulu on 7 December. Thus when the message was received in Honolulu it was given to a boy for delivery on a bicycle. The boy was caught in the bombing and did not deliver the message until after the attack. (Tr., Marshall A. 10)

[40] The telephone was not considered as means of transmission because, in the nature of things, it would have been too "time consuming." (Tr., Marshall A. 13.) The Chief of Staff testified:

* * * I would certainly have called MacArthur first, and then I would have called the Panama Canal second. * * *. And from our own experience, my own experience, even now our telephone is a long-time procedure. * * * we now find we do a little bit better by teletype than we do on the telephone (Tr., Marshall A. 13-14).

Colonel Bratton testified that when the Chief of Staff gave him the message for delivery to the Message Center:

I took the message to Colonel French, Signal Corps officer in charge of the message center, explained to him that it was General Marshall's desire that the message be transmitted to the addressees by the fastest possible safe means. * * *. I then returned to the Office of the Chief of Staff. The latter directed me to find out how long it would take for the delivery of the message to the addressees. I returned to the message center and talked the matter over with Colonel French, who informed me that the message would be encoded in about three minutes, on the air in about eight minutes, and in the hands of the addressees in about thirty minutes. I looked at my watch at this time and saw that it was 11:50 a. m. (Tr., Bratton B. 79-80) (This would be 6:20 a. m. Honolulu time).

Colonel French testified that:

Colonel Bratton was at the code room, and he asked me how long it would take to get the message transmitted, and I told him it would take about 30 to 45 minutes to transmit the message to its destination (Tr. French 196).

Concerning the question as to whether members of the General Staff, other than the Chief of Staff, should have transmitted to Short a warning without waiting for the arrival of the Chief of Staff on the morning of 7 December, the following testimony by the Chief of Staff is pertinent:

General RUSSELL. Was there anyone of the General Staff other than yourself with authority to have dispatched to the overseas departmental commanders a message which would have told them of these recent developments, and including the reply of the Japanese to our message of November 26, and particularly as to the substance of this message of December [41] 7th relative to the delivery of the ultimatum and the destruction of the code machines?

General MARSHALL. That would depend, I think, entirely on the officer concerned. There is no specific regulation about who, of those in charge of principal affairs, can do what in time of a great emergency. It depends on the judgment of the individual. If the Deputy Chief of Staff was here, if the head of the War Plans Division were here, if possible the Assistant Chief of Staff G-2 were aware of this and of the possibilities of delay, they might have acted. It is very hard to answer, because you are inevitably involved in hindsight regarding a great catastrophe, and I can only answer it in that way. (Tr., Marshall C. 211-212)

Comment on Board's Conclusions as to General Marshall:

As to the Board's conclusion (a) (Rep. 298) that General Marshall failed in his relations with the Hawaiian Department in failing to keep Short fully advised of the growing tenseness of the Japanese situation, "of which information he had an abundance and Short had little," I feel, as already indicated, that General Marshall's radio to Short of 27 November, considered along with the other messages to Short, accurately pictured the Japanese-American situation as it then existed and as it continued to exist until 7 December. Short as a military commander was required to take the information contained in this radio from his Chief of Staff as true and not in the critical spirit of awaiting further information or proof of what he was told. General Marshall was not in the position of carrying on a negotiation with a foreign plenipotentiary but was telling a subordinate what the situation was for his guidance. The Board's conclusion reduces itself to a holding that General Marshall should have given Short at length and in detail the factual basis for his succinct statement in his 27 November radio that there was only a bare possibility the Japanese might renew the negotiations, and that Japanese future action was unpredictable but hostile action was possible at any moment.

So far as the transmission of information by the Chief of Staff to Short is concerned, mentioned in subparagraphs (a), (b) and (c) of the Board's Conclusions, clearly the radiograms of 24 and 27 November adequately pictured the emergency, the imminence of hostilities, and the necessity that Short be on the alert against threats from within and from without. The most that can be said is that the War Department did not transmit to Short the Top Secret messages, but these were cumulative. This is evident from a reading of the messages actually sent Short over a period of months, hereinbefore referred to. While the War Department was possessed of more information than Short received, he did receive enough to require that he be on the *qui vive*. That Hawaii had already been sufficiently alerted was [42]

the opinion of Admiral Stark (Tr., Marshall A. 7, 14, 15; Bratton B. 78; Gibson D. 276-277), of Admiral Noyes (Tr., D. 276-277, Russell A. 34), of General Gerow (Tr., Sadtler D. 253, Bratton D. 283), of General Miles (Tr., Sadtler D. 253), and of General Bedell Smith (Tr., Sadtler D. 253).

Moreover, Short received various important naval messages. General Marshall testified it was SOP that the Navy give Short these messages. (Tr., Marshall 35, 36; Kimmel 1772.) The Navy messages of 24 and 27 November specifically so provided. (Tr., Marshall 35, 36, D. 306; Short 358, 363.) Captain Layton testified that he delivered to and discussed with General Short in person the message from the Chief of Naval Operations dated 24 November 1941. (Tr. Layton 3058-3059.)

Thus, Short was fully advised of the tenseness of the Japanese situation, of the requirement that he act in accordance with the clear instructions from the Chief of Staff to prepare for both threats from within and from without, and for eventualities which could be momentarily expected.

As to the Board's conclusion (b) that General Marshall failed in his relations with the Hawaiian Department in failing to send additional instructions to Short when evidently he failed to realize the import of Short's 27 November reply, which indicated, the Board said, that Short had misunderstood General Marshall's radio and had not alerted his command for war, (Rep. 298) this statement is a *non sequitur*. But, in addition, there was no testimony before the Board that General Marshall ever saw Short's reply. He himself testified that he had no recollection of ever having seen it, though "the presumption would be that I had seen it." (Tr., Marshall 38-40; cf. Top Secret Tr., Marshall C. 201.) It is significant that Short's radiogram to the Chief of Staff, though initialed "Noted" by the Secretary of War and General Gerow, is not initialed by the Chief of Staff, although the latter initialed the corresponding radio from General MacArthur. (Tr., Marshall 39.) The reply itself was indicative that Short had taken precautions against sabotage and in stating "liaison with the Navy" was susceptible of the interpretation that Short had also ordered defense measures in accordance with the War Plan. That plan contemplated that instant reconnaissance would be conducted by the Navy. This was well known to General Marshall. Hence, the Chief of Staff, if he saw Short's reply, was entitled to believe that Short's use of the words "liaison with the Navy" in his reply meant the establishment of full reconnaissance. It must be remembered that Short was given a definite order in General Marshall's radio of 27 November to conduct reconnaissance. The Chief of Staff was entitled to believe that his order would be obeyed.

Short testified that "liaison with the Navy" meant to him "keeping in touch with the Navy, knowing what information they had and what they were doing." (Tr., Short 380.) He also stated that this phrase indicated he expected the Navy to carry out its part of the agreement for long distance reconnaissance. (Tr., Short 380.) General Gerow, head of War Plans Division for the Chief of Staff, testified that the portion of the reply stating "liaison with the Navy" led to the reasonable assumption that "General Short was working out reconnaissance and other defensive measures in coordination with the

Navy. This would be normal procedure under the basic plan, * * *. (Tr., Gerow 4289.) In other words, the Chief of Staff was not definitely advised by this reply of Short that Short had made no preparations against an outside threat.

[43] In a consideration of this point it should also be remembered that while Short had received from the Chief of Staff many communications calling his attention to the danger of a surprise air attack Short at no time, so far as the record shows, questioned this estimate by a communication to the Chief of Staff.

The very brevity of the reply by Short would also indicate to the War Department that Short had taken all necessary defense measures. It would be a most anomolous situation if a theater commander could be heard to say that because he received warnings from the Chief of Staff and had replied with a fragmentary report that *ipso facto* he was relieved of his responsibilities and that these responsibilities were then fastened upon the Chief of Staff.

Also, since Short received numerous messages and information after 27 November, especially the naval messages, which the Chief of Staff testified it was SOP to exchange (Tr., Marshall 35, 36; Kimmel 1772), the silence of Short after the message of 28 November would indicate to a busy Chief of Staff that he was ready to meet all threats, both those from within and those from without.

It appears, therefore, that in his relations with the Hawaiian Department the Chief of Staff fulfilled his functions as Commander-in-Chief and, in point of truth, personally warned the Hawaiian Department with prophetic accuracy, against the very type of attack which occurred.

Finally, it must be borne in mind that the functions of the Chief of Staff did not include the duty of personally directing and supervising the detailed administration of the various sections of the Office of the Chief of Staff. His primary duty was to advise the Secretary of War and the President, to plan and supervise the organization, equipment, and training of the Army, to make decisions and give advice concerning the over-all and vital problems of military strategy from the perspective of global war and the broad military problems which then confronted the United States. Moreover, it was a fundamental policy of the War Department, the wisdom of which has been demonstrated in the recent victories, not to interfere unduly with commanders in the field whose records justified the assumption of great responsibilities. Thus, the prime responsibility is on the theater commander. No duty could thus devolve upon the Chief of Staff to check personally on the Hawaiian Command other than as may be related to the stated fundamental policy. To have singled out the Hawaiian Department for any different attention would have been peculiar and repugnant to the policy and purposes of a General Staff. The very nature of an over-all supervision in preparation for a global war makes mandatory that the Chief of Staff be divorced from administrative details. In no sense, of course, does the Chief of Staff avoid his responsibility in the event his organization is ineffective. There is a distinction, however, between the personal performance of his especial duties and the performance of duties by members of his staff.

[44] It is my opinion that the Board's conclusion (b) (Rep. 298) that General Marshall should have sent additional instructions to Short upon receipt of Short's reply, is not justified.

As to the Board's conclusion (c) that General Marshall failed to get to Short on the evening of 6 December or the early morning of 7 December the critical information indicating an almost immediate break with Japan "though there was ample time to have accomplished this" the record makes entirely clear that General Marshall personally did not receive this information until late in the morning of 7 December and that he did his best to get it to Short immediately but failed because of circumstances beyond his control.

As to the Board's conclusion (d) that General Marshall failed to investigate and determine the state of readiness of the Hawaiian Command between 27 November and 7 December, the record is silent as to whether this was the personal duty of the Chief of Staff. It has been already indicated that General Marshall was entitled to rely upon his subordinates, including Short, and to believe that elaborate preparations for the defense of Hawaii embodied in war plans formulated over a long period of time would be carried out by a theater commander in accordance with the traditional American military policy. General Marshall had been General Short's tentative SOP dated 14 July 1941 which contained elaborate plans for execution in an emergency. (Tr., Marshall 29)

To sum up, I am of the opinion that none of the Board's conclusions as to General Marshall are justified. My views are confirmed by the Roberts Report (Roberts Report, p. 19-20).

Board's Conclusions as to General Gerow:

As to General Gerow the Board concluded that he failed in his duties as follows:

(a) To keep the Commanding General, Hawaiian Department adequately informed on the impending war situation by making available to him the substance of the data being delivered to the War Plans Division by the Assistant Chief of Staff, G-2.

(b) To send to the Commanding General of the Hawaiian Department on November 27, 1941, a clear, concise directive; on the contrary he approved the message of November 27, 1941 (472) which contained confusing statements.

(c) To realize that the state of readiness reported in Short's reply to the November 27th message was not a state of readiness for war, and he failed to take corrective action.

(d) To take the required steps to implement the existing joint plans and agreements between the Army and Navy to insure the functioning of the two services in the manner contemplated. (Rep. 299)

[45] General Gerow was recalled from France where he was Commanding General of the Fifth Corps which had fought its way from the Normandy beach-head to the Siegfried Line. He testified concerning his activities as Chief or Acting Chief of the War Plans Division under the Chief of Staff during the time in question. (Tr., Gerow 4225) This Division of the General Staff was charged with war plans and operations, and was under the general direction and supervision of the Chief of Staff.

From what has been hereinbefore stated it is apparent that General Short was given adequate information as to the rupture of diplomatic relations and the situation with Japanese, the unpredictable nature of Japanese future action, the imminence of hostilities, and that under no circumstances should any limitations or qualifications expressed in the messages jeopardize his defense. He was also ordered to establish reconnaissance,

But since we know in retrospect that Short was not, apparently, fully alive to an imminent outside threat and since the War Plans Division had received substantial information from the Intelligence Section, G-2, the Board argues that had this additional information been transmitted to Short it might have convinced him not only that war was imminent but that there was a real possibility of a surprise air attack on Hawaii. In retrospect it is difficult to perceive any substantial reason for not sending Short this additional information or, in the alternative, checking to see whether Short was sufficiently alive to the danger. General Gerow did neither. In my opinion General Gerow showed a lack of imagination in failing to realize that had the Top Secret information been sent to Short it could not have had any other than a beneficial effect. General Gerow also showed lack of imagination in failing to make the proper deductions from the Japanese intercepts. For instance, the message of 24 September from Tokyo to Honolulu requesting reports on vessels in Pearl Harbor and dividing Pearl Harbor into various subdivisions for that purpose coupled with the message of 15 November to Honolulu to make "the ships in harbor report" irregular, and the further message of 29 November to Honolulu asking for reports even when there were no ship movements (Top Secret Ex. "B") might readily have suggested to an imaginative person a possible Jap design on Pearl Harbor. Failure to appreciate the significance of such messages shows a lack of the type of skill in anticipating and preparing against eventualities which we have a right to expect in an officer at the head of the War Plans Division. If this criticism seems harsh, it only illustrates the advisability of General Gerow transmitting the Top Secret information to Short.

The Board concludes (b) that General Gerow failed in his duty in sending Short the 27 November radiogram, which the Board held was not a clear and concise directive. In various places in the Report, the Board refers to this radiogram as containing confusing and conflicting statements. In my opinion this is an erroneous characterization of the message. It fails to take into account the very essence of the situation which then presented [46] itself. Those in authority in Washington, from the President down, were confronted at that moment with a most difficult and delicate situation. The diplomatic negotiations which had been taking place between the Secretary of State and the Japanese emissaries had practically reached the breaking point. They knew that the Japanese might resort to war at any moment. On the other hand, they knew that the United States was not prepared for war and that every week or month of delay would help the situation. In a memorandum dated that very day—27 November 1941—the Chief of Staff of the Army and the Chief of Operations of the Navy addressed a joint memorandum to the President of the United States, urging him to postpone any action that might precipitate war as long as possible because we were not ready. Confronted with this situation, those in authority in the War Department, including the Secretary of War, participated in the preparation of this radiogram and similar ones (Tr., Stimson 4055, 4056), which were sent to other department commanders, and undertook to express as accurately as possible the essential elements of this delicate situation, warning of the possibility of an attack at any moment and

that nothing must be omitted to jeopardize our defense. At the same time they warned them of the importance of not doing anything that would precipitate war on our part. This naturally presented a delicate problem, but it was delicate because of the very nature of the facts and not because of any confusion of thought which was translated into the language. There was no other course except to present this problem just as it was to the responsible theater commander. In any delicate situation conflicting factors are bound to exist. It is because it requires wisdom and judgment to deal with them that only men supposedly qualified are given posts of such responsibility. In any event, the Board overlooks the Navy radio of 27 November, beginning "This is a war warning", which General Gerow knew was being sent. (Tr., Gerow 4261-4262)

As to the Board's conclusion (c) that General Gerow failed to note Short's reply and to take corrective action, the Board is on firmer ground. General Gerow admitted that while it was physically impossible for him to check every message (Tr., Gerow 4288) and that he considered the War Department gave Short adequate warning (Tr., Gerow 4300), nevertheless he had erred by assuming that the reply of Short was to the sabotage radiogram from The Adjutant General of 27 November. (Tr., Gerow 4290-4291) This being so, it follows that he failed also to follow up on the demand in the radiogram of 27 November signed "Marshall", for a report from Short. As to this, General Gerow testified:

The thought that he had not replied never occurred to me between the interval of November 27 and December 7. As I say, there were many other important problems coming up at the time, and I expected my staff to follow through. (Tr., Gerow 4290)

[47] In fairness to General Gerow it should also be mentioned that Colonel Bundy, now deceased, was directly under General Gerow in charge of the Planning and Operational Group and had been handling the Pacific matters. (Tr., Gerow 4288, 4291)

General Gerow, as head of the Division, must be held accountable for the failure of his Division to function with the efficiency that would have made impossible such an oversight. This is so even though the War Plans Division is concerned with the operation of many theaters and although its functions are not comparable to those of a commander of a theater who, like a sentinel on post, is charged with specific responsibilities.

As to the conclusion (d) that General Gerow failed to take the required steps to insure the functioning of the two services in Hawaii pursuant to their joint agreements, it has already been seen that these agreements for joint defensive action could be put into effect by the two commanders in Hawaii when they deemed it advisable. (Tr., Gerow 4284, Kimmel 1759-1760, Short 4440) General Gerow assumed and had the right to assume that, warned by the threat of hostile attack contained in the 27 November message, the two commanders would put into effect the Joint Coastal Frontier Defense Plan (Tr., Gerow 4289), or at least such portions therefore as would assure adequate reconnaissance.

On the whole, I feel that the Board's criticism (a) of General Gerow in failing to send Short the substance of the data delivered to him by G-2 is, in the light of after-events, to a degree justified.

(Rep. 299) At least it was a precautionary measure which General Gerow could well have taken. I agree too with the Board's conclusion (c) in so far as it holds that General Gerow was culpable in failing to check on Short's reply to the November 27 message signed "Marshall." I disagree with the Board in its conclusion (b) that General Gerow in approving the 27 November message to Short failed to send a clear, concise directive. As already indicated, I feel that this radiogram accurately and adequately picture the situation as it existed and gave definite instructions. I also disagree with the Board's conclusion (d) that General Gerow failed to take the required steps to implement the existing Joint Army and Navy War Plan. General Gerow was entitled to believe that, warned as they were, the two commanders would themselves put these plans into effect.

Miscellaneous Statements of Board:

Certain conclusions of the Board, such as those relating to Secretary Hull, are not in my opinion relevant to the Board's inquiry. My failure to discuss such matters should not be regarded as indicating my agreement with these conclusions. Nor has it been necessary to consider such irrelevant matters in arriving at my conclusions.

[48] *Unexplored Leads:*

In the course of my examination of the Report and record certain further inquiries have suggested themselves to me which, in my opinion, might advantageously be pursued. The answers to these inquiries would not, in all probability, in my opinion, affect the result; at the same time in order to complete the picture and in fairness to certain personnel these leads should be further explored. I do not mean to suggest that the Board should be reconvened for this purpose; the work could be done by an individual officer familiar with the matter.

In the event you approve of this suggestion I will discuss these matters in detail with the officer selected by you.

Recommendations:

As to General Marshall I have already expressed my opinion that the conclusions of the Board are unjustified and erroneous.

As to General Gerow I have stated my agreement with the conclusions of the Board (a) that he erred in not sending to Short more information that he did, and (c) in not checking on Short's reply to the 27 November message signed "Marshall." In my opinion these errors do not warrant disciplinary action against General Gerow. General Gerow admitted the error of his division in not checking Short's reply, for which he frankly took the blame. The nature of the errors and the fact that he has since demonstrated his great qualifications for field command indicate that his case is now far removed from disciplinary action.

As to Short I have concurred in the conclusions of the Board (Rep. 300) that Short failed in his duties (a) to place his command in a state of readiness for war in the face of a war warning by adopting an alert against sabotage only; (b) in failing to reach or attempt to reach an agreement with the naval authorities in Hawaii to put the Joint Army and Navy Plans for defense into operation; and (c) to inform himself on the effectiveness of the long distance reconnaissance being conducted by the Navy. As to whether Short's culpability in

the above respects is of the type which constitutes a military offense suggesting trial by court-martial, I have already indicated as to (a) above that Short in failing to put into operation the proper alert was not so much guilty of a neglect of duty as of a serious error of judgment. It is difficult to visualize his mistake in the form of a neglect of duty when the evidence shows that he considered his various alternatives and came to the conclusion that Alert No. 1 was the proper alert. The fact that in arriving at this conclusion he failed to take into consideration certain factors such as that a surprise air attack was the primary threat, or that he failed to subordinate certain other factors such as possible alarm of the civil population does not remove the case from the category of a mistake of judgment. These mistakes simply led up to the error of judgment in establishing the wrong alert. The fact also that he communicated to the War Department his decision to establish what was tantamount to Alert No. 1 is likewise inconsistent with the concept of a neglect of duty.

[49] As to whether (b) Short's failure to reach or attempt to reach an agreement with the naval authorities in Hawaii to put the Joint Army and Navy Defense Plans into operation is a neglect of duty in the nature of being a triable offense, I am of the opinion that, on the testimony now of record, this question is answered by what has been said above. Short's failure stemmed from a mistake of judgment on his part.

As to the Board's conclusion (c) that Short failed in his duties in failing to inform himself of the effectiveness of the long distance reconnaissance being conducted by the Navy, Short's defense would be, as he indicated in the present proceedings, that such reconnaissance was a Navy function. Whether he was entitled to rely upon the fact that the Navy was conducting, to the best of its ability, such reconnaissance as it had means to conduct, seems doubtful. I do not feel that it can be made the basis of charges against General Short. I believe the truer picture to be that General Short had adopted wholeheartedly what was apparently the viewpoint of the Navy, namely, that there was literally no chance of a surprise air attack on Pearl Harbor.

Considering the matter of General Short's possible trial by court-martial at the present time, I have been informed that the Japanese are still using some of the code systems in which various intercepted messages were sent and that information of great military value continues to be obtained from present day intercepts sent in these code systems. A present trial would undoubtedly result in disclosing these facts. There is also the difficulty of assembling the necessary court of high ranking officers and securing the attendance of numerous witnesses who would be recalled from their various war-time duties all over the world. I feel therefore that trial of General Short in time of war is out of the question.

As to whether General Short should be tried at any time, a factor to be considered is what sentence, in the event of conviction, the Court would adjudge. As I have already indicated, upon any charge of neglect of duty, or of his various duties, General Short would have the formidable defense that he responded to the request to report measures he had taken with a message, incomplete and ambiguous it may be, but which should have prompted doubt as to the sufficiency of the

action taken. My experience with courts-martial leads me to the belief that a court would be reluctant to adjudge a severe sentence in a case of this kind where the general picture would be clouded by a claim that others were contributory causes. (Cf., Roberts Report, Conclusion 18, p. 21) There is also in cases like this the historic precedent of President Lincoln's refusal to rebuke Secretary of War Simon Cameron for a gross error of judgment. (Life of Abraham Lincoln by Nicolay & Hay, Vol. 5, p. 125-130) I am therefore forced to conclude that if General Short is tried and if such trial should result in his conviction there is considerable likelihood the Court would adjudge a sentence less than dismissal and might well adjudge nothing beyond a reprimand.

[50] As on the whole, there is doubt whether a court would convict or if it convicted would adjudge a sentence in excess of reprimand, I am inclined to feel that some disposition of the matter other than by a trial should be made rather than to permit the case to linger on as a recurrent public irritation. I suggest therefore that a public statement be made by you giving a brief review of the Board's proceedings and pointing out that General Short was guilty of errors of judgment for which he was properly removed from command, and that this constitutes a sufficient disposition of the matter at this time. In the event further investigation should disclose a different situation the matter could later be reexamined in the light of such additional evidence.

MYRON C. CRAMER,
Major General,
The Judge Advocate General.

[a] Memorandum for the Secretary of War
 Subject: Supplemental Pearl Harbor Investigation, 14 September 1945

[1] 14 SEPTEMBER 1945.

MEMORANDUM FOR THE SECRETARY OF WAR

Subject: Supplemental Pearl Harbor Investigation

This will confirm my views heretofore expressed to you orally.

Lieutenant Colonel Henry C. Clausen, JAGD, appointed by you pursuant to your public statement, dated 1 December 1944, to continue the Army Pearl Harbor investigation, has submitted the affidavits obtained by him in the course of his further investigation. The present memorandum is my opinion as to whether my original memorandum to you, dated 25 November 1944, reviewing the report of the Army Pearl Harbor Board, dated 20 October 1944, requires modification either in respect of the conclusions reached or the statements of fact contained therein drawn from the Army Pearl Harbor Board report. In my opinion, the conclusions therein are in no way affected by the additional data obtained by Colonel Clausen's investigation. Certain statements of fact, however, made by me in my prior memorandum, which statements I made as a result of my examination of the Army Pearl Harbor Board report, require clarification in some respects.

The "Winds" Message:

On pages 24-28 of my memorandum I discussed as part of the information the War Department possessed and which Short claimed he did not receive, the so-called "Winds Code" message of 20 November 1941 from Tokyo to Japanese diplomatic representatives. This was to the effect that

"In case of emergency (danger of cutting off our diplomatic relations)", a warning message would be given in the middle and at the end of the Japanese daily short-wave news broadcasts as follows:

- "(1) In case of a Japan-U. S. relations in danger: HIGASHI NO KAZEAME (EAST WIND RAIN)
- "(2) Japan-U. S. S. R. relations: KITANOKAZE KUMORI (NORTH WIND CLOUDY)
- "(3) Japan-British relations: NISHINO KAZE HARE (WEST WIND CLEAR)"

When this signal was heard, all codes and ciphers were to be destroyed.

It is admitted by all that this first "Winds" message, setting up a code or signal to be given later, was received by the War Department around 20 November 1941. However, the testimony before the Army Pearl Harbor Board left in doubt whether a second or activating or execute "Winds" message was ever received and if so by whom. The testimony of Colonel Sadtler, in charge of Army codes and ciphers, (my Memo., p. 24) that an activating "Winds"

message indicating a breach in Japanese-British diplomatic relations had been received was not entirely satisfactory. This is likewise true of the testimony of Captain Safford, head of the Navy's Security Division, to the same effect (my Memo. p. 25).

Colonel Clausen's subsequent investigation fails to disclose any testimony that an activating or implementing "Winds" message indicating breach of Japanese relations with either Great Britain, Russia or the United States was ever received by the War Department. Thus, Colonel Harold Doud, in charge of B Section, Signal Intelligence Service, which was the Code and Cipher Solution Section, in November and December 1941, stated:

I did not see any execute message as thus contemplated and so far as I know there was no such execute message received in the War Department. (Affid., Col. Harold Doud)

Captain Edwin T. Layton, USN, Fleet Intelligence Officer, Pacific Fleet, testified no such message was ever received at Pearl Harbor (affid., Capt. Edwin T. Layton, p. 2). A statement of Commander J. S. Holtwick, Commander Rochefort's assistant at Pearl Harbor, was to the same effect. (Memorandum of Comdr. J. S. Holtwick)

Colonel Rox W. Minckler, Signal Corps, in charge of Signal Intelligence Service at the time, stated:

I never saw or heard of an authentic execute message of this character either before or since 7 December 1941. It is my belief that no such message was sent. (Affid., Col. Rex W. Minckler)

He said there were "one or two 'false alarms'", which he discussed with representatives of G-2 and the Navy. His opposite number in the Navy was Captain L. F. Safford.

Major General Sherman Miles, in charge of G-2 at the time did not recall meeting Colonel Bratton or Colonel Sadtler on 5 December 1941, at which meeting Colonel Sadtler is supposed to have advised him of Admiral Noyes' telephone call that "The message is in." (See Memo., 25 November 1944, p. 24) General Miles stated: "To the best of my knowledge and belief, no authentic execute message was ever received in the War Department before the outbreak of hostilities." (Affid., Maj. Gen. Sherman Miles, p. 2) General Miles stated that the Far Eastern Section of G-2 was especially alerted to watch for the activating "Winds" message which was regarded as of vital concern. He stated there were several [3] messages intercepted which were thought at first to be the execute message but which turned out not to be authentic. He thought that if there was any meeting with Colonel Sadtler on 5 December 1941, it concerned an unauthentic message. (Affid., Maj. Gen. Sherman Miles, p. 2)

Colonel Otis K. Sadtler, Signal Corps, in charge of military codes and ciphers in the Chief Signal Office, in November and December 1941, stated that when he got word from Admiral Noyes that "The message is in" (See Vol. D., Top Secret testimony, p. 251), he did nothing further to ascertain from Admiral Noyes or other persons the exact wording of the intercept as he assumed that according to standard practice, it would be transmitted without delay to G-2 (Affid., Col. Otis K. Sadtler). In his affidavit given to Colonel Clausen, Colonel Sadtler stated that after talking to General Miles and

Colonel Bratton about Admiral Noyes' message he went to his office and typed a proposed warning as follows:

C. G.-P. I., Hawaii-Panama. Reliable information indicates war with Japan in the very near future stop take every precaution to prevent a repetition of Port Arthur stop notify the Navy. Marshall.

However he did not show this message to anyone or make a copy of it and he quoted it only from memory. (Affid., Col. Otis K. Sadtler) According to his original testimony he conferred with General Gerow and General Bedell Smith about Admiral Noyes' message. He did not show them the above-quoted draft but stated he did suggest that a warning message be sent the overseas commanders as he testified before the Army Pearl Harbor Board (Vol. D, Top Secret testimony, p. 253). He reiterated this testimony before Colonel Clausen (Affid., Col. Otis K. Sadtler, p. 1). Neither General Gerow nor General Smith had any recollection of any such conference with Colonel Sadtler or any such recommendation by him. General Gerow pointed out quite appositely that Colonel Sadtler was "purely a Signal Corps officer and that he was not concerned with the dissemination and interpretation of 'Magic'" messages (Affid., General Leonard Gerow). General Smith likewise has no recollection of Colonel Sadtler discussing the matter with him. General Smith stated that he was not on the very restricted list of officers with whom top secret matters of the "Magic" type could be discussed, and thus it would have been impossible for Colonel Sadtler to have discussed the matter with him. (Affid., Lt. Gen. W. Bedell Smith)

[4] Colonel Sadtler in his affidavit given to Colonel Clausen stated that other than his testimony relative to the Admiral Noyes message (probably a "false alarm"), he had never seen any execute message to the "Winds Code" and, so far as he knew, no such execute message was received in the War Department. He at no time urged General Miles, G-2, or any other representative of G-2 to send a warning message to overseas commanders. (Affid., Col. Otis K. Sadtler, p. 3)

I have been informed that Admiral Noyes and other witnesses appearing before Admiral Hewitt in the Navy inquiry into the Pearl Harbor matter, denied the receipt of an authentic execute "Winds" message.

Colonel Rufus W. Bratton, in charge of the Far Eastern Section, G-2, in 1941, recalled a meeting 5 December 1941 with General Miles and Colonel Sadtler at which Colonel Sadtler presented the information he had received from Admiral Noyes. Colonel Sadtler was instructed to get the exact text from Admiral Noyes, as there had been several "false alarm" reports to the same effect. So far as he knew, Colonel Sadtler never returned to G-2 with the text or any additional information. Colonel Bratton had no information about any alleged visit of Colonel Sadtler to General Gerow or General Bedell Smith. Colonel Bratton never brought Colonel Sadtler's report to the attention of the Chief of Staff. (Affid., Col. Rufus W. Bratton, p. 2)

Colonel Bratton stated that at no time prior to 7 December 1941 did he ever see or hear of an authentic message implementing the "Winds Code." As to the testimony of Captain Safford of the Navy to the effect that two copies of such a message were sent to the Army, Colonel Bratton pointed out that not two but six copies of any such

message were required to be sent by the Navy to the Army, the inference being that no copies at all were sent. Prior to 7 December 1941, representatives of the Navy had discussed with him several "false alarms" relative to the "Winds" message but no one in the Navy or in G-2 ever discussed with him the message supposed to have been sent to the Army according to Captain Safford's testimony. (Affid., Col. Rufus W. Bratton)

Colonel Robert E. Schukraft, Signal Corps, in charge of radio interception for the Signal Intelligence Service, War Department, prior to 7 December 1941, testified that on receipt of the original "Winds" message, [5] he directed the San Francisco interception station to be on the watch for an activating message and to send it to him. To the best of his knowledge, no execute message was ever picked up. (Affid., Col. Robert E. Schukraft)

General Gerow's and General Bedell Smith's comment on Colonel Sadtler's testimony relative to the alleged execute "Winds" message received from Admiral Noyes has already been discussed. (See affidavits, Gen. Gerow, p. 2; Gen. W. Bedell Smith, p. 3).

Brigadier General Thomas J. Betts, the 1941 Executive Assistant to the Chief, Intelligence Branch, MID, General Staff, testified to Colonel Clausen that the source of his information on all "Ultra" (or "Magic") messages concerning Japan was Colonel Bratton and Major Dusenbury, Colonel Bratton's assistant. He inquired of Colonel Bratton on several occasions as to whether any execute message had come in under the "Winds Code." He did not recall receiving any such information from Colonel Bratton and stated that if he had received it, he would have remembered it. No other person informed him of any such execute "Winds" message prior to 7 December 1941 (Affid., Brig. Gen. Thomas J. Betts).

General of the Army Douglas MacArthur testified to Colonel Clausen that he had no recollection of having received any of the messages in Top Secret Exhibit B (see my first memorandum of 25 November 1944, pp. 19-23). He never got the "Winds Code" or any activating or implementing message. He believed he had seen every "Ultra" message delivered to his headquarters. (Affid., Gen. Douglas MacArthur) His Chief of Staff, Lieutenant General Richard K. Sutherland, testified to the same effect. (Affid., Lt. Gen. Richard K. Sutherland) Major General C. A. Willoughby, assistant Chief of Staff, Southwest Pacific Area, stated he had never seen any of the messages in Top Secret Exhibit B except isolated fragments of the Kurusu series. Neither he nor anyone else in the USAFFE to his knowledge were advised of the "Winds Code" or of any execute message. (Affid., Maj. Gen. C. A. Willoughby)

Lieutenant Colonel Frank B. Rowlett testified to Colonel Clausen that immediately prior to the Pearl Harbor attack he was a civilian technical assistant to the officer in charge of the Crypto-Analytic Unit, Signal Intelligence Service, War Department, Washington, D. C., at present Branch Chief, Signal Security Agency, Signal Corps, War Department. In the latter capacity, he made a search for an activating "Winds" message, which he failed to find. (Affid., Lt. Col. Frank B. Rowlett)

[6] My conclusion, from the above testimony, read in connection with the testimony in the Pearl Harbor Report as to the

"Winds" message, discussed by me in my memorandum dated 25 November 1944, is that the most diligent search fails to reveal that any activating or execute "Winds" message was ever received by the War Department. In this connection, General Marshall's testimony will be recalled, "I find that no officer of the Navy advised Gen. Miles or Col. Bratton that any message implementing the 'Winds' Code had been received by the Navy." (Vol. A, Top Secret Tr., Marshall, P. 38.)

The Rochefort Message:

In my original memorandum (p. 27), I referred to Colonel Bratton's testimony that on receipt of the 2 December message, translated 4 December, from Tokyo to the Embassy at Washington, ordering destruction of codes and code machines, he took a copy of this message to General Miles and General Gerow and after discussing it, recommended a further warning or alert to our overseas commanders. General Gerow, felt that sufficient warning had already been given and General Miles stated he was in no position to overrule him. Colonel Bratton, however, still feeling uneasy about the matter, went to the Navy, where he discussed it with Commander McCollum, who felt as he did. McCollum stated that as Commander Rochefort, the Naval Combat Intelligence Officer with the Fourteenth Naval District in Honolulu, had gotten the first "Winds" message and was listening for the second or implementing message, a radiogram be sent to General Short's G-2 in Hawaii to see Commander Rochefort at once. Colonel Bratton thereupon drafted a radiogram signed "Miles," which was sent to the Assistant Chief of Staff, Headquarters G-2, Hawaiian Department, on 5 December 1941, reading as follows:

Contact Commander Rochefort immediately thru Commandant Fourteenth Naval District regarding broadcasts from Tokyo reference weather.

No testimony is contained in the original Army Pearl Harbor Board Report or in the Top Secret report as to whether Short was informed of the above message. However, realizing its importance, Colonel Clausen in his subsequent investigation examined General Fielder, Short's G-2, and Colonel Bicknell, his Assistant G-2, as to whether this radiogram was received and what action was taken. General Fielder testified he had no recollection of ever having seen this radiogram (Affid., Brig. Gen. Kendall J. Fielder, p. 2).

As to the likelihood of the "Winds" information being sent to him by the Navy, independently of the so-called Rochefort message, General Fielder testified:

[7] My relations with the Navy were in general cordial, but none of their combat intelligence was passed on to me. The conferences and the passage of information between the Intelligence Agencies of the Navy and myself had to do primarily with counter-subversive measures. No information was given to me by anyone in the Navy, which indicated in any way that aggression by the Japanese against Hawaii was imminent or contemplated. It was well known that relations with Japan were severely strained and that war seemed imminent, but all my information seemed to predict sabotage and internal troubles for Hawaii. (Affid., Brig. Gen. Kendall J. Fielder, par. 6, p. 2.)

General Fielder further said:

No direct liaison was maintained by me with Navy Intelligence Agencies except those concerned with local or Territorial problems. I believe the Pa-

cific Fleet Intelligence Section to have excellent information of the Japanese fleet and assumed that if any information which I needed to know was possessed by Navy agencies, it would be disseminated to me. I know now that had I asked for information obtained by the Navy from intercept sources it would not have been given me. For example Captain Layton stated that if he had turned any over to me he would not have divulged the source, but in fact, would have given some different derivation and that this he did do with Lt. Col. Bicknell. The Hawaiian Department was primarily a defensive command justified principally to defend the Pearl Harbor Naval Base with fixed seacoast batteries, anti-aircraft batteries, mobile ground troops and the 7th Air Force as the weapons. The latter being the only one capable of long range offensive action along with the Navy constituting the first line of defense for Hawaii. I have been told that prior to December 7, 1941, the Intelligence Officer of 7th AF, Lt. Col. Raley, was in liaison with and received some information from Commander Layton, Pacific Fleet Combat Intelligence, but was honor bound to divulge it only to his Commanding General. It did not come to me and I didn't know of the liaison until after the war started. (Affid., Brig. Gen. Kendall J. Fielder, par. 8, p. 2.)

General Fielder had no recollection of ever having seen any of the Japanese messages contained in Top Secret Exhibit B which included the "Winds" message (referred to in my original memorandum, pp. 19-23) (Affid., Brig. Gen. Fielder, par. 11, p. 3).

Colonel George W. Bicknell, Short's Assistant G-2, in charge of the Contact Office in downtown Honolulu, stated that he maintained very close [8] liaison with Commander Rochefort and knew prior to Pearl Harbor Day that the latter was engaged in intercepting and decrypting Japanese messages. During the latter part of November, 1941, he learned that the Navy had intercepted the Japanese message containing the "Winds Code." He took immediate action to have the local Federal Communications Commission agency monitor for the execute message, which was not received (Affid., Col. George W. Bicknell, p. 1). His attention was again called to the "Winds Code" when on 5 December 1941 he saw on General (then Colonel) Fielder's desk the radiogram from General Miles to contact Commander Rochefort. (This directly conflicts with General Fielder's testimony that he never saw the Rochefort radiogram.) Colonel Bicknell that day communicated with Commander Rochefort to ascertain the pertinent information and was told that Commander Rochefort was monitoring for the execute message. This information was also given to Mr. Robert L. Shivers, in charge of the FBI in Honolulu.

The affidavit of Colonel Moses W. Pettigrew, Executive Officer of the Intelligence Branch, G-2, War Department, who assisted in sending the Rochefort message, contains hearsay statements to the effect that "Hawaii had everything in the way of information that Washington had" (including the "Winds" message), the source of which was Navy personnel whose identity he could not recall. His undisclosed Navy sources were also authority for his statement that Commander Rochefort's crypto-analytic unit in Hawaii were monitoring for intercepts, breaking and translating the codes and that the Army in Hawaii would receive all this information. He said he sent the Rochefort message on 5 December merely as a precautionary measure. (Affid., Col. Moses W. Pettigrew)

Mr. Robert L. Shivers, FBI Agent in charge in Honolulu at the time, does not mention the "Winds" message as such in his affidavit. Apparently, however, the Navy had guardedly advised him of this

message or its equivalent prior to 7 December. Thus, he said Captain Mayfield, District Intelligence Officer for the Navy, told him he was aware of the code the Japanese would use to announce a break in Japanese relations. Mayfield gave Shivers a code by which he would inform Shivers of Japanese activities in this line and Shivers passed this information on to Colonel Bicknell. Mayfield never gave him the code signal. (Affid., Robert L. Shivers)

Mr. Shivers testified:

(Commander Rochefort did not discuss with me his operations, nor did he disclose to me any information as a result of his operations, until after 7 December. (Affid., Robert L. Shivers)

There is a conflict in this respect between Mr. Shivers and Colonel Bicknell.

[9] General Fielder, when presented with Commander Rochefort's affidavit indicating the "Winds Code" message was given to him, specifically denied that he received it. General Fielder stated:

I fell sure Commander Rochefort is thinking of Lt Col Bicknell, who according to his own statement did receive information from Rochefort. If any of it came to me indirectly, it was in vague form and not recognizable as coming from reliable sources. I certainly had no idea that Lt Col Bicknell was getting the contents of intercepted Japanese diplomatic messages. In any event Rochefort did not give it to me direct. (Affid., Gen. Fielder, par. 10, p. 3)

General Short was not specifically examined as to whether he received the "Winds Code" message. Impliedly it is covered by his general denial of the receipt of information other than that he admitted he received.

In my opinion, the state of the present record fails to show conclusively that the "Winds Code" message as such reached General Short personally either through the medium of liaison between the Navy and the Army Intelligence Sections in Hawaii or as a result of the Rochefort message. Whether Short received equivalent information will now be considered.

Other Information Possessed by General Short:

I have been informed that Short, when he appeared before the Navy Board, testified that had he gotten General Marshall's 7 December radiogram prior to the attack, it might have been a different story. In answer to a question as to whether he would then have gone on a different alert, he said:

I think I would because one thing struck me very forcibly in there, about the destruction of the code machines. *The other matter wouldn't have made much of an impression on me.* But when you destroy your codes or code machines, you are going into an entirely new phase. I would have had this advantage also: I could have asked him the significance to him. But leaving that out, *the destruction of the code machine would have been very significant to me.* I would have been very much more alarmed about that than the other matter. * * * I would have taken the destruction of the code machines very seriously. (Italics supplied)

It is a fair inference that long prior to Pearl Harbor Day, Short obtained equivalent information from Colonel Bicknell and possibly others. In my memorandum of 25 November 1944 (p. 10, 19, 30), I referred to General Fielder's and Colonel Bicknell's testimony that they had information prior to 7 December that the Japanese Consulate in Honolulu was [10] "destroying its codes and burning its secret papers," which information in the opinion of Colonel Bicknell

meant war. This information Colonel Bicknell brought to the attention of General Short's staff conference on the morning of 6 December, a conference presided over by General Short's Chief of Staff, Colonel Phillips. (Memo., 25 November 1944, p. 10, 19) Colonel Phillips stated he brought it to the attention of General Short (Memo. 25 November 1944, p. 19).

The above testimony was amplified by further testimony by Mr. Shivers, the FBI Agent in charge in Honolulu. Mr. Shivers testified that on 3 December 1941 Captain Mayfield, District Intelligence Officer for the Navy, called him, asking him if he could verify information that the Japanese Consul General in Honolulu was burning his codes and papers. About two hours later the FBI intercepted a telephone message between the cook at the Japanese Consulate and a Japanese in Honolulu, during which the cook stated that the Consul General was "burning and destroying all his important papers." Shivers immediately gave this information to Captain Mayfield and Colonel Bicknell. Shivers likewise telegraphed Mr. J. Edgar Hoover, Director of the Federal Bureau of Investigation, "Japanese Consul General Honolulu is burning and destroying all important papers." Worthy of note also is Mr. Shivers' statement that on 28 November 1941 he received a radiogram from Mr. Hoover to the effect that peace negotiations between the United States and Japan were breaking down and to be on the alert at all times as anything was liable to happen. Shivers gave this information to Captain Mayfield and Colonel Bicknell, he stated they had already received similar information from their respective heads in Washington. (Affid., Robert L. Shivers)

General Fielder confirmed Colonel Bicknell's testimony that the destruction by the Japanese Consul General in Honolulu of "codes and papers" was related by Colonel Bicknell at the staff conference on 6 December 1941. General Fielder testified, "I gave this latter information to General Short the same day." (Affid., Brig. Gen. Kendall J. Fielder, p. 3)

Colonel Bicknell testified that about 3 December 1941 he learned from Navy sources of the destruction of codes and papers by Japanese diplomatic representatives in Washington, London, Hong Kong, Singapore, Manila, and elsewhere. This apparently was radio Op-Nav No. 031850, dated 3 December 1941, addressed to the Commander-in-Chief, Asiatic Fleet, Pacific Fleet, Commandant, 14th Naval District, Commandant, 16th Naval District, reading as follows:

Highly reliable information has been received that categoric and urgent instructions were sent yesterday to the Japanese diplomatic and consular posts at Hong Kong, Singapore, Batavia, Manila, Washington, and London to destroy most of their codes and ciphers at once and to burn all other important confidential and secret documents. (Top Secret Vol. C, Safford, p. 183)

[11] Colonel Bicknell saw the above radiogram. (Affid., Col. Bicknell, p. 2)

About this time he got the information above referred to from Mr. Shivers, and told the staff conference "what I had learned concerning the destruction of their important papers by Japanese consuls." (Affid., Col. Bicknell, p. 2)

He also informed the conference that because of this and subsequent information which he had from reliable sources, the destruction of

such papers had a very serious intent and that something war like by Japan was about to happen somewhere. He had previously prepared and signed weekly estimates given to the Chief of Staff to the same effect. (Vol. 30, Army Pearl Harbor Board Transcript, p. 3684-3685) Colonel Bicknell also testified further relative to giving General Fielder and General Short the Dr. Mori message intercepted by the FBI on 6 December 1941 (referred to in Memo., 25 November 1944, p. 11). Their reaction was as follows, according to Colonel Bicknell:

Both Colonel Fielder and General Short indicated that I was perhaps too "intelligence conscious" and that to them this message seemed to be quite in order, and that it was nothing to be excited about. My conference with General Short and Colonel Fielder was comparatively brief and seemed to last only for about five minutes.

Following 7 December 1941, I met General Short while waiting to testify before the Roberts Commission. We were alone and at that time he stated to me words to the effect, "Well, Bicknell, I want you to know that whatever happens you were right and I was wrong." (Affid., Col. George W. Bicknell, p. 3)

It is difficult to believe that General Short was not advised prior to Pearl Harbor Day by General Fielder, Colonel Phillips, Colonel Bicknell, or all three, of current intelligence reports and, in particular, that the Japanese Consulate in Honolulu was burning its papers. In the interest of strict accuracy, however, I must mention statements made by me on pages 10, 19 and 30 of my prior memorandum, based on the Army Pearl Harbor Board record, that Short's G-2 and Assistant G-2 had information that the Jap Consulate in Honolulu was destroying its *codes* and secret papers. Mr. Shivers, the source of this information, does not mention "codes" in his affidavit but simply states the Consul General was "burning and destroying *all* his important papers." To most people, this would mean codes, since it is well known Consulates possess codes, which are in paper form. Colonel Bicknell evidently so interpreted it, judging from his statement that he evaluated the Dr. Mori message (See Memo., 25 November 1944, p. 11) in the light of the information he had received concerning the destruction by Jap Consuls of their "codes and papers." This is confirmed by General Fielder's testimony that Colonel Bicknell told the Staff Conference 6 December 1941 that the Jap Consul was [12] burning his "codes and papers. (Affid., Brig. Gen. Kendall J. Fielder, p. 3)

Without, however, bringing home to General Short in strict accuracy the information that the Japanese Consul General in Honolulu was destroying his *codes*, as distinguished from other papers, the fact that he was destroying his secret papers and not some but all such papers at that juncture of world affairs is entitled to great weight in considering whether General Short had adequate knowledge of the true Japanese-American situation. While it may be said that codes are technically different from secret papers, or "papers," of the Jap Consulate, and Colonel Bicknell or other Hawaiian contacts are quite different as sources of information from the Chief of Staff, the fact remains that to an alert commander information, from whatever source, of the destruction of either codes, secret papers, or merely "all important papers" by the Jap Consulate in Honolulu at that time should have had extreme significance.

The Manila Warning Message:

This was an urgent cablegram dispatched 3 December 1941 by Colonel G. H. Wilkinson, the British representative of Theodore H. Davies

& Co., Honolulu, one of the Big Five, to Mr. Harry L. Dawson, an employee of the Davies Company, and the British Consul in Honolulu. Colonel Wilkinson was a member by marriage of the Davies family and was secretly working for the British Government as a secret agent in Manila. The cablegram received by the Davies Company in Honolulu the night of 3 December read as follows:

We have received considerable intelligence confirming following developments in Indo-China:

A. 1. Accelerated Japanese preparation of air fields and railways.
2. Arrival since Nov. 10 of additional 100,000 repeat 100,000 troops and considerable quantities fighters, medium bombers, tanks and guns (75 mm).

B. Estimates of specific quantities have already been telegraphed Washington Nov. 21 by American Military Intelligence here.

C. Our considered opinion concludes that Japan envisages early hostilities with Britain and U. S. Japan does not repeat not intend to attack Russia at present but will act in South.

You may inform Chiefs of American Military and Naval Intelligence Honolulu.

[13] Immediately upon receipt of it, Mr. John E. Russell, President of Theodore H. Davies & Company, cancelled a considerable volume of orders for delivery in the Philippines. A copy of the cablegram was given to Colonel Bicknell, Short's Assistant G-2, Mr. Shivers, head of the FBI in Honolulu, and Captain Mayfield, the District Intelligence Officer of the Navy. (Statement of Mr. John E. Russell and exhibit)

Mr. Shivers has already been informed by Colonel Wilkinson of his undercover activities and of his connection with Mr. Harry Dawson, the British Vice Consul in Honolulu, likewise an employee of the Davies Company. Colonel Wilkinson arranged with him in July of 1941 to give him information through Mr. Dawson. Mr. Shivers said his files indicated his receipt of the cablegram of 3 December 1941 from Colonel Wilkinson. Major General C. A. Willoughby, at that time G-2 of the Philippine Department, knew of Wilkinson and of his activities.

Colonel Bicknell, Short's Assistant G-2 admitted receipt of the Manila cablegram from Colonel Wilkinson. He stated he gave the information contained in it to General Short. (Amendment to affidavit of Col. George W. Bicknell)

In addition to the cablegram above referred to, Colonel Bicknell stated he obtained a mass of information from the British SIS, through Colonel Wilkinson, which he brought to the attention of General Short, in one form or another. (Amend. affid., Col. George W. Bicknell) A file of this information is attached to Colonel Clausen's report. General Fielder was shown this file. Some few items struck a responsive chord in his memory, but he could not remember if they were brought to his attention prior to 7 December 1941. The source of the information was not brought to his attention, according to General Fielder. (Affid., Gen. Fielder, p. 3)

It is difficult to believe that General Short was not made aware of the highly important information contained in the 3 December cablegram from Manila. The same comment is applicable to the 27 November cablegram from Colonel Wilkinson to Mr. Dawson, the British Vice Consul, which stated:

Japanese will attack Krakow Isthmus from sea on Dec. 1 repeat Dec. 1, without any ultimatum or declaration of break with a view to getting between Bangkok and Singapore.

A copy of this cablegram also went to Colonel Bicknell, Mr. Shivers, and Captain Mayfield. Colonel Bicknell said this was part of the information he gave to Short "in one form or another." (Amend. affid., Col. George W. Bicknell)

[14] *British SIS Reports Furnished Colonel Bicknell:*

These reports, referred to above, which were transmitted in triplicate by Colonel Wilkinson at Manila, through the British Vice Consul at Honolulu, Mr. Dawson, to Colonel Bicknell, Short's Assistant G-2, Mr. Shivers of the FBI, and Captain Mayfield, District Intelligence Officer of the Navy, are too voluminous to be discussed in detail. In the aggregate, these reports make an impressive showing of growing tension in the Far East. Much of the data contained in these reports found its way into Colonel Bicknell's estimates of the Japanese situation, which he testified he furnished General Short. (Amend. Affid., Col. George W. Bicknell)

Information Received By Captain Edwin T. Layton, USN:

Captain Edwin T. Layton, USN, was, for a year prior to the Pearl Harbor disaster, Fleet Intelligence Officer of the Pacific Fleet. He testified to Colonel Clausen that about three months prior to 7 December 1941 the Assistant Chief of Staff for Intelligence, Hawaiian Air Force, Lieutenant Colonel Edward W. Raley, came to him and requested various items of intelligence. About ten days to two weeks prior to 7 December 1941, Captain Layton gave Colonel Raley certain top secret intelligence, without, however, disclosing its origin, which included the "Winds Code" message and information tending to show a general movement of Japanese naval forces to the South. When the Army proposed to make photographic reconnaissance of the Japanese mandated islands in November, 1941, he held a series of conferences with Colonel Raley about the matter. From time to time when General Short was in conference with Admiral Kimmel, he was called to present the intelligence picture to them. (Affid., Capt. Edwin T. Layton, USN) According to Colonel Raley, his contacts with Captain Layton were limited to about six conversations with him over the entire year 1941, the last in October, 1941. He told Captain Layton and Colonel Bicknell that hostilities with Japan were possible at any moment. This was in October, 1941. They apparently shared his view. He also reported this to General Martin. (Affid., Col. Edward W. Raley)

Comment on Information Which Reached General Short:

In my memorandum of 25 November 1944, after discussing the information as to Japanese activities which admittedly reached Short and additional information possessed by the War Department which was not sent him, I said:

* * * while there was more information in Washington than Short had, Short had enough information to indicate to any responsible commander that there was an outside threat against which he should make preparations. (P. 30)

Colonel Clausen's investigation has fortified me in my conclusions above stated. Reference is made to my memorandum to you of even date, subject "Top Secret Report, Army Pearl Harbor Board," for a further discussion on this subject.

[15] *Short's SOP Against Attack:*

In my memorandum of 25 November 1944, I stated:

Indicating his awareness of the threat of an air attack, Short sent General Marshall a tentative SOP, dated 14 July 1941, containing three alerts. Alert No. 1 being the all-out alert requiring occupation of field positions; Alert No. 2 being applicable to a condition not sufficiently serious to require occupation of field positions as in Alert No. 1; and Alert No. 3 being a defense against sabotage and uprisings within the Islands "with no particular threat from without." It will be noted that these alerts are in inverse order to the actual alerts of the final plan of 5 November 1941. It will be noted further that in paragraph 14 of the SOP, HD, 5 November 1941, as well as in the earlier tentative draft of the SOP, sent to Washington, Short expressly recognized the necessity for preparation for "a surprise hostile attack." (Short, Ex. 1, pp. 5, 64.) (Italics supplied.)

As stated in my memorandum of 25 November 1944, Short on receipt of the radiogram from General Marshall, dated 27 November 1941, within half an hour ordered Alert No. 1, which is SOP described as a defense against sabotage "with no threat from without." (Memo., 25 Nov. 1944, p. 2). In response to so much of General Marshall's radiogram as ordered him to "report measures taken," he sent the short reply "Department alerted to prevent sabotage. Liaison with the Navy." (Memo., 25 Nov. 1944, p. 13) Short testified that his SOP of 5 November 1941 was sent to the War Department on that date or about that time (Tr., Short, p. 431, Vol. 5). Under this SOP, Alert No. 1 was against sabotage only. Apparently Short's present contention is that in advising the War Department by radiogram that the Department was alerted against sabotage, he brought home to the War Department that only Alert No. 1 under his SOP of 5 November 1941 was being put into effect. (Tr., Short, p. 431)

Colonel Clausen's investigation fails to disclose any evidence that Short transmitted his SOP of 5 November 1941 to the War Department on or around that date. The best evidence indicates that it was not received in the War Department until March of 1942. Colonel Clarence G. Jensen, A. C., was specially deputized to make a careful investigation to ascertain the date of receipt by the War Department of this document. He searched in the files of The Adjutant General, the War Plans Division, and the Army Air Forces, and made specific inquiries of those likely to have any knowledge of the matter. His search indicated that no such SOP was received by the War Department until March, 1942. A letter from the Commanding General, Hawaiian Department (Lt. Gen. Emmons), dated 29 January 1942, transmitting the SOP to the War Department bears a receipt dated 10 March 1942. (Affid., Col. Clarence G. Jensen)

Receipt and Distribution of the 13 Parts and the 14th Part of the Japanese Intercept of 6-7 December 1941:

[16] Attached hereto is a copy of a separate memorandum by me to you of even date which sufficiently discusses Colonel Clausen's investigation of the above matter. No further comment is deemed necessary in this place.

Conclusion:

My conclusions contained in my memorandum of 25 November 1944 relative to the Board's findings as to General Short, General Marshall,

General Gerow and Secretary Hull have been reexamined by me in the light of Colonel Clausen's investigation. I find nothing in Colonel Clausen's investigation which leads me to modify these conclusions. The statements of fact made in my memorandum of 25 November 1944, based upon the testimony before the Army Pearl Harbor Board and that Board's report, are clarified and modified in accordance with the present memorandum.

MYRON C. CRAMER,
Major General,
The Judge Advocate General.

1 Incl: Copy memo from TJAG To S/W, "Top Secret Report, Army Pearl Harbor Board."

[a] Memorandum for The Secretary of War
Subject: Top Secret Report, Army Pearl Harbor Board, 14 September 1945

[1]

14 SEPTEMBER 1945.

MEMORANDUM FOR THE SECRETARY OF WAR

Subject: Top Secret Report, Army Pearl Harbor Board

This will confirm my views heretofore expressed to you orally.

The Army Pearl Harbor Board made two separate reports. One was classified as secret and consisted of two volumes. The other was classified as top secret and consisted of one volume.

I have examined the latter Top Secret Report in the light of evidence obtained by Lieutenant Colonel Henry C. Clausen, JAGD, in his investigation and feel that as a result thereof certain statements of fact contained in the Top Secret Report require modification.

In its top secret report, the Board stated on pages 1 and 2 and on page 16:

Information from informers and other means as to the activities of our potential enemy and their intentions in the negotiations between the United States and Japan was in possession of the State, War and Navy Departments in November and December of 1941. Such agencies had a reasonably complete disclosure of the Japanese plans and intentions, and were in a position to know what were the Japanese potential moves that were scheduled by them against the United States. Therefore, Washington was in possession of essential facts as to the enemy's intentions.

This information showed clearly that war was inevitable and late in November absolutely imminent. It clearly demonstrated the necessity for resorting to every trading act possible to defer the ultimate day of breach of relations to give the Army and Navy time to prepare for the eventualities of war.

The messages actually sent to Hawaii by either the Army or Navy gave only a small fraction on this information. No direction was given the Hawaiian Department based upon this information except the "Do-Don't" message of November 27, 1941. It would have been possible to have sent safely information, ample for the purpose of orienting the commanders in Hawaii, or positive directives could have been formulated to put the Department on Alert No. 3.

This was not done.

Under the circumstances, where information has a vital bearing upon actions to be taken by field commanders, and [2] this information cannot be disclosed by the War Department to its field commanders, it is incumbent upon the War Department then to assume the responsibility for specific directions to the theater commanders. This is an exception to the admirable policy of the War Department of decentralized and complete responsibility upon the competent field commanders.

Short got neither form of assistance from the War Department. The disaster of Pearl Harbor would have been eliminated to the extent that its defenses were available on December 7 if alerted in time. The difference between alerting those defenses in time by a directive from the War Department based upon this information and the failure to alert them is a difference for which the War Department is responsible, wholly aside from Short's responsibility in not himself having selected the right alert.

The War Department had the information. All they had to do was either to give it to Short or give him directions based upon it. (Pp 1 & 2)

Now let us turn to the fateful period between November 27 and December 6, 1941. In this period numerous pieces of information came to our State, War and

Navy Departments in all of their top ranks indicating precisely the intentions of the Japanese including the probable exact hour and date of the attack. (P 16)

The Board then set forth what it called "the details of this information." I have analyzed these details and conclusions of the Board in the light of Colonel Clausen's investigation and find that they should be revised in accordance with the new and additional evidence. These revisions include the following:

As to information available to the War Department, the Board set forth on page 2:

Story of the Information as to the Japanese Actions and Intentions from September to December 1941. The record shows almost daily information as to the Japanese plans and intentions during this period.

1. For instance, on November 24, it was learned that November 29 had been fixed (Tokyo time) as the governing date for Japanese offensive military operations. (R. 86)

The reference "(R. 86)" is to Page 86 of the Top Secret transcripts of the proceedings before the Army Pearl Harbor Board. These consist of volumes A to D. Examination of Page 86 shows, as a basis for the record reference in its report, a quotation by General Russell from a document as follows:

[3] On the 24th of November we learned that November 29, 1941, Tokyo time was definitely the governing date for offensive military operations of some nature. We interpreted this to mean that large-scale movements for the conquest of Southeast Asia and the Southwest Pacific would begin on that date, because, at that time, Hawaii was out of our minds.

The document from which General Russell quoted was the record of the Examination conducted by Admiral Thomas C. Hart from April to June, 1944, for the Secretary of the Navy. The testimony read by General Russell was an excerpt of that given by Captain L. F. Safford, USN. A more detailed examination of this testimony shows that it was in reality the interpretation by Captain Safford of a Japanese intercept message which was translated on 22 November 1941, being a message from Tokyo to the Japanese Embassy at Washington. This message authorized the Japanese envoys to extend the time for signing an agreement with the United States from 25 November to 29 November and it stated that the latter time was the absolute deadline and "after that, things are automatically going to happen."

The War Department did not send this specific information to the Hawaiian Department.

It will be observed that the Board did not set forth the additional testimony of Captain Safford to the effect that "Hawaii was out of our minds."

The Board further found:

On November 26 there was received specific evidence of the Japanese' intentions to wage offensive war against Great Britain and the United States. (R. 87) (P2)

* * * On November 26th specific information received from the Navy indicated that Japan intended to wage offensive war against the United States. (R. 123-124) * * * (P 5)

This finding of the Board was based on the same reference by General Russell to the testimony of Captain Safford. The reference "(R. 123-124)" is to the testimony of Captain Safford before the Army Pearl Harbor Board. He was asked by a member of the Board as to the source of the information which he mentioned in his testi-

mony to Admiral Hart. He stated that he could not then recollect the source. He further stated that on 26 November the Navy had information that Japan contemplated offensive action against England and the United States and probably against Russia. He gave as a basis for this information his interpretation of an intercept, SIS No. 25392, which was a circular message from Tokyo on 19 November 1941. Reference to additional testimony of Captain Safford set forth on page 125 shows that what he had in mind was the so-called Japanese "Winds Code" message.

[4] Colonel Clausen's investigation shows that this information reached Colonel Bicknell, Short's Assistant G-2, the latter part of November 1941.

Colonel George W. Bicknell, Assistant G-2, Hawaiian Department, testified before Colonel Clausen that in the latter part of November, 1941, he learned that the Navy had intercepted and decoded this Japanese "Winds Code." He took immediate action to monitor in Hawaii for the execute message. He further testified that his attention was again called to the "Winds Code" when he saw on the desk of General Fielder a warning message from G-2, War Department, dated 5 December 1941, asking that the G-2, Hawaiian Department, communicate with Commander Rochefort immediately regarding weather broadcasts from Tokyo. This obviously refers to the "Winds Code." Colonel Bicknell further testified that he also received information of the "Winds Code" broadcasts from Mr. Robert L. Shivers, FBI agent in charge, Honolulu, and information that Commander Joseph J. Rochefort, in charge of the Navy Combat Unit, Pearl Harbor, was also monitoring for the execute message.

Commander Rochefort testified before Colonel Clausen that he and General Kendall J. Fielder, G-2, Hawaiian Department, had established and maintained liaison pertaining to their respective functions, and that he gave General Fielder such information as he had received concerning intercepts and Japanese diplomatic messages, and concerning other information of importance in which the Army and Navy were jointly interested, and which came to his knowledge in the course of his duties. The information thus given to General Fielder during the latter part of November, 1941, included the substance of the "Winds Code" intercept.

The Board found:

* * * War Department G-2 advised the Chief of Staff on November 26 that the Office of Naval Intelligence reported the concentration of units of the Japanese fleet at an unknown port ready for offensive action. (Pp. 2 & 3)

The basis for this conclusion was testimony of Colonel Rufus S. Bratton as he read from a summary called "A Summary of Far Eastern Documents" which he prepared in the Fall of 1943. The pertinent portion reads as follows:

G-2 advised the Chief of Staff on 26 November that O. N. I. reported a concentration of units of the Japanese fleet at an unknown point after moving from Japanese home waters southward towards Formosa and that air and submarine activity was intensified in the Marshall Islands. (P 87)

This information was available in the Hawaiian Department before 7 December 1941.

[5] Testimony given before Colonel Clausen by Captain Layton, Captain Rochefort, Captain Holmes, Captain Huckins and Com-

mander Holtwick, of the Navy, in the additional investigation indicates the probability that General Short was advised of the presence of Japanese navy task forces in the Marshalls. The Fleet Intelligence Officer had an established liaison relationship with the G-2, Hawaiian Air Force. In the two months preceding 7 December the Fleet Intelligence Officer gave to G-2, Hawaiian Air Force, pertinent information of the increasing Japanese naval activity in the Marshalls. The Navy Combat Intelligence Officer supervised a unit at Pearl Harbor primarily engaged in intercepting, decrypting and analyzing radio traffic of the Japanese navy. The Daily Radio Intelligence Summaries distributed by the Combat Intelligence Officer, during November and continuing down to 7 December, indicated considerable Japanese military activity in the Mandates and concentrations of Japanese naval forces in the Marshalls. (See documentary evidence attached to Colonel Clausen's Report.)

The Board found:

On December 1 definite information came from three independent sources that Japan was going to attack Great Britain and the United States, but would maintain peace with Russia. (R. 87.) (P. 3.)

This again, was based on the testimony of Captain Safford in the Admiral Hart examination. General Russell read from this while questioning Colonel Bratton, as follows:

General RUSSELL. Yes. I will identify the questions. That is the December 1st message, Colonel.

Colonel BRATTON. I have nothing on the 1st of December, General. * * * (P. 88.)

Colonel Clausen's investigation has shown that the basis for this statement of Captain Safford was his interpretation of messages that the Navy received, i. e., the Navy Department intercept of the "Winds Code" message and a message from Colonel Thorpe, Batavia, giving the substance of the "Winds Code" intercept and stating that by this means Japan would notify her consuls of war decision, and another message to the same general effect from Mr. Foote, Consul General at Batavia, to the State Department. Mr. Foote also stated: "I attached little or no importance to it and viewed it with some suspicion. Such have been coming since 1936."

As shown above, the "Winds Code" information was available in the Hawaiian Department. But the "Winds Code" in itself was not definite information that Japan was going to attack Great Britain and the United States.

[C] The Board stated:

The culmination of this complete revelation of the Japanese intentions as to war and the attack came on December 3 with information that Japanese were destroying their codes and code machines. This was construed by G-2 as meaning immediate war. (R. 280.) * * * (P. 3.)

Colonel Bicknell testified before Colonel Clausen that he learned from Navy sources on about 3 December 1941 that Japanese diplomatic representatives in Washington, London, Hong Kong, Singapore, Manila and elsewhere, had been instructed to destroy their codes and papers, and that he was shown a wire from the Navy Department, dated 3 December 1941, reading as follows:

Highly reliable information has been received that categoric and urgent instructions were sent yesterday to the Japanese diplomatic and consular posts at Hong Kong, Singapore, Batavia, Manila, Washington, and London to destroy

most of their codes and ciphers at once and burn all other important confidential and secret documents.

Colonel Clausen's investigation further discloses that at about the time Colonel Bicknell received this information it was discussed with Commander Joseph J. Rochefort, in charge of the Navy Combat Intelligence Unit in Honolulu; and that Mr. Shivers told him that the FBI in Honolulu had intercepted a telephone message from the Japanese Consulate in Honolulu which disclosed that the Japanese Consul General there was burning his papers. The additional evidence also shows that on the morning of 6 December 1941, at the usual Staff Conference conducted by General Short's Chief of Staff, those assembled were given this information. General Fielder testified before Colonel Clausen that he was present at the Staff Conference and that on 6 December 1941 he gave to General Short the information that the Japanese Consul at Honolulu had destroyed his codes and papers. (Colonel Phillips, Short's Chief of Staff, also gave this information to Short.) General Fielder further testified that he gave General Short any pertinent information that came to his attention.

The Board further stated:

As Colonel Bratton summed it up:

"The picture that lay before all of our policy making and planning officials, from the Secretary of State, the Secretary of War down to the Chief of the War Plans Division, they all had the same picture; and it was a picture that was being painted over a period of weeks if not months." (R. 243-244.) (P. 3.)

[7] * * * All the information that the War Department G-2 had was presented in one form or another to the policy making and planning agencies of the Government. These officials included Secretary of State, Secretary of War, Chief of Staff, and Chief of the War Plans Division. In most instances, copies of our intelligence, in whatever form it was presented, were sent to the Office of Naval Intelligence, to keep them abreast of our trend of thought. (R. 297) (P 3)

The basis for this conclusion of the Board was the testimony given by Colonel Bratton. When testifying before Colonel Clausen, however, Colonel Bratton corrected his previous testimony and asked that his prior testimony be modified in accordance with his testimony to Colonel Clausen. He stated that his testimony to Colonel Clausen represented a better recollection than when he previously testified. He had previously testified that the intercepts, of the character mentioned and which were contained in the Top Secret Exhibit "B" before the Board, had been delivered to the President, the Secretary of War, the Secretary of State, the Chief of Staff, the Assistant Chief of Staff, W. P. D., and the Assistant Chief of Staff, G-2. But in testifying before Colonel Clausen, he stated that he could not recall with any degree of accuracy what material was delivered to whom during the period in question, and that there were no records to show who delivered or who received the material. He had also previously testified that he personally delivered these intercepts to the officials mentioned. But in his testimony to Colonel Clausen, he stated that, as to such deliveries as were made, the deliveries were made not only by himself, but also by then Lieutenant Colonel or Major Dusenbury, Major Moore and Lieutenant Schindel.

The basis for the last-mentioned conclusion of the Board, therefore, must be revised in accordance with the corrected testimony of Colonel Bratton. Similarly, the conclusion of the Board on page 4:

All of this important information which was supplied to higher authority in the War Department, Navy Department, and State Department did not go out to

the field, with the possible exception of the general statements in occasional messages which are shown in the Board's report. Only the higher-ups in Washington secured this information. (R. 302)

The reference "(R. 302)" is also to testimony of Colonel Bratton which hence must be revised in accordance with his corrected testimony given to Colonel Clausen, and in accordance with the new evidence uncovered by Colonel Clausen as to the information sent to General Short and available in the Hawaiian Department before 7 December.

The Board found, pages 4 and 5, other testimony of Colonel Bratton to the effect that on 3 December, when he was informed that the Japanese were under instructions to destroy their codes and code machines, he asked [8] General Gerow to send more warnings to the overseas commanders and that General Gerow replied, "Sufficient had been sent." Following this, according to the testimony of Colonel Bratton, he conferred with Navy personnel, at whose suggestion he sent, on 5 December 1941, a message to G-2, Hawaiian Department, to confer with Commander Rochefort concerning the Japanese "Winds Code."

General Gerow testified before Colonel Clausen that he did not recall the incident, and that if a representative of G-2 thought his action inadequate, he could quite properly have reported the facts to his superior who had direct access to General Gerow and to the Chief of Staff, in a matter of such importance.

The Board set forth, on pages 5 and 6, the general type of information which, according to Captain Safford, came to the Navy at Washington during November and December 1941. This included the information already mentioned that Tokyo, on 22 November, informed the Washington Japanese Embassy that the deadline for signing an agreement, first fixed for 25 November, was extended to 29 November; and also information available at Washington on 28 November in the form of an intercept of a message by Nomura and Kurusu to Tokyo, advising that there was hardly any possibility of the United States considering the "proposal" *in toto*, and that if the situation remained as tense as it then was, negotiations would inevitably be ruptured, if, indeed, they might not already be called so, and that "our failure and humiliation are complete" and suggesting that the rupture of the present negotiations did not necessarily mean war between the Japanese and the United States but would be followed by military occupation of the Netherland's Indies by the United States and the English which would make war inevitable. The proposal referred to was the reply given the Japanese envoys on 26 November 1941 by the Secretary of State. The Board further referred to information available to the War Department on 5 December, as related by Colonel Sadtler, relative to the "false alarm" execute message to the "Winds Code."

None of the above information was given to General Short before 7 December. However, the Secretary of War has, in his public statement of 29 August 1945, analyzed and shown the substantial nature of the information which the War Department sent to General Short.

Colonel Clausen's investigation also shows that a great deal of additional information was available initially to General Short in the Hawaiian Department, which was not given to the War Department, on the general subject of the tense and strained relations between Japan and the United States and warnings of war.

The British Intelligence Service gave Colonel Bicknell, Captain Mayfield, and Mr. Shivers information in the form of many intelligence reports. Colonel Clausen has collected these as documentary evidence [9] which is mentioned in his report to the Secretary of War. One such dispatch from Manila, given to these three persons in Honolulu on 4 December 1941, set forth prophetically:

Our considered opinion concludes that Japan envisages early hostilities with Britain and U. S. Japan does not repeat not intend to attack Russia at present but will act in South.

The source of this intelligence was a British intercept of a Japanese diplomatic radio message which could have been based upon a Japanese execute message to the "Winds Code," or some equivalent message.

In addition, the three persons mentioned had available over a long period of time intercepts of telephone conversations in and out of the Japanese Consulate in Honolulu and related places. Copies of some of these are included in the documentary evidence attached to Colonel Clausen's report.

Also, the Navy had derived some information from commercial radio traffic out of the Japanese Consulate.

Colonel Clausen's investigation shows that the files of the Hawaiian Department G-2 contained much material gathered from observers, travelers, and Washington sources, which, together with the other intelligence and information mentioned, was evaluated and disseminated by the G-2 sections of the Hawaiian Department. These are mentioned by Colonel Clausen in his report to the Secretary of War. Some are initialed by General Short.

Attention is invited to estimates by Colonel Bicknell disseminated on 17 and 25 October 1941 which set forth, again with prophetic accuracy, the probable moves of Japan.

General Short's G-2 asked, on 6 September 1941, that the War Department cease sending certain G-2 summaries of information for the reason that they were duplicates of information made available to him in Hawaii, and that his cooperation with the Office of Naval Intelligence and the FBI was most complete. (See Memo., 25 Nov. 1944, p. 6.)

General Fielder testified before Colonel Clausen, in the additional investigation, "it was well known that relations with Japan were severely strained and that war seemed imminent."

Hence, while the War Department did not send to General Short the specific intercepts mentioned, there was available to him or his Hawaiian command similar information. The reasons why the War Department did not send the actual intercepts were, according to witnesses before Colonel [10] Clausen that this type of information and its source, of necessity, had to be guarded most carefully, and that its dissemination to the overseas commanders would have included not only General Short but also all the overseas commanders and that this, in itself, would be dangerous from a security standpoint since it would spread the information into too many hands. There has been considerable evidence given Colonel Clausen to the effect, as General Marshall testified before Colonel Clausen,

* * * Many of our military successes and the saving of American lives would have been seriously limited if the source of intelligence mentioned had been so compromised.

The former Commanding General of the Philippine Department, General Douglas MacArthur, who had received the same general War Department information as General Short, testified before Colonel Clausen,

Dispatches from the War Department gave me ample and complete information and advice for the purpose of alerting the Army Command in the Philippines on a war basis, which was done prior to 7 December 1941.

The Board did not conclude that the War Department had advance information that Pearl Harbor was a specific attack target. It should be observed, however, that in addition to the intercepts received by the War Department, which are contained in Top Secret Exhibit "B" before the Board, there were others which, in retrospect and with the benefit of hindsight, indicated a possible attack on Pearl Harbor. These intercepts were radio messages, exchanged between Tokyo and the Japanese Consul at Honolulu, concerning reports to Tokyo of ship movements in Pearl Harbor according to a pre-arranged division of Pearl Harbor. The requests of Tokyo increased and the reports by Honolulu were made with more frequency and in greater detail as 7 December approached. Two intercepts, which were not decrypted and translated until 8 December, were part of the series mentioned. These were not included in the Top Secret Exhibit given the Board. They were sent 6 December by the Japanese Consul at Honolulu to Tokyo, Japanese Numbers 253 and 254. The two in question, Nos. 253 and 254, are attached to Colonel Clausen's report to the Secretary of War. These latter, Colonel Clausen's investigation shows, were apparently intercepted at San Francisco and transmitted to Washington by teletype on 6 or 7 December. They were not in the code which had the highest priority for immediate attention, and the teletype between San Francisco and Washington was not in operation until the night of 6 December or the morning of 7 December. Even so, time elapsing between receipt at Washington and dissemination in readable English form (2 days) was less than the normal time required of 3.5 days.

There was available to General Short, at Hawaii, information from which he could have inferred that Pearl Harbor would be the attack target in the event of war with Japan. Colonel Clausen's investigation shows [11] that the Navy at Honolulu arranged to obtain information from commercial traffic sources shortly before 7 December. These arrangements included an opportunity to the Navy for obtaining the commercial cable traffic of the Japanese Consulate at Honolulu. Some of this traffic included the same types of reports as were intercepted and forwarded to Washington concerning ship movements in Pearl Harbor. It is not entirely clear just what commercial traffic was decrypted and translated by the Navy at Honolulu before 7 December. While similar reports were being made to Tokyo by Japanese Consulates in other places as we, in like manner, attempted to keep track of Japanese ships, still the types of reports from Honolulu were more suspicious, since they were requested by Tokyo and made by the Japanese Consulate at Honolulu with increasing frequency as 7 December approached, and were made according to the pre-arranged division of Pearl Harbor.

The Board set forth the findings concerning the Japanese "Winds Code" at pages 6 and 17. On page 6, the Board referred to testimony of Colonel Sadtler that, on 5 December, Admiral Noyes, Chief of

Naval Communications, called him and stated the execute message had been intercepted. Colonel Sadtler then conferred with General Miles and Colonel Bratton. From Colonel Clausen's investigation it appears that Admiral Noyes, in his testimony before Admiral Hewitt, who conducted for the Secretary of the Navy the same type of investigation Colonel Clausen conducted for the Secretary of War, stated that he did not recall having so informed Colonel Sadtler. Colonel Sadtler testified before Colonel Clausen that he did not follow up the information given by Admiral Noyes on 5 December and that to his knowledge this was not done by anyone else at the time. He assumed that the Navy would send to the Army the actual intercept which was before Admiral Noyes when he telephoned.

Captain Safford had testified before the Board that on 4 December he saw a Navy intercept which contained the execute message to the Japanese "Winds Code", and that two copies were sent to the Army. Colonel Clausen's investigation discloses no evidence that the Army ever received any such copies and I understand the testimony of Captain Safford has been qualified considerably by testimony of himself and other Navy personnel before Admiral Hewitt.

Colonel Clausen has uncovered what amounts to a possible inference that the Japanese did broadcast an execute message to the "Winds Code" or some equivalent warning code, and that this was intercepted by the British Intelligence Service and formed the basis for the dispatch from London to Manila and, in turn, from Manila to Honolulu mentioned above. This dispatch was disseminated to the British Intelligence Service sub-agent in Honolulu on 4 December. A complete file of the dispatches from the British Intelligence Service, and available to the Hawaiian Department at Honolulu, and the British response to Colonel Clausen's query as to the basis for the dispatch of 4 December, are contained in the documentary evidence collected by Colonel Clausen and attached to his report.

[12] Attention is invited to the testimony of General Gerow and General Smith before Colonel Clausen concerning the findings by the Board based on the testimony of Colonel Sadtler that he asked General Gerow and General Smith to send more warning to the overseas commanders. Colonel Sadtler also testified before Colonel Clausen, as follows:

I have read the comments of General Gerow and General Smith in affidavits given Colonel Clausen, dated respectively 20 June 1945 and 15 June 1945, referring to my testimony before the Army Pearl Harbor Board as to my conference with them for the purpose stated on 5 December 1941. I believe the comments by General Gerow and General Smith, contained in the affidavits mentioned, are correct statements of fact, wherein they set forth as follows concerning this subject:

General Gerow: "I have no such recollection and I believe that Colonel Sadtler is mistaken. It was my understanding at the time that he was purely a Signal Corps officer and that he was not concerned with the dissemination or interpretation of Magic." I would naturally expect that enemy information of such grave moment would be brought to my attention and to the attention of the Chief of Staff by the Assistant Chief of Staff, G-2, and not by a Signal Corps Officer. To the best of my recollection, I did not receive, prior to 7 December 1941, notification from any source of implementing message to the Japanese 'Winds Code.' If I had received such a message or notice thereof, I believe I would now recall the fact, in view of its importance. It is possible that Colonel Sadtler told me of an unverified report, or that he had received some tentative information which was subject to confirmation. In any event, there should be written

evidence available in either the War or Navy Departments as to the fact, which evidence would be more reliable than any person's memory at this time, especially since so many major events have intervened."

General Smith: "I do not recall Colonel Sadtler's coming to me as he has stated. However, since the matter in question was obviously a difference of opinion between the A. C. of S., G-2, and the A. C. of S., War Plans Division, both of whom had direct access to the Chief of Staff, it was not one in which I had any responsibility or authority, and I cannot imagine why Colonel Sadtler would have asked me to intervene in a question of this kind, particularly since I was not at that time an 'Ultra' officer, and it would have been impossible for him to give me any information to support his contention that I should step out of my rather minor province." P 2—Affidavit of Colonel O. K. Sadtler.)

From page 7 of the Board's Top Secret Report it may be inferred that the Board meant to find that Colonel Bratton sent the G-2 War Department Rochefort message of 5 December to G-2 Hawaiian Department, because [B] of receipt of an execute message to the "Winds Code." But Colonel Bratton has testified that the reason which prompted him to recommend this warning was information derived from other intercepts to the effect that the Japanese were destroying their codes and important papers. The Board, also on page 7, referring to the G-2 warning message of 5 December, set forth the contention of General Fielder, G-2, Hawaiian Department, that he got no such message. In his testimony before Colonel Clausen, however, General Fielder stated:

* * * I have no recollections of having received the War Department radio, but had it come to me, I would in all probability have turned it over to Lt Col Bicknell for action since he knew Commander Rochefort and had very close liaison with Captain Mayfield, the 14th Naval District Intelligence Officer: particularly since the way the radio was worded it would not have seemed urgent or particularly important. * * *

Colonel Bicknell testified before Colonel Clausen that on about 5 December he saw the War Department message on the desk of General Fielder and that he then communicated with Commander Rochefort to ascertain the pertinent information and was advised that Commander Rochefort was also monitoring for the execute message of the "Winds Code."

It should be borne in mind that the execute message to the "Winds Code" was to notify the Japanese diplomatic and consular representatives of a crisis with the United States, Great Britain or Russia and to instruct the Japanese representatives to burn their codes and secret papers. The Japanese later sent the same information to their diplomatic and consular representatives by other and more direct means. This latter information, it appears from Colonel Clausen's investigation, was available in the Hawaiian Department prior to 7 December 1941.

On page 11 of the Top Secret Report, the Board sets forth several findings concerning the delivery of a 14-part intercept of a Japanese message from Tokyo to the envoys in Washington. The Board concludes:

Colonel Bratton delivered a copy of the first 13 parts between 9:00 and 10:30 p. m., December 6, as follows:

To Colonel Smith, (now Lt. Gen. Smith) Secretary of the General Staff in a locked bag to which General Marshall had the key. (R. 238.) He told General Smith that the bag so delivered to him contained very important papers and General Marshall should be told at once so that he could unlock the bag and see the contents. (R. 307.)

To General Miles by handing the message to him (R. 238), by discussing the message with General Miles in his office and reading it in his presence. (R. 239-241.) He stated that [14] General Miles did nothing about it as far as he knows. (R. 241.) This record shows no action by General Miles.

Thereafter he delivered a copy to Colonel Gailey, General Gerow's executive in the War Plans Division. (R. 238.)

He then took a copy and delivered it to the watch officer of the State Department for the Secretary of State and did so between 10:00 and 10:30 p. m. (R. 234, 239.)

Therefore, Colonel Bratton had completed his distribution by 10:30, had urged Colonel Smith, Secretary to the General Staff, to communicate with General Marshall at once, and had discussed the matter with General Miles after reading the message. This record shows no action on the part of General Smith and none by General Miles. Apparently the Chief of Staff was not advised of the situation until the following morning." (P. 11,12.)

To clinch this extraordinary situation, we but have to look at the record to see that the contents of the 13 parts of the Japanese final reply were completely known in detail to the War Department, completely translated and available in plain English, by not later than between 7 and 9 o'clock on the evening of December 6 or approximately ——— Honolulu time. This information was taken by the Officer in Charge of the Far Eastern Section of G-2 of the War Department personally in a locked bag to Colonel Bedell Smith, now Lt. General Smith, and Chief of Staff to General Eisenhower, who was then Secretary to the General Staff, and he was told that the message was of the most vital importance to General Marshall. It was delivered also to G-2 General Miles, with whom it was discussed, and to the Executive, Colonel Gailey, of the War Plans Division, each of whom was advised of the vital importance of this information that showed that the hour had struck, and that war was at hand. Before 10:30 o'clock that night, this same officer personally delivered the same information to the Secretary of State's duty officer.

General Marshall was in Washington on December 6. This information, as vital and important as it was, was not communicated to him on that date by either Smith or Gerow, so far as this record shows. (P. 16.)

These conclusions must be completely revised in view of the new evidence. The basis for these conclusions is the testimony of Colonel Bratton. In testifying before Colonel Clausen, he admitted that he gave the Board incorrect testimony; that the only set of the 13 parts he delivered on the night of 6 December was to the duty officer for the Secretary of State; that the sets for the Secretary of War, Assistant Chief of Staff, G-2, and the Assistant Chief of Staff, War Plans Division, were not delivered the night of 6 December; that these sets were not given the night of 6 December to General Gerow, General Smith or [15] General Miles; that he could not recall having discussed the message with General Miles on 6 December; and that he did not know how the set for the Chief of Staff came into his possession the morning of 7 December. Colonel Bratton claimed that on the night of 6 December he had asked Colonel Dusenbury to deliver the set to the home of the Chief of Staff. Colonel Dusenbury testified before Colonel Clausen that he received the messages the night of 6 December but did not deliver any until after 9:00 a. m., on the morning of 7 December. Colonel Dusenbury stated Colonel Bratton went home before the 13 parts were entirely received.

On the subject of the delivery of the 13 parts, attention is also invited to the testimony given Colonel Clausen by General Gerow, General Smith and General Miles. From Colonel Clausen's investigation, it appears that General Gerow and General Smith did not receive any of the 13 parts before the morning of 7 December. General Miles testified that he became aware accidentally of the general contents of the 13 parts the evening of 6 December. He was dining at the home of his opposite number in the Navy, Admiral Wilkinson, when Admiral Beardall, the President's Aide, brought the information to Admiral Wilkinson, who transmitted it to General Miles.

The Board, on page 14 and again on page 17, finds that Colonel Bratton telephoned General Marshall's quarters at 9:00 a. m. the morning of 7 December to give him the 14th part of the 14-part message and the Japanese messages directing the Ambassador to deliver the 14-part message at 1:00 p. m., 7 December, and to destroy their code machines. The Board further finds that General Marshall did not come into his office until 11:25 a. m.

These times so found by the Board are subject to qualification in light of additional evidence given Colonel Clausen. Colonel Bratton testified before

Colonel Clausen that he gave the actual intercepts to the Chief of Staff, which would be in the office of the Chief of Staff "between 10:30 and 11:30 that morning." Major General John R. Deane testified before Colonel Clausen that on the morning of 7 December he and Colonel Bratton did not arrive at the Munitions Building until between 9:00 and 9:30 a. m. General Miles testified before Colonel Clausen that he conferred with General Marshall the morning of 7 December in his office at about 11:00 a. m. Colonel Dusenbury testified before Colonel Clausen that the intercept instructing the envoys to deliver the reply to the United States at 1:00 p. m., 7 December, was not received by Colonel Bratton until "after he arrived that morning, between 9:00 and 10:00 a. m."

The Board further found:

There, therefore, can be no question that between the dates of December 4 and December 6, the imminence of war on the following Saturday and Sunday, December 6 and 7, was [16] clear-cut and definite. (P. 15)

The evidence does not seem to justify any such conclusion. There was not received between the dates of 4 December and 6 December any information which indicated that war would take place on Saturday or Sunday, 6 and 7 December. It is true that on the night of 6 December the War Department received the intercepted text of thirteen parts of the fourteen-part reply of the Japanese Government to the proposal of the United States, but this at most suggested a possible breach of diplomatic relations at some time in the near future, which may or may not have been followed by war. The only other information that was received between 4 and 6 December of significance, in addition to what had already been transmitted to General Short, was information received on 4 December that certain Japanese diplomatic and consular posts had been instructed to destroy certain codes. As I have heretofore pointed out, this information was fully available to General Short from his own sources in Hawaii. The intercept which indicated that the Japanese reply was to be delivered at 1:00 p. m., Washington Time on 7 December was, as heretofore pointed out, not received until the morning of 7 December and it itself was not a "clear-cut and definite" indication that war would occur at that time.

The Board further found:

Up to the morning of December 7, 1941, everything that the Japanese were planning to do was known to the United States except the final message instructing the Japanese Embassy to present the 14th part together with the preceding 13 parts of the long message at one o'clock on December 7, or the very hour and minute when bombs were falling on Pearl Harbor. (P. 18)

This statement is ambiguous but if it implies that it was known that the Japanese were going to attack Pearl Harbor on 7 December 1941, this is not the fact. There is no justification in the evidence for such a statement.

This conclusion, as well as the other conclusions of the Board in the Top Secret Report, should be considered in the light of what General Short has since testified was information he should have received. General Short testified before the Navy Court of Inquiry concerning the message which General Marshall attempted to send to him the morning of 7 December, referred to by the Board on page 17. He testified that he would have gone into a different alert if General Marshall had given him this message by telephone. General Short testified in response to a question as to whether he would then have done on a different alert:

[17] I think I would because one thing struck me very forcibly in there, about the destruction of the code machines. The other matter wouldn't have made much of an impression on me. (Underscoring supplied.)

As I have already pointed out, there was available to General Short from his own sources in Hawaii prior to 7 December 1941 information that the Japanese Government had sent orders to various diplomatic and consular posts to destroy certain of its codes and important papers.

The "other matter" referred to was the information which General Marshall included in his message which read as follows:

Japanese are presenting at one p. m. Eastern Standard time today what amounts to an ultimatum also they are under orders to destroy their Code machine immediately stop Just what significance the hour set may have we do not know but be on alert accordingly stop Inform naval authorities of this communication.

My Conclusion:

The views expressed by me in my memorandum of 25 November 1944, based upon the evidence then collected by the Army Pearl Harbor Board and its reports, should be considered modified in accordance with the views expressed herein.

MYRON C. CRAMER,
Major General,
The Judge Advocate General.

REPORT OF NAVY COURT OF INQUIRY

[1156] Under date of 13 July, 1944, this Court of Inquiry was ordered by the Secretary of the Navy to inquire into all circumstances connected with the attack made by the Japanese armed forces on Pearl Harbor, Territory of Hawaii, on 7 December, 1941, to include in its findings a full statement of facts deemed to be established, to give its opinion as to whether any offenses have been committed or serious blame incurred on the part of any person or persons in the naval service and, in case its opinion be that offenses have been committed or serious blame incurred, to specifically recommend what further proceedings should be had.

The Court convened on 24 July, 1944, and since then has held daily sessions almost continuously in Washington, San Francisco, and Pearl Harbor, having called and examined numerous witnesses from the State, War, and Navy Departments.

The Court, having thoroughly inquired into all facts and circumstances in connection with the attack by the Japanese armed forces on Pearl Harbor on 7 December, 1941, and having considered all evidence adduced, finds as follows:

FINDINGS OF FACTS

I

Pearl Harbor is situated on the Island of Oahu, near the city of Honolulu, the capital of the Territory of Hawaii, distant 2100 miles from San Francisco. It is the only permanent outlying United States Naval Base in the Eastern Pacific. It possesses great strategic importance as a point from which naval operations in defense of the Western United States can be conducted, and offensive operations against an enemy to the Westward launched and supported. The United States possesses no base on the West Coast of the United States that meets these requirements to an equivalent extent.

II

Prior to 1940 certain subdivisions of the Pacific Fleet and, beginning in May, 1940, the entire Fleet operated in the [1157] Hawaiian area with Pearl Harbor as a base. In May, 1941, three battleships, one aircraft carrier, four cruisers, and nine destroyers were detached from the Pacific Fleet and transferred to the Atlantic.

For the purpose of conducting exercises and maneuvers at sea designed to increase efficiency and readiness for war, the remaining major vessels of the Pacific Fleet were organized in three main Task Forces. The operating schedule was so arranged that there was always at least one of these Task Forces, and usually two, at sea. Frequently, during Fleet maneuvers, the entire available Fleet was at sea.

The vessels and the Fleet planes thus rotated their scheduled periods in port, periods essential to the mobility of the Fleet for purposes impossible of achievement at sea. At no time during 1941 were all the vessels of the Fleet in Pearl Harbor.

The operating schedule in effect on 7 December, 1941, was issued in September, 1941. In accordance with its provisions Task Force One, under the command of Vice Admiral W. S. Pye, U. S. N., and part of Task Force Two were in Pearl Harbor at the time of the attack. Task Force Three, under the command of Vice Admiral Wilson Brown, U. S. N., was at sea, engaged chiefly in escorting the aircraft carrier LEXINGTON to Midway to which point planes were being ferried. Part of Task Force Two, under the command of Vice Admiral W. F. Halsey, Jr., U. S. N., and including the aircraft carrier ENTERPRISE, was returning from ferrying planes to Wake.

[1158] Task Force One included the preponderance of the battleship strength of the Fleet. The three battleships of Task Force Two had been left behind in Pearl Harbor because their slow speed did not permit them to accompany the ENTERPRISE to Wake. It was purely a coincidence that all battleships of the Pacific Fleet, except one undergoing overhaul at the Puget Sound Navy Yard, were in Pearl Harbor on 7 December.

III

Beginning at 0755, Honolulu time, on 7 December, 1941, an attack was delivered from the northward of Oahu by Japanese carrier aircraft against units of the United States Pacific Fleet then moored and anchored inside the Pearl Harbor Naval Base, against Army and Navy aircraft, and against shore installations on the Island of Oahu. An attack delivered simultaneously by Japanese midget submarines was without effect. The details of these attacks and the extent of the loss of life and of the damage inflicted by Japanese aircraft have since been made matters of public record.

Within the same 24 hours the Japanese also delivered attacks on the Philippines, Wake and Guam, as well as on Hong Kong and Malaya. The attack on Pearl Harbor cannot be disassociated from these. All were the reprehensible acts of a warrior nation, war-minded and geared to war through having been engaged in hostilities for the past four years, and long known to have aggressive designs for the dominance of the Far East. The United States was then at peace with all nations and for more than 20 years had not engaged in [1159] hostilities.

In time of peace it is a difficult and complicated matter for the United States to prevent an attack by another nation because of the constitutional requirement that, prior to a declaration of war by the Congress, no blow may be struck until after a hostile attack has been delivered. This is a military consideration which gives to a dishonorable potential enemy the advantage of the initiative, deprives the United States of an opportunity to employ the offensive as a means of defense, and places great additional responsibility on the shoulders of commanders afloat in situations where instant action, or its absence, may entail momentous consequences.

IV

From 1 August, 1939, to 25 March, 1942, the Chief of Naval Operations, charged by law under the Secretary of the Navy with the operations of the Fleet and with the preparation and readiness of plans for its use in war, was Admiral Harold R. Stark, U. S. N. The Commander-in-Chief of the Pacific Fleet from 1 February to 17 December, 1941, was Admiral Husband E. Kimmel, U. S. N. The Commanding General of the Hawaiian Department from 7 February to 17 December, 1941, was Lieut. General Walter C. Short, U. S. A. The Commandant of the 14th Naval District from 11 April, 1940, until 1 April, 1942, was Rear Admiral Claude C. Bloch, U. S. N. He was an immediate subordinate of Admiral Kimmel and was charged by him with the task of assisting the Army in [1160] protecting Pearl Harbor. With respect to those duties connected with the defense of Pearl Harbor, Rear Admiral Bloch's responsibility was solely to Admiral Kimmel. It is an established fact that this responsibility was discharged to the complete satisfaction of the latter.

V

Admiral Kimmel and Lieut. General Short were personal friends. They met frequently, both socially and officially. Their relations were cordial and cooperative in every respect and, in general, this was true as regards their subordinates. They frequently conferred with each other on official matters of common interest, and invariably did so when messages were received by either which had any bearing on the development of the United States-Japanese situation, or on their several plans in preparing for war. Each was mindful of his own responsibility and of the responsibilities vested in the other. Each was informed of measures being undertaken by the other in the defense of the Base to a degree sufficient for all useful purposes.

VI

For some time preceding the attack on Pearl Harbor, the United States, engaged in the protection of shipping and the patrolling of sea lanes in the Atlantic, was passing through the preliminary stage of a transition from a state of national military unpreparedness to an ability to cope successfully with two resourceful and fully prepared enemies. The vigorous and convincing representations made by Admiral [1161] Stark before Congressional committees, beginning in January, 1940, showed clearly that the Navy was unprepared for war and greatly needed ships, planes, and men. These representations, linked with the fall of France, resulted in an Act of Congress in June, 1940, whereby appropriations were voted for practically doubling the size of our Navy.

During all of 1941 and for some time thereafter the problem confronting both the Chief of Naval Operations and the Chief of Staff, U. S. Army, was one of expansion and of distributing, to the best advantage, the limited supply of ships, planes, guns, and men and intensifying the training of personnel while production was being stepped up.

Under date of 30 December, 1940, Rear Admiral Bloch, Commanding the 14th Naval District and the Navy Yard, Pearl Harbor, after conference with Admiral Richardson, the then Commander-in-Chief, Pacific Fleet, and Lieut. General Herron, the then Commanding General Hawaiian Department, initiated correspondence addressed to the Chief of Naval Operations in which he set forth the inability of the 14th Naval District to meet a hostile attack with the equipment and forces at hand. He pointed out that, as Naval Base Defense Officer, he had no planes for distant reconnaissance. He gave as his opinion that neither in numbers nor types were the Army bombers satisfactory for the purpose intended. He invited attention to the serious deficiency on the part of the Army with regard to both fighting planes and anti-aircraft guns. He noted also that an anti-aircraft warning system planned [1162] by the Army was scheduled for completion at an indefinite time in the future.

This letter was forwarded to the Navy Department by Admiral Richardson, by endorsement. He concurred in the opinion that the Army aircraft and anti-aircraft batteries were inadequate to protect the Fleet in Pearl Harbor against air attack, and urged that adequate local defense forces be provided. He further expressed the opinion that the forces provided should be sufficient for full protection, and should be independent of the presence or absence of ships of the Fleet.

Under date of 24 January, 1941, the Secretary of the Navy addressed a letter to the Secretary of War, based upon the representations made by the Commandant of the 14th Naval District and the recommendations of the Commander-in-Chief, Pacific Fleet, and in general concurrence therewith. In this letter the belief was expressed that, *in case of war with Japan* hostilities might be initiated by a surprise attack upon the Fleet or on the naval base at Pearl Harbor. The dangers envisaged in the order of their importance and probability were considered to be: (1) Air bombing attack. (2) Air torpedo plane attack. (3) Sabotage. (4) Submarine attack. (5) Mining. (6) Bombardment by gunfire.

Defense against all but (1) and (2) being considered satisfactory, it was proposed that the Army assign the highest priority to the increase of pursuit aircraft and anti-aircraft artillery, and the establishment of an air warning net in Hawaii; also that the Army give consideration [1163] to the questions of balloon barrages, the employment of smoke, and other special devices for improving the defenses at Pearl Harbor; that local joint plans be drawn for defense against surprise aircraft raids; that there be agreement on appropriate degrees of joint readiness for immediate action against a surprise aircraft raid; and that joint exercises for defense against surprise aircraft raids be held.

The Secretary of War, under date of 7 February, 1941, expressed complete concurrence as to the importance of the subject and the urgency of making every possible preparation to meet such a hostile effort. He pointed out that the Hawaiian Department was the best equipped of all overseas Army departments and held a high priority for completion of its projected defenses because of the importance of giving full protection to the Fleet. He outlined the details of the Hawaiian project and stated the number of pursuit planes and anti-aircraft guns eventually to be supplied. He stated that the equipment for the aircraft warning system was expected to be delivered in

Hawaii in June, 1941, and that all arrangements for installation would have been made by the time the equipment was delivered.

Copies of these letters were furnished Admiral Kimmel, Lieut. General Short, and Rear Admiral Bloch.

In a letter dated 17 October, 1941, Rear Admiral Bloch reported to the Chief of Naval Operations that the only increment that had been made to the local defense forces during the past year, exclusive of net vessels, was the U.S.S. SACRAMENTO, an old gunboat of negligible gun power [1164] and low speed. He urged that the Department send a number of small fast craft equipped with listening gear and depth charges for anti-submarine purposes and further urged that he be sent two squadrons of VSO planes to be used for patrol against enemy submarines.

Admiral Kimmel forwarded this letter with the following endorsement:

There is a possibility that the reluctance or inability of the Department to furnish the Commandant, 14th Naval District, with forces adequate to his needs may be predicated upon a conception that, in an emergency, vessels of the U. S. Pacific Fleet may always be diverted for these purposes. If such be the case, the premise is so false as to hardly warrant refutation. A fleet, tied to its base by diversions to other purposes of light forces necessary for its security at sea is, in a real sense, no fleet at all. Moreover, this Fleet has been assigned, in the event of war, certain definite tasks, the vigorous prosecution of which requires not only all the units now assigned but as many more as can possibly be made available. The necessities of the case clearly warrant extraordinary measures in meeting the Commandant's needs.

The Chief of Naval Operations replied, under date of 25 November, 1941, that no additional vessels could be supplied for the present but that certain sub chasers, due for completion in May, 1942, had been tentatively assigned to the 14th Naval District, certain privately owned vessels might be expected at a future time, and that there were no additional airplanes available for assignment to the 14th Naval District.

It is a fact that, through 1941, the demand for munitions and war supplies exceeded the capacity of the nation and in all important commands there existed marged [1165] deficiencies in trained personnel and in material equipment and instruments of war. Although shortages were inevitable, it is a further fact that they had direct bearing upon the effectiveness of the defense of Pearl Harbor.

VII

On 5 November, 1941, the Chief of Naval Operations and the Chief of Staff, U. S. Army, submitted a joint memorandum to the President, recommending that no ultimatum be delivered to Japan at that time and giving, as one of the basic reasons the existing numerical superiority of the Japanese Fleet over the U. S. Pacific Fleet.

On 7 December, 1941, the U. S. Pacific Fleet was numerically inferior to the Japanese naval forces in both combatant and auxiliary vessels.

Aware of this existing weakness in relative fighting strength, and of the vigorous steps being taken by the United States to overcome deficiencies, Japan early sensed the advantage of striking before these steps could become effective. Her advantageous position was strength-

ened by her extensive espionage system which utilized her civilian, consular and diplomatic nationals throughout the world, and enabled her constantly to keep accurately informed of the U. S. naval building program and of the location and movements of U. S. naval vessels.

The topography of Oahu is peculiarly suited to the observation of Pearl Harbor and its activities. The local officials of the United States were unable to overcome Japan's advantage in this respect. It was impossible for [1166] them to prevent anyone from obtaining military information and, because of legal restrictions imposed by the Federal statutes, they could not interfere with the mails and the transmission of messages by radio, telegram, and cable.

In addition, having in mind Japan's traditional tendency to distort legitimate actions of a peaceful nation into deliberate threats to her own security and prestige, the War and Navy Departments were compelled to take every precaution to avoid offending her super-sensitive sensibilities. For example, as of 16 October, 1941, the Chief of Naval Operations directed the Commander-in-Chief, Pacific Fleet, to "take such preparatory deployments as will not constitute provocative action against Japan" and, on 28 November, 1941, the War Department directed the Commanding General of the Hawaiian Department to "undertake no offensive action until Japan has committed an overt act".

In contrast to the ease with which Japanese in United States territory, particularly in Hawaii, were able to obtain and to transmit to Japan military information of value, every obstacle was placed in the way of such information being collected in Japan by foreign nationals.

As an instance of Japanese secretiveness and surveillance of foreigners, including those of the U. S. diplomatic services, the U. S. Naval attache in Tokyo was compelled to report to the Japanese Navy Department whenever he contemplated an excursion beyond the limits of the city, and he was closely watched at all times. He was effectively prevented from obtaining any information as to the type and [1167] number of Japanese ships under construction and the capacity of their naval shore establishments, as well as of the location and movements of Japanese ships.

It is a fact that the superiority of the Japanese Fleet and the ability of Japan to obtain military and naval information gave her an initial advantage not attainable by the United States up to 7 December, 1941.

VIII

A naval base exists solely for the support of the Fleet. The fundamental requirement that the strategic freedom of action of the Fleet must be assured demands that the defense of a permanent naval base be so effectively provided for and conducted as to remove any anxiety of the Fleet in regard to the security of the base, or for that of the vessels within its limits. Periodical visits to a base are necessarily made by mobile seagoing forces in order that logistics support may be provided and opportunity given for repair and replenishment, for rest and recreation, and for release of the personnel from a state of tension.

To superimpose upon these essentials the further requirements that the seagoing personnel shall have the additional responsibility for se-

curity from hostile action while within the limits of a permanent naval base, is to challenge a fundamental concept of naval warfare.

There is not, and there has not been, any lack of understanding on the part of the Army and Navy on this point. The defense of a permanent naval base is the direct responsibility of the Army. The Navy is expected to assist with the means provided the naval district within whose limits the permanent naval base is located and the defense of the base is a joint operation only to that extent. To be adequate, the defense must function effectively during the periods when the Commander-in-Chief and all the units of the Fleet are absent.

In the case of naval districts lying beyond the continental limits of the United States, the commandant of the district occupies a dual status. As commandant of the district, he is governed by all existing instructions relating to the duties of commandants of naval districts and is answerable direct to the Navy Department. He is also an officer of the Fleet and as such is under the Commander-in-Chief of the Fleet for such duties as the latter may designate.

The fact that the Commandant of the 14th Naval District was thus designated as an officer of the Pacific Fleet is the circumstance that links the Commander-in-Chief, Pacific Fleet, with the duty of assisting the Army in defending the permanent naval base of Pearl Harbor. Except for this, the chief responsibility of the Commander-in-Chief, Pacific Fleet, was for the readiness, the efficiency, and the security of the vessels of the Fleet while at sea. It is through gaining and maintaining control of vital sea areas that a Fleet contributes to the defense of the shore and its activities.

The defense of the permanent naval base of Pearl Harbor was the direct responsibility of the Army.

[1169]

IX

Under date of 27 February, 1941, the Commandant, 14th Naval District, Rear Admiral Bloch, in his capacity as Naval Base Defense Officer, issued an operations plan establishing security measures, including air defense and surface ship patrol, in order to cooperate with and assist the Army in protecting Pearl Harbor and safeguarding the Fleet.

Under date of 28 March, 1941, joint agreements were reached between Lieut. General Short and Rear Admiral Bloch, as to joint security measures for the protection of the Fleet and the Pearl Harbor Base. It was agreed that when the threat of a hostile raid or attack was considered sufficiently imminent to warrant such action, each commander was to take such preliminary steps as were necessary to make available without delay to the other commander such portion of the air forces at his disposal as the circumstances warranted.

Joint air attacks upon hostile *surface* vessels were to be executed under the tactical command of the Navy. The Army bombardment strength to participate in each such mission was to be determined by the Commander, Hawaiian Department, the number of bombardment planes released to Navy control to be the maximum practicable.

Defensive *air operations* over and in the immediate vicinity of Oahu were to be executed under the tactical command of the Army. The

Commandant, 14th Naval District, was to determine the Navy fighter strength to participate [1170] in these missions, the number of fighter aircraft released to Army control to be the maximum practicable.

When naval aircraft under the command of the Naval Base Defense Officer were insufficient for long-distance patrol and search operations, and Army aircraft were made available, the Army aircraft so made available were to be under the tactical control of the Naval commander directing the search operations.

The Naval Base Defense Officer was entirely without aircraft, either fighters or patrol planes, assigned permanently to him. He was compelled to rely upon Fleet aircraft for joint effort in conjunction with Army air units. The Commander Patrol Wing Two, Rear Admiral P. N. L. Bellinger, U. S. N., was by Admiral Kimmel placed under Rear Admiral Bloch's orders, and was by the latter directed to consult with the Army and to prepare a detailed naval participation air defense plan. Rear Admiral Bellinger thus was given the additional status of the Commander Naval Base Defense Air Force, while retaining his status as an air officer of the Fleet.

Under date of 31 March, 1941, plans were drawn up and jointly agreed upon by Rear Admiral Bellinger and Major General F. L. Martin, U. S. Army, Commanding Hawaiian Air Force. These plans were complete, and their concept was sound. Their basic defect lay in the fact that the naval participation depended entirely upon the availability of aircraft belonging to the Fleet. This circumstance was forced by necessity, but was at complete variance with the fundamental requirement that to be adequate, the defense of [1171] a permanent naval base must be independent of assistance from the Fleet.

The effectiveness of these plans depended entirely upon advance knowledge that an attack was to be expected within narrow limits of time and the plans were drawn with this as a premise. It was not possible for the Commander-in-Chief of the Fleet to make Fleet planes permanently available to the Naval Base Defense Officer, because of his own lack of planes, pilots, and crews and because of the demands of the Fleet in connection with Fleet operations at sea.

X

Shortly after assuming command of the Pacific Fleet, Admiral Kimmel issued specific comprehensive instructions as to the steps to be taken for the security of the Fleet in the operating sea areas. Aware of the inadequacy of the shore defenses of Pearl Harbor, he also required the vessels, while at the base, to assist to the limit of their resources. These instructions were revised and brought to date on 14 October, 1941, were given wide circulation within the Pacific Fleet, and were sent for information to other commands and to the Navy Department.

The security of the Pacific Fleet, operating in the Hawaiian Area and based on Pearl Harbor, was predicted on two assumptions:

(a) That no responsible foreign power will provoke war, under present existing conditions, by attack on the Fleet or Base, but that irresponsible and misguided nationals of such powers may attempt;

[1172] (1) sabotage, on ships based in Pearl Harbor, from small craft.

(2) to block the entrance to Pearl Harbor by sinking an obstruction in the Channel.

(3) To lay magnetic or other mines in the approaches to Pearl Harbor.

(b) That a declaration of war may be preceded by:

(1) a surprise attack on ships in Pearl Harbor,

(2) a surprise submarine attack on ships in operating area,

(3) a combination of these two.

The measures prescribed to provide against these possibilities included continuous inshore, boom, and harbor patrols, intermittent patrol of the inner and offshore areas by destroyers, daily search of operating areas by air, the covering of sortie and entry, and daily sweeps for magnetic and anchored mines. The only entrance to Pearl Harbor was guarded by an anti-torpedo net.

The Task Forces operating at sea were screened protectively by aircraft and destroyers. Torpedo defense batteries were manned day and night, ammunition was at hand, and depth charges were ready for use. Water-tight integrity was maintained, horizon and surface battle lookouts were kept posted, the ships steamed darkened at night, and the use of the radio was restricted to a minimum.

Admiral Kimmel, recognizing the potentialities of the submarine as an instrument of stealthy attack, and believing that Japanese submarines were operating in Hawaiian waters, was of the opinion that this form of surprise attack against his Fleet was the one most likely to be employed by Japan. Therefore, he had issued, on his own responsibility, orders that all unidentified submarines discovered in Hawaiian waters [1173] were to be depth-charged and sunk. In so doing he exceeded his orders from higher authority and ran the risk of committing an overt act against Japan, but did so feeling that it is best to follow the rule "shoot first and explain afterwards".

Actually, in execution of these orders, a midget submarine was discovered in an operating area, attacked and destroyed by the combined efforts of a naval patrol plane and a destroyer of the inshore patrol, about 20 minutes prior to the air attack on the morning of 7 December. There was nothing, however, in the presence of a single submarine in the vicinity of Oahu to indicate that an air attack on Pearl Harbor was imminent.

It is a fact that the precautions taken by Admiral Kimmel for the security of his Fleet while at sea were adequate and effective. No naval units were either surprised or damaged while operating at sea in the Pacific prior to or on 7 December, 1941.

XI

While vessels of the United States Navy are lying in port, it is the invariable custom to keep on board a number of officers and men sufficient to provide for internal security, and to protect against fire and the entrance of water. The force so remaining on board is always balanced as to ranks and ratings so that all requirements can be met in case of emergency. A watch is maintained day and night.

In other than normal situations a "condition of readiness" is placed in effect. On the morning of 7 December considerably [1174] more than half of the Naval personnel were on board their ships in Pearl Harbor, more than ample to meet an emergency in port. Their

efficiency and their heroic behavior on that day are proof of their fitness for duty.

The Navy's practice in numbering its three prescribed "conditions of readiness" is opposite to the method adopted by the Hawaiian Department of the Army in numbering its "alerts". With the Army, the No. 3 alert represents the maximum state of readiness, while the Navy refers to that state as No. 1. In the interest of clarification, definition of the respective states of readiness is here set forth:

Army Alerts

No. 1. Defense against sabotage and uprisings. No threat from without.

No. 2. Security against attacks from hostile sub-surface, and aircraft, in addition to No. 1.

No. 3. Requires occupation of all field positions.

Navy Conditions of Readiness

No. 1. Entire crew, officers and men at battle stations. Action imminent.

No. 2. Provides the means of opening fire immediately with one-half the armament. Enemy believed to be in vicinity.

No. 3. Provides a means of opening fire with a portion of the secondary and anti-aircraft batteries in case of surprise encounter.

The alert in effect in the Hawaiian Department of the Army at the time of the attack was their No. 1. The condition of readiness of the vessels in Pearl Harbor at that time was an augmented Navy No. 3. This condition had been in effect for many months preceding that date. To assume [1175] a high condition of readiness in port and to man guns and stations which cannot be utilized in any circumstance, is to impose on the entire personnel an unjustified state of tension and to defeat the purpose for which the vessels have entered the base; i. e., to make repairs, to replenish supplies, to give the personnel rest and relaxation, and thus to prepare for operations at sea.

The same holds true with regard to the patrol planes of the Fleet, and to a small number of fighters that had been left behind by the absent carriers. They were part of the Fleet, engaged in daily operations and, when not operating, were undergoing overhaul or the crews were being rested in anticipation of further operations. At the time of and immediately prior to the attack on the morning of 7 December, 1941, some were in the air covering the movement of a task force, others were on 30 minutes notice, some others were on 4 hours notice, and the remainder were under overhaul.

These planes were not part of the permanent defense of Pearl Harbor. To have kept the crews awake and ready with engines warmed up, in the absence of any indication of an impending attack, would have been to undermine their further usefulness.

The Navy controlled none of the guns mounted on shore. The only means available to the vessels of the Fleet for contributing to their own defense against aircraft while in Pearl Harbor was their anti-aircraft batteries. The anti-aircraft batteries installed on the ships in Pearl Harbor were incapable of a volume of fire at all comparable to that of the batteries of the same ships today.

[1176] On all ships inside Pearl Harbor a considerable proportion of the anti-aircraft guns was kept manned day and night and with ammunition immediately at hand. Also, by prearrangement with the Army, there was in effect a system, correct as to its details, for the coordinating of the anti-aircraft fire of vessels of the Fleet in part with that of the Army on shore.

Existing Fleet orders provided for the establishment of air defense sectors within the Pearl Harbor area, and for the berthing of ships within the Harbor in such positions as to develop the maximum anti-aircraft gun fire in each sector, commensurate with the total number of ships of all types in port.

These orders were carried out to the letter. On the morning of the attack the vessels of the Fleet brought hostile planes, as they came within one or more of these air defense sectors, under heavy fire intensified within a very few moments by the full fire of the entire anti-aircraft batteries of all ships.

It is a fact that the Navy's condition of readiness in effect on the morning of 7 December, 1941, was that best suited to the circumstances then attending the vessels and patrol planes of the Pacific Fleet. A higher condition of readiness could have added little, if anything to their defense.

XII

An attack by carrier aircraft can be prevented only by intercepting and destroying the carrier prior to the launch- [1177] ing of planes. Once launched, the attacking planes can be prevented from inflicting damage only by other planes or anti-aircraft gunfire or both. Even when a determined air attack is intercepted, engaged by aircraft, and opposed by gunfire, some of the attacking planes rarely fail to get through and inflict damage.

To destroy an aircraft carrier before she can launch her planes requires that her location be known and that sufficient force, in the form of surface or underwater craft, or aircraft, or all three, be at hand. To have the necessary force at or near the point of intended launching in time to insure the destruction of the carrier, it is necessary that the carrier's presence in a general area, and within narrow limits of time, be known or predicted with reasonable accuracy. Even in time of war the fulfillment of this condition is difficult where vast sea areas are involved, and where both the point from which the carrier departs, as well as the fact of her departure, are unknown.

This was the case during the days immediately prior to 7 December 1941. Japanese carriers sailed at an unknown time from an unknown port. Their departure and whereabouts were a closely guarded Japanese secret and were likewise unknown, all rumors to the contrary notwithstanding.

Although the U. S. Ambassador to Japan reported, as of 27 January, 1941, that there was a rumor to the effect that a surprise attack on Pearl Harbor was planned, its authenticity was discounted in the Embassy for the reason that such an attack, if actually contemplated, would scarcely be likely to be a topic of conversation in Japan.

[1178] The Navy Department informed the Commander-in-Chief, Pacific Fleet, of this rumor and stated that the Navy Department "places no credence in these rumors. Furthermore, based on known data regarding the present disposition and employment of Japanese naval and army forces, no move against Pearl Harbor appears imminent or planned for in the foreseeable future".

In time of war, an outlying naval base may be expected to become an enemy objective, sooner or later. It is an established fact, however, that no information of any sort was, at any time, either forwarded

or received from any source which would indicate that carriers or other ships were on their way to Hawaii during November or December, 1941.

The attack of 7 December, 1941, on Pearl Harbor, delivered under the circumstances then existing, was unpreventable. When it would take place was unpredictable.

XIII

Where a carrier's presence in a general area is not known in advance and is not predictable within narrow limits of time, there must be resort to procedure which will give warning of a hostile approach. The usual procedure employed by carriers bent on delivering a surprise attack, although by no means the only procedure possible, is to arrive about 700 miles from the objective at dark the night preceding the attack, steam at high speed during the night, and launch the planes at dawn, about 400 miles from the objective. It [1179] is this general procedure which establishes early morning as the time when an air attack is most likely to be delivered. The events of 7 December, 1941, point to the likelihood of this procedure having been followed by the Japanese.

The greatest degree of warning of an impending early morning air attack is obtained if the hostile carrier be sighted prior to dark the night before. In such event, a maximum warning of about twelve hours may be obtained. In the case of an island base, such as Pearl Harbor, it is necessary to cover the circumference of a circle of 700 miles radius each day (the direction from which the attack is expected being unknown) in order to obtain either positive or negative information.

Assuming 25 miles visibility (which in the Hawaiian area is not found everywhere nor always assured), an effective daily search requires the daily employment of 90 patrol planes which, in turn, requires that double or triple that number (180-270) be available, it being impossible to employ the same planes and crews every day, or even every other day.

If only the dawn circle of 400 mile radius is to be searched daily, the total number of planes required to be available is 100-150. The maximum warning is then reduced to about two hours.

Where planes are not available to cover all sectors, the selection of sectors to be omitted is left purely to chance and under such circumstances the advisability of the diversion of all planes from other duties is questionable unless there be information as to the fact of a hostile [1180] approach and of the direction, within reasonable limits, from which the approach is expected.

Neither surface ships nor submarines properly may be employed to perform this duty, even if the necessary number is available. The resulting dispersion of strength not only renders the Fleet incapable of performing its proper function, but exposes the units to destruction in detail. A defensive deployment of surface ships and submarines over an extensive sea area as a means of continuously guarding against a possible attack from an unknown quarter and at an unknown time, is not sound military procedure either in peace or in war.

It was the duty of Rear Admiral Bloch, when and if ordered by the Commander-in-Chief, Pacific Fleet, to conduct long-range reconnaissance. The Commander-in-Chief, Pacific Fleet, for definite and sound reasons and after making provision for such reconnaissance in case of

emergency, specifically ordered that no routine long-range reconnaissance be undertaken and assumed full responsibility for this action. The omission of this reconnaissance was not due to oversight or neglect. It was the result of a military decision, reached after much deliberation and consultation with experienced officers, and after weighing the information at hand and all the factors involved.

In brief, the deciding factors were:

(a) The Naval Base Defense Officer, Rear Admiral Bloch, although charged with the conduct of the reconnaissance, had no patrol planes permanently assigned to his command.

[1181] (b) The only Naval patrol planes in the Hawaiian area were the 69 planes of Patrol Wing Two and these were handicapped by shortages of relief pilots and crews. They were a part of the Fleet, and not a part of the permanent defense of Pearl Harbor. The only other planes suitable and available for daily long range reconnaissance were six Army bombers.

(c) The task assigned the Commander-in-Chief, Pacific Fleet, was to prepare his Fleet for war. War was known to be imminent (how imminent he did not know). The Fleet planes were being constantly employed in patrolling the operating areas in which the Fleet's preparations for war were being carried on. Diversion of these planes for reconnaissance or other purposes was not justified under existing circumstances and in the light of available information.

(d) If so diverted, the state of readiness of the Fleet for war would be reduced because of the enforced suspension of Fleet operations.

(e) The value of the Fleet patrol planes to the Fleet would be reduced seriously after a few days because of the inability of planes and crews to stand up under the demands of daily long-range reconnaissance.

It is a fact that the use of Fleet patrol planes for daily long-range, all-around reconnaissance was not justified [1182] in the absence of information indicating that an attack was to be expected within narrow limits of time. It is a further fact that, even if justified, this was not possible with the inadequate number of Fleet planes available.

XIV

At the time of the attack, only a few vessels of the Pacific Fleet were fitted with radar. The radar of vessels berthed in a harbor such as Pearl Harbor, partially surrounded by high land, is of limited usefulness at best and does not provide the necessary warning of a hostile approach.

The shore-based radar on the Island of Oahu was an Army service and entirely under Army control. The original project called for 6 permanent (fixed) and 6 mobile installations. The fixed installations had not been completed by 7 December, 1941, and only 3 sets had been shipped to Oahu up to that time. On that day there were in operation 5 mobile sets located in selected positions, with equipment in efficient condition, but inadequately manned.

Training of personnel had started on 1 November, 1941. Lieut. General Short earlier had requested that the Navy assist in this training,

and 15 of his men had been sent to sea on vessels of the Fleet for that purpose. Admiral Kimmel also had detailed the Pacific Fleet Communication Officer as liaison officer with the Army. He could not supply six other naval officers requested for permanent duty in the Information Center of the air warning system because no officers were available for such detail.

During the second week of November, 1941, Commander [1183] W. G. Taylor, USNR, was, by Admiral Kimmel, detailed to the Army Interceptor Command for duty in an advisory capacity, in connection with the setting up of the Army air warning system. Commander Taylor had had experience with the British air warning system and was familiar with radar in the stage of its development that existed at that time.

On 24 November, 1941, he called a conference for the purpose of determining how quickly the Information Center could be made fully operative on a war-time basis, and to decide what additional personnel and equipment would be needed. Two naval officers and 6 Army officers were present at this conference.

The minutes of the conference, concurred in by all present, included an exhaustive statement of deficiencies and the steps to be taken for their remedy. Copies of the minutes were furnished the conferees and copies were forwarded to the Acting Commanding Officer of the Interceptor Command, and to the Acting Signal Officer, Headquarters, Hawaiian Department. Steps agreed upon as necessary for the improvement of the system had not become effective by 7 December, 1941.

The Army Interceptor Command was barely in the first stages of organization by 7 December. Four of its officers had been sent to school on the mainland in order to fit them for their new duties. Until 17 December, 1941, the organization was on a tentative basis only and the actual order setting up the Command was not issued until that date. One of the [1184] principal weaknesses of the Interceptor Command on 7 December, 1941, was that the Information Center had no provision for keeping track of planes in the air near and over Oahu, and for distinguishing between those friendly and those hostile.

Between 27 November and 7 December, 1941, the Air Warning System operated from 0400 to 0700, the basis for these hours being that the critical time of possible attack was considered to be from one hour before sunrise until two hours after sunrise. On week days training in the operation of the system also took place during working hours.

On the morning of 7 December the only officer in the Army Information Center was 1st Lieutenant (now Lt. Colonel) K. A. Tyler, Army Air Corps. He had received no previous instruction as to his duties, had been on duty there only once before, and on the morning in question was present only in the capacity of an observer for training. At 0715 that morning he received a call from the radar station at Opana, located in the northern part of the Island of Oahu, to the effect that a large number of planes, bearing approximately north, had been picked up on the screen. Assuming that these were friendly planes because he had heard indirectly that a flight of B-17s was en route from Hamilton Field, California, to Oahu, he did nothing about this report. These B-17s actually arrived over Oahu during the attack, and many of them were destroyed.

At the Opana station, where this report originated, Private Locard (now 1st Lieutenant) and Private Elliott [1185] (now sergeant) were on duty with instructions to observe and track flights and report them to the Information Center. Private Locard had had some previous training but Elliott none. The station was scheduled to shut down at 0700, but as the truck had not come to take these men to their camp for breakfast, Private Locard continued to operate the radar set in order to assist in the training of Elliott.

Shortly after 0700 there was picked up on the screen an unusually large flight of planes, coming in from a northerly direction at a distance of about 136 miles. Checking the equipment to make sure, Locard decided to call the Information Center and did so when the planes had come in to 132 miles. Having reported the fact to the Army officer on duty (1st Lt. Tyler), Locard and Elliott continued to track the planes in to twenty miles from Oahu, when they lost them due to distortion.

For information of this flight to have been of value as a warning, it would have been necessary for the planes first to have been promptly identified as hostile, and then their presence and their bearing and distance immediately reported to and received by higher authority, and disseminated throughout the Command. The organization and training of the Information Center and Communication System at this time was not such as to permit these important requirements to be fulfilled. Actually, the oncoming planes were not identified as hostile until the Japanese marking on their wings came into view.

[1186]

XV

The greatest damage to ships resulting from the attack of 7 December was that inflicted by torpedoes launched from Japanese torpedo planes. These torpedoes were designed specially for the form of attack in which they were used. Up to the time that the Japanese demonstrated the feasibility of delivering an attack from torpedo planes in relatively shallow water and under conditions of restricted length of approach, the best professional opinion in the United States and Great Britain was to the effect that such an attack was not practicable.

After a study had been made of the problem of protecting vessels in port against torpedo attack, the Chief of Naval Operations in a letter to the Commander-in-Chief, Pacific Fleet, dated 15 February, 1941, stated that it was considered that the relatively shallow depth of water (about 45 feet) limited the need of anti-torpedo baffles in Pearl Harbor, and, in addition, that the congestion and the necessity for maneuvering room limited the practicability of the present type of baffles.

The letter further stated that certain limitations and considerations must be borne in mind in planning the installation of anti-torpedo baffles within harbors, among which were the following:

- (a) A minimum depth of water of seventy-five feet may be assumed necessary to successfully drop torpedoes from planes. One hundred and fifty feet of water is desired. The maximum height planes at present experimentally drop torpedoes is 250 feet. Launching speeds are between 120 and 150 knots. Desirable height [1187] for dropping is sixty feet or less. About two hundred yards of torpedo run is necessary before the exploding device is armed, but this may be altered.

(b) There should be ample maneuvering room available for vessels approaching and leaving berths.

(c) Ships should be able to get away on short notice.

(d) Room must be available inside the baffles for tugs, fuel oil barges and harbor craft to maneuver alongside individual ships.

(e) Baffles should be clear of cable areas, ferry routes, and channels used by shipping.

(f) Baffles should be sufficient distance from anchored vessels to insure the vessels' safety in case a torpedo explodes on striking a baffle.

(g) High land in the vicinity of an anchorage makes a successful airplane attack from the land side most difficult.

(h) Vulnerable areas in the baffles should be so placed as to compel attacking planes to come within effective range of anti-aircraft batteries before they can range their torpedoes.

(i) Availability of shore and ship anti-aircraft protection, balloon barrages, and aircraft protection.

(j) Availability of naturally well protected anchorages within a harbor from torpedo plane attack for a number of large ships. Where a large force such as a fleet is based, the installation of satisfactory baffles will be difficult because of the congestion.

On 13 June, 1941, the Chief of Naval Operations, in a letter to the Commandants of the various naval districts, modified limitation (a) by stating that recent developments had shown that United States and British torpedoes may be dropped from planes at heights as much as 300 feet and, in [1188] some cases, make initial dives of considerably less than 75 feet with excellent runs. This letter, however, did not modify the view expressed in the letter of 15 February as to the need for anti-torpedo baffles in Pearl Harbor.

Barrage balloons and smoke were also considered as means of defense but were rejected, the barrage balloons because they would interfere with the activity of U. S. aircraft, and the smoke because the strength of the prevailing winds would render it ineffective.

The specially designed Japanese torpedo and the technique for its use fell in the category of the so-called secret weapon, of which the robot bomb and the magnetic mine are examples. Such weapons always give to the originator an initial advantage which continues until the defense against them has been perfected.

It is a fact that by far the greatest portion of the damage inflicted by the Japanese on ships in Pearl Harbor was due to the secret development and employment of a specially designed torpedo.

XVI

Strained relations between the United States and Japan had existed and been a source of concern to this country for many months prior to 7 December, 1941. That the Japanese policy in the Far East was one of aggression had been well known for many years. Their program of expansion, which envisaged Japan as *the* dominating power in the Western Pacific, was in direct conflict with the policies of the United States [1189] and Great Britain, and opposed to agreements established by treaty.

At the instigation of the Japanese, negotiations were begun by the State Department on 12 May, 1941, looking to the peaceful settlement

of existing problems. On 17 November, 1941, the Japanese Ambassador in Washington was joined by Mr. Kurusu in the capacity of special envoy.

On 26 July, 1941, Japanese assets in the United States were frozen. The order freezing these assets required a system of licensing shipments to Japan, and no licenses were issued for oil or petroleum products.

There was a feeling on the part of U. S. officials that hostilities, unless prevented by some means, would become an actuality in the not distant future. They were familiar with the Japanese trait of attacking without declaration of war, as had been done against China in 1894, and against Russia in 1904.

The Secretary of State held numerous conferences with the Secretary of War and the Secretary of the Navy, at which the negotiations with Japan were discussed. The Chief of the Army General Staff and the Chief of Naval Operations attended many of these conferences and were kept informed of the progress of these negotiations. At the same time efforts to improve the military position of the United States were being vigorously prosecuted.

On 16 October, 1941, the Chief of Naval Operations informed Admiral Kimmel by dispatch that a grave situation had been created by the resignation of the Japanese cabinet, [1190] that the new cabinet would probably be anti-American, that hostilities between Japan and Russia were a possibility, and that the Japanese might also attack the United States and Great Britain. In the same dispatch, Admiral Kimmel was directed to take precautions and to make such deployments as would not disclose strategic intentions, nor constitute provocative action against Japan.

On the following day, 17 October, 1941, Admiral Stark addressed a personal letter to Admiral Kimmel in which he stated, "Personally, I do not believe that the Japs are going to sail into us and the message I sent you (that of 16 October) merely stated the 'possibility'".

For the purpose of viewing the events of the succeeding months in their true relation to the events of 7 December, this date of 16 October, 1941, may well be taken as the beginning of a critical period which terminated in the attack of 7 December, 1941.

In accordance with the directive contained in the dispatch of 16 October, Admiral Kimmel made certain preparatory deployments, including the stationing of submarines off both Wake and Midway, the reinforcement of Johnston and Wake with additional Marines, ammunition, and stores, and the dispatch of additional Marines to Palmyra. He also placed on 12 hours' notice certain vessels of the Fleet which were in West Coast ports, held six submarines in readiness to depart for Japan, delayed the sailing of one battleship which was scheduled to visit a West Coast Navy Yard, and placed in [1191] effect additional security measures in the Fleet operating areas.

He reported to the Chief of Naval Operations the steps taken and received written approval of his action. He continued the measures which he had already placed in effect looking to readiness for war, preparation of the Pacific Fleet for war being his assigned task.

He did not interpret the dispatch of 16 October as directing or warranting that he abandon his preparations for war. He held daily conferences with his subordinate commanders and the members of his staff, all experienced officers of long service, and sought by every

means to ascertain wherein his interpretation might be incorrect. The concensus throughout was that no further steps were warranted by the information at hand.

On 24 November, 1941, Admiral Kimmel received a dispatch from the Chief of Naval Operations, addressed also to the Commander-in-Chief, Asiatic Fleet, and to Commandants of Naval districts with headquarters at San Diego, San Francisco, Seattle, and Panama, which stated:

Chances of favorable outcome of negotiation with Japan very doubtful X This situation coupled with statements of Japanese Government and movements their naval and military forces indicate in our opinion that a surprise aggressive movement in any direction including attack on Philippines or Guam is a possibility X Chief of Staff has seen this dispatch concurs and requests action addressees to inform senior Army officers their areas X Utmost secrecy necessary in order not to complicate an already tense situation or precipitate Japanese action X Guam will be informed separately.

The contents of this dispatch were made known to Lieut. General Short and discussed with him.

[1192] The reaction on Admiral Kimmel and his advisers was to direct their attention to the Far East. They did not consider that the expression "a surprise aggressive movement in any direction" included the probability or imminence of attack in the Hawaiian area, specific mention having been made of the Philippines and Guam with no mention of Hawaii.

They recognized the capability of Japan to deliver a long-range surprise bombing attack and that she might attack without a declaration of war. They reasoned that she would not commit the strategic blunder of delivering a surprise attack on United States territory, the one course that irrevocably would unite the American people in war against Japan. Public opinion in the United States was far from being crystallized on the question of taking steps to curb her expansion in the Western Pacific.

Conceivably, Japan might well have taken aggressive action against British and Dutch possessions in the Far East, gaining the oil and other raw materials that she was seeking, without military interference from the United States. An attack elsewhere than in the Far East seemed, therefore, to be only a remote possibility and not enough of a probability to warrant abandonment of the preparation of the Fleet for war.

To continue these preparations was, therefore, Admiral Kimmel's decision, made on his own responsibility in the light of the information then available to him and in the knowledge that every precaution within his power, compatible [1193] with maintaining the Fleet in a state of readiness for war, had already been taken.

XVII

On 27 November, 1941, Admiral Kimmel received a dispatch from the Chief of Naval Operations, reading as follows:

This dispatch is to be considered a war warning. Negotiations with Japan looking toward stabilization of conditions in the Pacific have ceased and an aggressive move by Japan is expected within the next few days. The number and equipment of Japanese troops and the organization of naval task forces

indicates an amphibious expedition against either the Philippines, Thai or Kra Peninsula or possibly Borneo. Execute an appropriate defensive deployment preparatory to carrying out the tasks assigned. Inform District and Army authorities. A similar warning is being sent by War Department. Continental districts, Guam, Samoa directed take appropriate measures against sabotage.

This dispatch was sent also to the Commander-in-Chief, Asiatic Fleet, and has since become known as the "war warning message".

On the morning following the receipt of this dispatch, Admiral Kimmel discussed its contents with Lieut. General Short, Rear Admiral Bloch, the Flag officers of the Fleet present, and the members of his staff.

After much further study, Admiral Kimmel and his advisers interpreted the warning to mean that war was imminent, and that readiness to undertake active operations was expected. They were unable to read into it any indication that an attack against the Hawaiian area was to be expected, particular attention having been directed to the Japanese activities in the Far East, with objectives in that area [1194] specifically mentioned. No reference was made to the possibility of a surprise aggressive move "in any direction", as had been done in the dispatch of 24 November.

There was nothing to indicate that defensive measures should take precedence over all others. The "appropriate defensive deployment" that was directed was not interpreted as referring specifically to the Pacific Fleet, in view of the deployments of the Pacific Fleet already made in compliance with the directive contained in the dispatch of 16 October. In addition, since that date, a squadron of submarines had been sent to the Philippines, leaving only 5 in Pearl Harbor.

There were other considerations which no doubt influenced Admiral Kimmel. The Navy Department's dispatch of 30 November, addressed to the Commander-in-Chief, Asiatic Fleet, and sent to Admiral Kimmel for his information, ordered the Commander-in-Chief, Asiatic Fleet, to scout for information of Japanese movements in the China Sea. This appeared to indicate that the authorities in Washington expected hostilities to occur in the Far East, rather than elsewhere.

On 28 November the Chief of Naval Operations advised Admiral Kimmel that the Department had requested, and the Army had agreed to, the relief of Marine garrisons at Midway and Wake with Army troops, and the replacement of Marine planes with Army pursuit planes. This action, involving as it did a complicated problem and the movements of sizeable U. S. Naval forces westward to effect their transfer, was an indication of the fact that the authorities [1195] in the War and Navy Departments did not then expect a hostile movement toward the Hawaiian Islands.

On 28 November, 1941, the Chief of Naval Operations repeated to Admiral Kimmel the information contained in a dispatch which the War Department, on 27 November, had transmitted to Lieut. General Short, and other Army addressees, to the effect that negotiations appeared to be terminated, that Japanese future action was unpredictable, that hostile action was possible at any moment, and that it was desirable that Japan commit the first overt act in case hostilities could not be avoided. Such measures as were undertaken were to be carried out so as not to alarm the civil population or disclose intent.

To this dispatch Lieut. General Short had replied on 27 November: Report Department alerted against sabotage. Liaison with Navy.

The steps taken caused the Army planes to be grouped in such manner as to afford better protection against sabotage, although militating against their taking the air promptly. In the absence of a reply from the War Department, Lieut. General Short considered that the alert he had placed in effect was approved.

Lieut. General Short having, on 28 November, 1941, received instructions from the Adjutant General of the Army to take measures to protect military establishments, property, and equipment against sabotage, reported in detail the measures that he had taken and repeated the fact that he had placed in effect Alert (No. 1) against sabotage. He interpreted the dispatch from the Adjutant General as further [1196] indicating that his alert against sabotage constituted complete compliance with the War Department's wishes.

There was no mention in any of the dispatches received by Lieut. General Short, between 27 November and 7 December, 1941, of the possibility or probability of an attack against Oahu.

As further evidence of the prevailing sentiment against the likelihood of an immediate move toward Hawaii, it is a fact that a flight of B-17s from the Mainland arrived over Oahu during the attack of 7 December, without ammunition and with guns not ready for firing.

These considerations, and the sworn evidence of the witnesses testifying before the Court, establish the fact that although the attack of 7 December came as a surprise to high officials in the State, War, and Navy Departments, and to the Army and Navy in the Hawaiian area, there were good grounds for their belief that hostilities would begin in the Far East, rather than elsewhere.

XVIII

From 26 November to 7 December, 1941, conversations between our government and Japan did continue, notwithstanding the statement contained in the war warning message under date of 27 November, 1941, that "negotiations with Japan, looking toward stabilization of conditions in the Pacific have ceased."

This statement was based upon the note delivered by the State Department to the Japanese representatives on 26 November, a copy of which was furnished the Navy [1197] Department. It did not in itself discontinue negotiations and conversations, but, on the contrary, gave an "outline of proposed basis for agreement between the United States and Japan." The stipulations contained therein were drastic and were likely to be unacceptable to Japan.

The reply to this note was anxiously awaited by the high officials of the War and Navy Department because of the feeling that Japan would not accept the conditions presented, and that diplomatic relations would be severed or that war would be declared. The sending of the note therefore began the final phase of the critical period which culminated on 7 December.

Although it was stated in the press that a note had been delivered, none of its contents was given out to the public until after the attack. Admiral Kimmel had no knowledge of the existence of such a note nor of its contents until many months after the attack.

In a personal letter to Admiral Stark, dated 26 May, 1941, he had invited attention to the importance of keeping commanders, well removed from Washington, informed of developments and eventualities, stating:

The Commander-in-Chief, Pacific Fleet is in a very difficult position. He is far removed from the seat of government, in a complex and rapidly changing situation. He is, as a rule, not informed as to the policy, or change of policy, reflected in current events and naval movements and, as a result, is unable to evaluate the possible effect upon his own situation. He is not even sure of what force will be available to him and has little voice in matters radically affecting his ability to carry out his assigned tasks. This lack of information is disturbing and tends to create uncertainty, a [1198] condition which directly contravenes that singleness of purpose and confidence in one's own course of action so necessary to the conduct of military operations.

It is realized that, on occasion, the rapid developments in the international picture, both diplomatic and military, and, perhaps, even the lack of knowledge of the military authorities themselves, may militate against the furnishing of timely information, but certainly the present situation is susceptible to marked improvement. Full and authoritative knowledge of current policies and objectives, even though necessarily late at times, would enable the Commander-in-Chief, Pacific Fleet to modify, adapt, or even re-orient his possible courses of action to conform to current concepts. This is particularly applicable to the current Pacific situation, where the necessities for intensive training of a partially trained Fleet must be carefully balanced against the desirability of interruption of this training by strategic dispositions, or otherwise, to meet impending eventualities. Moreover, due to this same factor of distance and time, the Department itself is not too well informed as to the local situation, particularly with regard to the status of current outlying island development, thus making it even more necessary that the Commander-in-Chief, Pacific Fleet be guided by broad policy and objectives rather than by categorical instructions.

It is suggested that it be made a cardinal principle that the Commander-in-Chief, Pacific Fleet be immediately informed of all important developments as they occur and by the quickest secure means available.

From time to time during this critical period there was received in the War and Navy Departments certain other important information bearing on the current situation. The testimony as to this information forms a part of the record of this Court. The details of this information are not discussed or analyzed in these findings, the Court having been informed that their disclosure would militate against the successful prosecution of the war.

[1199] This information was not transmitted to the Commander-in-Chief, Pacific Fleet, nor to the Commanding General, Hawaiian Department. No facilities were available to them, either in the Fleet or in the Hawaiian area, which would enable them to obtain the information direct. They were dependent solely upon Washington for such information.

With regard to not transmitting this information, the stand taken by the Chief of Naval Operations was that the "war warning message" of 27 November completely covered the situation. The fact remains, however, that this message, standing alone, could not convey to the commanders in the field the picture as it was seen in Washington.

Only three other messages were received by the Commander-in-Chief, Pacific Fleet, from the Chief of Naval Operations between 26 November and 7 December, one informing him that the Japanese had instructed diplomatic and consular posts in the Far East, Washington, and London to destroy certain codes, and the other two relative to the destruction of United States codes at Guam and outlying islands.

In the early forenoon of 7 December, Washington time, the War and Navy Departments had information which appeared to indicate that a break in diplomatic relations was imminent and, by inference and deduction, that an attack in the Hawaiian area could be expected soon. This information was embodied in a dispatch by the Chief of Staff, U. S. Army, who, after consulting with the Chief of Naval Operations by telephone, had it encoded and sent to the Commanding Generals in Panama, Manila, and Hawaii, with instructions that the naval authorities in those areas be informed of its contents.

[1200] The dispatch to Hawaii left Washington at 12:17 p. m., Washington time (6:47 a. m., Honolulu time) and arrived in Honolulu's RCA office at 7:33 a. m. (Honolulu time). Thus there remained but 22 minutes before the attack began for delivery, decoding, dissemination, and action. Lieut. General Short did not receive the decoded dispatch until the afternoon of 7 December, several hours after the attacking force had departed.

Had the telephone and plain language been used, this information could have been received in Hawaii about two hours before the attack began. Even in this event, however, there was no action open, nor means available, to Admiral Kimmel which could have stopped the attack, or which could have had other than negligible bearing upon its outcome. There was already in effect the condition of readiness best suited to the circumstances attending vessels within the limits of the Pearl Harbor Naval Base, and the Fleet planes at their air bases on Oahu.

XIX

It is a prime obligation of Command to keep subordinate commanders, particularly those in distant areas, constantly supplied with information. To fail to meet this obligation is to commit a military error.

It is a fact that Admiral Stark, as Chief of Naval Operations and responsible for the operation of the Fleet, and having important information in his possession during this critical period, especially on the morning of 7 December, failed to transmit this information to Admiral [1201] Kimmel, thus depriving the latter of a clear picture of the existing Japanese situation as seen in Washington.

OPINION

Based on Finding II, the Court is of the opinion that the presence of a large number of combatant vessels of the Pacific Fleet in Pearl Harbor on 7 December, 1941, was necessary, and that the information available to the Commander-in-Chief, Pacific Fleet, did not require any departure from his operating and maintenance schedules.

Based on Finding III, the Court is of the opinion that the Constitutional requirement that, prior to a declaration of war by the Congress, no blow may be struck until after a hostile attack has been delivered, prevented the Commander-in-Chief, Pacific Fleet, from taking offensive action as a means of defense in the event of Japanese vessels or planes appearing the Hawaiian area, and that it imposed upon him the responsibility of avoiding taking any action which might be construed as an overt act.

Based on Finding V, the Court is of the opinion that the relations between Admiral Husband E. Kimmel, U. S. N., and Lieut. General Walter C. Short, U. S. Army, were friendly, cordial and cooperative, that there was no lack of interest, [1202] no lack of appreciation of responsibility, and no failure to cooperate on the part of either, and that each was cognizant of the measures being undertaken by the other for the defense of the Pearl Harbor Naval Base to the degree required by the common interest.

Based on Finding VI, the Court is of the opinion that the deficiencies in personnel and material which existed during 1941, had a direct adverse bearing upon the effectiveness of the defense of Pearl Harbor on and prior to 7 December.

Based on Finding VII, the Court is of the opinion that the superiority of the Japanese Fleet over the U. S. Pacific Fleet during the year 1941, and the ability of Japan to obtain military and naval information gave her an initial advantage not attainable by the United States up to 7 December, 1941.

Based on Finding VIII, the Court is of the opinion that the defense of the Pearl Harbor Naval Base was the direct responsibility of the Army, that the Navy was to assist only with the means provided the 14th Naval District, and that the defense of the base was a joint operation only to this extent. The Court is further of the opinion that the defense should have been such as to function effectively independently of the Fleet, in view of the fundamental requirement that the strategic freedom of action of the Fleet [1203] must be assured demands that the defense of a permanent naval base be so effectively provided for and conducted as to remove any anxiety of the Fleet in regard to the security of the base, or for that of the vessels within its limits.

Based on Findings IV, VIII and IX, the Court is of the opinion that the duties of Rear Admiral Claude C. Bloch, U. S. N., in connection with the defense of Pearl Harbor, were performed satisfactorily.

Based on Finding IX, the Court is of the opinion that the detailed Naval Participation Air Defense plans drawn up and jointly agreed upon were complete and sound in concept, but that they contained a basic defect in that naval participation depended entirely upon the availability of aircraft belonging to and being employed by the Fleet, and that on the morning of 7 December these plans were ineffective because they necessarily were drawn on the premise that there would be advance knowledge that an attack was to be expected within narrow limits of time, which was not the case on that morning.

The Court is further of the opinion that it was not possible for the Commander-in-Chief, Pacific Fleet, to make his Fleet planes permanently available to the Naval Base Defense Officer in view of the need for their employment with the Fleet.

Based on Finding X, the Court is of the opinion that Admiral Kimmel's action, taken immediately after assuming command, in placing in effect comprehensive instructions for the security of the Pacific Fleet at sea and in the operating areas, is indicative of his appreciation of his responsibility for the security of the Fleet, and that the steps taken were adequate and effective.

Based on Finding XI, the Court is of the opinion that, by virtue of the information that Admiral Kimmel had at hand which indicated

neither the probability nor the imminence of an air attack on Pearl Harbor, and bearing in mind that he had not knowledge of the State Department's note of 26 November, the Navy's condition of readiness on the morning of 7 December, 1941, which resulted in the hostile planes being brought under heavy fire of the ships' anti-aircraft batteries as they came within range, was that best suited to the circumstances, although had all anti-aircraft batteries been manned in advance, the total damage inflicted on ships would have been lessened to a minor extent and to a degree which is problematical; and that, had the Fleet patrol planes, slow and unsuited for aerial combat, been in the air, they might have escaped and the number of these planes lost might thus have been reduced.

The Court is of the opinion, however, that only had it been known in advance that the attack would take place on [1204] 7 December, could there now be any basis for a conclusion as to the steps that might have been taken to lessen its ill effects, and that, beyond the fact that conditions were unsettled and that, therefore, anything might happen, there was nothing to distinguish one day from another in so far as expectation of attack is concerned.

It has been suggested that each day all naval planes should have been in the air, all naval personnel at their stations, and all anti-aircraft guns manned. The Court is of the opinion that the wisdom of this is questionable when it is considered that it could not be known *when* an attack would take place and that, to make sure, it would have been necessary to impose a state of tension on the personnel day after day, and to disrupt the maintenance and operating schedules of ships and planes beginning at an indefinite date between 16 October and 7 December.

Based on Finding XII, the Court is of the opinion that, as no information of any sort was at any time either forwarded or received from any source which would indicate that Japanese carriers or other Japanese ships were on their way to Hawaii during November or December, 1941, the attack of 7 December at Pearl Harbor, delivered under the circumstances then existing, was unpreventable and that when it would take place was unpredictable.

Based on Finding XIII, the Court is of the opinion that the action of the Commander-in-Chief, Pacific Fleet, in ordering that no routine, long-range reconnaissance be undertaken was sound and that the use of Fleet patrol planes for daily, long-range, all-around reconnaissance was not possible with the inadequate number of Fleet planes available, and was not justified in the absence of any information indicating that an attack was to be expected in the Hawaiian area within narrow limits of time.

[1206] Based on Finding XIV, the Court is of the opinion that the shore-based air warning system, an Army service under the direct control of the Army, was ineffective on the morning of 7 December, in that there was no provision for keeping track of planes in the air near and over Oahu, and for distinguishing between those friendly and those hostile and that, because of this deficiency, a flight of planes which appeared on the radar screen shortly after 0700 was confused with a flight of Army B-17s en route from California, and that the information obtained by Army radar was valueless as a warning, because the planes could not be identified as hostile until the Japanese markings on their wings came into view.

Based on Finding XV, the Court is of the opinion that by far the greatest portion of the damage inflicted by the Japanese on ships in Pearl Harbor was due to specially designed Japanese torpedoes, the development and existence of which was unknown to the United States.

Based on Finding XVI, and particularly in view of the Chief of Naval Operations' approval of the precautions taken and the deployments made by Admiral Kimmel in accordance with the directive contained in the dispatch of 16 October, 1941, the Court is of the opinion that Admiral Kimmel's decision, made after receiving the dispatch of [1207] 24 November, to continue preparations of the Pacific Fleet for war, was sound in the light of the information then available to him.

Based on Finding XVII, the Court is of the opinion that, although the attack of 7 December came as a surprise, there were good grounds for the belief on the part of high officials in the State, War, and Navy Departments, and on the part of the Army and Navy in the Hawaiian area, that hostilities would begin in the Far East rather than elsewhere, and that the same considerations which influenced the sentiment of the authorities in Washington in this respect, support the interpretation which Admiral Kimmel placed upon the "war warning message" of 27 November, to the effect that this message directed attention away from Pearl Harbor rather than toward it.

Based on Findings XVIII and XIX, the Court is of the opinion that Admiral Harold R. Stark, U. S. N., Chief of Naval Operations and responsible for the operations of the Fleet, failed to display the sound judgment expected of him in that he did not transmit to Admiral Kimmel, Commander-in-Chief, Pacific Fleet, during the very critical period 26 November to 7 December, important information which he had regarding the Japanese situation and, especially, in that, on the morning of 7 December, 1941, he did not transmit immediately [1208] the fact that a message had been received which appeared to indicate that a break in diplomatic relations was imminent, and that an attack in the Hawaiian area might be expected soon.

The Court is further of the opinion that, had this important information been conveyed to Admiral Kimmel, it is a matter of conjecture as to what action he would have taken.

Finally, based upon the facts established, the Court is of the opinion that no offenses have been committed nor serious blame incurred on the part of any person or persons in the naval service.

RECOMMENDATION

The Court recommends that no further proceedings be had in the matter.

ORIN G. MURFIN,
Admiral, U. S. Navy (Ret.),
President.

EDWARD C. KALBFUS,
Admiral, U. S. Navy (Ret.),
Member.

ADOLPHUS ANDREWS,
Vice Admiral, U. S. Navy (Ret.),
Member.

The Court having finished the inquiry, then at 4 p. m., [1209]
Thursday, October 19, 1944, adjourned to await the action of the Con-
vening Authority.

ORIN G. MURFIN,
Admiral, U. S. Navy (Ret.),
President.

HAROLD BIESEMEIER,
Captain, U. S. Navy,
Judge Advocate.

[1] *ADDENDUM TO COURT'S FINDING OF FACTS*

In the Finding of Facts, No. XVIII, the Court has referred to "certain other important information" as being available in the War and Navy Departments. This information was obtained by intercepting Japanese messages and breaking their diplomatic codes. The Court has been informed that these codes are still in use and, if it became known to the Japanese Government that they had been broken by the United States, the codes would be changed and, as a consequence, the war effort would be adversely affected.

For this reason, the Court has refrained from analyzing or discussing the details of the information in its Finding of Facts but feels that its report would not be complete without a record of such details. The Court, therefore, submits the following record in this addendum and transmits it to the Secretary of the Navy for filing with other highly secret matter referred to as such in the record of the Court's proceedings.

Highly secret messages, hereinafter mentioned, were intercepted by the War and Navy Departments during the very critical period 26 November to 7 December, 1941, and prior thereto. The method of handling these messages in the Navy Department was as follows:

The Director of Naval Intelligence and the Director of Naval Communications operated directly under the Chief of [2] Naval Operations. They were responsible to see that all messages were transmitted to him in order that he might be kept conversant at all times with existing conditions.

Officers in Intelligence and Communications, Divisions of Naval Operations, remained on duty night and day. They made every effort to obtain all possible diplomatic and military information, in order that high officials of our government might be kept fully informed.

Messages were translated and placed in a folder immediately upon receipt or intercept. The important messages were marked with a clip and taken by a designated officer to the Secretary of the Navy, the Chief of Naval Operations, the Directors of War Plans, Naval Intelligence, and Naval Communications, and to the Chief of the Far Eastern Division of Naval Intelligence. The Director of Naval Intelligence, Captain Wilkinson, kept himself constantly informed regarding all messages. He checked as to whether or not the Chief of Naval Operations had seen the important ones and in many cases took them personally to the Chief of Naval Operations and discussed them with him.

Immediately after the receipt of the note of 26 November, 1941, from the Secretary of State, the Japanese representatives in Washington sent a message to Tokyo which was intercepted by the Navy Department. This is Document 17, Exhibit 63, which gave to Tokyo the following stipulations contained in the note:

(a) The recognition of Hull's "four principles".

(b) (1) Conclusion of mutual non-aggression treaty between Tokyo, Moscow, Washington, The Netherlands, Chungking and Bangkok.

[3] (2) Agreement between Japan, United States, England, The Netherlands, China and Thai on the inviolability of French Indo-China and equality of economic treatment in French Indo-China.

(3) Complete evacuation of Japanese forces from China and all French Indo-China.

(4) Japan and the United States both definitely to promise to support no regime but that of Chiang Kai-shek.

(5) The abolition of extraterritoriality, the concessions in China, and other requirements bearing on reciprocal trade treaty, rescinding freezing orders, stabilization of yen, etc., and for Japan to amend her tripartite pact with Germany and Italy.

The Japanese representatives added in their report to Tokyo the following:

Both dumbfounded and stated to Hull we could not even cooperate to the extent of even reporting this to Tokyo.

No information regarding the delivery of this note or of its contents was transmitted to the Commander-in-Chief, Pacific Fleet, or to other Commanders afloat.

From 26 November to 7 December, 1941, there was much diplomatic dispatch traffic intercepted between Tokyo and the Japanese Ambassador in Washington which had a bearing on the critical situation existing and which was not transmitted to the Commander-in-Chief, Pacific. A message dated 19 November, 1941, Tokyo to Washington, translated on 28 November, 1941, and referred to as "The Winds Code" was as follows:

Regarding the broadcast of a special message in an emergency.

In case of emergency (danger of cutting off our diplomatic relations), and the cutting off of international communications, the following warning will be added in the middle of the daily Japanese language short wave news broadcast.

[4] (1) In case of a Japan-U. S. relations in danger: HIGASHI NO KAZEAME.*

(2) Japan-U. S. S. R. relations: KITANOKAZE KUMORI.**

(3) Japan-British relations: NISHI NO KAZE HARE.***

This signal will be given in the middle and at the end as a weather forecast and each sentence will be repeated twice. When this is heard please destroy all code papers, etc. This is as yet to be a completely secret arrangement.

Forward as urgent intelligence.

The Commander-in-Chief, Asiatic Fleet, on 28 November, 1941, sent to the Chief of Naval Operations, information to Commander-in-Chief, Pacific Fleet; Commandant 16th Naval District; and Commandant 14th Naval District, substantially the same information as outlined above. On 5 December, 1941, the United States Naval Attache, Batavia, sent to the Chief of Naval Operations substantially the same information. These messages stated that at some future date information would be sent by Japan indicating a breaking off of diplomatic relations or possibly war between countries designated.

All officers of the Communication and Intelligence Divisions in the Navy Department, considering the expected information most important, were on the lookout for this notification of Japanese intentions. On 4 December an intercepted Japanese broadcast employing this code was received in the Navy Department. Although this notification was subject to two interpretations, either a breaking off of

*East wind rain.

**North wind cloudy.

***West wind clear.

diplomatic relations between Japan and the United States, or [5] war, this information was not transmitted to the Commander-in-Chief, Pacific Fleet, or to other Commanders afloat.

It was known in the Navy Department that the Commanders-in-Chief, Pacific and Asiatic Fleets, were monitoring Japanese broadcasts for this code, and apparently there was a mistaken impression in the Navy Department that the execute message had also been intercepted at Pearl Harbor, when in truth this message was never intercepted at Pearl Harbor. No attempt was made by the Navy Department to ascertain whether this information had been obtained by the Commander-in-Chief, Pacific, and by other Commanders afloat.

Admiral Stark stated that he knew nothing about it, although Admiral Turner stated that he himself was familiar with it and presumed that Admiral Kimmel had it. This message cannot now be located in the Navy Department.

It is a matter of general knowledge that Japan has had for many years a thorough system of espionage throughout the world and continuously sought and received information regarding the location and movements of United States naval vessels. There were certain messages received in the Navy Department which showed very clearly that Japan, at this critical period, was particularly desirous of obtaining exact information from two sources, namely, Manila and Honolulu. Messages between Tokyo, Manila, and Honolulu inquiring especially about planes, ships, their places of anchorage, etc., in the latter ports, were intercepted. Similar messages were sent to Japanese officials in Honolulu clearly indicating that Japan was most [6] desirous of obtaining exact information as to ships in Pearl Harbor.

The important messages having special reference to Pearl Harbor were as follows:

(a) On 15 November, 1941, Document 24, Exhibit 63, an intercept from Tokyo to Honolulu, translated in Navy Department, 3 December, 1941, states:

As relations between Japan and the United States are most critical make your "ships in harbor report" irregular but at rate of twice a week. Although you already are no doubt aware, please take extra care to maintain secrecy.

(b) On 18 November, 1941, Document 37, Exhibit 63, an intercept from Tokyo to Honolulu, translated in Navy Department on 5 December, 1941, states:

Please report on the following areas as to vessels anchored therein: Area "N" Pearl Harbor, Manila Bay, and areas adjacent thereto. Make your investigation with great secrecy.

Note by Navy Department on this message:

"Manila Bay" probably means "Mamala Bay."

(c) On 18 November, 1941, Document 40, Exhibit 63, an intercept from Honolulu to Tokyo and translated in Navy Department 6 December, 1941, gives information as to ships moored in certain areas in Pearl Harbor and movements of ships in and out.

[7] (d) On 29 November, 1941, Document 36, Exhibit 63, an intercept from Tokyo to Honolulu, translated in Washington 5 December, 1941, states:

We have been receiving reports from you on ship movements but in future will you also report even where there are no movements.

Admiral Kimmel was not aware of and had no information regarding these messages.

On 5 November, 1941, Document 7, Exhibit 63, Tokyo to Washington, was intercepted. This message stresses the necessity of signing an agreement between the United States and Japan by 25 November, 1941.

On 22 November, 1941, Document 11, Exhibit 63, intercept from Tokyo to Washington, stated that the signing of agreement set for 25 November, 1941, could be postponed until 29 November, and in explanation this message stated:

* * * There are reasons beyond your ability to guess why we wanted to settle Japanese-American relations by the 25th, but if within the next three or four days you can finish your conversations with the Americans; if the signing can be completed by the 29th. * * * if the pertinent notes can be exchanged; if we can get an understanding with Great Britain and the Netherlands; and in short if everything can be finished, we have decided to wait until that date. This time we mean it, that the deadline absolutely cannot be changed. After that things are automatically going to happen. * * *

No intimation of the receipt of this message was transmitted to the Commander-in-Chief, Pacific, or to other Commanders afloat, nor was any information transmitted to them regarding contents of the messages mentioned in the following paragraphs.

[8] On 28 November, 1941, a dispatch, Document 18, Exhibit 63, was intercepted between Tokyo and Washington which in part reads as follows:

* * * The United States has gone ahead and presented this humiliating proposal—

referring to note of 26 November—

* * * the Imperial Government can by no means use it as a basis for negotiations. Therefore, with a report of the views of the Imperial Government on this American proposal which I will send you in two or three days, the negotiations will be de facto ruptured. This is inevitable. However, I do not wish you to give the impression that the negotiations are broken off. Merely say to them that you are awaiting instructions * * *

etc.

The message indicates the position of Japan regarding the note of 26 November, and further indicates that within two or three days negotiations will be de facto ruptured. Further, it emphasizes the importance of delay. Neither the message nor any of its contents were transmitted to the Commander-in-Chief, Pacific, or to other Commanders afloat.

On 29 November, 1941, Document 19, Exhibit 63, intercept Tokyo to Washington and translated by the Navy Department 30 November, 1941, directs that Japanese representatives make one more attempt to have United States reconsider and states:

* * * please be careful that this does not lead to anything like a breaking off of negotiations.

Again, on 30 November, 1941, Document 20, Exhibit 63, an intercept from Washington to Tokyo indicated that negotiations were to be stretched out.

These two messages indicate that the Japanese were sparring for time.

[9] On 30 November, 1941, Document 22, Exhibit 63, translated by the Navy Department on 1 December, 1941, was intercepted, being

a message from Tokyo to Japanese representatives in Berlin, reading as follows:

1. Japan-American negotiations were commenced the middle of April of this year. Over a period of half a year they have been continued. Within that period the Imperial Government adamantly stuck to the Tri-Partite Alliance as the cornerstone of its national policy regardless of the vicissitudes of the international situation. In the adjustment of diplomatic relations between Japan and the United States, she has based her hopes for a solution definitely within the scope of that alliance. With the intent of restraining the United States from participating in the war, she boldly assumed the attitude of carrying through these negotiations.

2. Therefore, the present cabinet, in line with your message, with the view of defending the Empire's existence and integrity on a just and equitable basis, has continued the negotiations carried on in the past. However, their views and ours on the question of the evacuation of troops, upon which the negotiations rested (they demanded the evacuation of Imperial troops from China and French Indo-China), were completely in opposition to each other.

Judging from the course of the negotiations that have been going on, we first came to loggerheads when the United States, in keeping with its traditional ideological tendency of managing international relations, re-emphasized her fundamental reliance upon this traditional policy in the conversations carried on between the United States and England in the Atlantic Ocean. The motive of the United States in all this was brought out by her desire to prevent the establishment of a new order by Japan, Germany, and Italy in Europe and in the Far East (that is to say, the aims of the Tri-Partite Alliance). As long as the Empire of Japan was in alliance with Germany and Italy, there could be no maintenance of friendly relations between Japan and the United States was the stand they took. From this point of view, they began to demonstrate a tendency to demand the divorce of the Imperial Government from the Tri-Partite Alliance. This was brought out at the last meeting. That is to say that it has only been in the negotiations of the last few days that it has [10] become gradually more and more clear that the Imperial Government could no longer continue negotiations with the United States. It became clear, too, that a continuation of negotiations would inevitably be detrimental to our cause.

3. The proposal presented by the United States on the 26th made this attitude of theirs clearer than ever. In it there is one insulting clause which says that no matter what treaty either party enters into with a third power it will not be interpreted as having any bearing upon the basic object of this treaty, namely the maintenance of peace in the Pacific. This means specifically the Three-Power Pact. It means that in case the United States enters the European war at any time the Japanese Empire will not be allowed to give assistance to Germany and Italy. It is clearly a trick. This clause alone, let alone others, makes it impossible to find any basis in the American proposal for negotiations. What is more, before the United States brought forth this plan, they conferred with England, Australia, The Netherlands, and China—they did so repeatedly. Therefore, it is clear that the United States is now in collusion with those nations and has decided to regard Japan, along with Germany and Italy, as an enemy.

On 1 December, 1941, the Navy Department intercepted a message from Tokyo to the Japanese Ambassador in Berlin as follows:

The conversations between Tokyo and Washington now stand ruptured. Say very secretly to Hitler and Ribbentrop that there is extreme danger that war may suddenly break out between the Anglo Saxon nations and Japan, and this war may come quicker than anybody dreams. We will not relax our pressure on the Soviet, but for the time being would prefer to refrain from any direct moves on the north. Impress on the Germans and Italians how important secrecy is.

On 1 December, 1941, document 21, Exhibit 63, was intercepted, being a message from Tokyo to the Japanese Ambassador in Washington which reads as follows:

1. The date set in my message #S12** has come and gone, and the situation continues to be increasingly critical. However, to prevent the [11] United States from becoming unduly suspicious we have been advising the press and

**JD-1: 6710.

others that though there are some wide differences between Japan and the United States, the negotiations are continuing. (The above is for only your information).

2. We have decided to withhold submitting the note to the U. S. Ambassador to Tokyo as suggested by you at the end of your message #1124***. Please make the necessary representations at your end only.

3. There are reports here that the President's sudden return to the capital is an effect of Premier Tojo's statement. We have an idea that the President did so because of his concern over the critical Far Eastern situation. Please make investigations into this matter.

On 2 December, 1941, Document 25, Exhibit 63, intercept Washington to Tokyo, translated by the Navy Department 3 December, 1941, reports that conversations with the State Department continue; that the Japanese representatives stated to Welles, the Under Secretary of State, that it is virtually impossible for Japan to accept new American proposals as they now stand, and that the Japanese representatives feel that the United States is anxious to peacefully conclude the current difficult situation.

On 3 December, 1941, Document 29, Exhibit 63, intercept Tokyo to Washington, translated by the Navy Department 4 December, 1941, requests their representatives to explain Japan's increased forces in Indo-China.

On 3 December, 1941, Document 33, Exhibit 63, intercept Washington to Tokyo, translated by Navy Department 5 December [12] 1941, states:

Judging from all indications, we feel that some joint military action between Great Britain and the United States, with or without a declaration of war, is a definite certainty in the event of an occupation of Thailand.

On 6 December, 1941, Document 38, Exhibit 63, from Tokyo to Washington, was intercepted, giving notice to the Japanese representatives that a reply consisting of 14 parts to American proposal of 26 November is being sent to them, directing that secrecy should be maintained and stating that the time of presenting this reply would be sent in a separate message.

The first 13 parts of this reply were intercepted and received by the Navy Department at about 3:00 p. m., December 6, 1941, and were translated and made ready for distribution by 9:00 p. m., Washington time, of that date. These 13 parts contain a very strong and conclusive answer to the note of November 26 and state in part,

Japan cannot accept proposal as a basis of negotiations.

Commander Kramer, the officer whose duty it was to distribute this class of information, prior to 9:00 p. m., 6 December, 1941, 'phoned Captain Wilkinson that an important message had been received and was being translated. He also tried to communicate with Admiral Stark and Rear Admiral Turner at their homes but found them out.

At about 9:00 p. m., Washington time, Commander Kramer proceeded to the White House with the 13 parts of reply and delivered copy to a White House aide, with the request that [13] it be delivered immediately to the President. Kramer then proceeded to the home of Secretary Knox where he personally delivered to the Secretary a copy of the Japanese reply. Secretary Knox read the reply, did not discuss it in detail with Kramer, but 'phoned the Secretary of War and Secretary of State.

*JD-1 : 6921.

***Not Available.

Kramer then proceeded to the home of Captain Wilkinson and gave a copy to him. Kramer told Wilkinson that he had tried to get Stark and Turner. Wilkinson made several 'phone calls, presumably to Admiral Stark and others. This information regarding receipt of these 13 parts or their contents was not transmitted to the Commander-in-Chief Pacific Fleet or other Commanders Afloat.

Kramer then returned to his office in the Navy Department, arriving about 12:30 a. m., 7 December, and as no other important messages were at hand, went home and returned to the Navy Department about 7:00 a. m. Upon his arrival he found the 14th part of the Japanese reply had been received and decoded. He then delivered a copy of all 14 parts to the Flag Secretary in his office of the Chief of Naval Operations at about 9 a. m., where he found several officers gathering for a conference with Admiral Stark. Kramer then proceeded about 9:30 a. m., to the White House and made delivery of the 14 parts of the message. He proceeded then, at about 9:50 a. m., to the State Department and delivered same to the Secretary of the Navy, who was there in conference with the Secretary of State.

At about 10:30 a. m., Kramer returned to the Navy Department where he found another message had been translated. This message, an intercept from Tokyo to Washington, was marked "Urgent, very important" and read as follows:

Will the ambassador please submit to the U. S. Government (if possible to the Secretary of State) our reply to the U. S. at 1:00 p. m., on the 7th, your time.

Kramer delivered a copy of this message (hereinafter referred to as the "one p. m. message") to the Flag Secretary of Admiral Stark, the latter at the time being in conference with several officers.

Kramer then returned to the White House and delivered the "1:00 p. m. message." From there he went to the State Department where the Secretary of the Navy was still in conference with the Secretary of State. On arrival he requested one of the State Department assistants to present the message to the Secretary of the Navy and to invite his attention to the fact that 1:00 p. m., Washington time, meant dawn at Honolulu and midnight in East Asia.

Admiral Stark had arrived in his office at the Navy Department at some time between 9:00 and 10:30 a. m., on the morning of 7 December. Although he testified that he had no information prior to this time relative to the Japanese reply to the note of November 26th he was informed of the 14 parts and "the 1:00 p. m. message" not later than 10:30 a. m., of that date. He testified that General Marshall 'phoned him and suggested that the information regarding the delivery of the 14 parts at 1:00 p. m. was most important and significant and, in his opinion, should be transmitted to Commanders [15] in the Pacific. Admiral Stark at first demurred and hung up the receiver. Shortly thereafter he 'phoned General Marshall requesting that, in the event he sent the message to the Commanding Generals in the Pacific area, he instruct them to relay this message to naval opposites.

The message which General Marshall sent to the Commanding General, Hawaiian Department (Exhibit 48) reads as follows:

Japanese are presenting at one p. m. Eastern Standard time today what amounts to an ultimatum also they are under orders to destroy their Code machine immediately stop Just what significance the hour set may have we

do not know but be on alert accordingly stop Inform naval authorities of this communication.

This message left the War Department at 11:52 a. m., Washington time, was sent out over R. C. A. at 12:17 p. m. (6:47 a. m. Honolulu time) and arrived in Honolulu's R. C. A. office at 7:33 a. m. Honolulu time. There remained but 22 minutes before the attack for delivery, decoding, dissemination, and action. Lieut. General Short did not receive the decoded dispatch until the afternoon of 7 December, several hours after the attacking force had departed.

Had the telephone and plain language been used, this message could have been received in Hawaii before the attack began. Even in this event, however, there was no action open to Admiral Kimmel which could have stopped the attack or which could have had other than negligible bearing upon its outcome. There was already in effect the condition of readiness [16] best suited to the circumstances attending vessels within the limits of the Pearl Harbor Naval Base and the Fleet planes in their air bases in Oahu.

ORIN G. MURFIN,
Admiral, U. S. Navy (Ret.),
President.

EDWARD C. KALBFUS,
Admiral, U. S. Navy (Ret.),
Member.

ADOLPHUS ANDREWS,
Vice Admiral, U. S. Navy (Ret.),
Member.

[Stamped:] Nov. 2, 1944.

[1]

FIRST ENDORSEMENT

To: The Commander-in-Chief, U. S. Fleet and Chief of Naval Operations.

Subj: Court of Inquiry to inquire into the attack made by Japanese armed forces on Pearl Harbor, Territory of Hawaii, on 7 December 1941, ordered by the Secretary of the Navy on 13 July, 1944.

1. Forwarded for comment and recommendation.
2. The weighing of conflicting evidence and testimony is peculiarly the function of a Court of Inquiry or Board of Investigation, and not that of the reviewing authorities. Where the testimony is such as will reasonably support either of two or more different conclusions, it is not within the province of the Judge Advocate General to attempt to substitute his evaluation of the evidence for that of the Court. But where there is no creditable evidence in a record to support a finding or opinion, or where the weight of evidence is so preponderantly on one side that it appears unreasonable to reach a contrary conclusion, the Judge Advocate General must hold, as a matter of law, that such a finding or opinion is not supported by the evidence adduced. See CMO 9 of 1928, P. 8; CMO 12 of 1937, P. 8; CMO 5 of 1936, P. 11.
3. Attention is invited to the following portion of Finding of Fact XVIII:

"In the early forenoon of 7 December, 1941, Washington time, the War and Navy Departments had information which appeared to indicate that a break in diplomatic relations was imminent, and, *by inference and deduction, that an attack in the Hawaiian area could be expected soon.*"

4. This Finding, standing alone, may be misleading, in the sense that it may convey an impression that the Court concluded that responsible officials of the War and Navy Departments did in fact make the inference and deduction underscored above. The fact that the Court, in phrasing this Finding, used the past tense of the verb "appear", and used the expression "appeared to indicate", rather than "should have indicated" lends support to this construction. Such

an [2] impression would not be supported by the record, as the great preponderance of the evidence before the Court refutes any such conclusion. It is quite clear from the evidence that the responsible officials of the Navy Department had evaluated the information available to them in Washington to mean that a hostile move by the Japanese could be expected, not in the Hawaiian area, except by submarines, but rather against Guam, the Philippines, and British and Dutch possessions in the Far East.

5. Those witnesses who, on 7 December, 1941, held positions in the Navy Department which qualify them to speak authoritatively as to the prevailing opinion there just prior to the attack, are all in substantial accord that the Chief of Naval Operations and his assistants had not deduced or inferred that an attack in the Hawaiian area could be expected soon. On the contrary, the consensus in the Navy Department was that any attack would probably come in the Far East, and the possibility of an air attack on Pearl Harbor was given a comparatively low probability rating. Those witnesses who stated that the information available to the Navy Department clearly indicated, by inference and deduction, that an attack on Hawaii could be expected, were all officers who were not on duty in the Navy Department at that time, or occupied subordinate positions. Their testimony is opinion evidence, undoubtedly unconsciously colored by hindsight, and arrived at by a process of selecting, from the great mass of intelligence reports available to the Chief of Naval Operations, those which in the light of subsequent events proved to be hints or indications of Japanese intentions.

6. Therefore, any finding, opinion or inference that the responsible officials of the Navy Department knew, prior to the actual attack, that an attack on Hawaii was impending, is not supported by the evidence. The Court recognizes this fact, as shown by its finding (last paragraph of Finding XVII) that:

"These considerations, and the sworn evidence of the witnesses testifying before the Court, establish the fact that although the attack of 7 December came as a surprise to high officials in the State, War, and Navy Departments, and to the Army and Navy in the Hawaiian area, there were good grounds for their belief that hostilities would begin in the Far East, rather than elsewhere."

[3] 7. The foregoing remarks apply equally to the underscored portion of the Opinion expressed by the Court (P. 1207) that:

"Admiral Harold R. Stark, USN, Chief of Naval Operations and responsible for the operations of the Fleet, failed to display the sound judgment expected of him in that he did not transmit to Admiral Kimmel, Commander-in-Chief, Pacific Fleet, during the very critical period 26 November to 7 December, important information which he had regarding the Japanese situation, and especially in that, on the morning of 7 December 1941, he did not transmit immediately the fact that a message had been received which appeared to indicate that a break in diplomatic relations was imminent, and, *that an attack in the Hawaiian area might be expected soon.*"

As has been previously pointed out, the message herein referred to was not construed by the Chief of Naval Operations and his principal advisers as indicating an attack in the Hawaiian area.

8. It is noted that the Court finds (Finding of Fact XVIII) that the time at which the War and Navy Departments had information indicating a break in diplomatic relations on 7 December 1941, and the possibility of hostile action by the Japanese on that date, was "in the early forenoon of 7 December, Washington time." It is not considered amiss to comment in further detail on this finding, in view of a widespread misconception in some quarters that this information was known in Washington on 6 December 1941. The evidence before this Court establishes, beyond any doubt, that the information referred to was not available to any responsible official in Washington prior to approximately 10:00 a. m., the morning of 7 December 1941.

9. The Judge Advocate General feels constrained to comment on the apparent contradiction between the Opinion expressed by the Court that the Chief of Naval Operations failed to display the sound judgment expected of him in failing to transmit certain information to the Commander-in-Chief, Pacific Fleet, and the final Opinion that "no offenses have been committed nor serious blame incurred on the part of any person in the naval service." That this is only an apparent, and not a real, incongruity, is shown by the Opinion that "had this important information been conveyed to Admiral Kimmel, it is a matter of conjecture as to what action he would have taken." This statement, as well as the Finding of

Facts and Opinions taken as a whole, indicate [4] that it was the conclusion of the Court, although not clearly expressed, that the evidence adduced did not prove that Admiral Stark's failure to transmit the information in question to Admiral Kimmel was the proximate cause of the damage suffered by the Fleet on 7 December, 1941, and that any causal connection between this failure on Admiral Stark's part and the disaster would be entirely speculative. Such a conclusion is fully supported by the testimony in this record.

10. Subject to the foregoing remarks, the proceedings, findings, opinions and recommendations of the attached Court of Inquiry are, in the opinion of the Judge Advocate General, legal.

T. L. Gatch,
T. L. GATCH,
The Judge Advocate General.

TOP SECRET

[1]

UNITED STATES FLEET
Headquarters of the Commander in Chief
NAVY DEPARTMENT
Washington 25, D. C.

3 Nov. 1944.

FF/A17-25.

Serial: 003191.

TOP SECRET.

From: The Commander in Chief, United States Fleet and Chief of Naval Operations.

To: The Secretary of the Navy.

Subject: Record of Proceedings of Pearl Harbor Court of Inquiry—Review of.

Reference: (a) SecNav ltr of 21 October 1944.

Annex: (A) List of Parts of Record that Contain Information of super-secret nature.

1. In compliance with Reference (a), the following comment is submitted as to how much of the record of the Pearl Harbor Court of Inquiry bears such a relation to present military operations as to require high security classification.

2. There are only two general classifications of information, which, if made public, would be detrimental to the conduct of current and future operations. These are:

(a) Information which, directly or by inference, would lead the Japanese to suspect that we have been able to break their codes.

(b) Verbatim plain language reproductions of messages sent in United States Codes. The Japanese presumably have the enciphered versions of these messages, and if they are given the word for word, plain language version, it would help them to work on our codes. This is a matter of less importance than the possible compromise of what we know about Japanese encryption, but it should be guarded against.

[2] 3. The really vital point is, to preserve absolute secrecy as to our success in breaking Japanese codes. It is essential to keep this information to ourselves. I say this for the following reasons:

(a) All Japanese intercepts considered by the Court were in diplomatic codes. Most of these are still in effect, with only minor changes. They are still the sources of information of incalculable value. Furthermore, all Japanese codes, Army and Navy, as well as diplomatic, are of the same general structure. The Japanese codes of today are not basically different from those they used in 1941. Breaking one code makes it easy to break the others. The Japanese presumably are well aware of this. If they were told that we broke their diplomatic codes in 1941, there is a reasonable assumption that they will change the whole basic code structure. If they were to do this, the damage would be irreparable. The information we get relates not only to the current and prospective movement of Japanese naval vessels, upon which we base our operating plans, but also include data as to troop strength and prospective troop movements which is vital to the Army. It also relates to the disposition of Japanese Army and Navy air forces. It is impossible to overstate the disadvantages we would suffer if there were to be a leakage, direct or indirect, that an alert enemy might interpret as indicating that we can and do break his codes. It is no exaggeration to state that Midway might have been a Japanese victory had it not been for the information which we obtained by intercepting his coded despatches. The risks we have

taken in advancing into the Marshall Islands and the Philippines would have been far greater than they actually were had we not been able to obtain information of Japanese dispositions and movements from Japanese sources.

(b) In view of the foregoing I strongly recommend that there be no public release of any information which would alert the Japanese as to the possibility that we are breaking their codes.

[3] (c) It is a pertinent question as to just what part, if any, of the record of proceedings can be made public, without resulting in a leak of vital information.

(d) I can say unequivocally that Volume 5 (the "Top Secret" volume of proceedings) must not be made public. With regard to the other volumes of the record I find there are certain paragraphs which do point quite clearly to the fact that we have information which could only be obtained by reading Japanese coded messages. I have listed these in Annex (A) of the report, which also includes certain references which might be damaging to the security of our own codes.

(e) I am not any too certain of the effectiveness of the deletions recommended in Annex (A). There are statements of a border-line nature concerning which it is difficult to tell whether or not an alert enemy might find a clue as to what our knowledge of his codes really is. However, if the record is abridged by deletion of the matter enumerated in Annex (A), it would be devoid of any direct reference to information which we must keep from becoming public.

(f) The foregoing should not be interpreted to mean that I am in favor of making public the parts of the record not referred to in the Annex. On the contrary, I am of the opinion that publication of a "weeded" record or of abridged Findings would have the following undesirable results:

(1) The picture presented would be disjointed and full of unexplained gaps. I think this would lead to a demand of Congress and by the Press for more information, on the ground that the part made public was incomplete, and that withholding of any information is indicative of a desire on the part of the Navy to "whitewash" high naval officers. A situation such as this might well lead to discussions that would inadvertently disclose just the information that we feel is vital to keep secret.

[4] (2) Admiral Kimmel's principal contention is that he was kept in the dark as to certain information which the Navy Department had obtained from various sources, including the breaking of Japanese codes. This is a matter which cannot be made public without irreparable damage to the conduct of the war. It is not unlikely that if there is a public release of some of the Facts and Opinions, but no release concerning matters in which Admiral Kimmel is particularly concerned, he may take further action to protect his own reputation. The potentialities are particularly dangerous, because Admiral Kimmel's civilian lawyers have now been informed, so I understand, of the existence and content of the many Japanese messages in question. I know of no means of keeping these lawyers from talking in public, except such ethical views as they may have concerning their responsibility for not doing anything that would jeopardize war operations. It is a question just how far they could be restrained by ethical considerations, if the Navy Department were to make public the part of the record which is unfavorable to Admiral Kimmel, while suppressing that part which he regards as a main element of his defense.

(3) I also invite attention to the fact that the Findings include certain Facts and Opinions critical of Army efficiency, ascertained by proceedings to which the Army was not a party. The publication of this part of the record might well result in an inter-service dispute, which would tend to bring out the very information which it is essential to conceal.

4. In regard to the requirements of Public Law 339, 78th Congress, I note that the Secretary of War and the Secretary of the Navy are severally directed to proceed forthwith with an investigation into the facts surrounding the Pearl Harbor catastrophe, and to commence proceedings against such persons as the facts may justify. This law does [5] not obligate the Secretary of the Navy to make any public statement of what the Court of Inquiry has ascertained. Furthermore, as I understand it, the President has definitely expressed himself as opposed to any act which might interfere with the war effort. I, therefore, conclude that there is no necessity for making anything public, except on the ground that something should be done to suppress the rumors and irresponsible accusations that are now current. I do not believe that such considerations in any way warrant jeopardizing the war effort by publicising all or any part of the record.

5. With regard as to whether or not there should be any public statement, I offer the opinion that no steps should be taken without consulting the Secretary of War, and arranging for parallel action. The two Departments should not issue conflicting statements, nor should one keep silent while the other one makes a statement. Assuming that the War Department would take parallel action I recommend that there be no public release whatsoever. However, if the Secretary of the Navy and the Secretary of War decide that there must be some report to the public, I recommend a statement to the Press in substance as follows:

"The Pearl Harbor Court of Inquiry is of the opinion that no offenses have been committed which warrant court martial proceedings against any person or persons in the naval service. The Secretary of the Navy approves the Findings. The record of the Court will not be made public while the war is in progress."

6. If you should find it advisable, at a later time, to issue a further statement it seems to me that it would also be desirable to make public in some manner the fact (see page 1160 of the record) that Admiral Kimmel and General Short were personal friends, that they met frequently, that their relations were cordial and cooperative in every respect, and that they [6] invariably conferred on matters bearing on the development of the Japanese situation and their several plans in preparing for war. This would refute the statements and rumors that have been prevalent to the effect that Admiral Kimmel and General Short were at odds with one another. Of course, no such statement could be made unless the Secretary of War concurs. If the Secretary of War does concur you might find occasion to make informal comment on the matter at a press conference.

/s/ E. J. King.
E. J. KING.

TOP SECRET

ANNEX "A" TO COMINCH SERIAL 003191

1. The following portions of the Record of the Pearl Harbor Court of Inquiry should *not* be made public, because they convey information which the enemy could use to the detriment of United States war operations.

- (a) Volume 5 (the "Top Secret" volume).
(b) The following paragraphs of Volumes 1, 2, 3, and 4:

(1) *Volume 1*

<i>Page</i>	<i>Paragraph</i>	<i>Page</i>	<i>Paragraph</i>
166	683	255	174
172	739	256	179
213	Entire page	256	180
214	116	266	260
214	117	266	261
244	127	297	81

(2) *Volume 2*

<i>Page</i>	<i>Paragraph</i>	<i>Page</i>	<i>Paragraph</i>
315	25	470	3
315	26	470	4
326	145	471	5
328	153	471	6
344	226	471	7
396	54	471	8
427	43	471	9
430	54	472	15
432	63	473	18
432	64	473	19
463	18	473	20
463	19	473	21
463	20	473	22
465	24	483	51
466	25	534	40
466	26	563	168
466	27	567	187
468	38		

(3) Volume 3

Page	Paragraph	Page	Paragraph
S05-----	176	SS9-----	16
S17-----	7	SS9-----	17
S18-----	8	911-----	38
S50-----	149		

(4) Volume 4

Page	Paragraph
938-----	34
939-----	35

(c) Also the following parts of the "Findings" in Volume 4:

Page 1191. Third paragraph (beginning with words "on 24 November") and the despatch quoted therein.

Page 1192. Entire page.

Page 1193. Entire page.

Page 1194. First 3 lines.

Page 1198. Last paragraph.

Page 1199. Entire page.

Page 1200. Entire page.

Page 1201. First 2 lines.

Page 1206. Last paragraph.

Page 1207. Entire page.

Page 1208. First 7 lines.

Statement of Admiral Stark:

Paragraph 7.

Paragraph 8.

Statement of Admiral Kimmel:

Page 21. Last paragraph.

Page 22. First paragraph.

(d) All "Top Secret" exhibits, and the following exhibits listed in the index to Volume 1: 13, 15, 17, 18, 19, 20, 21, 22, 40, 57, 62, 63, 64, 65, 66, 68, 76, 76, 77.

NOTE

The Top Secret Second Endorsement to Record of Proceedings of Pearl Harbor Court of Inquiry, dated 6 Nov. 1944 by the Commander in Chief, United States Fleet and Chief of Naval Operations, was not published, however a paraphrased copy of this endorsement was published.

TOP SECRET

[1]

UNITED STATES FLEET

Headquarters of the Commander in Chief

NAVY DEPARTMENT

Washington 25, D. C.

FF1/A17-25.

Serial: 003224.

TOP SECRET.

6 Nov 1944.

SECOND ENDORSEMENT TO RECORD OF PROCEEDINGS OF PEARL HARBOR COURT OF INQUIRY

From: The Commander in Chief, United States Fleet and Chief of Naval Operations.

To: The Secretary of the Navy.

Subject: Court of Inquiry to inquire into the attack made by Japanese armed forces on Pearl Harbor, Territory of Hawaii, on 7 December 1941, ordered by the Secretary of the Navy on 13 July 1941.

1. I concur in the Findings, Opinion and Recommendation of the Court of Inquiry in the attached case subject to the opinion expressed by the Judge Advocate General in the First Endorsement and to the following remarks.

2. (a) As to Facts I and II (page 1156), the routine practice of rotating units of the Fleet, so that each vessel had approximately two-thirds of its time at sea and one-third in port, was usual and necessary. Definitely scheduled upkeep periods in port were required, not only for keeping the ships in good mechanical condition, but, also, for giving the personnel sufficient recreation to keep them from going stale. Whether or not Admiral Kimmel was justified in having one task force and part of another in port on 7 December is a matter which I discuss later on.

(b) In Fact III (page 1158) the Court points out that, because of constitutional requirements, no blow against a potential enemy may be struck until after a hostile attack has been delivered, unless there has been a declaration of war by Congress. The great advantage which this gives an unscrupulous enemy is obvious. This requirement made it impossible for Admiral Kimmel and General Short to employ the offensive as a means of defense, and, therefore, was a definite handicap.

[2] (c) Fact IV (page 1159) sets forth that the Commandant of the 14th Naval District (Admiral Bloch) was subordinate to Admiral Kimmel and was charged by him with the task of assisting the Army in the defense of Pearl Harbor. Admiral Kimmel was, therefore, responsible for naval measures concerned with local defense.

(d) Fact V (page 1160) sets forth that Admiral Kimmel and General Short were personal friends; that they met frequently; that their relations were cordial and cooperative in every respect; that they frequently conferred, and invariably conferred when messages were received by either which had any bearing on the development of the United States-Japanese situation, or on their several plans in preparing for war. Each was informed of measures being undertaken by the other in the defense of the base to a degree sufficient for all useful purposes. This is important, in that it refutes the rumors which have been prevalent since the Pearl Harbor incident that Admiral Kimmel and General Short did not cooperate with one another.

(e) Part VI (page 1160) sets forth the information that the Navy Department and the War Department had been fully informed as to the weaknesses of the defensive installations at Pearl Harbor, and in particular that means to cope with a carrier attack were inadequate. It further sets forth that the Secretary of War, on 7 February 1941, expressed complete concurrence as to the importance of the subject and the urgency of making every possible preparation to meet a hostile attack. It is made clear that Admiral Kimmel stressed the concept that the base at Pearl Harbor should be capable of defense by local Army and Navy forces, leaving the Fleet free to operate without concern as to the safety of the base. It is further made clear that both the War and the Navy Departments had given full consideration to this matter and had been unable, during 1941, to augment local defenses to an adequate degree, because of the general state of unpreparedness for war.

[3] (f) Fact VII (page 1165) sets forth that the Chief of Naval Operations and the Chief of Staff of the Army submitted a joint memorandum to the President on 5 November 1941, recommending that no ultimatum be delivered to Japan at that time, and giving, as one of the basic reasons, the existing numerical superiority of the Japanese Fleet over the United States Pacific Fleet. The Court, also, points out that owing to security policies in the two countries, it was easy for Japan to conceal her own strength, while at the same time Japan enjoyed a free opportunity to obtain information as to our own strength and dispositions. My comment is that this state of affairs, coupled with the requirement that United States forces could take no overt action prior to a declaration of war, or actual attack, must always place the United States distinctly at a disadvantage during the period of strained relations.

(g) Fact VIII (page 1167) stresses the fact that periodical visits to a base are necessary for seagoing forces in order that supplies may be provided, and opportunity given for repair and replenishment and for rest and recreation of personnel. The Court points out that it is foreign to the concept of naval warfare to require seagoing personnel to assume responsibility for security from hostile action while within the limits of a permanent naval base. The Court remarks that this concept imposes upon the Army responsibility for base defense, and that the United States Army fully understood this responsibility. My comment

is that this principle is sound enough, but it cannot be carried to an illogical extreme. In the case of Pearl Harbor, where local defenses were inadequate, the Commander in Chief of the Pacific Fleet could not, and did not, evade responsibility for assisting in the defense, merely because, in principle, this is not normally a Fleet task. It appears from the record that Admiral Kimmel appreciated properly this phase of the situation. His contention appears to be that Pearl Harbor *should* have been strong enough for self defense. The [4] fact that it *was not* strong enough for self-defense hampered his arrangements for the employment of the Fleet, but, nevertheless, he was aware of, and accepted the necessity for, employing the Fleet in defensive measures.

(h) Fact IX (page 1169). This section of the Findings outlines the plans made by Admiral Kimmel and General Short for the defense of Pearl Harbor. It points out that the Naval Base Defense Officer was assigned responsibility for distant reconnaissance, that no planes were assigned to him, but that the 69 patrol planes belonging to the Fleet were to be made available to him in case of necessity. The Court remarks that the basic defect of this section of the plan lay in the fact that naval participation in long range reconnaissance depended entirely upon the availability of aircraft belonging to the Fleet, and that this circumstance, forced by necessity, was at complete variance with the fundamental requirement that the defense of a permanent naval base must be independent of assistance by the Fleet. The Court further remarks that the effectiveness of these plans depended entirely upon advance knowledge that an attack was to be expected within narrow limits of time, that it was not possible for Admiral Kimmel to make Fleet planes permanently available to the Naval Base Defense Officer (because of his own lack of planes, pilots, and crews, and because of the demands of the Fleet in connection with Fleet operations at a base). My comment is that the Court seems to have over-stressed the fact that the only patrol planes in the area were assigned to the Fleet. In my opinion, it was sound policy to place all aircraft of this type at the disposal of Admiral Kimmel, whose responsibility it was to allocate all the means at his disposal as best he could between the Fleet and the base defense forces.

[5] (i) Facts X and XI (page 1171) set forth the states of readiness of the forces at Pearl Harbor. In so far as the Navy is concerned, the state of readiness was predicated on certain assumptions, which included the assumption that a declaration of war might be preceded by surprise attacks on ships at Pearl Harbor or surprise submarine attack on ships in operating areas, or by a combination of these two. The measures prescribed by Admiral Kimmel included local patrols, daily search of operating areas by air, certain extensive anti-submarine precautions, the netting of the harbor entrance, and the maintenance of "augmented Condition 3" on board vessels in port. "Condition of readiness No. 3" provides a means of opening fire with a portion of the secondary and anti-aircraft batteries in case of a surprise encounter. The Court points out this state of readiness did permit ships to open fire promptly when Japanese planes attacked. Local Army forces were in "Alert No. 1" which provides for defense against sabotage and uprisings, with no threat from without. With respect to this phase of the matter I offer the comment that "condition of readiness No. 3" is normally maintained in port. However, it is prerequisite that vessels in this condition enjoy a considerable measure of protection by reason of adequate local defense forces when dangerous conditions exist. This measure of protection was not enjoyed by vessels at Pearl Harbor on 7 December, a matter which was well known to Admiral Kimmel. It must, therefore, be assumed that he was not aware of the imminence of the danger of attack, a matter which I discuss further later on. I also note from this section of the Findings that Army and Navy aircraft on the ground, and naval patrol planes moored on the water, were not in condition to take the air promptly. Some patrol plane squadrons were in "day-off for rest" status; some patrol planes were in the air for local patrol and exercises; 50% were on 4 hours notice (page 669). This is further indication of the lack of appreciation of the imminence of attack, and led to the destruction of large [6] numbers of United States aircraft. This section of the Findings, also, points out that there were no longer range reconnaissance in effect on 7 December, a matter which I will refer to again later on. It will be noted that the last paragraph of Fact XI (page 1176) reads:

"The Navy's condition of readiness in effect on the morning of 7 December 1941, was that best suited to the circumstances then attending the vessels and patrol planes of the Pacific Fleet. A higher condition of readiness could have added little, if anything, to their defense."

This seems to be a matter of opinion rather than fact. I do not concur, for reasons set forth later on.

(j) Fact XII (page 1176). The Court sets forth that attack by carrier aircraft can be prevented only by intercepting and destroying the carrier prior to the launching of planes. It is further pointed out that to destroy a carrier before she can launch her planes, her location must be known and sufficient force must be at hand. The Court points out that in this instance Japanese carriers sailed at an unknown time from an unknown port, and that it is an established fact that no information of any sort was, at any time, either forwarded or received from any source which would indicate that carriers or other ships were on their way to Hawaii during November or December 1941. The Court deduces, and states as a fact, that the Japanese attack on 7 December, under the circumstances then existing, was unpreventable and unpredictable as to time. I concur that there was no direct and positive knowledge that the Japanese attack force was en route to the Hawaiian area. However, as discussed later on, there was information that might logically have been interpreted as indicating that an attack on Hawaii was not unlikely, and that the time could be predicted within fairly narrow limits.

[7] Fact XIII (page 1178) discusses the difficulty of long range reconnaissance with the forces available to Admiral Kimmel, and points out that Admiral Kimmel, after weighing all factors, specifically ordered that no routine long range reconnaissance be undertaken. The controlling reason seems to have been Admiral Kimmel's feeling that if the Fleet patrol planes were used for routine reconnaissance they would have been rapidly worn out and, therefore, unavailable for Fleet purposes. Admiral Kimmel had a difficult decision to make in this matter. There were many factors to be considered, and it is not easy to put one's self in his place. However, after considering all of the information that was at his disposal, it seems to me that he was not on entirely sound ground in making no attempt at long range reconnaissance, particularly as the situation became more and more tense in the few days immediately preceding the Japanese attack. It is obvious that the means available did not permit an all-around daily reconnaissance to a distance necessary to detect the approach of carriers before planes could be launched. However, there were certain sectors more dangerous than others which could have been covered to some extent. And it would appear that such partial cover would have been logical in the circumstances as known to Admiral Kimmel in late November and early December. A pertinent matter in this connection is that when Admiral Richardson was Commander in Chief he provided for distant reconnaissance by patrol planes, using the few at his disposal to cover the most dangerous sectors in rotation. He considered the arc between 170 and 350 to be of primary importance, and believed the most probable direction of attack was from the southwest. These patrols were discontinued when, or shortly before, Admiral Kimmel relieved Admiral Richardson (pages 683, 1053, 1055).

(1) Fact XIV (page 1182). This section sets forth the fact that the Army had assumed responsibility for the air warning service, and was in the process of installing radar and other [8] elements of the air warning system, but that the whole system was in an embryonic state on 7 December and not in condition to function. The system was partially in use for training, and it so happened that a mobile radar station did pick up the approaching Japanese planes when they were about 130 miles away, and reported this fact to the Information Center, where the only officer present was an officer under training, who assumed the planes to be a flight of Army bombers known to be en route from the United States. He made no report of the matter. My comment is that this is indicative of the unwarranted feeling of immunity from attack that seems to have pervaded all ranks at Pearl Harbor—both Army and Navy. If there had been awareness of the states of tension that existed in Washington, and awareness of Japanese potentialities, it appears that the air warning system, embryonic as it was, could have been used to give at least an hour's warning before the air attack struck.

(m) Fact XV (page 1186) states that the greatest damage to ships in Pearl Harbor resulted from torpedoes launched from Japanese aircraft. The Court points out that, though the harbor entrance was well protected against breakthrough by enemy submarines or small craft, there were no anti-torpedo baffles within the harbor for the protection of individual ships, because it had been assumed that aircraft torpedoes could not be made to run in the extremely shoal water of Pearl Harbor. The decision not to install torpedo baffles appears to

have been made by the Navy Department (page 1187). Proposals to use barrage balloons and smoke were considered but rejected for technical reasons. It is evident, in retrospect, that the capabilities of Japanese aircraft torpedoes were seriously underestimated.

(n) Fact XVI (page 1188). In this section of the Findings the Court traces the deterioration of relations with the Japanese and outlines certain information given to Admiral Kimmel on the subject. The more important items are as follows:

[9] (1) On 16 October 1941, Admiral Kimmel was informed by CNO that a grave situation had been created by the resignation of the Japanese cabinet, that Japan might attack the United States, and that it was necessary for the Pacific Fleet to take precautions and to make such deployments as would not disclose strategic intentions or constitute provocative action against Japan.

(2) On 17 October, Admiral Stark addressed a personal letter to Admiral Kimmel in which he stated his personal view that it was unlikely that the Japs would attack the United States.

(3) On 24 October, Admiral Kimmel received a despatch from CNO stating that chances of favorable outcome of negotiations with Japan were doubtful and that indications were that a *surprise aggressive movement in any direction*, including attack on the Philippines or Guam, was a possibility.

(o) Fact XVII (page 1193). In this section the Court sets forth certain information, which was known in Washington and which was transmitted to Admiral Kimmel, which the Court holds to have established the fact that the attack of 7 December came as a surprise to high officials in the State, War, and Navy Departments, and to the Army and Navy in the Hawaiian area, and that there were good grounds for their belief that hostilities would begin in the Far East, rather than elsewhere. The summary of the information on which this is based is as follows:

(1) On 27 November 1941, Admiral Kimmel received a despatch from CNO beginning with the words, "This despatch is to be considered a war warning," and going on to say that an aggressive move by Japan was expected within the next few days: [101] that there were indications of an amphibious movement against either the Philippines, Thai, or Kra Peninsula, or possibly Borneo; and directing Admiral Kimmel to execute an appropriate defensive deployment.

(2) On 28 November, Admiral Kimmel received from General Short a War Department Message to the effect that negotiations appeared to be terminated; that Japanese future action was unpredictable; that hostile action was possible at any time; and that it was desirable that Japan commit the first overt act, in case hostilities could not be avoided.

(3) On 30 November, Admiral Kimmel was included as an Information Addressee in a despatch to the Commander in Chief, Asiatic Fleet, directing him to scout for information of Japanese movements in the China Sea.

(4) On 28 November, CNO advised Admiral Kimmel that it had been decided to relieve Marine garrisons at Midway and Wake with Army troops.

(5) Admiral Kimmel interpreted the foregoing as indicating that the Department was not particularly concerned as to the possibility of a Japanese attack on Pearl Harbor at the time.

(p) Fact XVIII (1196). This section of the Findings deals with information that became available in Washington during the period beginning 26 November. It is set forth that from 26 November to 7 December, conversations, which had been in progress between our Government and Japan, were continued, coming to an end on 7 December. The circumstances under which information as to Japanese intentions during this period came to the attention of the Navy Department are set forth as follows:

[11] (1) A number of messages were received from informers during and prior to this period in the Navy Department but were not sent to Admiral Kimmel. These messages are summarized in the Addendum to the Court's Finding of Facts at the back of Volume 5 of the record. The text of the messages is set forth at length in Volume 5, beginning at page 692. These messages indicate definite Japanese interest in dispositions at Pearl Harbor, and mention, in some cases, a desire to know where United States ships were berthed. Admiral Stark testified that he considered it undesirable to send Admiral Kimmel these despatches, because to do so might jeopardize the secrecy which it was necessary to maintain as to the ability of the Navy Department to obtain them. This contention has some merit, in my opinion. It was Admiral Stark's responsibility to protect the sources of this information. However, it was equally his responsibility to give

Admiral Kimmel a general picture of the information contained in these messages. Admiral Stark says that he considered that the despatches he did send to Admiral Kimmel gave an adequate picture of what was known and inferred as to Japanese intentions. As set forth under "Opinions," the Court holds that the information given to Admiral Kimmel was not an adequate summary of the information at his disposal. I have to concur in this view.

(2) In addition to the foregoing the Court goes at length into the handling of the "14 part message", originated in Tokyo and addressed to the Japanese Ambassador in Washington. The first 13 parts were received in the Navy Department on 6 December at 2100, on that date. They set forth the Japanese views as to certain United States proposals for resolving matters under dispute between the [12] countries, and leave no doubt that the United States proposals were unacceptable to Japan, but do not come to the point of indicating a break in relations. At or about 0700, 7 December, the 14th part of the message was received. This part of the message said that the Japanese Government had finally lost hope of being able to adjust relations with the United States and that it was impossible to reach an agreement through further negotiations. This part of the message was delivered at about 0900, 7 December, to the Office of the Chief of Naval Operations, at about 0930 to the White House, and at 0950 to the State Department for Secretary Hull and Secretary Knox. Secretary Knox was conferring with Mr. Hull at the State Department.

(3) At about 1030 on 7 December, the so-called "1:00 p. m. message" was received in the Navy Department. It directed the Japanese Ambassador to deliver the 14 part message to the Secretary of State at 1:00 p. m. on that day. This message was of significance because 1:00 p. m. in Washington was dawn at Honolulu. This message was delivered at once to the Office of the Chief of Naval Operations, and immediately thereafter to the State Department, where the official who received it was asked to point out to Mr. Knox and Mr. Hull the significance of the "1:00 p. m. time of delivery". In my opinion, the foregoing indicates that at about 10:30 on 7 December (0500 Honolulu time) the Navy Department, or at least, some officers therein, appreciated that the information just received pointed to the possibility—even to the probability—of a dawn attack on Pearl Harbor. General Marshall states that this message came to his attention about 11:00 a. m., and that he immediately telephoned to Admiral Stark that he proposed to warn General Short that a break with Japan was imminent, and that an attack against Hawaii would be expected soon. Admiral Stark demurred at first, as to the [13] need for sending this message, but after brief consideration asked General Marshall to include in his proposed despatch directions to pass the contents to naval commanders. General Marshall sent a despatch to the effect that the Japanese were presenting "what amounts to an ultimatum at 1:00 p. m., Washington time, on 7 December; that Japanese are under orders to destroy their codes immediately; and that while the War Department does not know the significance of the hour set for delivering the note, you are to be on the alert accordingly and to inform naval authorities of this communication." He sent this via commercial radio, which was then the usual means of communicating with the Hawaiian Department. The despatch left Washington at 12:17 on 7 December (6:47 a. m. Honolulu time) and arrived in the RCA office in Honolulu at 7:33 a. m. Honolulu time. This was 22 minutes before the attack began. By the time the message had been decoded and delivered to General Short, the attack was already underway. The Court states that if the most expeditious means of delivery had been used (plain language telephone) this information could have been received in Hawaii about two hours before the attack began. The Court remarks that even in this event there was no action open, nor means available, to Admiral Kimmel which could have stopped the attack, or which could have had other than negligible bearing upon its outcome, since there was already in effect a condition of readiness best suited to the circumstances attending vessels within the limits of Pearl Harbor naval base, and the Fleet planes at their air bases on Oahu. I cannot go along with this reasoning of the Court. Even two hours advance warning would have been of great value in alerting planes and in augmenting the condition of readiness existing on board ship.

(4) On 3 December (the date is not specified in the Findings; it is stated in Exhibit 20) Admiral Kimmel was [14] informed that the Japanese had instructed diplomatic and consular posts in the Far East, Washington and London to destroy most of their codes. Admiral Kimmel says (his statement, page 28) that "the significance of this despatch was diluted substantially by publication

of the information in the morning newspaper in Honolulu," and that he did not regard it as a clear-cut warning of Japanese intentions to strike the United States.

(5) On 4 December, Admiral Kimmel received a despatch directing the destruction of secret and confidential documents at Guam, except those necessary for current purposes, which were to be kept ready for instant destruction in event of emergency (Exhibit 21). This was followed on 6 December by authorization for outlying islands to destroy secret and confidential documents "now or under later conditions of greater emergency". (Exhibit 22.)

(q) Addendum to Court's Finding of Facts (Volume 5). In this section the Court sets forth matters which have already been discussed in the three preceding sub-paragraphs; and, in addition, touches on the matter of the so-called "Winds message". This Japanese message, originating in Tokyo on 19 November, was received in the Navy Department on 28 November. It set forth that "in case of emergency (danger of cutting off our diplomatic relations)" certain code words would be inserted in the middle of the daily Japanese short wave news broadcast, and directed that when these words were heard codes were to be destroyed. This message was received in various places, including Pearl Harbor, and Admiral Kimmel had it. A monitor watch was set at various places to look out for the expected "weather forecast". On 4 and 5 December, the Federal Communications Commission monitored the expected "weather forecast" which was sent from Tokyo twice, first at 2200 on 4 December, and again at 2130 on 5 December. The code words appearing in this implementing message meant that Japanese relations with Russia were [15] in danger. These two messages have been preserved in the files of the Federal Communications Commission. In addition to this indication that the Japanese were about to break relations with Russia, there is evidence (Volume 5, page 746) that Captain Safford, on duty in the Office of the Director of Naval Communications, saw on 4 December, a "yellow slip" on which was written a different version of the implementing code, which meant that relations with the United States and Great Britain were in danger. Captain Safford thinks that this message was intercepted by an East Coast station, but he was not sure. No written trace of the message referred to by Captain Safford could be found in the files of the War Department or the Navy Department. There is considerable testimony in the record as to what was done with the "Winds message." Various officers testified that the implementing despatches were transmitted to the Office of the Chief of Naval Operations and the Director of Naval Communications, but Admiral Stark and Admiral Noyes testified that they do not remember hearing anything about them. *It is an established fact that none of the implementing messages were ever sent to Admiral Kimmel.* However, as noted in paragraph 2 (p) (4) above, the Court finds that it is a fact that Admiral Kimmel was informed on 3 December that the Japanese had instructed diplomatic and consular posts in the Far East, Washington, and London, to destroy certain codes.

(r) The Court further sets forth the fact (mainly under Section XVIII on page 1196) that on 26 November a note, couched in strong terms, was delivered by the United States State Department to Japanese representatives. The stipulations contained therein were drastic, and likely to be unacceptable to Japan. Admiral Kimmel had no knowledge of the existence of such a note, nor of its contents until after the attack. The Court points out that Admiral Kimmel in May 1941 had particularly asked the Chief of Naval Operations to keep him informed of the diplomatic situation in order that he might be "informed of all important developments as they occur by the quickest secure means available."

[16] (s) Fact XIX (page 1200). The Court points out that it is a prime obligation of command to keep subordinate commanders constantly supplied with information, and that Admiral Stark, having important information in his possession, during the critical period from 26 November to 7 December, failed to transmit this information to Admiral Kimmel, thus depriving the latter of a clear picture of the existing Japanese situation as seen in Washington. I am in thorough accord with this view of the Court.

(t) It will be noted from the foregoing that one of the most important phases of this investigation is concerned with the handling of enemy information in the Navy Department. In this connection it would seem essential to a thorough exploration of the facts to have the testimony of the Director of Naval Intelligence, who was largely responsible for handling information of the enemy.

It appears from the record that Rear Admiral Wilkinson, the then Director of Naval Intelligence, was not available to the Court as a witness. I assume that the Court believes that all essential information was obtained, despite the fact that Admiral Wilkinson did not testify; however, it appears to me that the failure to obtain his testimony was unfortunate.

3. I submit the following comment as to the Court's Opinion:

(a) In the Opinion based on Finding II (page 1201), the Court expresses the view that the presence of a large number of combatant vessels in Pearl Harbor on 7 December was necessary, and that the information available to the Commander in Chief, Pacific Fleet, did not require any departure from his operating and maintenance schedules. I do not entirely go along with this opinion. Had all of the information available in the Department been properly evaluated and properly disseminated, I am inclined to believe that Admiral Kimmel's dispositions on the morning of 7 December would not have been as they actually were on that occasion.

[17] (b) In the Opinion, based on Fact VI (page 1202) the Court expresses the view that deficiencies in personnel and materiel which existed in 1941 had an adverse bearing upon the effectiveness of the defense of Pearl Harbor, on and prior to 7 December. I offer the comment that, obviously, the Army and Navy were short of men and materiel at the time and that available means were spread thin throughout the various areas of probable hostility. The shortage of means available to Admiral Kimmel must be taken into consideration. However, the pertinent question is whether or not he used the means available to him to the best advantage. In my opinion, he did not. The fault lay in the fact that he was not fully informed by the Navy Department of what was known as to probable Japanese intentions and of the tenseness of the situation, and further, that his judgment was to some extent faulty and that he did not fully appreciate the implications of that information which was given to him.

(c) In the Opinion, based on Finding VIII (page 1202), the Court holds that the defense of Pearl Harbor naval base was the direct responsibility of the Army, that the Navy was to assist only with means provided to the 14th Naval District, and that the defense of the base was a joint operation only to this extent. As I stated above, I think this is a narrow view of the weakness of local defenses, the Fleet had to be employed to protect Pearl Harbor and the Hawaiian Islands in general.

(d) The Court holds (page 1203) that Admiral Bloch performed his duties satisfactorily. I concur.

(e) In the Opinion, based on Fact IX (page 1203), the Court states that naval defense plans were complete and sound in [18] concept, but contained a basic defect in that naval participation depended entirely upon the availability of aircraft belonging to and being employed by the Fleet, and that on the morning of 7 December, these plans were ineffective because they necessarily were drawn on the premise that there would be advance knowledge that an attack was to be expected within narrow limits of time, which was not the case on that morning. I cannot go along with this view. As I have already stated, there could be no question that available aircraft had to be employed in the manner best suited to the danger that threatened. I doubt that, with the forces available, it would have been possible to intercept and destroy the Japanese carriers before they launched their planes, except by lucky chance. However, I do think that Admiral Kimmel was not sufficiently alive to the dangers of the situation, not entirely due to his own fault. This had a bearing on the amount of damage that was incurred by the Fleet when the Japanese did attack.

(f) The Opinion, based on Fact X (page 1204), expresses the view that Admiral Kimmel's action, taken immediately after assuming command, in placing in effect comprehensive instructions for the security of the Fleet at sea, is indicative of his appreciation of his responsibility for the security of the Fleet and that the steps taken were adequate and effective. I concur in this.

(g) The Opinion, based on Finding XI (page 1204), as to the effect that the measures taken for the security in port were adequate and proper, and that only had it been known in advance that the attack was to take place on 7 December, could there now be any basis for a conclusion as to the steps that might have been taken to lessen its ill effects. The Court takes note of suggestions that each day all naval planes should have been in the air, all naval personnel at their stations, and all anti-aircraft guns manned, and expresses the view that

no such course of action could have been carried out as a matter of routine. I concur in this. The question at issue is whether or not indications called for a tightening up of precautions as 7 December approached. I think they did.

[19] (h) In the Opinion, based on Finding XVIII (page 1207), the Court holds that Admiral Kimmel was justified in not providing for routine long range reconnaissance in the absence of any information indicating that the attack was to be expected in the Hawaiian area within narrow limits of time. I have already discussed this phase of the matter. I think that if all available information had been placed at Admiral Kimmel's disposal, and that if he had evaluated it properly, he would have found it necessary to do something about long range reconnaissance in the few days immediately preceding the 7th of December.

(i) In the Opinion, based on Fact XVII (1207), the Court expresses the view that there was good ground for belief on the part of high officials in the State, War, and Navy Departments, and on the part of the Army and Navy in the Hawaiian area, that hostilities would begin in the Far East rather than elsewhere. I concur that the Far East was the most probable scene for the initiation of Japanese operations. As a matter of fact, the Japanese did begin to operate in the Far East on 7 December. However, it was not illogical to suppose that an attack on Pearl Harbor would be regarded by the Japanese as one of the initial steps in a campaign, and there is ample evidence that all concerned were aware of this possibility—a possibility that was strengthened by information received in Washington, all of which was not given to Admiral Kimmel.

(j) In the Opinion, based on Facts XVIII and XIX (page 1207), the Court expresses the view that Admiral Stark failed to display sound judgment in that he did not transmit to Admiral Kimmel, during the very critical period from 26 November to 7 December, important information which he had received regarding the Japanese situation, and, especially, in that, on the morning of 7 December 1941, he did not transmit immediately the fact that information had been [20] received which appeared to indicate that a break in diplomatic relations was imminent, and that an attack in the Hawaiian area might be expected soon. I note from the first endorsement that the Judge Advocate General takes exception to this Opinion, on the ground that the evidence shows that Admiral Stark and his principal advisers did not construe this message as indicating an attack in the Hawaiian area. While I concur in the view of the Judge Advocate General as to the construction which Admiral Stark placed upon the message in question, nevertheless, I note that Commander Kramer (attached to the Communications Division of the Navy Department) did take steps to invite the attention of the Secretary of the Navy to the fact that 1:00 p. m. Washington time meant dawn at Honolulu, and midnight in East Asia (page 14 of Top Secret Addendum to the Findings). It, therefore, seems evident, though Admiral Stark did not have his attention drawn to the possible significance of this message, nevertheless the implications were appreciated by at least some officers of his office. The Court further expresses the view that had this important information been conveyed to Admiral Kimmel, it is a matter of conjecture as to what action he would have taken. I take no exception to this expression of opinion. However, it is a fair conclusion that if Admiral Kimmel had been given all of the information available at the Department, he would have been in a position to judge the situation better than he did.

4. In the final Opinion and Recommendation (page 1208) the Court finds that no offenses have been committed or serious blame incurred on the part of any person or persons in the naval service, and recommends that no further proceedings be had in the matter. I concur that there is not adequate evidence to support general court martial proceedings, but this does not bar administrative action, if such action is found appropriate.

5. Despite the evidence that no naval officer was at fault to a degree likely to result in conviction if brought to trial, nevertheless the Navy cannot evade a share of responsibility for the Pearl Harbor [21] incident. That disaster cannot be regarded as an "act of God", beyond human power to prevent or mitigate. It is true that the country as a whole is basically responsible in that the people were unwilling to support an adequate army and navy until it was too late to repair the consequences of past neglect in time to deal effectively with the attack that ushered in the war. It is true that the Army was responsible for local defense at Pearl Harbor. Nevertheless, some things could have been done by the Navy to lessen the success of the initial Japanese blow. Admiral Stark and Admiral Kimmel were the responsible officers, and it is pertinent to examine the possible courses of action they might have taken.

(a) Admiral Stark was, of course, aware that the United States was primarily concerned with its own possessions, and the most important United States possessions in the Pacific were the Philippine Islands and the Hawaiian Islands. His attention should have been centered on those two places, as the Pacific situation became more and more acute. He had been informed by Admiral Kimmel, in his letter of 26 May 1941, that Admiral Kimmel felt the need for early and accurate information as to the general situation, and that he needed to be informed of all important developments as they occurred by the quickest and most secure means available. This letter should have emphasized the obvious fact that Admiral Kimmel was in a difficult position, that he had to use his initiative to keep his Fleet dispositions in step with changes in the situation, and that in order to do so he had to have an accurate running picture of the rapidly moving course of diplomatic events. In my opinion, Admiral Stark failed to give Admiral Kimmel an adequate summary of the information available in Washington, particularly in the following respects:

(1) Admiral Kimmel was not informed of the State Department's note of 26 November to the Japanese. This note was a definite step towards breaking relations.

[22] (2) Admiral Kimmel was not informed of the substance of certain Japanese messages inquiring as to dispositions of ships inside Pearl Harbor, which indicated a Japanese interest in Pearl Harbor as a possible target.

(3) Admiral Kimmel was not informed of the implementation of the "Winds Message". Admiral Stark says he never got this information himself, but it is clear that it did reach Admiral Stark's office. This, together with the handling of other matters of information, indicates lack of efficiency in Admiral Stark's organization.

(4) Admiral Stark failed to appreciate the significance of the "1:00 p. m. message" received on the morning of 7 December, although the implications were appreciated by at least one of his subordinates. It appears that had this message been handled by the quickest available means, and with due appreciation of its significance, it *might* have reached Admiral Kimmel in time to enable him to make some last minute preparations that would have enhanced the ability of the ships in Pearl Harbor to meet the Japanese air attack.

(5) There is a certain sameness of tenor of such information as Admiral Stark sent to Admiral Kimmel. They do not convey in themselves the sense of intensification of the critical relations between the United States and Japan.

(b) In my opinion Admiral Kimmel, despite the failure of Admiral Stark to keep him fully informed, nevertheless did have some indications of increasing tenseness as to relations with Japan. In particular, he had the "war warning" message on 27 November, the "hostile action possible at any moment" message on 28 November, the 3 December message that Japanese had ordered destruction of codes, and the messages of 4 and 6 December [23] concerning destruction of United States secret and confidential matter at outlying Pacific Islands. These messages must be considered in connection with other facets of the situation, and Admiral Kimmel's statement on this phase of the matter must be given due consideration. After weighing these considerations, I am of the opinion that he could and should have judged more accurately the gravity of the danger to which the Hawaiian Islands were exposed. The following courses of action were open to him:

(1) He could have used patrol aircraft which were available to him to conduct long range reconnaissance in the more dangerous sectors. Whether or not this would have resulted in detecting the approach of the Japanese carriers is problematical. However, it would have made the Japanese task more difficult.

(2) He could have rotated the "in port" periods of his vessel in a less routine manner, so as to have made it impossible for the Japanese to have predicted when there would be any vessels in port. This would have made the Japanese task less easy.

(3) If he had appreciated the gravity of the danger even a few hours before the Japanese attack, it is logical to suppose that naval planes would have been in the air during the early morning period, that ships' batteries would have been fully manned, and that damage control organizations would have been fully operational.

6. The derelictions on the part of Admiral Stark and Admiral Kimmel were faults of omission rather than faults of commission. In the case in question, they indicate lack of the superior judgment necessary for exercising command commensurate with their rank and their assigned duties, rather than culpable inefficiency.

[24] 7. Since trial by general court martial is not warranted by the evidence adduced, appropriate administrative action would appear to be the relegation of both of these officers to positions in which lack of superior judgment may not result in future errors.

8. In my serial 003191 of 3 November, to you, I set forth at length my views concerning how much of the record bears such a relation to present military operations as to require high security classification.

E. J. King.

E. J. KING.

OFFICE OF THE SECRETARY

Memo for File:

This is Admiral King's Second Endorsement, as paraphrased, by the deletion of the magic. This is the paraphrase that was made public because the public interest required that the magic not be made public.

JOHN FORD BAECHEER, USNR.
Special Assistant to the Secretary.

COMINCH FILE

UNITED STATES FLEET
Headquarters of the Commander in Chief
NAVY DEPARTMENT
Washington 25, D. C.

[Copy]

FF1/A17-25.

Serial:

Memorandum for the Secretary of the Navy.

Subject: Correspondence re Court of Inquiry Investigating Pearl Harbor.

Enclosure: (A) Subject correspondence.

1. The attached file copy and rough draft (which was published) is the paraphrased version of my second endorsement to the record of proceedings of the Court of Inquiry investigating Pearl Harbor.

/s/ E. J. KING.
Fleet Admiral, U. S. Navy.

[1] COMINCH FILE

UNITED STATES FLEET
Headquarters of the Commander in Chief
NAVY DEPARTMENT
Washington 25, D. C.
NAVY COURT OF INQUIRY

SECOND ENDORSEMENT

From: The Commander in Chief, United States Fleet and Chief of Naval Operations.

To: The Secretary of the Navy.

Subject: Court of Inquiry to inquire into the attack made by Japanese armed forces on Pearl Harbor, Territory of Hawaii, on 7 December 1941, ordered by the Secretary of the Navy on 13 July 1941.

1. I concur in the Findings, Opinion and Recommendation of the Court of Inquiry in the attached case subject to the opinion expressed by the Judge Advocate General in the First Endorsement and to the following remarks.

2. (a) As to Facts I and II, the routine practice of rotating units of the Fleet, so that each vessel had approximately two-thirds of its time at sea and one-third in port, was usual and necessary. Definitely scheduled upkeep periods in port were required, not only for keeping the ships in good mechanical condition, but, also, for giving the personnel sufficient recreation to keep them from

going stale. Whether or not Admiral Kimmel was justified in having one task force and part of another in port on 7 December is a matter which I discuss later on.

(b) In Fact III the Court points out that, because of constitutional requirements, no blow against a potential enemy may be struck until after a hostile attack has been delivered, unless there has been a declaration of war by Congress. The great advantage which this gives an unscrupulous enemy is obvious. This requirement made it impossible for Admiral Kimmel and General Short to employ the offensive as a means of defense, and, therefore, was a definite handicap.

[2] (c) Fact IV sets forth that the Commandant of the 14th Naval District (Admiral Bloch) was subordinate to Admiral Kimmel and was charged by him with the task of assisting the Army in the defense of Pearl Harbor. Admiral Kimmel was, therefore, responsible for naval measures concerned with local defense.

(d) Fact V sets forth that Admiral Kimmel and General Short were personal friends; that they met frequently; that their relations were cordial and cooperative in every respect; that they frequently conferred, and invariably conferred when messages were received by either which had any bearing on the development of the United States-Japanese situation, or on their several plans in preparing for war. Each was informed of measures being undertaken by the other in the defense of the base to a degree sufficient for all useful purposes. This is important, in that it refutes the remors which have been prevalent since the Pearl Harbor incident that Admiral Kimmel and General Short did not cooperate with one another.

(e) Part VI sets forth the information that the Navy Department and the War Department had been fully informed as to the weaknesses of the defensive installations at Pearl Harbor, and in particular that means to cope with a carrier attack were inadequate. It further sets forth that the Secretary of War, on 7 February 1941, expressed complete concurrence as to the importance of the subject and the urgency of making every possible preparation to meet a hostile attack. It is made clear that Admiral Kimmel stressed the concept that the base at Pearl Harbor should be capable of defense by local Army and Navy forces, leaving the Fleet free to operate without concern as to the safety of the base. It is further made clear that both the War and the Navy Departments had given full consideration to this matter and had been unable, during 1941, to augment local defenses to an adequate degree, because of the general state of unpreparedness for war.

[3] (f) Fact VII sets forth that the Chief of Naval Operations and the Chief of Staff of the Army submitted a joint memorandum to the President on 5 November 1941, recommending that no ultimatum be delivered to Japan at that time, and giving, as one of the basic reasons, the existing numerical superiority of the Japanese Fleet over the United States Pacific Fleet. The Court, also, points out that owing to security policies in the two countries, it was easy for Japan to conceal her own strength, while at the same time Japan enjoyed a free opportunity to obtain information as to our own strength and dispositions. My comment is that this state of affairs, coupled with the requirement that United States forces could take no overt action prior to a declaration of war, or actual attack, must always place the United States distinctly at a disadvantage during the period of strained relations.

(g) Fact VIII stresses the fact that periodical visits to a base are necessary for seagoing forces in order that supplies may be provided, and opportunity given for repair and replenishment and for rest and recreation of personnel. The Court points out that it is foreign to the concept of naval warfare to require seagoing personnel to assume responsibility for security from hostile action while within the limits of a permanent naval base. The Court remarks that this concept imposes upon the Army responsibility for base defense, and that the United States Army fully understood this responsibility. My comment is that this principle is sound enough, but it cannot be carried to an illogical extreme. In the case of Pearl Harbor, where local defenses were inadequate, the Comander in Chief of the Pacific Fleet could not, and did not, evade responsibility for assisting in the defense, merely because, in principle, this is not normally a Fleet task. It appears from the record that Admiral Kimmel appreciated properly this phase of the situation. His contention appears to be that Pearl Harbor *should* have been strong enough for self-defense. The [4] fact that it *was not* strong enough for self-defense hampered his arrangements for the employment of the Fleet, but, nevertheless,

he was aware of, and accepted the necessity for, employing the Fleet in defensive measures.

(h) Fact IX. This section of the Findings outlines the plans made by Admiral Kimmel and General Short for the defense of Pearl Harbor. It points out that the Naval Base Defense Officer was assigned responsibility for distant reconnaissance, that no planes were assigned to him, but that the 69 patrol planes belonging to the Fleet were to be made available to him in case of necessity. The Court remarks that the basic defect of this section of the plan lay in the fact that naval participation in long range reconnaissance depended entirely upon the availability of aircraft belonging to the Fleet, and that this circumstance, forced by necessity, was at complete variance with the fundamental requirement that the defense of a permanent naval base must be independent of assistance by the Fleet. The Court further remarks that the effectiveness of these plans depended entirely upon advance knowledge that an attack was to be expected within narrow limits of time, that it was not possible for Admiral Kimmel to make Fleet planes permanently available to the Naval Base Defense Officer (because of his own lack of planes, pilots, and crews, and because of the demands of the Fleet in connection with Fleet operations at a base). My comment is that the Court seems to have over-stressed the fact that the only patrol planes in the area were assigned to the Fleet. In my opinion, it was sound policy to place all aircraft of this type at the disposal of Admiral Kimmel, whose responsibility it was to allocate all the means at his disposal as best he could between the Fleet and the base defense forces.

[5] (i) Facts X and XI set forth the states of readiness of the forces at Pearl Harbor. In so far as the Navy is concerned, the state of readiness was predicated on certain assumptions, which included the assumption that a declaration of war might be preceded by surprise attacks on ships at Pearl Harbor or surprise submarine attack on ships in operating areas, or by a combination of these two. The measures prescribed by Admiral Kimmel included local patrols, daily search of operating areas by air, certain extensive anti-submarine precautions, the netting of the harbor entrance, and the maintenance of "augmented Condition 3" on board vessels in port. "Condition of readiness No. 3" provides a means of opening fire with a portion of the secondary and anti-aircraft batteries in case of a surprise encounter. The Court points out this state of readiness did permit ships to open fire promptly when Japanese planes attacked. Local Army forces were in "Alert No. 1" which provides for defense against sabotage and uprisings, with no threat from without. With respect to this phase of the matter I offer the comment that "condition of readiness No. 3" is normally maintained in port. However, it is prerequisite that vessels in this condition enjoy a considerable measure of protection by reason of adequate local defense forces when dangerous conditions exist. This measure of protection was not enjoyed by vessels at Pearl Harbor on 7 December, a matter which was well known to Admiral Kimmel. It must, therefore, be assumed that he was not aware of the imminence of the danger of attack, a matter which I discuss further later on. I also note from this section of the Findings that Army and Navy aircraft on the ground, and naval patrol planes moored on the water, were not in condition to take the air promptly. Some patrol plane squadrons were in "day-off for rest" status; some patrol planes were in the air for local patrol and exercises; 50% were on 4 hours notice. This is further indication of the lack of appreciation of the imminence of attack, and led to the destruction of large [6] numbers of United States aircraft. This section of the Findings, also, points out that there were no long range reconnaissance in effect on 7 December, a matter which I will refer to again later on. It will be noted that the last paragraph of Fact XI reads:

"The Navy's condition of readiness in effect on the morning of 7 December 1941, was that best suited to the circumstances then attending the vessels and patrol planes of the Pacific Fleet. A higher condition of readiness could have added little, if anything, to their defense."

This seems to be a matter of opinion rather than fact. I do not concur, for reasons set forth later on.

(j) Fact XII. The Court sets forth that attack by carrier aircraft can be prevented only by intercepting and destroying the carrier prior to the launching of planes. It is further pointed out that to destroy a carrier before she can launch her planes, her location must be known and sufficient force must be at hand. The Court points out that in this instance Japanese carriers sailed at an unknown time from an unknown port, and that it is an established fact that

no information of any sort was, at any time, either forwarded or received from any source which would indicate that carriers or other ships were on their way to Hawaii during November or December 1941. The Court deduces, and states as a fact, that the Japanese attack on 7 December, under the circumstances then existing, was unpreventable and unpredictable as to time. I concur that there was no direct and positive knowledge that the Japanese attack force was en route to the Hawaiian area. However, as discussed later on, there was information that might logically have been interpreted as indicating that an attack on Hawaii was not unlikely, and that the time could be predicted within fairly narrow limits.

[7] (k) Fact XIII discusses the difficulty of long range reconnaissance with the forces available to Admiral Kimmel, and points out that Admiral Kimmel, after weighing all factors, specifically ordered that no routine long range reconnaissance be undertaken. The controlling reason seems to have been Admiral Kimmel's feeling that if the Fleet patrol planes were used for routine reconnaissance they would have been rapidly worn out and, therefore, unavailable for Fleet purposes. Admiral Kimmel had a difficult decision to make in this matter. There were many factors to be considered, and it is not easy to put one's self in his place. However, after considering all of the information that was at his disposal, it seems to me that he was not on entirely sound ground in making no attempt at long range reconnaissance, particularly as the situation became more and more tense in the few days immediately preceding the Japanese attack. It is obvious that the means available did not permit an all-around daily reconnaissance to a distance necessary to detect the approach of carriers before planes could be launched. However, there were certain sectors more dangerous than others which could have been covered to some extent. And it would appear that such partial cover would have been logical in the circumstances as known to Admiral Kimmel in late November and early December. A pertinent matter in this connection is that when Admiral Richardson was Commander in Chief he provided for distant reconnaissance by patrol planes, using the few at his disposal to cover the most dangerous sectors in rotation. He considered the arc between 170° and 350° to be of primary importance, and believed the most probable direction of attack was from the southwest. These patrols were discontinued when, or shortly before, Admiral Kimmel relieved Admiral Richardson.

(l) Fact XIV. This section sets forth the fact that the Army had assumed responsibility for the air warning service, and was in the process of installing radar and other [8] elements of the air warning system, but that the whole system was in an embryonic state on 7 December and not in condition to function. The system was partially in use for training, and it so happened that a mobile radar station did pick up the approaching Japanese planes when they were about 130 miles away, and reported this fact to the Information Center, where the only officer present was an officer under training, who assumed the planes to be a flight of Army bombers known to be en route from the United States. He made no report of the matter. My comment is that this is indicative of the unwarranted feeling of immunity from attack that seems to have pervaded all ranks at Pearl Harbor—both Army and Navy. If there had been awareness of the states of tension that existed in Washington, and awareness of Japanese potentialities, it appears that the air warning system, embryonic as it was, could have been used to give at least an hour's warning before the air attack struck.

(m) Fact XV states that the greatest damage to ships in Pearl Harbor resulted from torpedoes launched from Japanese aircraft. The Court points out that, though the harbor entrance was well protected against break-through by enemy submarines or small craft, there were no anti-torpedo baffles within the harbor for the protection of individual ships, because it had been assumed that aircraft torpedoes could not be made to run in the extremely shoal water of Pearl Harbor. The decision not to install torpedo baffles appears to have been made by the Navy Department. Proposals to use barrage balloons and smoke were considered but rejected for technical reasons. It is evident, in retrospect, that the capabilities of Japanese aircraft torpedoes were seriously underestimated.

(n) Fact XVI. In this section of the Findings the Court traces the deterioration of relations with the Japanese and outlines certain information given to Admiral Kimmel on the subject. The more important items are as follows:

[9] (1) On 16 October 1941, Admiral Kimmel was informed by CNO that a grave situation had been created by the resignation of the Japanese cabinet,

that Japan might attack the United States, and that it was necessary for the Pacific Fleet to take precautions and to make such deployments as would not disclose strategic intentions or constitute provocative action against Japan.

(2) On 17 October, Admiral Stark addressed a personal letter to Admiral Kimmel in which he stated his personal view that it was unlikely that the Japs would attack the United States.

(3) On 24 October, Admiral Kimmel received a despatch from CNO stating that chances of favorable outcome of negotiations with Japan were doubtful and that indications were that a *surprise aggressive movement in any direction*, including attack on the Philippines or Guam, was a possibility.

(o) Fact XVII. In this section the Court sets forth certain information, which was known in Washington and which was transmitted to Admiral Kimmel, which the Court holds to have established the fact that the attack of 7 December came as a surprise to high officials in the State, War, and Navy Departments, and to the Army and Navy in the Hawaiian area, and that there were good grounds for their belief that hostilities would begin in the Far East, rather than elsewhere. The summary of the information on which this is based is as follows:

(1) On 27 November 1941, Admiral Kimmel received a despatch from CNO beginning with the words, "This despatch is to be considered a war warning," and going on to say that an aggressive move by Japan was expected within the next few days; [10] that there were indications of an amphibious movement against either the Philippines, Thai, or Kra Peninsula, or possibly Borneo; and directing Admiral Kimmel to execute an appropriate defensive deployment.

(2) On 28 November, Admiral Kimmel received from General Short a War Department Message to the effect that negotiations appeared to be terminated; that Japanese future action was unpredictable; that hostile action was possible at any time; and that it was desirable that Japan commit the first overt act, in case hostilities could not be avoided.

(3) On 30 November, Admiral Kimmel was included as an Information Addressee in a despatch to the Commander in Chief, Asiatic Fleet, directing him to scout for information of Japanese movements in the China Sea.

(4) On 28 November, CNO advised Admiral Kimmel that it had been decided to relieve Marine garrisons at Midway and Wake with Army troops.

(5) Admiral Kimmel interpreted the foregoing as indicating that the Department was not particularly concerned as to the possibility of a Japanese attack on Pearl Harbor at the time.

(p) Fact XVIII. This section of the Findings deals with information that became available in Washington during the period beginning 26 November. It is set forth that from 26 November to 7 December, conversations, which had been in progress between our Government and Japan, were continued, coming to an end on 7 December. The circumstances under which information as to Japanese intentions during this period came to the attention of the Navy Department are set forth as follows:

[11] (1) Information was received from trusted sources during and prior to this period which was made available in the Navy Department but which was not sent to Admiral Kimmel. This information indicates definite Japanese interest in dispositions at Pearl Harbor and indicates a desire in some cases to know where United States ships were berthed. Admiral Stark testified that he considered it undesirable to send Admiral Kimmel this information, because to do so might compromise the sources from which it was obtained. This contention has some merit, in my opinion. It was Admiral Stark's responsibility to protect the source of this information. However, it was equally his responsibility to give Admiral Kimmel a general picture of the information which he was receiving. Admiral Stark says that he considered that the dispatches he did send to Admiral Kimmel gave an adequate picture of what was known and inferred as to Japanese intentions. As set forth under "Opinions," the Court holds that the information given to Admiral Kimmel was not an adequate summary of the information at Admiral Stark's disposal. I have to concur in this view.

(2) In addition to the foregoing, the Court goes at length into the handling of certain information which was received in the Navy Department on the 6th of December, at 2100 on that date. The greater part of this information indicated the Japanese views concerning certain United States proposals for resolving matters under dispute between the countries, and leaves no doubt that the United States' proposals were [12] unacceptable to Japan, but do

not come to the point of indicating a break in relations. At, or about, 0700, 7 December, further trustworthy information was received which indicated that the Japanese Government had finally given up hope of being able to adjust relations with the United States and that it was impossible to reach an agreement through further negotiations. This information was delivered at about 0900, 7 December, to the Office of the Chief of Naval Operations, at about 0930 to the White House, and at 0950 to the State Department for Secretary Hull and Secretary Knox. Secretary Knox was conferring with Secretary Hull at the State Department.

(3) At about 10:30 A. M. on 7 December, further reliable information was received in the Navy Department. The substance was that the Japanese Ambassador was to deliver a note containing the information referred to in the preceding paragraph to the Secretary of State at 1:00 P. M. on that day. This information was of significance because 1:00 P. M. in Washington was dawn in Honolulu. It was delivered at once to the Office of the Chief of Naval Operations, and immediately thereafter, to the State Department, where the official who received it was asked to point out to Mr. Knox and Mr. Hull its significance. In my opinion, the foregoing indicates that at about 10:30 on 7 December (0500 Honolulu time) the Navy Department, or at least some officers therein, appreciated that the information just received pointed to the possibility—even the probability—of a dawn attack on Pearl Harbor. General Marshall states that this information came to his attention about 11:00 A. M. and that he immediately telephone to Admiral Stark that he proposed to warn General [13] Short that a break with Japan was imminent and that an attack against Hawaii could be expected soon. Admiral Stark demurred at first, as to the need for sending this message, but after brief consideration, asked General Marshall to include in his proposed dispatch directions to pass the contents to naval commanders. General Marshall sent a dispatch to the effect that the Japanese were presenting what amounted to an ultimatum at 1:00 P. M. Washington time on 7 December; and that while the War Department did not know the significance of the hour set for delivering the note, he, General Short, was to be on the alert accordingly and to inform naval authorities of this communication. He sent this via commercial radio, which was the usual means of communicating with the Hawaiian Department. The dispatch left Washington at 12:17 on 7 December (6:47 a. m. Honolulu time) and arrived in the RCA office in Honolulu at 7:33 A. M. Honolulu time. This was 22 minutes before the attack began. By the time the message had been decoded and delivered to General Short, the attack was already underway. The Court states that if the most expeditious means of delivery had been used (plain language telephone) this information could have been received in Hawaii about two hours before the attack began. The Court remarks that even in this event there was no action open, nor means available, to Admiral Kimmel which could have stopped the attack, or which could have had other than negligible bearing upon its outcome, since there was already in effect a condition of readiness best suited to the circumstances attending vessels within the limits of Pearl Harbor naval base, and the Fleet planes at their air bases on Oahu. I cannot go along with this reasoning of the Court. Even two hours advance warning would have been of great value in alerting planes and in augmenting the condition of readiness existing on board ship.

[14] (4) On 3 December Admiral Kimmel was told that there was every reason to believe that the Japanese had instructed diplomatic and consular posts in the Far East, Washington and London to destroy most of their codes. Admiral Kimmel says that "the significance of this dispatch was diluted substantially by publication of the information in the morning newspaper in Honolulu," and that he did not regard it as a clear-cut warning of Japanese intentions to strike the United States.

(5) On 4 December, Admiral Kimmel received a dispatch directing the destruction of secret and confidential documents at Guam, except those necessary for current purposes, which were to be kept ready for instant destruction in event of emergency. This was followed on 6 December by authorization for outlying islands to destroy secret and confidential documents "now or under later conditions of greater emergency."

(6) There was also available to the Navy Department on 28 November reliable information, received from a trusted source, to the effect that certain code words would be inserted in the middle of the daily Japanese short-wave news broadcast. When these words were heard, codes were to be destroyed. This information was available in various places, including Pearl Harbor, and Admiral Kimmel had

it. A monitor watch was set at various places to look out for the expected broadcast. On 4 and 5 December, the Federal Communications Commission monitored the expected broadcast which was sent from Tokyo twice, first at 2200 on 4 December, and again at 2130 on 5 December. Various officers testified that the implementing broadcasts were transmitted to the Office of the Chief of Naval Operations and the Director of Naval Communications, but [15] Admiral Stark and Admiral Noyes testified that they do not remember hearing anything about them. *It is an established fact that these implementing broadcasts¹ were never sent to Admiral Kimmel.* However, as noted in paragraph 2 (p) (4) above, the Court finds that it is a fact that Admiral Kimmel was informed on 3 December that the Japanese had instructed diplomatic and consular posts in the Far East, Washington, and London, to destroy certain codes.

(r) The Court further sets forth the fact (mainly under Section XVIII) that on 26 November a note, couched in strong terms, was delivered by the United States State Department to Japanese representatives. The stipulations contained therein were drastic, and likely to be unacceptable to Japan. Admiral Kimmel had no knowledge of the existence of such a note, nor of its contents until after the attack. The Court points out that Admiral Kimmel in May 1941 had particularly asked the Chief of Naval Operations to keep him informed of the diplomatic situation in order that he might be "informed of all important developments as they occur by the quickest secure means available."

(s) Fact XIX. The Court points out that it is a prime obligation of command to keep subordinate commanders constantly supplied with information, and that Admiral Stark, having important information in his possession, during the critical period from 26 November to 7 December, failed to transmit this information to Admiral Kimmel, thus depriving the latter of a clear picture of the existing Japanese situation as seen in Washington. I am in thorough accord with this view of the Court.

(t) It will be noted from the foregoing that one of the most important phases of this investigation is concerned with the handling of enemy information in the Navy Department. In this connection it would [16] seem essential to a thorough exploration of the facts to have the testimony of the Director of Naval Intelligence, who was largely responsible for handling information of the enemy. It appears from the record that Rear Admiral Wilkinson, the then Director of Naval Intelligence, was not available to the Court as a witness. I assume that the Court believes that all essential information was obtained, despite the fact that Admiral Wilkinson did not testify;² however, it appears to me that the failure to obtain his testimony was unfortunate.

[17] 3. I submit the following comment as to the Court's Opinion.

(a) In the Opinion based on Finding II, the Court expresses the view that the presence of a large number of combatant vessels in Pearl Harbor on 7 December was necessary, and that the information available to the Commander in Chief, Pacific Fleet, did not require any departure from his operating and maintenance schedules. I do not entirely go along with this opinion. Had all of the information available in the Department been properly evaluated and properly disseminated, I am inclined to believe that Admiral Kimmel's disposition on the morning of 7 December would not have been as they actually were on that occasion.

(b) In the Opinion, based on Fact VI, the Court expresses the view that deficiencies in personnel and material which existed in 1941 had an adverse bearing upon the effectiveness of the defense of Pearl Harbor, on and prior to 7 December. I offer the comment that, obviously, the Army and Navy were short of men and material at the time and that available means were spread thin throughout the various areas of probable hostility. The shortage of means available to Admiral Kimmel must be taken into consideration. However, the pertinent question is whether or not he used the means available to him to the best advantage. In my opinion, he did not. The fault lay in the fact that he was not fully informed by the Navy Department of what was known as to probable Japanese intentions and of the tenseness of the situation, and further, that his judgment was to some extent faulty and that he did not fully appreciate the implications of that information which was given to him.

¹ Later investigations indicate that the vital implementing broadcasts were not, in fact, received by the Navy Department.

² Admiral Wilkinson's testimony was later received but did not change any of the opinions or facts established.

[18] (c) In the Opinion, based on Finding VIII, the Court holds that the defense of Pearl Harbor naval base was the direct responsibility of the Army, that the Navy was to assist only with means provided to the 14th Naval District, and that the defense of the base was a joint operation only to this extent. As I stated above, I think this a narrow view of the question, and that Admiral Kimmel was fully aware that, in view of the weakness of local defenses, the Fleet had to be employed to protect Pearl Harbor and the Hawaiian Islands in general.

(d) The court holds that Admiral Bloch performed his duties satisfactorily. I concur.

(e) In the Opinion, based on Fact IX, the Court states that naval defense plans were complete and sound in concept, but contained a basic defect in that naval participation depended entirely upon the availability of aircraft belonging to and being employed by the Fleet, and that on the morning of 7 December, these plans were ineffective because they necessarily were drawn on the premise that there would be advance knowledge that an attack was to be expected within narrow limits of time, which was not the case on that morning. I cannot go along with this view. As I have already stated, there could be no question that available aircraft had to be employed in the manner best suited to the danger that threatened. I doubt that, with the forces available, it would have been possible to intercept and destroy the Japanese carriers before they launched their planes, except by lucky chance. However, I do think that Admiral Kimmel was not sufficiently alive to the dangers of the situation, not entirely due to his own fault. This had a bearing on the amount of damage that was incurred by the Fleet when the Japanese did attack.

[19] (f) The Opinion, based on Fact X, expresses the view that Admiral Kimmel's action, taken immediately after assuming command, in placing in effect comprehensive instructions for the security of the Fleet at sea, is indicative of his appreciation of his responsibility for the security of the Fleet and that the steps taken were adequate and effective. I concur in this.

(g) The Opinion, based on Finding XI, as to the effect that the measures taken for the security in port were adequate and proper, and that only had it been known in advance that the attack was to take place on 7 December, could there now be any basis for a conclusion as to the steps that might have been taken to lessen its ill effects. The Court takes note of suggestions that each day all naval planes should have been in the air, all naval personnel at their stations, and all anti-aircraft guns manned, and expresses the view that no such course of action could have been carried out as a matter of routine. I concur in this. The question at issue is whether or not indications called for a tightening up of precautions as 7 December approached. I think they did.

(h) In the Opinion, based on Finding XVIII, the Court holds that Admiral Kimmel was justified in not providing for routine long range reconnaissance in the absence of any information indicating that the attack was to be expected in the Hawaiian area within narrow limits of time. I have already discussed this phase of the matter. I think that if all available information had been placed at Admiral Kimmel's disposal, and that if he had evaluated it properly, he would have found it necessary to do something about long range reconnaissance in the few days immediately preceding the 7th of December.

[20] (i) In the Opinion, based on Fact XVII, the Court expresses the view that there was good ground for belief on the part of high officials in the State, War, Navy Departments, and on the part of the Army and Navy in the Hawaiian area, that hostilities would begin in the Far East rather than elsewhere. I concur that the Far East was the most probable scene for the initiation of Japanese operations. As a matter of fact, the Japanese did begin to operate in the Far East on 7 December. However, it was not illogical to suppose that an attack on Pearl Harbor would be regarded by the Japanese as one of the initial steps in a campaign, and there is ample evidence that all concerned were aware of this possibility—a possibility that was strengthened by information received in Washington, all of which was not given to Admiral Kimmel.

[21] (j) In the opinion, based on Facts XVIII and XIX, the Court expresses the view that Admiral Stark failed to display sound judgment in that he did not transmit to Admiral Kimmel, during the very critical period from 26 November to 7 December, important information which he received regarding the Japanese situation, and especially, in that, on the morning of 7 December, 1941, he did not transmit immediately the fact that information had been received which appeared to indicate that a break in diplomatic relations was imminent, and that an attack in the Hawaiian area might be expected soon. I note from the first endorsement that the Judge Advocate General takes exception to this

Opinion, on the ground that the evidence shows that Admiral Stark and his principal advisers did not construe this information as indicating an attack in the Hawaiian area. While I concur in the views of the Judge Advocate General as to the construction which Admiral Stark placed upon the information in question, nevertheless, I note that Commander Kramer (attached to the Communications Division of the Navy Department) did take steps to invite the attention of the Secretary of the Navy to the fact that 1:00 p. m. Washington time meant dawn at Honolulu and midnight in East Asia. It, therefore, seems evident, that though Admiral Stark did not have his attention drawn to the possible significance of this information, nevertheless the implications were appreciated by at least some officers of his office. The Court further expresses the view that had this important information been conveyed to Admiral Kimmel, it is a matter of conjecture as to what action he would have taken. I take no exception to this expression of opinion. However, it is a fair conclusion that if Admiral Kimmel had been given all of the information available at the Department, he would have been in a position to judge the situation better than he did.

[22] 4. In the final Opinion and Recommendation the Court finds that no offenses have been committed or serious blame incurred on the part of any person or persons in the naval service, and recommends that no further proceedings be had in the matter. I concur that there is not adequate evidence to support general court martial proceedings, but this does not bar administrative action, if such action is found appropriate.

5. Despite the evidence that no naval officer was at fault to a degree likely to result in conviction if brought to trial, nevertheless the Navy cannot evade a share of responsibility for the Pearl Harbor incident. That disaster cannot be regarded as an "act of God," beyond human power to prevent or mitigate. It is true that the country as a whole is basically responsible in that the people were unwilling to support an adequate army and navy until it was too late to repair the consequences of past neglect in time to deal effectively with the attack that ushered in the war. It is true that the Army was responsible for local defense at Pearl Harbor. Nevertheless, some things could have been done by the Navy to lessen the success of the initial Japanese blow. Admiral Stark and Admiral Kimmel were the responsible officers, and it is pertinent to examine the possible courses of action they might have taken.

(a) Admiral Stark was, of course, aware that the United States was primarily concerned with its own possessions, and the most important United States possessions in the Pacific were the Philippine Islands and the Hawaiian Islands. His attention should have been centered on those two places, as the Pacific situation became more and more acute. He had been informed by Admiral Kimmel, in his letter of 26 May 1941, that Admiral Kimmel felt the need for early and accurate information [23] as to the general situation, and that he needed to be informed of all important developments as they occurred by the quickest and most secure means available. This letter should have emphasized the obvious fact that Admiral Kimmel was in a difficult position, that he had to use his initiative to keep his Fleet dispositions in step with changes in the situation, and that in order to do so he had to have an accurate running picture of the rapidly moving course of diplomatic events. In my opinion, Admiral Stark failed to give Admiral Kimmel an adequate summary of the information available in Washington, particularly in the following respects:

(1) Admiral Kimmel was not informed of the State Department's note of 26 November to the Japanese. This note was a definite step towards breaking relations.

(2) Admiral Kimmel was not informed of the substance of certain information available to the Navy Department concerning the disposition of ships inside Pearl Harbor, which indicated a Japanese interest in Pearl Harbor as a possible target.

(3) Admiral Kimmel was not informed of the implementation of the broadcast containing the code words. Admiral Stark says he never got this information himself, but it is clear that it did reach Admiral Stark's office. This together with the handling of other matters of information, indicates lack of efficiency in Admiral Stark's organization.

(4) Admiral Stark failed to appreciate the significance of the information which he received indicating that a message was to be given to the Secretary of State at 1:00 p. m., which information Admiral Stark received on the morning of 7 December, although the implications were appreciated by at least one of his subordinates. [24] It appears that had this information been handled by the quickest available means, and with due appreciation of its significance, it *might* have reached Admiral Kimmel in time to enable him to make some last

minute preparations that would have enhanced the ability of the ships in Pearl Harbor to meet the Japanese air attack.

(5) There is a certain sameness of tenor of such information as Admiral Stark sent to Admiral Kimmel. They do not convey in themselves the sense of intensification of the critical relations between the United States and Japan.

(b) In my opinion Admiral Kimmel, despite the failure of Admiral Stark to keep him fully informed, nevertheless did have some indications of increasing tenseness as to relations with Japan. In particular, he had the "war warning" message of 27 November, the "hostile action possible at any moment" message on 28 November, the 3 December information that the Japanese were destroying their codes, and the messages of 4 and 6 December concerning destruction of United States secret and confidential matter at outlying Pacific Islands. These messages must be considered in connection with other facets of the situation, and Admiral Kimmel's statement on this phase of the matter must be given due consideration. After weighing these considerations, I am of the opinion that he could and should have judged more accurately the gravity of the danger to which the Hawaiian Islands were exposed. The following courses of action were open to him:

(1) He could have used patrol aircraft which were available to him to conduct long range reconnaissance in the more dangerous sectors. Whether or not this would have resulted in detecting the approach of the Japanese carriers is problematical. However, it would have made the Japanese task more difficult.

[25] (2) He could have rotated the "in port" periods of his vessels in a less routine manner, so as to have made it impossible for the Japanese to have predicted when there would be any vessels in port. This would have made the Japanese task less easy.

(3) If he had appreciated the gravity of the danger even a few hours before the Japanese attack, it is logical to suppose that naval planes would have been in the air during the early morning period, that ships' batteries would have been fully manned, and that damage control organizations would have been full operational.

6. The derelictions of the part of Admirals Stark and Admiral Kimmel were faults of omission rather than faults of commission. In the case in question they indicate lack of the superior judgment necessary for exercising command commensurate with their rank and their assigned duties, rather than culpable inefficiency.

7. Since trial by general court martial is not warranted by the evidence adduced, appropriate administrative action would appear to be the relegation of both of these officers to positions in which lack of superior judgment may not result in future errors.

8. In my serial 003191 of 3 November, to you, I set forth at length my views concerning how much of the records bears such a relation to present military operations as to require high security classification.

E. J. King.

E. J. KING.

[Stamped:] 1 DEC. 1944.

THIRD ENDORSEMENT TO RECORD OF PROCEEDINGS OF PEARL HARBOR COURT OF INQUIRY

Subject: Court of Inquiry to inquire into the attack made by Japanese armed forces on Pearl Harbor, Territory of Hawaii, on 7 December 1941, ordered by the Secretary of the Navy on 13 July 1944.

1. On the basis of the record, findings, opinion and recommendation of the Court of Inquiry, the First Endorsement of the Judge Advocate General, and the Second Endorsement of the Commander-in-Chief, U. S. Fleet, I find that the evidence obtained to date indicates that there were errors of judgment on the part of Admiral Kimmel and Admiral Stark. I am not satisfied, however, that the investigation has gone to the point of exhaustion of all possible evidence.

2. Further investigation into this matter will be conducted by an investigating officer, and, in addition to the subjects recommended for further investigation by the Commander-in-Chief, U. S. Fleet in the Second Endorsement, will include the taking of the testimony of Rear Admiral Wilkinson and Captain McCollum, and such other investigation as may appear to be necessary in order to ascertain all of the relevant facts relating to the Japanese attack. Pending the completion of the necessary further investigation into this matter, I withhold decision as to the institution of any proceeding against any naval officer involved.

FORRESTAL,

Secretary of the Navy.

TOP SECRET

OFFICE OF THE SECRETARY

Memo for File:

This is the Sec'y's 4th End that was not used because it contained magic; instead the Secy signed the one of Aug 13, that the President made public Aug. 29, from which the magic was deleted in the public interest.

JOHN FORD BAECHEK, USNR,
Special Assistant to the Secretary

TOP SECRET

[1] FOURTH ENDORSEMENT TO RECORD OF PROCEEDINGS OF PEARL HARBOR COURT OF INQUIRY, AND FOURTH ENDORSEMENT TO ADMIRAL HEWITT'S REPORT TO THE SECRETARY OF THE NAVY DATED 12 JULY 1945

Subject: Court of Inquiry to inquire into the attack made by Japanese armed forces on Pearl Harbor, Territory of Hawaii, on 7 December 1941, ordered by the Secretary of the Navy on 13 July 1944, and further investigation by Admiral H. Kent Hewitt, U. S. N., ordered by the Secretary of the Navy on 2 May 1945.

1. Pursuant to Executive order dated 18 December 1941, a commission headed by Mr. Justice Owen J. Roberts conducted an investigation into the facts surrounding the Japanese attack on Pearl Harbor. The commission reported its findings on 23 January 1942. The commission concluded in part that:

"17. In the light of the warnings and directions to take appropriate action, transmitted to both commanders between November 27 and December 7, and the obligation under the system of coordination then in effect for joint cooperative action on their part, it was a dereliction of duty on the part of each of them not to consult and confer with the other respecting the meaning and intent of the warnings, and the appropriate measures of defense required by the imminence of hostilities. The attitude of each, that he was not required to inform himself of, and his lack of interest in, the measures undertaken by the other to carry out the responsibility assigned to such other under the provisions of the plans then in effect, demonstrated on the part of each a lack of appreciation of the responsibilities vested in them and inherent in their positions as commander in chief, Pacific Fleet, and commanding general, Hawaiian Department."

2. Pursuant to precept of the Secretary of the Navy dated 12 February 1944, Admiral Thomas C. Hart, USN (Retired), conducted an examination of witnesses having knowledge of facts in connection with the Japanese attack. Admiral Hart completed his examination on 15 June 1944.

3. Public Law No. 339, 78th Congress, approved 13 June 1944, directed the Secretary of War and the Secretary of the Navy, severally, to proceed forthwith with an investigation into the facts surrounding the Pearl Harbor catastrophe, and to commence such proceedings against such persons as the facts might justify.

[2] 4. A Court of Inquiry, consisting of Admiral Orin G. Murfin, U. S. N., (Retired), Admiral Edward C. Kalbfus, U. S. N., (Retired), and Vice Admiral Adolphus Andrews, U. S. N., (Retired), with Commander Harold Biesecker, U. S. N., as Judge Advocate, was appointed on 13 July 1944. The Court was directed to convene on 17 July 1944, or as soon thereafter as practicable, for the purpose of inquiring into all circumstances connected with the attack made by Japanese forces on Pearl Harbor, Territory of Hawaii, on 7 December 1941; to inquire thoroughly into the matter, and to include in its findings a full statement of the facts it might deem to be established. The Court was further directed to state its opinion as to whether any offenses were committed or serious blame incurred on the part of any person or persons in the Naval service, and, in case its opinion was that offenses had been committed or serious blame incurred, to recommend specifically what further proceedings should be had.

5. The Court of Inquiry commenced its proceedings on 31 July 1944, and submitted the record of its proceedings on 20 October 1944. Certain portions of the record of proceedings before the Court, including the findings and opinion of the Court, have been classified "TOP SECRET," and the balance "SECRET."

6. The net result of the findings of fact and opinion of the Pearl Harbor Naval Court of Inquiry, as reviewed by Judge Advocate General of the Navy, and the Commander in Chief, U. S. Fleet and Chief of Naval Operations, and by me, was that the evidence secured by the Court did not warrant and would not support the trial by general court martial of any person or persons in the Naval Service.

7. In my Third Endorsement to the Record of Proceedings of the Pearl Harbor Court of Inquiry, dated 1 December 1944, I found that the evidence obtained indicated that there were errors of judgment on the part of Admiral Kimmel and Admiral Stark, but that the investigation had not gone to the point of exhaustion of all possible evidence. Accordingly, I directed that further investigation would be conducted by an investigating officer and that pending the completion of the necessary further investigation I would withhold decision as to the institution of any proceeding against any naval officer involved.

8. In order to insure that the further investigation would cover every material question, I directed that a thorough review be made of the prior investigations and that an appropriate summary of all information developed in the prior Naval investigations be prepared. Upon the completion of this review of prior investigations and after examination of the report of the Army Pearl Harbor Board, dated 3 December 1944, I appointed Admiral H. Kent Hewitt, U. S. N., as investigating officer, and John F. Sonnett as counsel to examine such witnesses and obtain such other evidence as might be necessary in order fully to develop the facts in connection with the Japanese attack on Pearl Harbor. The further investigation directed by my precept of [3] 2 May 1945 was completed on 12 July 1945 and the report by Admiral Hewitt was forwarded to the Judge Advocate General and the Commander in Chief, United States Fleet and Chief of Naval Operations for recommendation and comment.

9. In his Second Endorsement to Admiral Hewitt's Report of further investigation, dated 10 August 1945, the Judge Advocate General advised, among other things, that he did not believe that there was sufficient evidence to warrant conviction of any of the officers concerned of any offense known to Naval law; that the evidence indicated that the officers in question lacked superior judgment rather than being guilty of culpable inefficiency; and that "lack of superior judgment" is not an offense triable by general court martial. The Judge Advocate General further advised in his Second Endorsement that: "I am of the opinion that any such court-martial proceedings prior to the end of hostilities with Japan is highly impractical and would be detrimental to the war effort, and further, that any such proceedings during the six months immediately following the end of hostilities would seriously impair the efficiency of the Naval service." Notwithstanding the difficulties pointed out by him, the Judge Advocate General was of the opinion, however, that the Navy Department is morally obligated to order Admiral Kimmel tried by general court martial should Admiral Kimmel so insist. The Judge Advocate General recommended that Admiral Hewitt's investigation be made available to Admiral Kimmel and his counsel; that Admiral Kimmel be informed that he is free to make public anything contained in this record and in prior records as soon as that may be done without prejudice to the public interests; and that if Admiral Kimmel insists, a general court martial should be convened to try him for any alleged offenses he may have committed on or before 7 December 1941.

10. In the Third Endorsement to Admiral Hewitt's report, dated 13 August 1945, the Commander in Chief, U. S. Fleet, concurred generally in the remarks and recommendations of the Judge Advocate General and expressed the opinion that the evidence was not sufficient to warrant trial by court martial of any person in the Naval service in that it would not sustain the charges required by the Articles for the Government of the Navy; that with regard to the sufficiency of the evidence to warrant other proceedings, the Commander in Chief, U. S. Fleet was still of the opinion that Admiral Stark and Admiral Kimmel, although not culpable to a degree warranting formal disciplinary action, nevertheless lacked the superior judgment necessary for exercising command commensurate with their duties, and that appropriate action, consisting of the relegation of these officers to positions in which lack of superior judgment might not result in future errors, had been taken as to Admiral Stark and Admiral Kimmel, and stated that no further action was recommended. The Commander in Chief, U. S. Fleet, also advised, in the Third Endorsement, that in any event he considered it impracticable to bring Admiral Stark or Admiral Kimmel to trial prior to the termination of hostilities with Japan because such proceedings would almost certainly involve disclosure of information which would be detrimental to current military operations and to [4] national security measures. He

concurrent in the opinion of the Judge Advocate General that the Navy Department is morally obligated to order Admiral Kimmel to trial before a general court martial should Admiral Kimmel so insist, but stated that this action should not be taken until after the completion of hostilities with Japan. He concurred in the further suggestions of the Judge Advocate General that Admiral Hewitt's investigation be made available to Admiral Kimmel and his counsel and that Admiral Kimmel be informed that he is free to make public anything contained in this record and in prior records as soon as that may be done without prejudice to national security.

11. The comments of the Judge Advocate General and of the Commander in Chief, U. S. Fleet and Chief of Naval Operations, in their endorsements to the Pearl Harbor Court of Inquiry record, and in their endorsements to the report by Admiral Hewitt, are approved subject to the following remarks:

(a) *Court of Inquiry Finding II (1156)*.—This finding states, in substance, that the presence in Pearl Harbor on 7 December 1941 of Task Force One and the battleships of Task Force Two was necessary.

The essential point here rests in Admiral Kimmel's statement to the effect that he would not have had the Fleet in Pearl Harbor had he anticipated an air attack. The Second Endorsement indicates that the Commander in Chief, U. S. Fleet, does not entirely "go along" with the opinion of the Court that the information available to Admiral Kimmel did not require any departure from his operation and maintenance schedules. The Commander in Chief, U. S. Fleet, states further in this connection that Admiral Kimmel could have rotated the "in port" periods of his vessels in less routine manner, so as to have made it impossible for the Japanese to have predicted when there would be any vessels in port, and that this would have made the Japanese task less easy. I concur in the comments of the Commander in Chief, U. S. Fleet, as to this finding.

(b) *Court of Inquiry Finding III (1156)*.—This finding states that, "Constitutional requirements that war be declared by Congress . . ." make it difficult to prevent an attack and precluded offensive action as a means of defense, and that Admiral Kimmel had the responsibility of avoiding overt acts.

The Commander in Chief, U. S. Fleet, comments that this gives an unscrupulous enemy a great advantage, and that the Constitutional requirement preventing offensive action as a means of defense was a definite handicap. It does not appear that there was any proximate causal relationship between the Constitutional requirement and the instant disaster. The Constitutional inhibition and the injunction as to overt acts did not preclude either long [5] distance reconnaissance or a sortie by the Fleet. Further, it appears that prior to 7 December 1941, Admiral Kimmel did not regard this Constitutional provision or his responsibility to avoid overt acts as sufficient to prevent the issuance of orders to bomb unidentified submarines found in operating areas.

(c) *Court of Inquiry Finding IV (1159)*.—This states That Admiral Bloch was subordinate to Admiral Kimmel, and was charged with the task of assisting the Army in the defense of Pearl Harbor and, consequently, Admiral Bloch had a responsibility for naval measures concerned with local defense.

It should be noted in this connection that Admiral Hewitt found:

"75. No patrol planes were under the command of Admiral Bloch. The only Navy planes suitable for long distance reconnaissance were the Pacific Fleet patrol planes.

"76. The Pacific Fleet patrol planes were under the control of Admiral Kimmel, and he had the responsibility for their utilization. They were operated after 22 November 1941 in accordance with schedules approved by him at that time, which were not revised prior to the attack. The schedules stressed training operations. They did not provide for distant reconnaissance from Oahu."

(d) *Court of Inquiry Finding V (1160)*.—The court here finds that relations between Admiral Kimmel and General Short were friendly, cordial and cooperative; that they invariably conferred when important messages were received, and that each was sufficiently cognizant of the measures being taken by the other.

In this connection the following conclusions by Admiral Hewitt are approved:

"1. The basic war plans and the local defense plans were sound and were designed to meet, with the available means, various types of attack, including an attack such as the one which was delivered. The basic war plans and the local air defense plans were not operative in time to meet that attack. The Rainbow Five war plans presupposed the existence of a state of war. The local air defense plans presupposed agreement between the local com-

manders that an attack was imminent. Neither of these was the case prior to the attack.

[6] "2. The system of command in effect in the Hawaiian area was that of mutual cooperation and not unity of command. Cooperation between the local Army and Navy commanders required agreement as to the imminence of attack, which presupposed the possession and exchange of information concerning Japanese intentions and movements of Japanese naval forces.

"3. A full exchange of information is necessary to the effective exercise of Joint Command. While there was a considerable exchange of information between various Army and Navy intelligence agencies there was no organized system to ensure such exchange."

The evidence obtained by Admiral Hewitt indicates that there were informal arrangements for the exchange of intelligence by the Army and Navy at Hawaii, which included the transmission to the Army of some information concerning Japanese ship movements. The evidence obtained both by Admiral Hewitt and by the Naval Court of Inquiry indicates, however, that neither Admiral Kimmel nor General Short was sufficiently informed of the degree of readiness put into effect by the other. It appears that after receipt of the "war warning" and prior to 7 December 1941, Admiral Kimmel and General Short conferred on several occasions. They discussed the reinforcement of Midway and Wake. It does not appear that they discussed the conditions of readiness placed in effect or to be placed in effect, or the question or advisability of placing in effect air reconnaissance. General Short testified before the Naval Court that after a conference with Admiral Kimmel, he placed in effect Army Alert No. 1 (the anti-sabotage alert). Admiral Kimmel testified that he did not know what alert the Army had in effect, and that he made no specific inquiry of General Short in this connection.

That there was not full mutual exchange of intelligence also appears from the evidence. Admiral Kimmel received dispatches after 27 November 1941 relating to Japanese destruction of codes and instructions to United States outlying islands to destroy classified material. He testified before the Naval Court that he did not direct that these be furnished to General Short, and that he did not know whether or not they were furnished to him. General Short testified that he had not seen these dispatches.

In view of these facts, I cannot agree with the above finding by the Naval Court of Inquiry. The system of mutual cooperation, of joint command, was not working effectively—it failed. In this connection the following conclusion of Admiral Hewitt is approved:

"War experience has shown that: The responsibility for final major decisions must devolve on one person; that is, there must be unity of command."

However, in respect of the above conclusion of Admiral Hewitt, it is important to point out that the experience of this war has conclusively demonstrated that there is no inconsistency between the existence of two or [7] more separate military or naval organizations as the functioning forces and an effective exercise of unity of command in a theater or in an operation. Practically all of the major operations of this war have been accomplished by two or more distinct military organizations, some even belonging to diverse nations, but all acting under a unified command. In such an operation, the commanders of the several forces and their staffs must function in close physical proximity, usually in the higher echelons sharing a common headquarters or command post.

I do not find, however, that Admiral Kimmel is open to criticism for having failed to advise the Army at Pearl Harbor that a submarine contact had been made on the morning of 7 December 1941, shortly prior to the air attack. The evidence obtained by Admiral Hewitt supports the following conclusion by him, which is approved:

"26. The attempt to obtain confirmation of the reported submarine attack off Pearl Harbor was proper, although it should have been effected in plain language. Adequate naval action was taken in sending out the ready destroyer. This information was of no immediate interest to the Army unless it in fact indicated imminency of an air attack, an assumption which was not necessarily logical. In any event, confirmation was not received until the air attack had commenced."

(e) *Court of Inquiry Finding VI (1160)*.—This states in substance that unavoidable deficiencies in personnel and material had a bearing on the effectiveness of the local defense of Pearl Harbor.

The Commander in Chief, U. S. Fleet, points out, however, that the pertinent question is whether Admiral Kimmel used the means available to the best advantage. I concur in this comment of the Commander in Chief, U. S. Fleet.

(f) *Court of Inquiry Finding VII (1165)*.—The Court finds that Japan had an initial advantage because of the Japanese Fleet's numerical superiority, and the superiority of Japanese espionage.

The comment in the Second Endorsement on this point is confined to the general statement that factors such as those referred to by the Court will always place this nation at a disadvantage during a period of strained relations. This finding, of course, in general was correct. Nevertheless, as applied to the specific issues here presented, it overlooks the fact that:

(1) The numerical superiority of the Japanese Fleet was well known to Admiral Stark and to Admiral Kimmel, and this fact was taken into account in the war plans;

(2) Although unquestionably the United States was placed at a disadvantage in restraining Japanese espionage activities, the Navy and War Departments were nevertheless not without important Intelligence advantages of their own which were not availed of to the fullest extent.

(g) *Court of Inquiry Finding VIII (1167)*.—This states that it was the direct responsibility of the Army to defend Pearl Harbor Naval Base, and that the Navy was to assist only with the means provided the Naval District.

[8] The Commander in Chief, U. S. Fleet, is in agreement with "the fundamental concept of naval warfare" discussed by the Court, but takes a more realistic view on this point. He points out that Admiral Kimmel was fully aware that in view of the weakness of local defense, the Fleet had to be employed to protect Pearl Harbor. With this I concur. It is to be noted, moreover, that under the defense plan the Navy was responsible for the maintenance of distant reconnaissance.

(h) *Court of Inquiry Finding IX (1169)*.—The Court finds that the air defense plans were defective because of the necessity for reliance upon Fleet aircraft which could not be made permanently available for local defense.

The Second Endorsement states that the Court has over-stressed the fact that the only patrol planes in the area were Fleet planes; that it was sound policy to place all such aircraft at Admiral Kimmel's disposal; that it was his responsibility to allocate the planes as best he could; that the available aircraft had to be employed in the manner best suited to the danger that threatened; that it is doubtful whether with the available forces it would have been possible to destroy the carriers before they launched their planes, except by a lucky chance; that Admiral Kimmel was not sufficiently alive to the situation, not entirely due to his own fault; and that this had a bearing on the amount of damage resulting from the attack. I concur in the comments of the Commander in Chief, U. S. Fleet, with respect to this finding.

(i) *Court of Inquiry Findings IV (1159), VIII (1167), IX (1169)*.—Based on these findings the conclusion of the Court is that Admiral Bloch satisfactorily performed his duties.

The Commander in Chief, U. S. Fleet, concurs. This conclusion is approved.

(j) *Court of Inquiry Finding X (1171)*.—This holds adequate and effective Admiral Kimmel's provisions for the security of the Fleet at sea.

The Commander in Chief, U. S. Fleet, concurs. This finding is approved.

(k) *Court of Inquiry Finding XI (1173)*.—The substance of this finding is that Admiral Kimmel was maintaining the highest condition of readiness called for by the information available to him, and that a higher condition of readiness would have added little to the defense.

[9] In the Second Endorsement it is pointed out that in fact the condition of readiness being maintained at the time of the attack was only that condition which is normally maintained when in port. This is maintained on the assumption that the shore defenses are adequate to protect the Fleet. Such was not the case at Pearl Harbor, as Admiral Kimmel knew.

The Commander in Chief, U. S. Fleet, further states that he does not agree with the conclusion of the Court that a higher condition of readiness would have added little to the defense, and is of the view that the information available to Admiral Kimmel called for a tightening up of the defense precautions as 7 December approached. With the comments of the Commander in Chief, U. S. Fleet, I concur.

(l) *Court of Inquiry Finding XII (1176)*.—The Court here finds that there was no information indicating that Japanese carriers were on their way to

attack Pearl Harbor, and that it was not possible to prevent or to predict that attack.

The Second Endorsement to the Naval Court record states on this point: "There was information that might logically have been interpreted as indicating that an attack on Hawaii was not unlikely, and that the time could be predicted within fairly narrow limits."

It is to be noted that one of the principal matters covered in Admiral Hewitt's investigation was the information available to Admiral Kimmel, particularly during the critical period from 27 November to 7 December 1941, concerning the location and movements of Japanese naval forces. This information, which consisted principally of daily radio intelligence summaries setting forth the results of monitoring Japanese naval communications and estimates by the Fleet Intelligence Officer, is set forth in some detail at pages 112-114, inclusive, of Admiral Hewitt's report. It there appears that there was an unusual change in Japanese naval radio calls on 1 December 1941: that this was regarded as indicating an additional progressive step in preparing for active operations on a large scale; that on 2 December 1941 Admiral Kimmel conferred with his Fleet Intelligence Officer as to the whereabouts of Japanese fleet units, and that during that conference Admiral Kimmel noticed and commented on the absence of information in the Fleet Intelligence Officer's written estimate as to Japanese Carrier Divisions 1 and 2, which consisted of four carriers. (It has since been learned that those four carriers were among the six carriers which in fact were then on the high seas heading toward Pearl Harbor.) The other Japanese carriers were located by the Fleet Intelligence Officer [10] in his written estimate, in Japanese home waters, with the exception of possibly one carrier in the Marshalls. In his testimony before Admiral Hewitt, the Fleet Intelligence Officer described his conversation with Admiral Kimmel on 2 December 1941 as follows:

"Mr. SONNETT. Will you state the substance of what he said and what you said, as best you recall it?

"Captain LAYTON. As best I recall it, Admiral Kimmel said, 'What! You don't know where Carrier Division 1 and Carrier Division 2 are?' and I replied, 'No, sir, I do not. I think they are in home waters, but I do not know where they are. The rest of these units, I feel pretty confident of their location.' Then Admiral Kimmel looked at me, as sometimes he would, with somewhat a stern countenance and yet partially with a twinkle in his eye and said, 'Do you mean to say that they could be rounding Diamond Head and you wouldn't know it?' or words to that effect. My reply was that, 'I hope they would be sighted before now', or words to that effect."

"Mr. SONNETT. Your testimony, Captain, was not quite clear to me, arising out of your description of Admiral Kimmel's twinkle in his eye when he spoke. What I am trying to get at is this: as the discussion about the absence of information concerning Cardivs 1 and 2 a serious or a jocular one?

"Captain LAYTON. His question was absolutely serious, but when he said 'Where are Cardivs 1 and 2?' and I said, 'I do not know precisely, but if I must estimate, I would say that they are probably in the Kure area since we haven't heard from them in a long time and they may be refitting as they finished operations only a month and a half ago,' and it was then when he, with a twinkle in his eye, said 'Do you mean to say they could be rounding Diamond Head?' or words to that effect. In other words, he was impressing me on my complete ignorance as to their exact location.

"Mr. SONNETT. He was conscious, therefore, of your lack of information about those carriers?

"Captain LAYTON. This incident has been impressed on my mind. I do not say that I quote him exactly, but I do know that he made such a statement to me in a way to point out to me that I should know where they are but hadn't so indicated their location."

It is to be noted further that, as set forth in Admiral Hewitt's report, the daily communication intelligence summaries received by Admiral Kimmel stated, on December 3rd, that: "Almost a complete blank of information on the carriers today. Lack of identifications has somewhat promoted this lack of information. However, since over 200 service calls have been partially identified since the change on the first of December and not one carrier call has been recovered, it is evident that carrier traffic is at a low ebb," and that the daily summaries delivered to Admiral Kimmel thereafter, and prior to the attack, indicated that there was no information as [11] to Japanese carriers.

In view of the foregoing, I do not approve the above finding by the Naval Court of Inquiry. I concur entirely in the comment of the Commander in Chief,

U. S. Fleet, concerning this finding. I am of the view that the information as to the location and movements of the Japanese naval forces which was received by Admiral Kimmel during the week preceding the attack, coupled with all the other information which he had received, including the "war warning" and other messages from the Chief of Naval Operations, should have been interpreted as indicating that an attack on Hawaii was not unlikely and that the time of such an attack could be predicted within fairly narrow limits.

(m) *Court of Inquiry Finding XIII (1178)*.—It is here stated that Admiral Kimmel's decision not to conduct daily long-range reconnaissance was sound; that there were in sufficient planes for this purpose; and that such use of available planes was not justified.

The Commander in Chief, U. S. Fleet, in his endorsement to the Naval Court record points out that Admiral Kimmel had a difficult decision to make in this matter of reconnaissance, and that there were many factors to be considered. He states further, however, that after considering all of the information that was at Admiral Kimmel's disposal, it appears that Admiral Kimmel was not on entirely sound ground in making no attempt at long-range reconnaissance, particularly as the situation became more and more tense in the few days immediately preceding the Japanese attacks. This comment adds that it is obvious that the means available did not permit an all-around daily reconnaissance to a distance necessary to detect the approach of carriers before planes could be launched, but that there were, however, certain sectors more dangerous than others which could have been covered to some extent, and that such particular cover would have been logical in the circumstances known to Admiral Kimmel in late November and early December. Attention is called to the fact that Admiral Richardson had maintained distance reconnaissance, using the few patrol planes at his disposal, to cover the most dangerous sectors in rotation, and that these patrols were discontinued when or shortly before Admiral Kimmel relieved Admiral Richardson.

In addition to these comments, with which I concur, it may be noted that Admiral Kimmel himself had maintained a partial long range patrol in the summer of 1941 on the basis of Intelligence received and reported by Admiral Bloch at that time.

[2] The following findings by Admiral Hewitt in connection with the question of air reconnaissance are approved:

"77. Admiral Kimmel testified before the Naval Court of Inquiry that he decided on November 27th that there should be no distant reconnaissance."

"78. There is no evidence of any specific discussion between Admiral Kimmel and members of his staff on or after the receipt of the "war warning," as to the advisability or practicability of long range reconnaissance from Oahu. The War Plans Officer thought that the subject must have been discussed, but could recall no specific discussion. The Commander of the Fleet patrol planes, who had not been informed of any of the significant warning messages, testified that Admiral Kimmel had no such discussion with him."

"87. The Fleet patrol planes available at Oahu in the week preceding the attack were not sufficient to have conducted 360 degree reconnaissance daily for more than a few days."

"89. There were sufficient Fleet patrol planes and crews in fact available at Oahu during the week preceding the attack to have flown, for at least several weeks, a daily reconnaissance covering 128 degrees to a distance of about 700 miles."

"90. The sectors north of Oahu were generally recognized as being the most likely sectors from which a Japanese attack would come, if the Japanese were to attack Pearl Harbor."

"91. If a daily distant reconnaissance had been flown from Oahu after 27 November 1941, with the available patrol planes, the northern sectors probably would have been searched."

"101. The Japanese carriers launched their planes from a position 200 miles due north of Oahu."

(n) *Court of Inquiry Finding XIV (1182)*.—This states in substance that the Army radar detection system was ineffective.

The evidence supports the substance of the comment on this finding, which is made in the Second Endorsement; that is, that although the radar detection system in operation at Pearl Harbor was in an embryonic state, nevertheless, even in its then condition it could have and should have served to give at least

an hour's warning of the attack. I concur in this comment and also approve the following conclusion by Admiral Hewitt:

"15. The aircraft warning system was being operated by the Army during [13] certain periods of the day primarily for training purposes, and, although not fully developed, could have served to give some warning of the approach of Japanese aircraft."

(c) *Court of Inquiry Findings XV (1186)*.—This states that the best professional opinion in the United States and Great Britain, prior to 7 December 1941, was that an aircraft torpedo attack under conditions of shoal water and limited approach such as those which obtained at Pearl Harbor, was not practicable, and that the Japanese attack was successful principally because of the employment of a specially designed torpedo, which was a secret weapon.

The only comment in the Second Endorsement on this finding is that: "It is evident in retrospect that the capabilities of Japanese aircraft torpedoes were seriously underestimated." The principal point upon which the Court of Inquiry seems to rest its finding is the further finding that it was not believed by American and British naval authorities at that time that torpedoes could be successfully launched from aircraft in waters as shallow as those at Pearl Harbor. As a basis for this view the Court relies upon a letter by the Chief of Naval Operations early in 1941 in which he indicated that torpedoes could not be successfully launched from airplanes in water under a minimum depth of 75 feet (water at Pearl Harbor being approximately 45 feet). It is noted that the Court also refers to a subsequent letter put out for the Chief of Naval Operations in June, 1941, by Admiral Ingersoll, which is in conflict with the Court's finding. This letter stated, among other things, that: "It cannot be assumed that any capital or other valuable vessel is safe when at anchor from this type of attack if surrounded by water at a sufficient distance to permit an attack to be developed and a sufficient run to arm the torpedo." This letter also advised that torpedoes launched by the British at Taranto were, in general, in 13-15 fathoms of water, although several may have been launched in 11-12.

The records of the Navy Department indicate that in April, 1941, there was circulated in the Department an intelligence report which described the demonstration of an aerial torpedo in England. It appears from this report that the torpedo described was equipped with special wings, and that it required no greater depth of water for its successful launching than the depth at which it made its normal run.

It further appears from the records of the Navy Department that the British reported aircraft torpedo attacks during the year 1940 in which torpedoes were successfully launched in 42 feet of water.

Finally, there is evidence in the record to indicate that nearly a year prior to the actual attack, the feasibility and even the probability of an airplane torpedo attack upon Pearl Harbor was contemplated. Secretary Knox's letter of January, 1941, listed an air torpedo attack as second only to air bombing in order of probability in a list of [14] the types of attack upon Pearl Harbor which he considered likely. His letter had been previously cleared with Admiral Stark, and was received in February by Admiral Kimmel.

In view of the foregoing, the finding of the Court of Inquiry is not approved.

(p) *Court of Inquiry Finding XVI (1188)*.—The Court here finds that Admiral Kimmel's decision to continue preparation of the Fleet for war, made after receiving the 24 November dispatch was sound in light (a) of the approval of the steps which he had taken after the dispatch of 16 October which advised that hostilities were possible, and (b) the information then available to him including Admiral Stark's letter of 17 October 1941 and the dispatch of 24 November, 1941, which stated that a surprise aggressive movement in any direction, including attack on the Philippines or Guam, was a possibility.

The Second Endorsement summarizes the Court's finding and underscores that portion of the 24 November dispatch which indicated that: "A surprise aggressive movement in any direction, including attack on the Philippines or Guam is a possibility . . ."

It should be further noted that Admiral Kimmel testified that the words "A surprise aggressive movement in any direction, including attack on the Philippines or Guam," meant to him that any attack other than on those two places would be on foreign territory, but that the words also included the possibility of a submarine attack on the Hawaiian Islands.

The Court refers in its finding to a part of a personal letter sent by Admiral Stark to Admiral Kimmel on 17 October, in which Admiral Stark stated: Personally, I do not believe the Japs are going to sail into us and the message

I sent you merely stated the possibility; in fact, I tempered the message handed me considerably." However, the letter also continued: "Perhaps I am wrong, but I hope not. In any case, after long pow-wows in the White House, it was felt that we should be on guard, at least until something indicates the trend." To the letter was annexed a postscript, stating in part: "General Marshall just called up and was anxious that we made some sort of reconnaissance so that he could feel assured that on arrival at Wake, a Japanese raider attack may not be in order on his bombers. I told him that we could not assure against any such contingency, but that I felt it extremely improbable and that, while we keep track of Japanese ships so far as we can, a carefully planned raid on any of these island carriers in the Pacific might be difficult to detect. However, we are on guard to the best of our ability, and my advice to him was not to worry."

It is noted that the Court does not specifically deal [15] with the question of the soundness of Admiral Kimmel's decision to continue preparation of the Fleet, in the light of the highly important information which he received from the Chief of Naval Operations and otherwise during the critical period after the "war warning" of November 27th.

(q) *Court of Inquiry Finding XVII (1193)*.—The Court here finds that there were good grounds for believing that the Japanese would attack in the Far East.

In respect of this finding, the Commander in Chief, U. S. Fleet, points out that the Far East was the most probable scene for the initiation of Japanese operations, and that they were in fact initiated there. He notes further that all concerned recognized the possibility that such a commencement of hostilities would be accompanied by an attack upon Pearl Harbor. He adds that this latter possibility was considerably strengthened by information available at Washington, all of which was not available to Admiral Kimmel.

It appears from the evidence obtained in Admiral Hewitt's investigation that the possibility that the commencement of hostilities by Japan would include an attack upon Pearl Harbor was also strengthened by information received by Admiral Kimmel on and after the war warning of November 27th. The estimates that had been made in the War Plans, which had been approved by Admiral Kimmel, of course contemplated that in the event of war with the Japanese a surprise attack on Pearl Harbor was distinctly possible. The information received by Admiral Kimmel as to the location and movement of Japanese naval forces was, at the least, consistent with these estimates. The following conclusion of Admiral Hewitt in this connection is approved:

"23. The information as to Japanese naval forces which was available to the Commander-in-Chief, Pacific Fleet, emphasizing the movement of forces to the southward, tended to concentrate his attention on the probability of Japanese attacks on the Philippines and Malaysia. The information which was received by Admiral Kimmel during the first week of December 1941 indicated, however, that on December 1st there was an unusual change in Japanese radio call signs; that, on the basis of all information up to December 2nd, no reliable estimate could be made of the whereabouts of four of Japan's ten carriers, and that there was no information as to any of the carriers thereafter. The absence of positive information as to the location of the Japanese carriers, a study of the movement which was possible to them, under radio silence, through the unguarded areas of the Pacific, and a due appreciation of the possible effects of an air attack should have induced Admiral Kimmel to take all practicable precautions to reduce the effectiveness of such an attack. . . ."

[16] (r) *Court of Inquiry Findings XVIII and XIX (1196)*.—These state in substance that Admiral Stark's failure from 26 November to 7 December 1941 to transmit to Admiral Kimmel important information in his possession, obtained from intercepted Japanese diplomatic messages, and summarized in the addendum to the Court's findings of facts, constitutes a military error.

The comment of the Commander in Chief, U. S. Fleet, as to this finding was to the effect that Admiral Stark was at fault in failing to give Admiral Kimmel an adequate summary of information available in Washington.

The endorsement of the Commander in Chief, U. S. Fleet, on the Naval Court of Inquiry Record, further pointed out that Rear Admiral Wilkinson, former Director of Naval Intelligence, was not available to the Court as a witness. It was noted that these findings, and the conclusions of the Court based thereon, were concerned principally with the handling of enemy information in the Navy

Department, and that consequently, it would seem essential to a thorough exploration of the facts to have the testimony of the Director of Naval Intelligence, who was largely responsible for handling this information. It was concluded that the failure to obtain this testimony was unfortunate.

With this commend by the Commander in Chief U. S. Fleet, I concurred. It further appeared to me that the testimony of Captain McCollum, who was assigned to the Office of Naval Intelligence, and who, according to other testimony in the record, had important duties in connection with the handling of such intercepted enemy information, would be most helpful. Captain McCollum was also unavailable as a witness to the Court. I ascertained that at the time both Rear Admiral Wilkinson and Captain McCollum were actively engaged in combat operations against the enemy, and would be so engaged until some date in the future. From the nature of the duties which these officers were performing in their assignments, I determined that in view of the paramount present needs of the war effort, their testimony in this matter could not then feasibly be obtained.

During his later investigation, Admiral Hewitt was able to obtain the testimony of Admiral Wilkinson and of Captain McCollum, as well as other testimony bearing upon this finding of the Court of Inquiry. The following conclusions of Admiral Hewitt in this connection are approved:

"5. Information was promptly and efficiently obtained by the United States Navy and Army intelligence organizations in Washington, concerning the Japanese Government's actual views as to the diplomatic negotiations and its intention to wage war, by means of interception, decryption, and translation of Japanese diplomatic messages."

[17] "6. The information which was obtained in Washington by the War and Navy Departments from Japanese diplomatic messages was fully exchanged. The information which was obtained by the Navy Department as to Japanese naval movements was available to intelligence officers of the War Department in Washington. The War Department had information which led that Department to believe that Japanese naval forces were in the Marshalls in November, 1941. This appears from a War Department dispatch of 26 November 1941 to General Short, information to Admiral Kimmel, concerning a special photographic reconnaissance to be flown over Truk and Jaluit, in order to obtain information, among other things, as to the number and location of naval vessels. The reconnaissance was not flown because the special Army planes were not made ready."

"8. The information obtained by the Navy Department from intercepted Japanese diplomatic messages was adequately disseminated within the Navy Department.

"9. Although Admiral Kimmel some months before had made requests that he be kept fully informed on subjects of interest to the Fleet and as to all important developments, the Chief of Naval Operations did not communicate to him important information which would have aided him materially in fully evaluating the seriousness of the situation. In particular, the failure to transmit the State Department message of November 26th and to send, by telephone or other expeditious means, information of the "1 p. m." message and its possible import, were unfortunate.

"10. Admiral Kimmel, nevertheless, did have sufficient information in his possession to indicate that the situation was unusually serious, and that important developments with respect to the outbreak of war were imminent. This included the "war warning" message and similar important messages which were sent by the Chief of Naval Operations.

"11. The available information in the possession of the Commander-in-Chief, Pacific Fleet, as to the existing situation, particularly the "war warning" message, was not disseminated to all of his important subordinate commanders whose cognizance thereof was desirable. Thus Admiral Bellinger, who commanded the patrol planes, and Admiral Newton, who was at sea with a carrier and other units, were not informed of this and other important messages."

[18] 12. The following conclusions by Admiral Hewitt concerning the intelligence secured by tapping the wires of the Japanese Consulate General at Hawaii and by intercepting cable messages of the Japanese Consulate General are approved.

Conclusion 12: "Despite the fact that prior to the attack the telephone lines of the Japanese Consul General at Honolulu were tapped and that various of his cable messages were secured at Honolulu, no information was

obtained prior to December 7th which indicated the likelihood of a Japanese attack. The legal restrictions which denied access to such cable messages were a definite handicap to the intelligence agencies in the Hawaiian area."

Conclusion 13: "Although various messages of the Japanese Consul General at Honolulu, which indicated Japanese interest in specific locations of ships in Pearl Harbor, were intercepted by radio intercept stations of the Army and Navy and decrypted prior to the attack, this information was not transmitted by the Navy Department to Admiral Kimmel. Certain other messages which were intercepted by the Army prior to 7 December 1941, indicated the likelihood of attack on Pearl Harbor but were not decrypted or brought to the attention of the Navy prior to the attack, apparently because the Army did not have sufficient personnel for such work."

13. In its final opinion and recommendation, the Court of Inquiry finds that no offenses have been committed or serious blame incurred on the part of any person or persons in the Naval service, and recommends that no further proceedings be had in the matter.

With respect to this opinion and recommendation of the Court of Inquiry, I concur in the comment expressed in paragraph 5 of the Second Endorsement that the Navy cannot avoid a share of responsibility for the Pearl Harbor incident, and that the disaster cannot be regarded as an "act of God" beyond human power to prevent or mitigate. Whether or not it is true, as stated in the Second Endorsement, that the Country as a whole is basically responsible in that the people were unwilling to take adequate measures for defense until it was too late to repair the consequences of their failure so to do, it appears that the Navy as a whole, although its ranking officers were fully informed of the most recent developments in the science of warfare, failed to appreciate the true significance of those developments until their impact had been felt by a blow struck at a substantial portion of the Fleet. By the same token, although the imminence of hostile action by the Japanese was known, and the capabilities of the Japanese Fleet and Air Arm were recognized in war plans made to meet just such hostile action, these factors did not reach the stage of conviction in the minds of the responsible officers of the Navy to an extent sufficient to impel them to bring about that implementation [19] of the plans that was necessary if the initial hostile attack was to be repelled or at least mitigated.

That this is so is manifested in the case of the instant disaster in several important respects.

(a) The destructive potentiality of air attack was not properly evaluated, although there was ample information available on this subject in the reports of action by and against the British. That this information was recognized is shown by the inclusion in war and defense plans of appropriate provisions for defense against this type of attack, but that it was not fully appreciated is shown by the fact that these selfsame provisions were not put into effect until the initial attack had been successful.

(b) In respect of unity of command, again all of the plans made adequate provision for joint action, mutual interchange of intelligence, and the fullest utilization of all of the available resources of both the Army and the Navy; in practice, none of these measures came into being to any appreciable extent prior to the attack.

(c) Within the Navy itself, the organization was such as to submerge the Chief of Naval Operations in a multiplicity of detail pertaining to the procurement and material programs incidental to the rapid expansion of the Navy. This precluded him from giving to war plans and operations the undivided and continuing attention which experience has shown they require, and tended to dull his perception of the critical significance of events.

In making these observations, I am not unmindful of the usual advantage of hindsight, nor do I overlook the fact that this war has proved that any carrier strike, when pressed home with resolution, is almost impossible to deflect. After giving due consideration, however, to all these factors, I am of the opinion that there were, nevertheless, areas in which sound military judgement dictated the taking of action which, though it might not have prevented or defeated the attack, would have tended materially to reduce the damage which the attack was able to inflict. Such action was not taken, and the responsibility must center upon the officers who had it in their power, each within his respective sphere, to take appropriate action.

14. I concur, therefore, with the opinion expressed in paragraph 5 of the Second Endorsement to the Court of Inquiry record that it is pertinent to examine the possible courses of action which Admiral Stark and Admiral Kimmel, as the

responsible officers, might have taken to lessen the success of the initial Japanese blow.

[20] (a) In paragraph 5 of the Second Endorsement, it is pointed out that Admiral Stark failed to give Admiral Kimmel an adequate summary of information available in Washington, particularly in respect of:

(1) The State Department reply of 26 November 1941 to the Japanese, which was regarded by the Japanese as an ultimatum;

(2) The intercepted Japanese messages inquiring as to the disposition of ships within Pearl Harbor;

(3) The implementation of the "winds" message;

(4) In failing to appreciate the significance of the "one p. m. message" it to Admiral Kimmel by the quickest means available.

(5) Finally, it is pointed out in this section of the Second Endorsement that there is a certain sameness of tenor in the communications sent by Admiral Stark to Admiral Kimmel which failed to convey the sense of intensification of critical relations between Japan and the United States.

I concur generally with these comments except as to (3) and (5). In connection with the failure of Admiral Stark to advise Admiral Kimmel of the implementation of the "winds" message, the following conclusion by Admiral Hewitt is approved:

"7. Although the Japanese Government established in their diplomatic messages a code, known as the "winds" code, to be used in radio broadcasts in order to convey information to its representatives as to the status of relations between Japan and other countries, no message was intercepted prior to the attack which used the code words relating to the United States."

Although there may be some basis for the comment that prior to 27 November 1941 there was a certain sameness of tone in the communication sent by Admiral Stark to Admiral Kimmel, it should be noted that the message of November 27 was stronger than any message which Admiral Stark sent previously to Admiral Kimmel. That message read as follows:

"This dispatch is to be considered a war warning X Negotiations with Japan looking toward stabilization of conditions in the Pacific have ceased and an aggressive move by Japan is expected within the next few days X The number and equipment of Japanese troops and the organization of naval task forces indicate an amphibious expedition against either the Philippines (printed in ink, "Thai") or Kra Peninsula or possibly Borneo X Execute an appropriate defensive deployment preparatory to carrying out the tasks assigned in WPL 46 X Inform district and Army authorities X A similar warning is being sent by War Department X Appropriate measures against sabotage."

[21] Concerning the other comments by the Commander in Chief, U. S. Fleet, it might be added that Admiral Stark's omission consisted not only in the failure to transmit fully to Admiral Kimmel certain of the available information, but also in the failure properly and speedily to evaluate that information, particularly on 7 December 1941.

The evidence shows that the State Department reply to the Japanese of 26 November 1941 was in fact regarded by them as an ultimatum; that it was known in the Navy Department before 1 December 1941 that the Japanese regarded the reply as unacceptable; that it was known, as early as 1 December 1941, that the Japanese proposed to strike without warning. It was further known that subsequent to their receipt of the State Department's note the Japanese were directing their emissaries in the United States to do everything in their power to allay any suspicion of a hostile Japanese move. Against this background, there was received on 6 December 1941, in the Navy Department, an intercepted Japanese message to their emissaries here, which stated that a 14-part reply to the State Department's note of 26 November 1941 was being transmitted, and further that a specific time for delivery of this reply would be transmitted from Tokyo by a separate message. This message, together with the first thirteen parts of the Japanese reply were all available at the Navy Department by 2100 hours of 6 December 1941. The language of the thirteen parts of the Japanese reply then available indicated that the reply constituted a final breaking off of relations. All this pointed to the conclusion that a surprise attack was to be simultaneous with the delivery of the Japanese message. Thus, while it was not known on 6 December precisely when the attack was to be delivered, there was ample evidence to base the conclusion that a surprise move was due within narrow limits of time.

On the morning of December 7th, by 10:30, Admiral Stark had all fourteen parts of the Japanese reply, which in its entirety made explicit the breaking off of relations. He had as well the direction for the delivery of that reply at one p. m. Eastern Standard Time, and there was information available to him that this time corresponded to dawn at Oahu and the middle of the night in the Far East. Although, as found by Admiral Hewitt, no one stated that this indicated an air attack at Pearl Harbor, yet all of these factors pointed to the possibility of such an attack. An acute sensitivity to the tautness of the situation would have dictated at least a plain language telephone communication to Admiral Kimmel, which might have provided a warning sufficient to bring about some material reduction in damage inflicted by the Japanese attack.

(b) I concur with the comments set forth in paragraph 5(b) of the Second Endorsement to the Naval Court of Inquiry record. It is there stated that Admiral Kimmel, despite the failure of Admiral Stark to keep him fully informed, did have indications of the increasing tenseness of relations with Japan. In particular, it is pointed out that he had the "war warning" message on 27 November, the "hostile action possible at any moment" message on 28 November, the 3 December message that the Japanese had ordered destruction of codes, and the messages of 4 and 6 December concerning destruction of United States secret and confidential matter at outlying Pacific Islands.

[22] In addition, it might be pointed out that Admiral Kimmel in his personal letters, which are a part of the record before the Court, and as well in the war plans approved by him, explicitly recognized the possibility of attack upon Pearl Harbor by air; and, that the information received by Admiral Kimmel concerning the location and movement of Japanese naval forces after 27 November 1941 should have been evaluated, as previously pointed out, as indicating the continued and increasing possibility of such an attack. It is to be especially noted that while Admiral Kimmel was directed in the war warning message of 27 November 1941, and again on 28 November when the Army message was relayed to him, to execute an appropriate defensive deployment preparatory to carrying out the tasks assigned in the Navy Basic War Plan, the chief action taken by him was carrying forward the arrangements for the reinforcing of and continuing the limited air patrols from the outlying islands, ordering on 28 November, the depth bombing of submarine contracts in the Oahu operating area, and engaging in unproductive conferences with General Short. He continued in effect the primary fleet activity of training and the lowest condition of readiness (Condition III) of the fleet in port. He neither ordered long-range air reconnaissance from Oahu to any extent nor advised his fleet air wing commander of the receipt of the war warning message. His failure to take other and more effective action is neither explainable nor excusable by any ambiguity in the meaning of or disagreement as to what would constitute an "appropriate defensive deployment." Admiral Kimmel could have referred to the initial tasks stated in the war plan of maintaining fleet security at bases and guarding against submarine attack by Japan, and if he did not know what was meant by the phrase "appropriate defensive deployment," he should have asked the Chief of Naval Operations for an explanation.

The Second Endorsement to the Naval Court record states that Admiral Kimmel could and should have judged more accurately the gravity of the danger to which the Hawaiian Islands were exposed, and that certain courses of action were open to him, viz:

(1) He could have used the patrol aircraft available to him to conduct long-range reconnaissance in the more dangerous sectors, and thus made the Japanese task more difficult, whether or not this would have resulted in the detection of the approach of the Japanese carriers; (2) He could have rotated the "in port" periods of his vessels in a less routine manner, and thus made it more difficult for the Japanese to have predicted when there would be any vessels in port; (3) He could have maintained a higher condition of readiness under which Naval planes would have been in the air during the early morning period, ships' batteries would have been fully manned, and damage control organizations fully operational.

Admiral Hewitt's report concludes in part:

"The absence of positive information as to the location of the Japanese carriers, a study of the movement which was possible to them, under radio silence, through the unguarded areas of the Pacific, and a due appreciation of the possible effects of an air attack should have induced Admiral Kimmel to take all practicable pre-

cautions to reduce the effectiveness of such an attack. The measures which reasonably were open to him were:

"(a) Establishment of long distance air reconnaissance, covering the most probable approach sectors to the extent possible, on a reasonably permanent basis, with available planes and crews.

[23] "(b) Establishment of a higher condition of anti-aircraft readiness, at least during the dangerous dawn hours.

"(3) Establishment of a higher degree of damage control readiness by ships in port, particularly during the dangerous dawn hours.

"(d) Installation of anti-torpedo nets to protect the larger vessels in port.

"(e) Maintenance of a striking force at sea in readiness to intercept possible attack forces.

"(f) Maintenance of the maximum force of the Fleet at sea, with entry into port at irregular intervals.

"(g) Checking with Army as to readiness of anti-aircraft defense and aircraft warning installations."

I concur with these comments as to the various course of action which Admiral Kimmel could and should have taken. The evidence indicates clearly, however, that his most grievous failure was his failure to conduct long-range air reconnaissance in the more dangerous sectors from Oahu during the week preceding the attack. That this is so is manifest from the evidence obtained by Admiral Hewitt and from his following conclusion, which is hereby approved.

Conclusion 14. "The only practicable sources from which Admiral Kimmel could have secured information, after the receipt of the 'war warning,' as to the approach of the attacking force, were the aircraft warning service, traffic analyses of Japanese naval communications, and distant air reconnaissance from Oahu."

During the critical period after November 27 the limitations of the aircraft warning service and of radio intelligence were evident; the only remaining practicable source upon which Admiral Kimmel was entitled to rely for information as to the Japanese naval movements was distant air reconnaissance which, covering the most probable approach bearings, would as Admiral Hewitt concluded have had a reasonable chance of success. The failure to detect the approach of the Japanese task force contributed more to the success of the Japanese attack than did any other single factor.

In addition to the courses of action referred to by the Commander in Chief, U. S. Fleet and by Admiral Hewitt, it was of course always open to Admiral Kimmel also to take steps to increase cooperation between his organization and the Army command, and to attempt to achieve effective joint command. That conditions were ideal for his accomplishing such an objective is indicated by the evidence in the record and the finding of the Court that the social relationship between him and General Short was excellent. The need for Admiral Kimmel taking such measures existed from the time he took command of the Pacific Fleet. It increased in urgency as the 7th of December, 1941, approached.

[24] 15. The Second Endorsement of the Commander-in-Chief, U. S. Fleet, to the Naval Court record concludes that:

"6. The derelictions on the part of Admiral Stark and Admiral Kimmel were faults of omission rather than faults of commission. In the case in question, they indicate lack of the superior judgment necessary for exercising command commensurate with their rank and their assigned duties, rather than culpable inefficiency.

"7. Since trial by general court martial is not warranted by the evidence adduced, appropriate administrative action would appear to be the relegation of both of these officers to positions in which lack of superior judgment may not result in future errors."

16. In his endorsement to Admiral Hewitt's report the Commander-in-Chief, U. S. Fleet, states in part:

"I concur in general in the remarks and recommendations of the Judge Advocate General as expressed in the second endorsement. In answer to the specific questions asked in the first endorsement, the following opinions are submitted:

"(a) I am of the opinion that the evidence is not sufficient to warrant trial by court martial of any person in the Naval Service, in that the

evidence will not sustain the charges required by the Articles for the Government of the Navy.

"(b) With regard to the sufficiency of the evidence to warrant other proceedings, I am still of the opinion, which I have previously expressed, that Admiral Stark and Admiral Kimmel, though not culpable to a degree warranting formal disciplinary action, were nevertheless inadequate in emergency, due to the lack of the superior judgment necessary for exercising command commensurate with their duties.

"(c) Appropriate action appears to me to be the relegation of both of these officers to positions in which lack of superior strategic judgment may not result in future errors. The action has been taken in the case of both Admiral Stark and Admiral Kimmel. No further action is recommended.

"(d) For the reasons stated by the Judge Advocate General, I consider it impracticable to bring Admiral Stark and Admiral Kimmel, or either one of them, to trial prior to the termination of hostilities with Japan, nor are court [25] martial or other proceedings (prior to the termination of hostilities with Japan) advisable because such proceedings would almost certainly involve disclosure of information which would be detrimental to current military operations and to national security measures."

17. The Judge Advocate General in making his endorsement to Admiral Hewitt's report states in part:

1. "Subject report clarifies obscure points and supplies omissions in the earlier investigations. It is considered that this and former investigations, taken together, present as clear a picture of the pertinent facts as will ever be adduced. With this report, therefore, I believe the investigation of the Pearl Harbor attack should be considered completed.

2. "Admiral Hewitt's report brings out and confirms a distinction which impressed me at the time of studying the earlier investigations, a distinction which does much to clarify thinking on the question of placing responsibility for the Pearl Harbor disaster. It appears that there was no lack of appreciation on the part of any of the responsible officers that war was coming, and coming quickly, during the critical period immediately preceding 7 December 1941. The point on which those officers failed to exercise the discernment and judgment to be expected from officers occupying their positions, was their failure to appreciate, from the information available to them, that Pearl Harbor was a likely target for aerial attack and their failure to take the necessary steps to prevent or minimize such a surprise attack. Each of these officers, in estimating the critical situation, demonstrated a poor quality of strategical planning, in that he largely ruled out all possible courses of action by which the Japanese might begin the war except through an attack in the Western Pacific.

3. "I do not believe that the lack of more complete understanding and co-operation between Admiral Kimmel and Lieutenant General Short had any great effect on the ultimate result; for it is abundantly shown that they each entertained the same fallacious views, and closer understanding would most likely merely have strengthened those views. Likewise, I submit that the importance of information from Japanese sources has been overemphasized; for had more basically sound principles been observed, the Pearl Harbor disaster would not have occurred. The security of Pearl Harbor was the very core of our Pacific strategy, a fact which did not receive sufficient consideration in the strategic concept of responsible officers.

[26] 4. "In answer to the specific questions asked in the first endorsement, the following opinions are submitted:

(a) As is more fully developed in the answer to question (b), it is not believed that there is sufficient evidence to warrant conviction of any of the officers concerned of any offense known to naval law.

(b) Under the facts of this case, there are only two offenses which are worthy of consideration: (1) Neglect of Duty and (2) Culpable Inefficiency in the Performance of Duty. Under either charge it would be necessary to define the duty of the officer concerned, and to show that it was his duty to follow a course of action other than the one he did. In my opinion this would be impossible, as the acts of omission of these officers do not rise above the status of errors of judgment. No clearly defined duty can be established which was neglected or improperly performed. As stated

by Fleet Admiral King, in his endorsement on the findings of the Court of Inquiry, the evidence in the case boils down to the fact that the acts of the officers in question "indicate lack of superior judgment necessary for exercising command commensurate with their rank and their assigned duties, rather than culpable inefficiency." "Lack of Superior Judgment" is not an offense triable by general court-martial.

* * * * *

(d) The requirements of 39th Article for the Government of the Navy and Section 346 of Naval Courts and Boards pertaining to the rank of members of a general court-martial will make it most difficult to constitute a court for the trial of the officers here concerned during war time or during a period of six months after the cessation of hostilities. Many of the officers of appropriate rank, both on the active and the retired lists, would be disqualified because of interest in the subject matter, the probability of being called as a witness, or by virtue of having been connected with one of the investigations into the matter. If more than one of the officers in question are brought to trial, an entirely new court would be necessary in each case, as members who had tried a former case arising out of the Pearl Harbor attack would be subject to challenge. The summoning of the necessary witnesses would result in temporarily removing from their duty stations many of the key officers in the naval organization. For the foregoing reasons, I am of the opinion that any such court martial proceedings prior to the end of hostilities with Japan is highly impractical and would be detrimental to the war effort, and further, that any such proceedings [27] during the six months immediately following the end of hostilities would seriously impair the efficiency of the naval service."

* * * * *

18. On the basis of the record, findings, opinion, and recommendation of the Court of Inquiry, the First Endorsement of the Judge Advocate General thereto, and the Second Endorsement of the Commander in Chief, U. S. Fleet, thereto; the record findings and conclusions of Admiral Hewitt, and the Second and Third Endorsements thereto; and on the basis of the foregoing comments, I conclude that:

(a) Then Rear Admiral Claude C. Bloch discharged his duties adequately.

(b) Then Admiral Husband E. Kimmel and Admiral Harold R. Stark, particularly during the period from 27 November to 7 December 1941, failed to demonstrate the superior judgment necessary for exercising command commensurate with their rank and their assigned duties.

(c) Both of these officers having been retired, appropriate action should be taken to insure that neither of them will be recalled to active duty in the future for any position in which the exercise of superior judgment may be necessary.

(d) The appropriate committees of Congress should be fully acquainted with the Navy's investigations into this matter, and public disclosure of the facts concerning the Japanese attack on Pearl Harbor, obtained in these investigations, should be made as soon as such action can be taken without injuring current military operations or the national security.

19. Accordingly, I direct:

(a) Rear Admiral Husband E. Kimmel, USN (Retired), shall not hold any position in the United States Navy which requires the exercise of superior judgment.

(b) Admiral Harold R. Stark, USN (Retired), shall not hold any position in the United States Navy which requires the exercise of superior judgment.

(c) The appropriate committees of Congress will be fully acquainted with the Navy's investigations into this matter, and public disclosure of the facts concerning the Japanese attack on Pearl Harbor, obtained in these investigations, will be made as soon as such action can be taken without injuring current military operations or the national security.

Secretary of the Navy.

NOTE

This endorsement released by President Truman 29 August 1945—thereby changing classification.

[1]

13 AUGUST 1945.

FOURTH ENDORSEMENT TO RECORD OF PROCEEDINGS OF PEARL HARBOR COURT OF INQUIRY

Subject: Court of Inquiry to inquire into the attack made by Japanese armed forces on Pearl Harbor, Territory of Hawaii, on 7 December 1941, ordered by the Secretary of the Navy on 13 July 1944, and further investigation by Admiral H. Kent Hewitt, U. S. N., ordered by the Secretary of the Navy on 2 May 1945.

1. Pursuant to Executive order dated 18 December 1941, a commission headed by Mr. Justice Owen J. Roberts conducted an investigation into the facts surrounding the Japanese attack on Pearl Harbor. The commission reported its findings on 23 January 1942. The commission concluded in part that:

"17. In the light of the warnings and directions to take appropriate action, transmitted to both commanders between November 27 and December 7, and the obligation under the system of coordination then in effect for joint cooperative action on their part, it was a dereliction of duty on the part of each of them not to consult and confer with the other respecting the meaning and intent of the warnings, and the appropriate measures of defense required by the imminence of hostilities. The attitude of each, that he was not required to inform himself of, and his lack of interest in, the measures undertaken by the other to carry out the responsibility assigned to such other under the provisions of the plans then in effect, demonstrated on the part of each a lack of appreciation of the responsibilities vested in them and inherent in their positions as commander in chief, Pacific Fleet, and commanding general, Hawaiian Department."

2. Pursuant to precept of the Secretary of the Navy dated 12 February 1944, Admiral Thomas C. Hart, USN (Retired), conducted an examination of witnesses likely to have knowledge of facts in connection with the Japanese attack. Admiral Hart completed his examination on 15 June 1944.

3. Public Law No. 339, 78th Congress, approved 13 June 1944, directed the Secretary of War and the Secretary of the Navy, severally, to proceed forthwith with an investigation into the facts surrounding the Pearl Harbor catastrophe, and to commence such proceedings against such persons as the facts might justify.

[2] 4. A Court of Inquiry, consisting of Admiral Orin G. Murfin, USN (Retired), Admiral Edward C. Kalbfus, USN (Retired), and Vice Admiral Adolphus Andrews, USN (Retired), with Commander Harold Biesemeier, USN, as Judge Advocate, was appointed on 13 July 1944. The Court was directed to convene on 17 July 1944, or as soon thereafter as practicable, for the purpose of inquiring into all circumstances connected with the attack made by Japanese forces on Pearl Harbor, Territory of Hawaii, on 7 December 1941; to inquire thoroughly into the matter; and to include in its findings a full statement of the facts it might deem to be established. The Court was further directed to state its opinion as to whether any offenses were committed or serious blame incurred on the part of any person or persons in the Naval service, and, in case its opinion was that offenses had been committed or serious blame incurred, to recommend specifically what further proceedings should be had.

5. The Court of Inquiry commenced its proceedings on 31 July 1944, and submitted the record of its proceedings on 20 October 1944. Certain portions of the record of proceedings before the Court, including the findings and opinion of the Court, have been classified "TOP SECRET" in the interest of national security, and the balance "SECRET."

The material which was classified "TOP SECRET" was so classified by the Court of Inquiry and retained in that classification upon the recommendation of the Commander in Chief, U. S. Fleet and Chief of Naval Operations because of the extreme care which has been necessary to safeguard information in the hands of the Navy Department and especially the sources of that information. These sources were many, including the Intelligence Divisions of the Army and Navy, the Office of Strategic Services, the Federal Bureau of Investigation, and others.

The Commander in Chief, U. S. Fleet and Chief of Naval Operations now informs me that it is still in the public interest that the sources of this infor-

mation be safeguarded. Accordingly, I have directed that all of the report of the Court of Inquiry be made public except that part, publication of which in the opinion of the Commander in Chief, U. S. Fleet and Chief of Naval Operations would necessarily disclose the sources of secret information. To the same end in the discussion of the report of the Court of Inquiry the evidence before the Court and the additional evidence discovered by Admiral Hewitt's investigation herein I have avoided any reference which would disclose the sources of secret information.

6. The net result of the findings of fact and opinion of the Pearl Harbor Naval Court of Inquiry, as reviewed by Judge Advocate General of the Navy, and the Commander in Chief, U. S. Fleet and Chief of Naval Operations, and by me was that the evidence secured by the Court did not warrant and would not support the trial by general court martial of any person or persons in the Naval Service.

7. In my Third Endorsement to the Record of Proceedings of the Pearl Harbor Court of Inquiry, dated 1 December 1944, I found that the evidence obtained indicated that there were errors of judgment on the part of Admiral Kimmel and Admiral Stark, but that the inquiry had not gone to the point of exhaustion of all possible evidence. Accordingly, I directed that further investigation would be conducted by an investigating officer and that pending [3] the completion of the necessary further investigation I would withhold decision as to the institution of any proceeding against any naval officer involved.

8. In order to insure that the further investigation would cover every material question, I directed that a thorough review be made of the prior investigations. Upon the completion of this review of prior investigations and after examination of the report of the Army Pearl Harbor Board, dated 3 December 1944, I appointed Admiral H. Kent Hewitt, USN, as investigating officer, to examine such witnesses and obtain such other evidence as might be necessary in order fully to develop and clarify the facts in connection with the Japanese attack on Pearl Harbor. The further investigation was completed on 12 July 1945.

9. The comments of the Judge Advocate General and of the Commander in Chief, U. S. Fleet and Chief of Naval Operations, in their endorsements to the Pearl Harbor Court of Inquiry record are approved subject to the following remarks:

(a) *Court of Inquiry Finding II.*—This finding states, in substance, that the presence in Pearl Harbor on 7 December 1941 of Task Force One and the battleships of Task Force Two was necessary.

The essential point here rests in Admiral Kimmel's statement to the effect that he would not have had the Fleet in Pearl Harbor had he anticipated an air attack. The Second Endorsement indicates that the Commander in Chief, U. S. Fleet, does not entirely "go along" with the opinion of the Court that the information available to Admiral Kimmel did not require any departure from his operation and maintenance schedules. The Commander in Chief, U. S. Fleet, states further in this connection that Admiral Kimmel could have rotated the "in port" periods of his vessels in less routine manner, so as to have made it impossible for the Japanese to have predicted when there would be any vessels in port, and that this would have made the Japanese task less easy. I concur in the comments of the Commander in Chief, U. S. Fleet, as to this finding.

(b) *Court of Inquiry Finding III.*—This finding states that, "Constitutional requirements that war be declared by Congress . . ." make it difficult to prevent an attack and precluded offensive action as a means of defense, and that Admiral Kimmel had the responsibility of avoiding overt acts.

The Commander in Chief, U. S. Fleet, comments that this gives an unscrupulous enemy a great advantage, and that the Constitutional requirement preventing offensive action as a means of defense was a definite handicap. Though, in contrast with our Constitutional principles, the surprise attack on Pearl Harbor was but a repetition of the historically treacherous Japanese method of inaugurating hostilities and commencing a war, yet it does not appear that there was any proximate casual relationship between the Constitutional requirement and the instant disaster. The Constitutional inhibition and the injunction as to overt acts did not preclude either long distance reconnaissance or a sortie by the Fleet. Further, it [4] appears that prior to 7 December 1941, Admiral Kimmel did not regard this Constitutional provision or his responsibility to avoid overt acts as sufficient to prevent the issuance of orders to bomb unidentified submarines found in operating areas.

(c) *Court of Inquiry Finding IV.*—This states that Admiral Bloch was subordinate to Admiral Kimmel, and was charged with the task of assisting the Army in the defense of Pearl Harbor and, consequently, Admiral Bloch had a responsibility for naval measures concerned with local defense.

Upon the basis of all the evidence including Admiral Hewitt's investigation, it appears that:

(1) No patrol planes were under the command of Admiral Bloch. The only Navy planes suitable for long distance reconnaissance were the Pacific Fleet patrol planes.

(2) The Pacific Fleet patrol planes were under the control of Admiral Kimmel, and he had the responsibility for their utilization. They were operated after 22 November 1941 in accordance with schedules approved by him at that time, which were not revised prior to the attack. The schedules stressed training operations. They did not provide for distant reconnaissance from Oahu.

(d) *Court of Inquiry Finding V.* The Court here finds that relations between Admiral Kimmel and General Short were friendly, cordial and cooperative; that they invariably conferred when important messages were received, and that each was sufficiently cognizant of the measures being taken by the other.

In this connection upon all the evidence it appears:

(1) The basic war plans and the local defense plans were sound and were designed to meet, with the available means, various types of attack, including an attack such as the one which was delivered. The basic war plans and the local air defense plans were not operative in time to meet that attack. The Rainbow Five war plans presupposed the existence of a state of war. The local air defense plans presupposed agreement between the local commanders that an attack was imminent. Neither of these was the case prior to the attack.

(2) The system of command in effect in the Hawaiian area was that of mutual cooperation and not unity of command. Cooperation between the local Army and Navy commanders required agreement as to the imminence of attack, which presupposed the possession and exchange of information concerning Japanese intentions and movements of Japanese naval forces.

[5] (3) A full exchange of information is necessary to the effective exercise of Joint Command. While there was a considerable exchange of information between various Army and Navy intelligence agencies there was no organized system to ensure such exchange.

The evidence obtained by Admiral Hewitt indicates that there were informal arrangements for the exchange of intelligence by the Army and Navy at Hawaii, which included the transmission to the Army of some information concerning Japanese ship movements. The evidence obtained both by Admiral Hewitt and by the Naval Court of Inquiry indicates, however, that neither Admiral Kimmel nor General Short was sufficiently informed of the degree of readiness put into effect by the other. It appears that after receipt of the "war warning" and prior to 7 December 1941, Admiral Kimmel and General Short conferred on several occasions. They discussed the reinforcement of Midway and Wake. It does not appear that they discussed the conditions of readiness placed in effect or to be placed in effect, or the question or advisability of placing in effect air reconnaissance. General Short testified before the Naval Court that after a conference with Admiral Kimmel, he placed in effect Army Alert No. 1 (the anti-sabotage alert). Admiral Kimmel testified that he did not know which degree of alert the Army had in effect, and that he made no specific inquiry of General Short in this connection.

That there was not full mutual exchange of intelligence also appears from the evidence. Admiral Kimmel received dispatches after 27 November 1941 relating to Japanese destruction of codes and instructions to United States outlying islands to destroy classified material. He testified before the Naval Court that he did not direct that these be furnished to General Short, and that he did not know whether or not they were furnished to him. General Short testified that he had not seen these dispatches.

In view of these facts, I cannot agree with the above finding by the Naval Court of Inquiry. The system of mutual cooperation, of joint command, was not working effectively—it failed.

War experience has shown that: The responsibility for final major decisions must devolve on one person; that is, there must be unity of command. However, it is important to point out that the experience of this war has conclusively demonstrated that there is no inconsistency between the existence of two or more separate military or naval organizations as the functioning forces and an effective exercise of unity of command in a theater or in an operation. Practically all of the major operations of this war have been accomplished by two or more distinct military organizations, some even belonging to diverse nations, but all

acting under a unified command. In such an operation, the commanders of the several forces and their staffs must function in close physical proximity, usually in the higher echelons sharing a common headquarters or command post.

[6] I do not find, however, that Admiral Kimmel is open to criticism for having failed to advise the Army at Pearl Harbor that a submarine contact had been made on the morning of 7 December 1941, shortly prior to the air attack. The evidence supports the conclusion that the attempt to obtain confirmation of the reported submarine attack off Pearl Harbor was proper, although it should have been effected in plain language. Adequate naval action was taken in sending out the ready destroyer.

(e) *Court of Inquiry Finding VI.*—This states in substance that unavoidable deficiencies in personnel and material had a bearing on the effectiveness of the local defense of Pearl Harbor.

The Commander in Chief, U. S. Fleet, points out, however, that the pertinent question is whether Admiral Kimmel used the means available to the best advantage. I concur in this comment of the Commander in Chief, U. S. Fleet.

(f) *Court of Inquiry Finding VII.*—The Court finds that Japan had an initial advantage because of the Japanese Fleet's numerical superiority, and the superiority of Japanese espionage.

The comment in the Second Endorsement on this point is confined to the general statement that factors such as those referred to by the Court will always place this nation at a disadvantage during a period of strained relations. This finding, of course, in general was correct. Nevertheless, as applied to the specific issues here presented, it overlooks the fact that:

(1) The numerical superiority of the Japanese Fleet was well known to Admiral Stark and to Admiral Kimmel, and this fact was taken into account in the war plans;

(2) Although unquestionably the United States was placed at a disadvantage in restraining Japanese espionage activities, the Navy and War Departments were nevertheless not without important Intelligence advantages of their own which were not availed of to the fullest extent.

(g) *Court of Inquiry Finding VIII.*—This states that it was the direct responsibility of the Army to defend Pearl Harbor Naval Base, and that the Navy was to assist only with the means provided the Naval District.

The Commander in Chief, U. S. Fleet, is in agreement with "the fundamental concept of naval warfare" discussed by the Court, but takes a more realistic view on this point. He points out that Admiral Kimmel was fully aware that in view of the weakness of local defense, the ships of the Fleet in port had to be employed to protect Pearl Harbor. With this I concur. It is to be noted, moreover, that under the defense plan the Navy was responsible for the maintenance of distant reconnaissance.

[7] (h) *Court of Inquiry Finding IX.*—The Court finds that the air defense plans were defective because of the necessity for reliance upon Fleet aircraft which could not be made permanently available for local defense.

The Second Endorsement states that the Court has overstressed the fact that the only patrol planes in the area were Fleet planes; that it was sound policy to place all such aircraft at Admiral Kimmel's disposal; that it was his responsibility to allocate the planes as best he could; that the available aircraft had to be employed in the manner best suited to the danger that threatened; that it is doubtful whether with the available forces it would have been possible to destroy the carriers before they launched their planes, except by a lucky chance; that Admiral Kimmel was not sufficiently alive to the situation, not entirely due to his own fault; and that this had a bearing on the amount of damage resulting from the attack. I concur in the comments of the Commander in Chief, U. S. Fleet, with respect to this finding.

(i) *Court of Inquiry Findings IV, VIII, IX.*—Based on these findings the conclusion of the Court is that Admiral Bloch satisfactorily performed his duties.

The Commander in Chief, U. S. Fleet, concurs. This conclusion is approved.

(j) *Court of Inquiry Finding X.*—This holds adequate and effective Admiral Kimmel's provisions for the security of the Fleet at sea.

The Commander in Chief, U. S. Fleet, concurs. This finding is approved.

(k) *Court of Inquiry Finding XI.*—The substance of this finding is that Admiral Kimmel was maintaining the highest condition of readiness called for by the information available to him, and that a higher condition of readiness would have added little to the defense.

In the Second Endorsement it is pointed out that in fact the condition of readiness being maintained at the time of the attack was only that condition which is normally maintained when in port. This is maintained on the assumption that the shore defenses are adequate to protect the Fleet. Such was not the case at Pearl Harbor, as Admiral Kimmel knew.

[8] The Commander in Chief, U. S. Fleet, further states that he does not agree with the conclusion of the Court that a higher condition of readiness would have added little to the defense, and is of the view that the information available to Admiral Kimmel called for a tightening up of the defense precautions as 7 December approached. With the comments of the Commander in Chief, U. S. Fleet, I concur.

(1) *Court of Inquiry Finding XII.*—The Court here finds that there was no information indicating that Japanese carriers were on their way to attack Pearl Harbor, and that it was not possible to prevent or to predict that attack.

The Second Endorsement to the Naval Court record states on this point: "There was information that might logically have been interpreted as indicating that an attack on Hawaii was not unlikely, and that the time could be predicted within fairly narrow limits."

It is to be noted that one of the principal matters covered in Admiral Hewitt's investigation was the information available to Admiral Kimmel, particularly during the critical period from 27 November to 7 December 1941, concerning the location and movements of Japanese naval forces. This information consisted principally of daily radio intelligence summaries setting forth the results of monitoring Japanese naval communications and estimates by the Fleet Intelligence Officer. It appears that there was an unusual change in Japanese naval radio calls on 1 December 1941; that this was regarded as indicating an additional progressive step in preparing for active operations on a large scale; that on 2 December 1941 Admiral Kimmel conferred with his Fleet Intelligence Officer as to the whereabouts of Japanese fleet units, and that during that conference Admiral Kimmel noticed and commented on the absence of information in the Fleet Intelligence Officer's written estimate as to Japanese Carrier Divisions 1 and 2, which consisted of four carriers. (It has since been learned that these four carriers were among the six carriers which in fact were then on the high seas heading toward Pearl Harbor.) The other Japanese carriers were located by the Fleet Intelligence Officer in his written estimate, in Japanese home waters, with the exception of possibly one carrier in the Marshalls. In his testimony before Admiral Hewitt, the Fleet Intelligence Officer, Captain Edwin T. Layton, U. S. N., described his conversation with Admiral Kimmel on 2 December 1941 as follows:

"Q. Will you state the substance of what he said and what you said, as best you recall it?

"A. As best I recall it, Admiral Kimmel said, 'What! You don't know where Carrier Division 1 and Carrier Division 2 are?' and I replied, 'No, sir, I do not. I think they are [9] in home waters, but I do not know where they are. The rest of these units, I feel pretty confident of their location.' Then Admiral Kimmel looked at me, as sometimes he would, with somewhat a stern countenance and yet partially with a twinkle in his eye and said, 'Do you mean to say that they could be rounding Diamond Head and you wouldn't know it?' or words to that effect. My reply was that, 'I hope they would be sighted before now,' or words to that effect." . . .

"Q. Your testimony, Captain, was not quite clear to me, arising out of your description of Admiral Kimmel's twinkle in his eye when he spoke. What I am trying to get at is this: Was the discussion about the absence of information concerning Cardivs 1 and 2 a serious or joocular one?

"A. His question was absolutely serious, but when he said 'Where are Cardivs 1 and 2?' and I said, 'I do not know precisely, but if I must estimate, I would say that they are probably in the Kure area since we haven't heard from them in a long time and they may be refitting as they finished operations only a month and a half ago,' and it was then when he, with a twinkle in his eye, said, 'Do you mean to say that they could be rounding Diamond Head?' or words to that effect. In other words, he was impressing me on my complete ignorance as to their exact location.

"Q. He was conscious, therefore, of your lack of information about those carriers?

"A. This incident has been impressed on my mind. I do not say that I quote him exactly, but I do know that he made such a statement to me in the way to

point out to me that I should know where they are but hadn't so indicated their location."

It is to be noted further that the daily communication intelligence summaries received by Admiral Kimmel stated, on December 3rd, that: "Almost a complete blank of information on the carriers today. Lack of identifications has somewhat promoted this lack of information. However, since over 200 service calls have been partially identified since the change on the first of December and not one carrier call has been recovered, it is evident that carrier traffic is at a low ebb" and that the daily summaries delivered to Admiral Kimmel thereafter, and prior to the attack, indicated that there was no information as to Japanese carriers.

[10] In view of the foregoing, I do not approve the above finding by the Naval Court of Inquiry. I concur entirely in the comment of the Commander in Chief, U. S. Fleet, concerning this finding. I am of the view that the information as to the location and movements of the Japanese naval forces which was received by Admiral Kimmel during the week preceding the attack, coupled with all the other information which he had received, including the "war warning" and other messages from the Chief of Naval Operations, should have been interpreted as indicating that an attack on Hawaii was not unlikely and that the time of such an attack could be predicted within fairly narrow limits.

(m) *Court of Inquiry Finding XIII.*—It is here stated that Admiral Kimmel's decision not to conduct daily long range reconnaissance was sound; that there were insufficient planes for this purpose; and that such use of the available planes was not justified.

The Commander in Chief, U. S. Fleet, in his endorsement to the Naval Court record points out that Admiral Kimmel had a difficult decision to make in this matter of reconnaissance, and that there were many factors to be considered. He states further, however, that after considering all of the information that was at Admiral Kimmel's disposal, it appears that Admiral Kimmel was not on entirely sound ground in making no attempt at long range reconnaissance, particularly as the situation became more and more tense in the few days immediately preceding the Japanese attacks. This comment adds that it is obvious that the means available did not permit an all-round daily reconnaissance to a distance necessary to detect the approach of carriers before planes could be launched, but that there were, however, certain sectors more dangerous than others which could have been covered to some extent, and that such particular cover would have been logical in the circumstances known to Admiral Kimmel in late November and early December.

In addition to these comments, with which I concur, the following points may be noted:

(1) Admiral Kimmel himself had maintained a partial long range patrol in the summer of 1941 on the basis of Intelligence received and reported by Admiral Bloch at that time.

(2) Admiral Kimmel testified before the Naval Court of Inquiry that he decided on November 27th that there should be no distant reconnaissance.

[11] (3) There is no evidence of any specific discussion between Admiral Kimmel and members of his staff on or after the receipt of the "war warning," as to the advisability or practicability of long range reconnaissance from Oahu. The War Plans Officer thought that the subject must have been discussed, but could recall no specific discussion. The Commander of the Fleet patrol planes, who had not been informed of any of the significant warning messages, testified that Admiral Kimmel had no such discussion with him.

(4) The Fleet patrol planes available at Oahu in the week preceding the attack were not sufficient to have conducted 360 degree reconnaissance daily for more than a few days.

(5) There were sufficient Fleet patrol planes and crews in fact available at Oahu during the week preceding the attack to have flown, for at least several weeks, a daily reconnaissance covering 128 degrees to a distance of about 700 miles.

(6) The sectors north of Oahu were generally recognized as being the most likely sectors from which a Japanese attack would come, if the Japanese were to attack Pearl Harbor.

(7) If a daily distant reconnaissance had been flown from Oahu after 27 November 1941, with the available patrol planes, the northern sectors probably would have been searched.

(8) The Japanese carriers launched their planes from a position 200 miles due north of Oahu.

(n) *Court of Inquiry Finding XIV.*—This states in substance that the Army radar detection system was ineffective.

The evidence supports the substance of the comment on this finding, which is made in the Second Endorsement; that is, that although the radar detection system in operation at Pearl Harbor was in an embryonic state, nevertheless, even in its then condition it could have and should have served to give at least an hour's warning of the attack.

(o) *Court of Inquiry Finding XV.*—This states that the best professional opinion in the United States and Great Britain, prior to 7 December 1941, was that an aircraft torpedo attack under conditions [12] of shoal water and limited approach such as those which obtained at Pearl Harbor, was not practicable, and that the Japanese attack was successful principally because of the employment of a specially designed torpedo, which was a secret weapon.

The only comment in the Second Endorsement on this finding is that: "It is evident in retrospect that the capabilities of Japanese aircraft torpedoes were seriously underestimated." The principal point upon which the Court of Inquiry seems to rest its finding is the further finding that it was not believed by American and British naval authorities at that time that torpedoes could be successfully launched from aircraft in waters as shallow as those at Pearl Harbor. As a basis for this view the Court relies upon a letter by the Chief of Naval Operations early in 1941 in which he indicated that torpedoes could not be successfully launched from airplanes in water under a minimum depth of 75 feet (water at Pearl Harbor being approximately 45 feet). It is noted that the Court also refers to a subsequent letter put out for the Chief of Naval Operations in June, 1941, by Admiral Ingersoll, which is in conflict with the Court's finding. This letter stated, among other things, that: "It cannot be assumed that any capital or other valuable vessel is safe when at anchor from this type of attack if surrounded by water at a sufficient distance to permit an attack to be developed and a sufficient run to arm the torpedo." This letter also advised that torpedoes launched by the British at Taranto were, in general, in 13-15 fathoms of water, although several may have been launched in 11-12.

The records of the Navy Department indicate that in April, 1941, there was circulated in the Department an Intelligence report which described the demonstration of an aerial torpedo in England. It appears from this report that the torpedo described was equipped with special wings, and that it required no greater depth of water for its successful launching than the depth at which it made its normal run.

It further appears from the records of the Navy Department that the British reported aircraft torpedo attacks during the year 1940 in which torpedoes were successfully launched in 42 feet of water.

Finally, there is evidence in the record to indicate that nearly a year prior to the actual attack, the feasibility and even the probability of an airplane torpedo attack upon Pearl Harbor was contemplated. Secretary Knox's letter of January, 1941, listed an air torpedo attack as second only to air bombing in order of probability in a list of the types of attack upon Pearl Harbor which [13] he considered likely. His letter had been previously cleared with Admiral Stark, and was received in February by Admiral Kimmel.

In view of the foregoing, the finding of the Court of Inquiry is not approved.

(p) *Court of Inquiry Finding XVI.*—The Court here finds that Admiral Kimmel's decision to continue preparation of the Fleet for war, made after receiving the 24 November dispatch, was sound in light (a) of the approval of the steps which he had taken after the dispatch of 16 October which advised that hostilities were possible, and (b) the information then available to him including Admiral Stark's letter of 17 October 1941 and the dispatch of 24 November 1941, which stated that a surprise aggressive movement in any direction, including attack on the Philippines or Guam, was a possibility.

The Second Endorsement summarizes the Court's finding and underscores that portion of the 24 November dispatch which indicated that: "*A surprise aggressive movement in any direction, including attack on the Philippines or Guam is a possibility.* . . ."

It should be further noted that Admiral Kimmel testified that the words, "A surprise aggressive movement in any direction, including attack on the Philippines or Guam," meant to him that any attack other than on those two places would be on foreign territory, but that the words also included the possibility of a submarine attack on the Hawaiian Islands.

The Court refers in its finding to a part personal letter sent by Admiral Stark to Admiral Kimmel on 17 October, in which Admiral Stark

stated: "Personally, I do not believe the Japs are going to sail into us and the message I sent you merely stated the possibility; in fact, I tempered the message handed me considerably." However, the letter also continued: "Perhaps I am wrong, but I hope not. In any case, after long pow-wows in the White House, it was felt that we should be on guard, at least until something indicates the trend." To the letter was annexed a postscript stating in part: "General Marshall just called up and was anxious that we make some sort of reconnaissance so that he could feel assured that on arrival at Wake, a Japanese raider attack may not be in order on his bombers. I told him that we could not assure against any such contingency, but that I felt it extremely improbable and that, while we keep track of Japanese ships as far as we can, a carefully planned raid on any of these island carriers in the Pacific might be difficult to detect. However, we are on guard to the best of our ability, and my advice to him was not to worry."

It is noted that the Court does not specifically deal with the question of the soundness of Admiral Kimmel's decision to continue preparation of the Fleet, in the light of the highly important information which he received from the Chief of Naval Operations and otherwise during the critical period after the "war warning" of November 27th.

[14] (q) *Court of Inquiry Finding XVII.*—The Court here finds that there were good grounds for believing that the Japanese would attack in the Far East.

In respect of this finding, the Commander in Chief, U. S. Fleet, points out that the Far East was the most probable scene for the initiation of Japanese operations, and that they were in fact initiated there. He notes further that all concerned recognized the possibility that such a commencement of hostilities would be accompanied by an attack upon Pearl Harbor. He adds that this latter possibility was considerably strengthened by information available at Washington, not all of which was available to Admiral Kimmel.

It appears from the evidence obtained in Admiral Hewitt's investigation that the possibility that the commencement of hostilities by Japan would include an attack upon Pearl Harbor was also strengthened by information received by Admiral Kimmel on and after the war warning of November 27th. The estimates that had been made in the War Plans, which had been approved by Admiral Kimmel, of course contemplated that in the event of war with the Japanese a surprise attack on Pearl Harbor was distinctly possible. The information received by Admiral Kimmel as to the location and movement of Japanese naval forces was, at the least, consistent with these estimates.

The information as to Japanese naval forces which was available to the Commander in Chief, Pacific Fleet, emphasizing the movement of forces to the southward, tended to concentrate his attention on the probability of Japanese attacks on the Philippines and Malaysia. The information which was received by Admiral Kimmel during the first week of December, 1941, indicated, however, that on December 1st there was an unusual change in Japanese radio call signs; that, on the basis of all information up to December 2nd, no reliable estimate could be made of the whereabouts of four of Japan's ten carriers, and that there was no information as to any of the carriers thereafter. The absence of positive information as to the location of the Japanese carriers, a study of the movement which was possible to them, under radio silence, through the unguarded areas of the Pacific, and a due appreciation of the possible effects of an air attack should have induced Admiral Kimmel to take all practicable precautions to reduce the effectiveness of such an attack.

(r) *Court of Inquiry Findings XVIII and XIX.*—These state in substance that Admiral Stark's failure from 26 November to 7 December 1941 to transmit to Admiral Kimmel important information [15] in his possession constitutes a military error.

The comment of the Commander in Chief, U. S. Fleet, as to this finding was to the effect that Admiral Stark was at fault in failing to give Admiral Kimmel an adequate summary of information available in Washington.

The endorsement of the Commander in Chief, U. S. Fleet, on the Naval Court of Inquiry Record, further pointed out that Rear Admiral Wilkinson, former Director of Naval Intelligence, was not available to the Court as a witness. It was noted that these findings, and the conclusions of the Court based thereon, were concerned principally with the handling of enemy information in the Navy Department, and that consequently, it would seem essential to a thorough exploration of the facts to have the testimony of the Director of Naval Intelligence, who was largely responsible for handling this information. It was concluded that the failure to obtain this testimony was unfortunate.

With this comment by the Commander in Chief, U. S. Fleet, I concurred. It further appeared to me that the testimony of Captain McCollum, who was assigned to the Office of Naval Intelligence, and who, according to other testimony in the record, had important duties in connection with the handling of such information, would be most helpful. Captain McCollum was also available as a witness to the Court. I ascertained that at the time both Rear Admiral Wilkinson and Captain McCollum were actively engaged in combat operations against the enemy, and would be so engaged until some date in the future. From the nature of the duties which these officers were performing in their assignments, I determined that in view of the paramount present needs of the war effort, their testimony in this matter could not then feasibly be obtained.

During his later investigation, Admiral Hewitt was able to obtain the testimony of Admiral Wilkinson and of Captain McCollum, as well as other testimony bearing upon this finding of the Court of Inquiry. From this evidence the following conclusions appear:

(1) Information was promptly and efficiently obtained by the United States Navy and Army intelligence organizations in Washington, concerning the Japanese Government's actual views as to the diplomatic negotiations and its intention to wage war.

[16] (2) The information which was obtained in Washington by the War and Navy Departments was fully exchanged. The information which was obtained by the Navy Department as to Japanese naval movements was available to intelligence officers of the War Department in Washington. The War Department had information which led that Department to believe that Japanese naval forces were in the Marshalls in November, 1941. This appears from a War Department dispatch of 26 November 1941 to General Short, information to Admiral Kimmel, concerning a special photographic reconnaissance to be flown over Truk and Jaluit, in order to obtain information, among other things, as to the number and location of naval vessels. The reconnaissance was not flown because the special Army planes were not made ready.

(3) The information obtained by the Navy Department was adequately disseminated within the Navy Department.

(4) Although Admiral Kimmel some months before had made requests that he be kept fully informed on subjects of interest to the Fleet and as to all important developments, the Chief of Naval Operations did not communicate to him important information which would have aided him materially in fully evaluating the seriousness of the situation. In particular, the failure to transmit the State Department message of November 26th and to send, by telephone or other expeditious means certain information indicating the imminence of an attack by the Japanese that was available at Washington on the morning of December 7th, were unfortunate.

(5) Admiral Kimmel, nevertheless, did have sufficient information in his possession to indicate that the situation was unusually serious, and that important developments with respect to the outbreak of war were imminent. This included the "war warning" message and similar important messages which were sent by the Chief of Naval Operations.

(6) The available information in the possession of the Commander in Chief, Pacific Fleet, as to the existing situation, particularly the "war warning" message, was not disseminated to all of his important subordinate commanders whose cognizance thereof was desirable. Thus Admiral Bellinger, who commanded the patrol planes, and Admiral Newton, who was at sea with a carrier and other units, were not informed of this and other important messages.

[17] 10. From the evidence obtained by Admiral Hewitt it appears that prior to the attack the telephone lines of the Japanese Consul General at Honolulu were tapped and that various of his cable messages were secured at Honolulu but no information was obtained prior to December 7th which indicated the likelihood of a Japanese attack. The legal restrictions which denied access to such cable messages were a definite handicap to the intelligence agencies in the Hawaiian area.

11. In its final opinion and recommendation, the Court of Inquiry finds that no offenses have been committed or serious blame incurred on the part of any person or persons in the Naval service, and recommends that no further proceedings be had in the matter.

With respect to this opinion and recommendation of the Court of Inquiry, I concur in the comment expressed in paragraph 5 of the Second Endorsement that the Navy cannot avoid a share of responsibility for the Pearl Harbor incident, and that that disaster cannot be regarded as an "act of God" beyond human power

to prevent or mitigate. Whether or not it is true, as stated in the Second Endorsement, that the Country as a whole is basically responsible in that the people were unwilling to take adequate measures for defense until it was too late to repair the consequences of their failure so to do, it appears that the Navy, although its ranking officers were fully informed of the most recent developments in the science of warfare, failed to appreciate the true significance of those developments until their impact had been felt by a blow struck at a substantial portion of the Fleet. By the same token, although the imminence of hostile action by the Japanese was known, and the capabilities of the Japanese Fleet and Air Arm were recognized in war plans made to meet just such hostile action, these factors did not reach the stage of conviction in the minds of the responsible officers of the Navy to an extent sufficient to impel them to bring about that implementation [18] of the plans that was necessary if the initial hostile attack was to be repelled or at least mitigated.

That this is so is manifested in the case of the instant disaster in several important respects.

(a) The destructive potentiality of air torpedo attack was not properly evaluated, although there was ample information available on this subject in the reports of action by and against the British. That this information was recognized is shown by the inclusion in war and defense plans of appropriate provisions for defense against this type of attack, but that it was not fully appreciated is shown by the fact that these selfsame provisions were not put into effect until the initial attack had been successful.

(b) In respect of unity of command, again all of the plans made adequate provision for joint action, mutual interchange of intelligence, and the fullest utilization of all of the available resources of both the Army and the Navy; in practice, none of these measures came into being to any appreciable extent prior to the attack.

(c) Within the Navy itself, conduct of the organization was such as to submerge the Chief of Naval Operations in a multiplicity of detail pertaining to the procurement and materiel programs incidental to the rapid expansion of the Navy. This precluded him from giving to war plans and operations the undivided and continuing attention which experience has shown they require, and tended to dull his perception of the critical significance of events.

In making these observations, I am not unmindful of the usual advantage of hindsight, nor do I overlook the fact that this war has proved that any carrier strike, when pressed home with resolution, is almost impossible to deflect. After giving due consideration, however, to all these factors, I am of the opinion that there were, nevertheless, areas in which sound military judgment dictated the taking of action which, though it might not have prevented or defeated the attack would have tended materially to reduce the damage which the attack was able to inflict. Such action was not taken, and the responsibility must center upon the officers who had it in their power, each within his respective sphere, to take appropriate action.

12. I concur, therefore, with the opinion expressed in paragraph 5 of the Second Endorsement to the Court of Inquiry record that it is pertinent to examine the possible courses of action which Admiral Stark and Admiral Kimmel, as the responsible officers, might have taken to lessen the success of the initial Japanese blow.

[19] (a) In paragraph 5 of the Second Endorsement on the Report of the Naval Court of Inquiry, it is pointed out that Admiral Stark failed to give Admiral Kimmel an adequate summary of information available in Washington, particularly in respect of:

(1) The State Department reply of 26 November 1941 to the Japanese, which was a definite step toward breaking relations;

(2) Certain information indicating Japanese interest as to the disposition of the ships within Pearl Harbor;

(3) In failing to appreciate the significance of the information which he received on the morning of 7 December indicating that a message was to be given to the Secretary of State at 1 p. m. and in failing to transmit it to Admiral Kimmel by the quickest means available;

(4) Finally, it is pointed out in this section of the Second Endorsement that there is a certain sameness of tenor in the communications sent by Admiral Stark to Admiral Kimmel which failed to convey the sense of mounting intensification of critical relations between Japan and the United States.

I concur generally with these.

Concerning the other comments by the Commander in Chief, U. S. Fleet, it might be added that Admiral Stark's omission consisted not only in the failure to transmit fully to Admiral Kimmel certain of the available information, but also in the failure properly and speedily to evaluate that information, particularly on 7 December 1941. Although it was not known on 6 December precisely when or where the attack was to be delivered, there was ample evidence to base the conclusion that a surprise move was due within narrow limits of time. On the morning of December 7 by 10:30 Admiral Stark had information indicating that a message was to be given to the Secretary of State at 1 p. m. Eastern Standard Time, and there was information available to him that this time corresponded to dawn at Oahu and the middle of the night in the Far East. Although no one stated that this indicated an air attack at Pearl Harbor, yet all of these factors pointed to the possibility of such an attack. An acute sensitivity to the tautness of the situation would have dictated at least a plain language telephone communication to Admiral Kimmel, which might have provided a warning sufficient to bring about some material reduction in damage inflicted by the Japanese attack.

[20] (b) I concur with the comments set forth in paragraph 5 (b) of the Second Endorsement to the Naval Court of Inquiry record. It is there stated that Admiral Kimmel, despite the failure of Admiral Stark to keep him fully informed, did have indications of the increasing tenseness of relations with Japan. In particular, it is pointed out that he had the "war warning" message on 27 November, the "hostile action possible at any moment" message on 28 November, the 3 December message that the Japanese had ordered destruction of codes, and the messages of 4 and 6 December concerning destruction of United States secret and confidential matter at outlying Pacific islands.

In addition, it might be pointed out that Admiral Kimmel in his personal letters, which are a part of the record before the Court, and as well in the war plans approved by him, explicitly recognized the possibility of attack upon Pearl Harbor by air; and, that the information received by Admiral Kimmel concerning the location and movement of Japanese naval forces after 27 November 1941 should have been evaluated, as previously pointed out, as indicating the continued and increasing possibility of such an attack. It is to be especially noted that while Admiral Kimmel was directed in the war warning message of 27 November 1941, and again on 28 November when the Army message was relayed to him, to execute an appropriate defensive deployment preparatory to carrying out the tasks assigned in the Navy Basic War Plan, the chief action taken by him was carrying forward the arrangements for the reenforcing of and continuing the limited air patrols from the outlying islands, ordering on 28 November, the depth bombing of submarine contacts in the Oahu operating area, and engaging in unproductive conferences with General Short. He continued in effect the primary fleet activity of training and the lowest condition of readiness (Condition III) of the fleet in port. He neither ordered long-range air reconnaissance from Oahu to any extent nor advised his fleet air wing and other commanders of the receipt of the war warning message. His failure to take other and more effective action is neither explainable nor excusable by any ambiguity in the meaning of or disagreement as to what would constitute an "appropriate defensive deployment." Admiral Kimmel could have referred to the initial tasks stated in the war plan of maintaining fleet security at bases and guarding against surprise attack by Japan, and if he did not know what was meant by the phrase "appropriate defensive deployment," he should have asked the Chief of Naval Operations for an explanation.

The Second Endorsement to the Naval Court record states that Admiral Kimmel could and should have judged more accurately the gravity of the danger to which the Hawaiian Islands were exposed, and that certain courses of action were open to him, viz:

(1) He could have used the patrol aircraft available to him to conduct long-range reconnaissance in the more dangerous sectors, and thus made the Japanese task more difficult, whether or not this would have resulted in the detection of the approach of the Japanese carriers; (2) He could have rotated the "in port" periods of his vessels in a less routine manner, and thus made it more difficult for the Japanese to have predicted when there would be any vessels in port; (3) He could have maintained a higher condition of readiness under which Naval planes would have been in the air during the early morning period, ships' batteries would have been fully manned, and damage control organizations fully operational.

[21] The absence of positive information as to the location of the Japanese carriers, a study of the movement which was possible to them, under radio

silence, through the unguarded areas of the Pacific, and a due appreciation of the possible effects of an air attack should have induced Admiral Kimmel to take all practicable precautions to reduce the effectiveness of such an attack. The measures which reasonably were open to him were:

(a) Establishment of long distance air reconnaissance, covering the most probably approach sectors to the extent possible, on a reasonably permanent basis, with available planes and crews.

(b) Establishment of a higher condition of anti-aircraft readiness, at least during the dangerous dawn hours.

(c) Establishment of a higher degree of damage control readiness by ships in port, particularly during the dangerous dawn hours.

(d) Installation of anti-torpedo nets to protect the larger vessels in port.

(e) Maintenance of a striking force at sea in readiness to intercept possible attack forces.

(f) Maintenance of the maximum force of the Fleet at sea, with entry into port at irregular intervals.

(g) Checking with Army as to readiness of anti-aircraft defense and aircraft warning installations.

The evidence indicates clearly, however, that Admiral Kimmel's most serious omission was his failure to conduct long range air and/or sea reconnaissance in the more dangerous sectors from Oahu during the week preceding the attack. That this is so is manifest from the evidence obtained by Admiral Hewitt.

The only practicable sources from which Admiral Kimmel could have secured information, after the receipt of the "war warning," as to the approach of the attacking force, were the aircraft warning service, traffic analyses of Japanese naval communications, and distant air reconnaissance from Oahu.

During the critical period after November 27th, the limitations of the aircraft warning service and of radio intelligence were evident; the only remaining practicable source upon which Admiral Kimmel was entitled to rely for information as to the Japanese naval movements was distant air and/or sea reconnaissance which, covering the most probable approach bearings, would have had a reasonable chance of success. The failure to detect the approach of the Japanese task force contributed more to the success of the Japanese attack than did any other single factor.

[22] In addition to the courses of action referred to by the Commander in Chief, U. S. Fleet, it was, of course, always open to Admiral Kimmel also to take steps to increase cooperation between his organization and the Army command, and to attempt to achieve effective joint command. That conditions were ideal for his accomplishing such an objective is indicated by the evidence in the record and the finding of the Court that the social relationship between him and General Short was excellent. The need for Admiral King taking such measures existed from the time he took command of the Pacific Fleet. It increased in urgency as the 7th of December, 1941, approached.

13. The Second Endorsement of the Commander in Chief, U. S. Fleet, to the Naval Court record concludes that:

"6. The derelictions on the part of Admiral Stark and Admiral Kimmel were faults of omission rather than faults of commission. In the case in question, they indicate lack of the superior judgment necessary for exercising command commensurate with their rank and their assigned duties, rather than culpable inefficiency.

"7. Since trial by general court martial is not warranted by the evidence adduced, appropriate administrative action would appear to be the relegation of both of these officers to positions in which lack of superior judgment may not result in future errors."

The first endorsement of the Judge Advocate General of the Navy states his conclusion and recommendation that trial by general court martial is not warranted by the evidence produced.

14. On the basis of the record, findings, opinion, and recommendation of the Court of Inquiry, the First Endorsement of the Judge Advocate General thereto, and the Second Endorsement of the Commander in Chief, U. S. Fleet, thereto; and the evidence obtained by Admiral Hewitt, and on the basis of the foregoing comments, I conclude that:

(a) Then Rear Admiral Claude C. Bloch discharged his duties adequately.

(b) Then Admiral Husband E. Kimmel and Admiral Harold B. Stark, particularly during the period from 27 November to 7 December, 1941, failed

to demonstrate the superior judgment necessary for exercising command commensurate with their rank and their assigned duties.

(c) Both of these officers having been retired, appropriate action should be taken to insure that neither of them will be recalled to active duty in the future for any position in which the exercise of superior judgment may be necessary.

[23] (d) The appropriate committees of Congress should be fully acquainted with the Navy's investigations into this matter, and public disclosure of the facts concerning the Japanese attack on Pearl Harbor, obtained in these investigations, should be made to the extent that such action can be taken without injuring current military operations or the national security.

15. Accordingly, I direct:

(a) Rear Admiral Husband E. Kimmel, USN (Retired), shall not hold any position in the United States Navy which requires the exercise of superior judgment.

(b) Admiral Harold R. Stark, USN (Retired), shall not hold any position in the United States Navy which requires the exercise of superior judgment.

(c) The appropriate committees of Congress will be fully acquainted with the Navy's investigations into this matter, and public disclosure of the facts concerning the Japanese attack on Pearl Harbor, obtained in these investigations, will be made to the extent that such action can be taken without injuring current military operations or the national security.

(Signed) JAMES FORRESTAL,
Secretary of the Navy.

SECRET

[1]

UNITED STATES FLEET

Headquarters of the Commander in Chief

NAVY DEPARTMENT

Washington 25, D. C.

[Copy]

3 DEC. 1944.

FF1/A17.

Serial: 003489.

SECRET.

From: Commander in Chief, United States Fleet and Chief of Naval Operations.

To: The Secretary of the Navy.

Subject: Report of Army Pearl Harbor Board—Comments concerning.

1. The following comments on the Report of the Army Pearl Harbor Board are submitted.

2. The Army findings as to the basic cause of the surprise are not at variance with the findings of the Navy Court. In brief, they are that no one in authority appreciated the danger to which Pearl Harbor was exposed and consequently the Army and Navy Commanders in Hawaii were preoccupied with training activities to the exclusion of adequate alertness against attack.

3. There was general agreement between the Army Board and the Navy Court in the following particulars as to lack of awareness of danger:

a. It was impossible for United States agents to get information in Japan, while Japanese agents were given free rein in Hawaii and encountered little difficulty in transmitting intelligence by cable.

b. The information that did reach Washington was not correctly evaluated, and vital parts of it either never were sent to Hawaii or else got there too late.

c. Estimates of Japanese intentions were based predominately on what the Japanese were likely to do, rather than upon what they could do. All basic plans contain the assumption that hostilities might be opened by an air attack on Oahu, but this assumption was generally ignored during the period preceding the attack. It is of interest to note in this connection that AA batteries of ships in port were ready to open fire when the Japanese planes came in. This is evidence that Admiral Kimmel was less blind to the potential danger than was the Army Command. [2] The Army forces had no ammunition at mobile guns and

it was a matter of hours before it could be distributed from the magazines to the anti-aircraft batteries.

d. The Army was in readiness against sabotage. The Navy condition of readiness, though far from fully effective, was designed to meet air attack. In this connection, the Army Board (Page 229 of the Record) observes that there was conflict in the nature of the information sent to Hawaii, in that Navy Department messages were predominate with warning of conflict while War Department messages were predominate with the idea of avoiding conflict and taking precautions against sabotage and espionage.

e. The Army air warning system was usable, but was being used for training—not for warning—when the Jap planes came in.

4. The Army Board finds that General Short established cordial relations with the Navy, but did not accomplish fully the detailed working relationship necessary for his full information in the performance of his mission. For example, the Board points out that General Short was under the impression that distant reconnaissance was being adequately provided by naval task forces in connection with exercises (he apparently knew that no such exercises were in progress on 7 December), that Admiral Kimmel failed to acquaint him with certain messages he received from the Navy Department (there is conflict of testimony as to some of these), that General Short hesitated to inquire as to the details of naval arrangements, and that he was not informed of the fact that a Japanese submarine had been attacked off Pearl Harbor in the early morning of 7 December (the Naval Court explains that Admirals Kimmel and Bloch withheld report of this attack until the contact could be verified, in view of many false contacts that had occurred; the air attack began before verification was obtained). This finding of the Army Board is in conflict with the Navy finding that relations—official as well as personal—were not only cordial but adequate. I am inclined to agree with the Army Board for reasons discussed in the next paragraph.

[3] 5. The Army Board criticises the command arrangements in Hawaii. There was no unity of command, and no integrated staff to evaluate information and to attend to the details of coordinating defense measures. Certain joint plans had been prepared which were sound in concept, but defective in that neither Service had the means to carry them out. Furthermore, for the most part, these plans did not become effective until an emergency arose, and the emergency came too suddenly to permit effective implementation. Unity of Command could have been put into effect (but was not put into effect before the 7th of December) by the President, or by agreement between the Departments, or by local arrangement. My comment on this is as follows:

a. Coordination by mutual cooperation, which was the system in effect in Hawaii until after the attack, is a well recognized system of Command. Personally, I consider it inferior to unity of Command in circumstances such as existed in Hawaii, but it is a fact that this system has worked effectively elsewhere during the current war. I think Kimmel and Short were at fault in not making the system work better than it did.

b. The lack of coordination in Hawaii was not in itself a disease, but a symptom of the deeper ill—lack of awareness of danger. As stated by the Army Board, local Commanders were unwilling to put war measures into effect because they would interfere with training.

6. The Army Board finds it difficult to understand the relations between the Commander in Chief of the Pacific Fleet, the Commander Hawaiian Sea Frontier, the Commandant, FOURTEENTH Naval District, and the local Air Commander (Rear Admiral Bellinger). The Board makes the comment "The Army had a difficult time in determining under which of the three shells (Kimmel, Bloch, or Bellinger) rested the pea of performance and responsibility." My comment as to this is that there are some unavoidable complexities in the Command relationships between a fleet, a frontier, and a fleet base in the frontier. [4] However, in this case, there was no possibility of misunderstanding the fact that all naval forces were under Admiral Kimmel. He and General Short should have been able to work out better arrangements for cooperation than they did. The reasons why they did not have been discussed in paragraphs 4 and 5 above.

7. The Army Board stresses the point that General Short was dependent upon the U. S. Navy for information as to what the Japanese Navy was doing and for estimates of what the Japanese Navy could do. This view is obviously sound. It was a naval responsibility to keep not only General Short but also the War Department fully acquainted with the estimate of the Japanese naval situation.

There was some failure to pass on to General Short and the War Department information which should have been given to them by the Navy, but the basic trouble was that the Navy failed to appreciate what the Japanese Navy could, and did, do.

8. The Army Board reports on three matters which should be further investigated by the Navy. These are:

a. It was stated that the War Department received information from some naval agency that on or about 25 November radio intercepts had located a Japanese task force, including carriers, in the Marshall Islands. About 1 December it was reported that this force assumed radio silence. It is noted in the Record that this information never got to General Short. There is some reference to this incident in the Record of the Naval Court, but it was not followed up, presumably because the officer who was Director of Naval Intelligence at the time was not called as a witness. The matter is probably not of importance, since even if there actually was a Japanese force in the Marshalls it apparently had nothing to do with the attack on Pearl Harbor. However, for the sake of completing the naval Record, this matter should be pursued further.

b. The Army Board is of the opinion that Japanese midget submarines operated freely inside of Pearl Harbor for several days prior to the 7th of December, for the [5] purpose of obtaining information. This opinion is based on the testimony of an official of the Federal Bureau of Investigation, who apparently reached his conclusions by a study of certain captured Japanese charts which were made available to F. B. I. by Naval Intelligence. So far as is known, there is no real ground for the supposition that Japanese submarines were able to roam around Pearl Harbor at will, but since the allegation is made in the Army Record, it is advisable to clear up any doubt that may exist by further naval investigation.

c. There is reference to the fact that information was obtained from naval and F. B. I. espionage over telephones and cables in Hawaii, but no record of what this information was. This should be cleared up.

9. The Army Board finds that the Chief of Staff of the Army was at fault in that he failed to keep General Short informed of the international situation and that he delayed in getting critical information to General Short. In these respects, the Army Report parallels the Naval Court findings as to the Chief of Naval Operations. The Army Board further finds that General Marshall was at fault and that he failed to keep his Deputies informed of what was going on, so that they could act intelligently in his absence; in that he did not take action on General Short's report on 28 November that he had established "Alert No. 1"; and in that he lacked knowledge of conditions of readiness in the Hawaiian Command.

10. The Army Board finds that General Short was at fault in that he failed to place his Command in an adequate state of readiness (the information which he had was incomplete and confusing, but it was sufficient to warn him of tense relations), in that he failed to reach an agreement with local naval officials for implementing joint Army and Navy plans and agreements for joint action, in that he failed to inform himself of the effectiveness of the long-distance reconnaissance being conducted by the Navy, and in that he failed to replace inefficient staff officers.

11. I find nothing in the Record of the Army Board to cause me to modify the opinions expressed in my endorsement on the [6] Record of the Naval Court of Inquiry, except in relation to the cooperation between Admiral Kimmel and General Short. In view of the extensive and explicit discussion of this phase of the matter by the Army Board, I am no longer of the opinion that cooperation between these two officers was adequate in all respects. The cordial, but informal, contact which they maintained evidently was not sufficient to coordinate the means at their disposal to the best advantage. However, as already pointed out, this fault was part and parcel of the general blindness to Japanese potentialities in the Central Pacific which was the basic cause of the Pearl Harbor disaster. The many details discussed by the Army Board and the Naval Court are useful in showing how this blindness redounded to our disadvantage, but they do not, in my opinion, prove anything more than that the two naval officers in the high commands concerned—Admiral Stark and Admiral Kimmel—failed to display the superior judgment they should have brought to bear in analysing and making use of the information that became available to them.

12. I recommend that the Secretary of the Navy cause further investigation to be made in the matters referred to in paragraph 8 above; namely, the alleged radio contact with a Japanese force in the Marshall Islands, the alleged presence of Japanese midget submarines inside Pearl Harbor prior to 7 December, and the substance of information obtained by naval and F. B. I. telephone and cable intercepts. I do not think it necessary to reconvene the Court for this purpose. The proposed investigation could be made by another Court, or by an investigating officer, for attachment to the Record of the original Court of Inquiry.

13. I find no reason to modify the recommendations I made in my endorsement on the Record of the Naval Pearl Harbor Court of Inquiry.

/s/ E. J. King.
E. J. KING.

ENDORSEMENTS BY JAG, COMINCH AND SECNAV TO ADMIRAL HEWITT'S REPORT

[TOP-SECRET]

UNITED STATES FLEET,
HEADQUARTERS OF THE COMMANDER IN CHIEF,
NAVY DEPARTMENT,

Washington 25, D. C., 13 Aug. 1945.

FF1/A17

Serial: 002008

Top Secret

Third endorsement to Adm. Hewitt's Report to SecNav dated 12 July 1945.

From: Commander in Chief, United States Fleet and Chief of Naval Operations.

To: The Secretary of the Navy.

Subject: Report of Further Pearl Harbor Investigation by Admiral H. K. Hewitt, U. S. Navy.

1. I concur in general in the remarks and recommendations of the Judge Advocate General as expressed in the second endorsement. In answer to the specific questions asked in the first endorsement, the following opinions are submitted:

(a) I am of the opinion that the evidence is not sufficient to warrant trial by court martial of any person in the Naval Service, in that the evidence will not sustain the charges required by the Articles for the Government of the Navy.

(b) With regard to the sufficiency of the evidence to warrant other proceedings, I am still of the opinion, which I have previously expressed, that Admiral Stark and Admiral Kimmel, though not culpable to a degree warranting formal disciplinary action, were nevertheless inadequate in emergency, due to the lack of the superior judgment necessary for exercising command commensurate with their duties.

(c) Appropriate action appears to me to be the relegation of both of these officers to positions in which lack of superior strategic judgment may not result in future errors. The action has been taken in the case of both Admiral Stark and Admiral Kimmel. No further action is recommended.

(d) For the reasons stated by the Judge Advocate General, I consider it impracticable to bring Admiral Stark and Admiral Kimmel, or either one of them, to trial prior to the termination of hostilities with Japan, nor are court martial or other proceedings (prior to the termination of hostilities with Japan) advisable because such proceedings would almost certainly involve disclosure of information which would be detrimental to current military operations and to national security measures.

2. I concur in the opinion of the Judge Advocate General that the Navy Department is morally obligated to order Admiral Kimmel to trial before a General Court Martial, should Admiral Kimmel so insist. However, this action should not be taken until after the completion of hostilities with Japan.

3. I concur in the suggestion of the Judge Advocate that this record be made available to Admiral Kimmel and his counsel; that Admiral Kimmel be informed that he is free to make public anything contained in this record and prior records as soon as that may be done without prejudice to security; that if Admiral Kimmel insists, a General Court Martial will be convened to try him for alleged offenses he may have committed on or before December 7, 1941.

4. As to Admiral Hewitt's deductions from war experience—paragraph 28, page 180—I am unable to concur fully with (a) thereof but do concur fully with (b) thereof. Nor am I able to concur fully in his paragraph 29 (page 180)—which parallels his paragraph 28 (a)—for the reason that he himself sets forth in substance at various places in his "findings" and "conclusions", namely, that while the system of command was that of mutual cooperation it was, in reality, incomplete and inadequate implementation of that system which was at fault.

There is the further fact that, given the information which was available in Washington, it is reasonable to assume that the system of mutual cooperation would have been fully alerted and made to function effectively.

E. J. KING.

Otis

Originated by F-00 (Adm. Edwards) 8/10/45.

Rewritten by F-0 (Adm. King) 8/13/45.

10 AUGUST 1945.

Top Secret

Second Endorsement.

From: The Judge Advocate General.

To: Commander-in-Chief, United States Fleet and Chief of Naval Operations.

Subject: Report of further Pearl Harbor investigation by Admiral H. K. Hewitt, U. S. Navy.

1. Subject report clarifies obscure points and supplies omissions in the earlier investigations. It is considered that this and former investigations, taken together, present as clear a picture of the pertinent facts as will ever be adduced. With this report, therefore, I believe the investigation of the Pearl Harbor attack should be considered completed.

2. Admiral Hewitt's report brings out and confirms a distinction which impressed me at the time of studying the earlier investigations, a distinction which does much to clarify thinking on the question of placing responsibility for the Pearl Harbor disaster. It appears that there was no lack of appreciation on the part of any of the responsible officers that war was coming, and coming quickly, during the critical period immediately preceding 7 December 1941. The point on which those officers failed to exercise the discernment and judgment to be expected from officers occupying their positions, was their failure to appreciate, from the information available to them, that Pearl Harbor was a likely target for aerial attack and their failure to take the necessary steps to prevent or minimize such a surprise attack. Each of these officers, in estimating the critical situation, demonstrated a poor quality of strategical planning, in that he largely ruled out all possible courses of action by which the Japanese might begin the war except through an attack in the Western Pacific.

3. I do not believe that the lack of more complete understanding and co-operation between Admiral Kimmel and Lieutenant General Short had any great effect on the ultimate result; for it is abundantly shown that they each entertained the same fallacious views, and closer understanding would most likely merely have strengthened those views. Likewise, I submit that the importance of information from Japanese sources has been overemphasized; for had more basically sound principles been observed, the Pearl Harbor disaster would not have occurred. The security of Pearl Harbor was the very core of our Pacific strategy, a fact which did not receive sufficient consideration in the strategic concept of responsible officers.

4. In answer to the specific questions asked in the first endorsement, the following opinions are submitted:

(a) As is more fully developed in the answer to question (b), it is not believed that there is sufficient evidence to warrant conviction of any of the officers concerned of any offense known to naval law.

(b) Under the facts of this case, there are only two offenses which are worthy of consideration: (1) Neglect of Duty and (2) Culpable Inefficiency in the Performance of Duty. Under either charge it would be necessary to define the duty of the officer concerned, and to show that it was his duty to follow a course of action other than the one he did. In my opinion this would be impossible, as the acts of omission of these officers do not rise above the status of errors of judgment. No clearly defined duty can be established which was neglected or improperly performed. As stated by Fleet Admiral King, in his endorsement on the findings of the Court of Inquiry, the evidence in the case boils down to the fact that the acts of the officers in question "indicate lack of superior judgment necessary for exercising command commensurate with their rank and their assigned duties, rather than culpable inefficiency". "Lack of Superior Judgment" is not an offense triable by general court-martial.

(c) The charges and specifications for any court-martial proceedings must be filed not later than a date "six months after the termination of hostilities in the present war with Japan as proclaimed by the President or as specified in a con-

current resolution of the two Houses of Congress, whichever is the earlier". Public Law 77—79th Congress, approved June 7, 1945. There are serious doubts as to the constitutionality of this and the earlier extensions of the Statute of Limitations enacted by the Congress since 7 December 1941 and applicable to trials arising out of the Pearl Harbor disaster as a violation of the Constitutional prohibition against *ex post facto* laws. Admiral Kimmel has executed a waiver of the Statute of Limitations for a period of six months past the end of the present war, and therefore the question of the validity of the Congressional extensions is not controlling in his case. However, as it has become apparent since the time that Admiral Kimmel was requested to execute this waiver that other officers are also blameworthy, it is my opinion that the Navy Department would be acting in an inequitable manner in instituting any proceedings against Admiral Kimmel on his waiver, unless Admiral Kimmel himself so requests.

(d) The requirements of 39th Article for the Government of the Navy and Section 346 of Naval Courts and Boards pertaining to the rank of members of a general court-martial will make it most difficult to constitute a court for the trial of the officers here concerned during war time or during a period of six months after the cessation of hostilities. Many of the officers of appropriate rank, both on the active and the retired lists, would be disqualified because of interest in the subject matter, the probability of being called as a witness, or by virtue of having been connected with one of the investigations into the matter. If more than one of the officers in question are brought to trial, an entirely new court would be necessary in each case, as members who had tried a former case arising out of the Pearl Harbor attack would be subject to challenge. The Summoning of the necessary witnesses would result in temporarily removing from their duty stations many of the key officers in the naval organization. For the foregoing reasons, I am of the opinion that any such court martial proceedings prior to the end of hostilities with Japan is highly impractical and would be detrimental to the war effort, and further, that any such proceedings during the six months immediately following the end of hostilities would seriously impair the efficiency of the naval service.

5. Notwithstanding the difficulties pointed out above, I am of the opinion that the Navy Department is morally obligated to order Admiral Kimmel tried by general court-martial should Admiral Kimmel so insist. In August 1943, Secretary Knox sent Admiral Kimmel a memorandum from which the following is quoted, "I feel that it would be to the best interests of all concerned if you should now agree not to plead the statute of limitations in bar of trial upon my assurance that the trial will be had at the earliest practicable date." And in Admiral Kimmel's waiver he agreed, "I will not plead, nor permit any attorney or other person on my behalf to plead, the statute of limitations in bar of my trial by General Court-Martial in open court for any alleged offenses with which I may be charged relating to the period on or before December (sic) 7th, 1941, should my trial be held during the present war or within six (6) months thereafter."

6. I suggest that this record be made available to Admiral Kimmel and his counsel; that Admiral Kimmel be informed that he is free to make public anything contained in this record and prior records as soon as that may be done without prejudice to the public interests; that if he insists a general court-martial will be convened to try him for alleged offenses he may have committed on or before December 7, 1941; and that his decision be abided.

T. L. GATCH.

25 JULY 1945.

First Indorsement.

To: The Judge Advocate General.

Commander-in-Chief, United States Fleet and Chief of Naval Operations.

Subject: Record of proceedings and Report of further Pearl Harbor investigation by Admiral H. Kent Hewitt, USN.

1. Forwarded for comment and recommendation.
2. The endorsement by the Judge Advocate General will include his opinion (a) as to the sufficiency of the evidence to warrant court-martial or other proceedings, (b) as to the offense or offenses which might be made the subject of court-martial or other proceedings, assuming the sufficiency of the evidence concerning such offense or offenses, (c) as to the date prior to which any such court-martial or other proceeding must be instituted, and (d) as to the practicability of any such court-martial or other proceeding prior to the termination of hostilities with Japan, particularly in view of the regulations concerning

the composition of a court and in view of the necessity of obtaining testimony from witnesses engaged in operations against the enemy.

3. The endorsement by the Commander-in-Chief, United States Fleet and Chief of Naval Operations will include his opinion (a) as to the sufficiency of the evidence to warrant court-martial or other proceedings, (b) as to the practicability of any such court-martial or other proceeding prior to the termination of hostilities with Japan, particularly in view of the regulations concerning the composition of a court and in view of the necessity of obtaining testimony from witnesses engaged in operations against the enemy, and (c) as to the advisability of any such court-martial or other proceeding prior to the termination of hostilities with Japan, particularly in view of the possibility of disclosure of information relating to current and prospective military operations and to national security.

FORRESTAL.

12 JULY 1945.

From: H. Kent Hewitt, Admiral, U. S. Navy.

To: The Secretary of the Navy.

Subject: Report of further investigation into the facts surrounding the Japanese attack on Pearl Harbor, 7 December 1941.

Reference:

- (a) Report of Commission appointed by the President to investigate and report the facts relating to the Japanese attack on Pearl Harbor, 7 December 1941.
- (b) Record of examination of witnesses having knowledge of the facts in connection with the Japanese attack on Pearl Harbor, conducted by Admiral Thomas C. Hart, USN (Ret.).
- (c) Public Law 339, 78th Congress.
- (d) Precept appointing Naval Pearl Harbor Court of Inquiry, 13 July 1944.
- (e) Record of proceedings and report of Naval Pearl Harbor Court of Inquiry.
- (f) First Endorsement, dated 2 November 1944, by the Judge Advocate General, and Second Endorsement, dated 6 November 1944, by Commander in Chief, U. S. Fleet and Chief of Naval Operations, to record of proceedings of Naval Pearl Harbor Court of Inquiry.
- (g) Report of Army Pearl Harbor Board, dated 20 October 1944.
- (h) Letter 3 December 1944 from Commander in Chief, U. S. Fleet and Chief of Naval Operations, to the Secretary of the Navy, on report of Army Pearl Harbor Board.
- (i) Precept 2 May 1945 appointing H. Kent Hewitt, Admiral, U. S. Navy, to conduct further Pearl Harbor investigation.
- (j) Memorandum 18 May 1945, concerning the scope of the further investigation and approval thereof by the Secretary of the Navy.
- (k) Precept 6 July 1945 amending reference (i).

Enclosure:

- (A) Report of further investigation into the facts surrounding the Japanese attack on Pearl Harbor, 7 December 1941.
- (B) Record of proceedings of this investigation, and exhibits therein.

1. The precept of the Secretary of the Navy, dated 2 May 1945, reference (i) as amended by reference (k), directed that Admiral H. Kent Hewitt, USN, make a study of the previous investigations, that such further investigation as might appear to be necessary be then conducted, and that upon completion of the investigation a report be submitted to the Secretary of the Navy setting forth the findings and conclusions reached.

Review of the previous investigations disclosed that various matters of importance, principally concerning intelligence, had not been investigated thoroughly. The subjects proposed for further investigation were approved by the Secretary of the Navy on 21 May 1945.

3. Counsel in this investigation was John F. Sonnett, Special Assistant to the Secretary of the Navy. Also assisting were Lieutenant Commander Benjamin H. Griswold, III, USNR, and Lieutenant John Ford Baecher, USNR. The reporters were Ship's Clerk Ben Harold, USNR, and Chief Yeoman Raymond E. Reese, USNR. These men took a special oath to maintain the security of the information developed during the investigation.

4. During this proceeding, which commenced 14 May 1945, the testimony of 38 witnesses, some of whom had testified previously, was taken on 26 days, at Washington, D. C., at San Francisco, and at Pearl Harbor. 81 exhibits were received.

5. Delivered herewith are the report of this further investigation (Enclosure A), and the record of proceedings and exhibits therein (Enclosure B). In preparing this report, an effort has been made to present, in one document, the essential facts within the scope of this inquiry which have been developed by this and preceding investigations.

H. KENT HEWITT.

REPORT BY ADMIRAL H. K. HEWITT ON FURTHER PEARL HARBOR INVESTIGATION

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[1]

INTRODUCTION

PRIOR INVESTIGATIONS AND SCOPE OF THIS INVESTIGATION

A. The Roberts Commission.

Pursuant to Executive Order dated 18 December 1941, a Commission, headed by Mr. Justice Owen J. Roberts, conducted an investigation into the facts surrounding the Japanese attack on Pearl Harbor. The Commission reported its findings on 23 January 1942 and concluded:

1. Effective utilization of the military power of the Nation is essential to success in war and requires: First, the coordination of the foreign and military policies of the Nation; and, second, the coordination of the operations of the Army and Navy.

2. The Secretary of State fulfilled his obligations by keeping the War and Navy Departments in close touch with the international situation and fully advising them respecting the course and probable termination of negotiations with Japan.

3. The Secretary of War and the Secretary of the Navy fulfilled their obligations by conferring frequently with the Secretary of State and with each other and by keeping the Chief of Staff and the Chief of Naval Operations informed of the course of the negotiations with Japan and the significant implications thereof.

4. The Chief of Staff and the Chief of Naval Operations fulfilled their obligations by consulting and cooperating with each other, and with their superiors, respecting the joint defense of the Hawaiian coastal frontier; and each knew of, and concurred in, the warnings and orders sent by the other to the responsible commanders with respect to such defense.

5. The Chief of Staff of the Army fulfilled his command responsibilities by issuing a direct order in connection with his warning of probable hostilities, in the following words: "Prior to hostile Japanese action you are directed to undertake such reconnaissance and other measures as you deem necessary."

6. The Chief of Naval Operations fulfilled his command responsibility by issuing a warning and by giving a direct order to the commander in chief, Pacific Fleet, in the following words:

"This despatch is to be considered a war warning."

and

"Execute an appropriate defensive deployment preparatory to carrying out the tasks assigned."

[2] 7. The responsible commanders in the Hawaiian area, in fulfillment of their obligation to do so, prepared plans which, if adapted to and used for the existing emergency, would have been adequate.

8. In the circumstances the responsibility of these commanders was to confer upon the question of putting into effect and adapting their joint defense plans.

9. These commanders failed to confer with respect to the warnings and orders issued on and after November 27, and to adapt and use existing plans to meet the emergency.

10. The order for alert No. 1 of the Army command in Hawaii was not adequate to meet the emergency envisaged in the warning messages.

11. The state of readiness of the Naval forces on the morning of December 7 was not such as was required to meet the emergency envisaged in the warning messages.

12. Had orders issued by the Chief of Staff and the Chief of Naval Operations November 27, 1941, been complied with, the aircraft warning system of the Army should have been operating; the distant reconnaissance of the Navy, and the inshore air patrol of the Army, should have been maintained; the anti-aircraft batteries of the Army and similar shore batteries of the Navy, as well as additional anti-aircraft artillery located on vessels of the fleet in Pearl Harbor, should have been manned and supplied with ammunition; and a high state of readiness of aircraft should have been in effect. None of these conditions was in fact inaugurated or maintained for the reason that the responsible commanders failed to consult and cooperate as to necessary action based upon the warnings and to adopt measures enjoined by the orders given them by the chiefs of the Army and Navy commands in Washington.

13. There were deficiencies in personnel, weapons, equipment, and facilities to maintain all the defenses on a war footing for extended periods of time, but these deficiencies should not have affected the decision of the responsible commanders as to the state of readiness to be prescribed.

14. The warning message of December 7, intended to reach both commanders in the field at about 7 a. m. Hawaiian time, December 7, 1941, was but an added precaution, in view of the warnings and orders previously issued. If the message had reached its destination at the time intended, it would still have been too late to be of substantial use, in view of the fact that the commanders had failed to take measures and make dispositions prior to the time of its anticipated receipt which would have been effective to warn of the attack or to meet it.

[3] 15. The failure of the officers in the War Department to observe that General Short, neither in his reply of November 27 to the Chief of Staff's message of that date, nor otherwise, had reported the measures taken by him and the transmission of two messages concerned chiefly with sabotage which warned him not to resort to illegal methods against sabotage or espionage, and not to take measures which would alarm the civil population, and the failure to reply to his message of November 29 outlining in full all the actions he had taken against sabotage only, and referring to nothing else, tended to lead General Short to believe that what he had done met the requirements of the warnings and orders received by him.

16. The failure of the commanding general, Hawaiian Department, and the commander in chief, Pacific Fleet, to confer and cooperate with respect to the meaning of the warnings received and the measures necessary to comply with the orders given them under date of November 27, 1941, resulted largely from a sense of security due to the opinion prevalent in diplomatic, military and naval circles, and in the public press, that any immediate attack by Japan would be in the Far East. The existence of such a view, however prevalent, did not relieve the commanders of the responsibility for the security of the Pacific Fleet and our most important outpost.

17. In the light of the warnings and directions to take appropriate action, transmitted to both commanders between November 27 and December 7, and the obligation under the system of coordination then in effect for joint cooperative action on their part, it was a dereliction of duty on the part of each of them not to consult and confer with the other respecting the meaning and intent of the warnings, and the appropriate measures of defense required by the imminence of hostilities. The attitude of each, that he was not required to inform himself of, and his lack of interest in, the measures undertaken by the other to carry out the responsibility assigned to such other under the provisions of the plans then in effect, demonstrated on the part of each a lack of appreciation of the responsibilities vested in them and inherent in their positions as commander in chief, Pacific Fleet, and commanding general, Hawaiian Department.

19. Causes contributory to the success of the Japanese attack were:

Disregard of international law and custom relating to declaration of war by the Japanese and the adherence by the United States to such laws and customs.

Restrictions which prevented effective counterespionage.

Emphasis in the warning messages on the probability of aggressive action in the Far East, and on antisabotage measures.

[7] Failure of the War Department to reply to the message relating to the antisabotage measures instituted by the Commanding General, Hawaiian Department.

Nonreceipt by the interested parties, prior to the attack, of the warning message of December 7, 1941.

20. When the attack developed on the morning of December 7, 1941, the officers and enlisted men of both services were present in sufficient number and were in fit condition to perform any duty. Except for a negligible number, the use of intoxicating liquor on the preceding evening did not affect their efficiency.

21. Subordinate commanders executed their superiors' orders without question. They were not responsible for the state of readiness prescribed.

B. Admiral Hart's Investigation.

Pursuant to precept of the Secretary of the Navy dated 12 February 1944, Admiral Thomas C. Hart, USN (Retired), conducted an examination of witnesses having knowledge of facts in connection with

the Japanese attack. Admiral Hart completed his examination on 15 June 1944.

C. Naval Court of Inquiry.

Public Law No. 339, 78th Congress, approved 13 June 1944, directed the Secretary of War and the Secretary of the Navy, severally, to proceed forthwith to investigate the facts surrounding the Pearl Harbor catastrophe, and to commence such proceedings against such persons as the facts might justify.

A Court of Inquiry, consisting of Admiral Orin G. Murfin, USN (Retired), Admiral Edward C. Kalbfus, USN (Retired), and Vice Admiral Adolphus Andrews, USN (Retired), with Commander Harold Beiseimer, USN, as Judge Advocate, was appointed by the Secretary of the Navy on 13 July 1944. The Court was directed to convene on 17 July 1944, or as soon thereafter as practicable, for the purpose of inquiring into all circumstances connected with the attack made by Japanese forces on Pearl Harbor, Territory of Hawaii, on 7 December 1941; to inquire thoroughly into the matter, and to include in its findings a full statement of the facts it might deem to be established. The Court was further directed to state its opinion as to whether any offenses were committed or serious blame incurred on the part of any person or persons in the Naval service, and, in case its opinion was that offenses had been committed or serious blame incurred, to recommend specifically what further proceedings should be had. The Court of Inquiry commenced its proceedings on 31 July 1944, and submitted the record of its proceedings on 20 October 1944.

[5] The Court of Inquiry concluded:

Based on finding II, the Court is of the opinion that the presence of a large number of combatant vessels of the Pacific Fleet in Pearl Harbor on 7 December 1941, was necessary, and that the information available to the Commander-in-Chief, Pacific Fleet, did not require any departure from his operating and maintenance schedules.

Based on Finding III, the Court is of the opinion that the Constitutional requirement that, prior to a declaration of war by the Congress, no blow may be struck until after a hostile attack has been delivered, prevented the Commander-in-Chief, Pacific Fleet, from taking offensive action as a means of defense in the event of Japanese vessels or planes appearing in the Hawaiian area, and that it imposed upon him the responsibility of avoiding taking any action which might be construed as an overt act.

Based on Finding V, the Court is of the opinion that the relations between Admiral Husband E. Kimmel, U. S. N., and Lieut. General Walter C. Short, U. S. Army, were friendly, cordial and cooperative, that there was no lack of interest, no lack of appreciation of responsibility, and no failure to cooperate on the part of either, and that each was cognizant of the measures being undertaken by the other for the defense of the Pearl Harbor Naval Base to the degree required by the common interest.

Based on Finding VI, the Court is of the opinion that the deficiencies in personnel and material which existed during 1941, had a direct adverse bearing upon the effectiveness of the defense of Pearl Harbor on and prior to 7 December.

Based on Finding VII, the Court is of the opinion that the superiority of the Japanese Fleet over the U. S. Pacific Fleet during the year 1941, and the ability of Japan to obtain military and naval information gave her an initial advantage not attainable by the United States up to 7 December 1941.

Based on Finding VIII, the Court is of the opinion that the defense of the Pearl Harbor Naval Base was the direct responsibility of the Army, that the Navy was to assist only with the means provided the 14th Naval District, and that the defense of the base was a joint operation only to this extent. The Court is further of the opinion that the defense should have been such as to

function effectively independently of the Fleet, in view of the fundamental requirement that the strategic freedom of action of the Fleet must be assured demands that the defense of a permanent naval base be so effectively provided for and conducted as to remove any anxiety of the Fleet in regard to the security of the base, or for that of the vessels within its limits.

[6] Based on Findings IV, VIII and IX, the Court is of the opinion that the duties of Rear Admiral Claude C. Bloch, U. S. N., in connection with the defense of Pearl Harbor, were performed satisfactorily.

Based on Finding XI, the Court is of the opinion that the detailed Naval Participation Air Defense plans drawn up and jointly agreed upon were complete and sound in concept, but that they contained a basic defect in that naval participation depended entirely upon the availability of aircraft belonging to and being employed by the Fleet, and that on the morning of 7 December these plans were ineffective because they necessarily were drawn on the premise that there would be advance knowledge that an attack was to be expected within narrow limits of time, which was not the case on that morning.

The Court is further of the opinion that it was not possible for the Commander-in-Chief, Pacific Fleet, to make his Fleet planes permanently available to the Naval Base Defense Officer in view of the need for their employment with the Fleet.

Based on Finding X, the Court is of the opinion that Admiral Kimmel's action, taken immediately after assuming command, in placing in effect comprehensive instructions for the security of the Pacific Fleet at sea and in the operating areas, is indicative of his appreciation of his responsibility for the security of the Fleet, and that the steps taken were adequate and effective.

Based on Finding XI, the Court is of the opinion that, by virtue of the information that Admiral Kimmel had at hand which indicated neither the possibility nor the imminence of an air attack on Pearl Harbor, and bearing in mind that he had no knowledge of the State Department's note of 26 November, the Navy's condition of readiness on the morning of 7 December, 1941, which resulted in the hostile planes being brought under heavy fire of the ships' anti-aircraft batteries as they came within range, was that best suited to the circumstances, although had all anti-aircraft batteries been manned in advance, the total damage inflicted on ships would have been lessened to a minor extent and to a degree which is problematical; and that, had the Fleet patrol planes, slow and unsuited for aerial combat, been in the air, they might have escaped and the number of these planes lost might thus have been reduced.

The Court is of the opinion, however, that only had it been known in advance that the attack would take place on 7 December, could there now be any basis for a conclusion as to the steps that might have been taken to lessen its ill effects, and that, beyond the fact that conditions were unsettled and that, therefore, anything might happen, there was nothing to distinguish one day from another in so far as expectation of attack is concerned.

[7] It has been suggested that each day all naval planes should have been in the air, all naval personnel at their stations, and all anti-aircraft guns manned. The Court is of the opinion that the wisdom of this is questionable when it is considered that it could not be known *when* an attack would take place and that, to make sure, it would have been necessary to impose a state of tension on the personnel day after day, and to disrupt the maintenance and operating schedules of ships and planes beginning at an indefinite date between 16 October and 7 December.

Based on Finding XII, the Court is of the opinion that, as no information of any sort was at any time either forwarded or received from any source which would indicate that Japanese carriers or other Japanese ships were on their way to Hawaii during November or December, 1941, the attack of 7 December at Pearl Harbor, delivered under the circumstances then existing, was unpreventable and that when it would take place was unpredictable.

Based on Finding XIII, the Court is of the opinion that the action of the Commander-in-Chief, Pacific Fleet, in ordering that no routine, long-range reconnaissance be undertaken was sound and that the use of Fleet patrol planes for daily, long-range, all-around reconnaissance was not possible with the inadequate number of Fleet planes available, and was not justified in the absence of any information indicating that an attack was to be expected in the Hawaiian area within narrow limits of time.

Based on Finding XIV, the Court is of the opinion that the shore-based air warning system, an Army service under the direct control of the Army, was ineffective on the morning of 7 December, in that there was no provision for

keeping track of planes in the air near and over Oahu, and for distinguishing between those friendly and those hostile and that, because of this deficiency, a flight of planes which appeared on the radar screen shortly after 0700 was confused with a flight of Army B-17s en route from California, and that the information obtained by Army radar was valueless as a warning, because the planes could not be identified as hostile until the Japanese markings on their wings came into view.

Based on Finding XV, the Court is of the opinion that by far the greatest portion of the damage inflicted by the Japanese on ships in Pearl Harbor was due to specially designed Japanese torpedoes, the development and existence of which was unknown to the United States.

Based on Finding XVI, and particularly in view of the Chief of Naval Operations' approval of the precautions taken and the deployments made by Admiral Kimmel in accordance with the directive contained in the dispatch of 16 October 1941, the Court is of the opinion that Admiral Kimmel's decision, made [8] after receiving the dispatch of 24 November, to continue the preparations of the Pacific Fleet for war, was sound in the light of the information then available to him.

Based on Finding XVII, the Court is of the opinion that, although the attack of 7 December came as a surprise, there were good grounds for the belief on the part of high officials in the State, War, and Navy Departments, and on the part of the Army and Navy in the Hawaiian area, that hostilities would begin in the Far East rather than elsewhere, and that the same considerations which influenced the sentiment of the authorities in Washington in this respect, support the interpretation which Admiral Kimmel placed upon the "war warning message" of 27 November, to the effect that this message directed attention away from Pearl Harbor rather than toward it.

Based on Findings XVIII and XIX, the Court is of the opinion that Admiral Harold R. Stark, U. S. N., Chief of Naval Operations and responsible for the operations of the Fleet, failed to display the sound judgment expected of him in that he did not transmit to Admiral Kimmel, Commander-in-Chief, Pacific Fleet, during the very critical period 26 November to 7 December, important information which he had regarding the Japanese situation and, especially, in that, on the morning of 7 December, 1941, he did not transmit immediately the fact that a message had been received which appeared to indicate that a break in diplomatic relations was imminent, and that an attack in the Hawaiian area might be expected soon.

The Court is further of the opinion that, had this important information been conveyed to Admiral Kimmel, it is a matter of conjecture as to what action he would have taken.

Finally, based upon the facts established, the Court is of the opinion that no offenses have been committed nor serious blame incurred on the part of any person or persons in the naval service.

[9] Fleet Admiral Ernest J. King, USN, commented in detail on the findings of the Court of Inquiry in the Second Endorsement thereto. He concluded, in part:

Despite the evidence that no naval officer was at fault to a degree likely to result in conviction if brought to trial, nevertheless the Navy cannot evade a share of responsibility for the Pearl Harbor incident. That disaster cannot be regarded as an "act of God," beyond human power to prevent or mitigate. It is true that the country as a whole is basically responsible in that the people were unwilling to support an adequate army and navy until it was too late to repair the consequences of past neglect in time to deal effectively with the attack that ushered in the war. It is true that the Army was responsible for local defense at Pearl Harbor. Nevertheless, some things could have been done by the Navy to lessen the success of the initial Japanese blow. Admiral Stark and Admiral Kimmel were the responsible officers, and it is pertinent to examine the possible courses of action they might have taken.

(a) Admiral Stark was, of course, aware that the United States was primarily concerned with its own possession, and the most important United States possessions in the Pacific were the Philippine Islands and the Hawaiian Islands. His attention should have been centered on those two places, as the Pacific situation became more and more acute. He had been informed by Admiral Kimmel, in his letter of 26 May 1941, that Admiral Kimmel felt the need for

early and accurate information as to the general situation, and that he needed to be informed of all important developments as they occurred by the quickest and most secure means available. This letter should have emphasized the obvious fact that Admiral Kimmel was in a difficult position, that he had to use his initiative to keep his Fleet dispositions in step with changes in the situation, and that in order to do so he had to have an accurate running picture of the rapidly moving course of diplomatic events. In my opinion, Admiral Stark failed to give Admiral Kimmel an adequate summary of the information available in Washington, particularly in the following respects:

(1) Admiral Kimmel was not informed of the State Department's note of 26 November to the Japanese. This note was a definite step towards breaking relations.

(2) Admiral Kimmel was not informed of the substance of certain intercepted Japanese messages inquiring as to dispositions of ships inside Pearl Harbor, which indicated a Japanese interest in Pearl Harbor as a possible target.

(3) Admiral Kimmel was not informed of the implementation of the "Winds message". Admiral Stark says he never got this information himself, but it is clear that it [10] did reach Admiral Stark's office. This, together with the handling of other matters of information, indicates lack of efficiency in Admiral Stark's organization.

(4) Admiral Stark failed to appreciate the significance of the "1:00 p. m. message" received on the morning of 7 December, although the implications were appreciated by at least one of his subordinates. It appears that had this message been handled by the quickest available means, and with due appreciation of its significance, it *might* have reached Admiral Kimmel in time to enable him to make some last minute preparations that would have enhanced the ability of the ships in Pearl Harbor to meet the Japanese air attack.

(5) There is a certain sameness of tenor of such information as Admiral Stark sent to Admiral Kimmel. They do not convey in themselves the sense of intensification of the critical relations between the United States and Japan.

(b) In my opinion Admiral Kimmel, despite the failure of Admiral Stark to keep him fully informed, nevertheless did have some indications of increasing tenseness as to relations with Japan. In particular, he had the "war warning" message on 27 November, the "hostile action possible at any moment" message on 28 November, the 3 December message that Japanese had ordered destruction of codes, and the messages of 4 and 6 December concerning destruction of United States secret and confidential matter at outlying Pacific Islands. These messages must be considered in connection with other facets of the situation, and Admiral Kimmel's statement on this phase of the matter must be given due consideration. After weighing these considerations, I am of the opinion that he could and should have judged more accurately the gravity of the danger to which the Hawaiian Islands were exposed. The following courses of action were open to him:

(1) He could have used patrol craft which were available to him to conduct long range reconnaissance in the more dangerous sectors. Whether or not this would have resulted in detecting the approach of the Japanese carriers is problematical. However, it would have made the Japanese task more difficult.

(2) He could have rotated the "in port" periods of his vessels in a less routine manner, so as to have made it impossible for the Japanese to have predicted when there would be any vessels in port. This would have made the Japanese task less easy.

[11] (3) If he had appreciated the gravity of the danger even a few hours before the Japanese attack, it is logical to suppose that naval planes would have been in the air during the early morning period, that ships' batteries would have been fully manned, and that damage control organizations would have been fully operational.

The derelictions on the part of Admiral Stark and Admiral Kimmel were faults of omission rather than faults of commission. In the case in question, they indicate lack of superior judgment necessary for exercising command commensurate with their rank and their assigned duties, rather than culpable inefficiency.

D. Army Pearl Harbor Report.

Pursuant to Public Law No. 339, 78th Congress, an Army Board conducted investigation into the Japanese attack, and on 20 October 1944 submitted its report to the Secretary of War. The Army report

discussed, among other things, various matters involving the Navy, such as the Navy's command relationships at Hawaii, the "tapping" of the telephone wires of the Japanese Consul in Hawaii by Naval Intelligence, information secured by Navy radio intelligence as to the location and movements of Japanese naval forces, the Navy's responsibility for long range reconnaissance ("The heart of the defense of Oahu"), and the entrance of Japanese submarines into Pearl Harbor on and allegedly prior to 7 December 1941. The Army report commented critically as to (a) the Navy's failure to conduct long range reconnaissance, (b) the Navy's failure to advise General Short of the presence of a Japanese task force in the Jaluits in late November 1941, (c) the Navy's failure to advise General Short of certain messages, relating to the destruction of codes by the Japanese during the first week of December 1941, and (d) the Navy's failure to advise General Short of the sinking of a Japanese submarine on the morning of 7 December 1941, prior to the air attack. The Army report included a finding that relations between General Short and Admiral Kimmel were not satisfactory, as a practical matter, although cordial. Concerning intelligence generally, the Army report stated, at page 232:

The Japanese armed forces knew everything about us. We knew little about them. This was a problem of all our intelligence agencies. This should not come to pass again. Our intelligence service must be brought in line with the part which we are to play in world affairs.

We must know as much about other major world powers as they know about us. This is an absolute condition precedent to intelligent planning by those charged with formulating our international policies and providing for our security. Our intelligence service should be second to none in its efficiency. It must not be inferred that this is the exclusive function of the M. I. D. It is a national problem.

[12] In the past our intelligence service has suffered from lack of funds, lack of interest, and legal obstacles and regulations. Steps should be taken to correct all of these.

After consideration of the Army Pearl Harbor Report, Fleet Admiral King, in a letter to the Secretary of the Navy, dated 3 December 1944, stated in part:

The Army Board find it difficult to understand the relations between the Commander in Chief of the Pacific Fleet, the Commander Hawaiian Sea Frontier, the Commandant, FOURTEENTH Naval District, and the local Air Commander (Rear Admiral Bellinger). The Board makes the comment "The Army had a difficult time in determining under which of the three shells (Kimmel, Bloch, or Bellinger) rested the pea of performance and responsibility." My comment as to this is that there are some unavoidable complexities in the Command relationships between a fleet, a frontier, and a fleet base in the frontier. However, in this case, there was no possibility of misunderstanding the fact that all naval forces were under Admiral Kimmel. He and General Short should have been able to work out better arrangements for cooperation than they did. The reasons why they did not have been discussed in paragraphs 4 and 5 above.

The Army Board stresses the point that General Short was dependent upon the U. S. Navy for information as to what the Japanese Navy was doing and for estimates of what the Japanese Navy could do. This view is obviously sound. It was a naval responsibility to keep not only General Short but also the War Department fully acquainted with the estimate of the Japanese naval situation. There was some failure to pass on to General Short and the War Department information which should have been given to them by the Navy, but the basic trouble was that the Navy failed to appreciate what the Japanese Navy could, and did, do.

The Army Board reports on three matters which should be further investigated by the Navy. These are:

a. It was stated that the War Department received information from some naval agency that on or about 25 November radio intercepts had located a Jap-

anese task force, including carriers, in the Marshall Islands. About 1 December it was reported that this force assumed radio silence. It is noted in the Record that this information never got to General Short. There is some reference to this incident in the Record of the Naval Court, but it was not followed up, presumably because the officer who was Director of Naval Intelligence at the time was not called as a witness. The matter is probably not of importance, since even if there actually was a Japanese force in the Marshalls it apparently had nothing to do with the attack on Pearl Harbor. However, for the sake of completing the naval Record, this matter should be pursued further.

[13] *b.* The Army Board is of the opinion that Japanese midget submarines operated freely inside of Pearl Harbor for several days prior to the 7th of December, for the purpose of obtaining information. This opinion is based on the testimony of an official of the Federal Bureau of Investigation, who apparently reached his conclusions by a study of certain captured Japanese charts which were made available to F. B. I. by Naval Intelligence. So far as is known, there is no real ground for the supposition that Japanese submarines were able to roam around Pearl Harbor at will, but since the allegation is made in the Army Record, it is advisable to clear up any doubt that may exist by further naval investigation.

c. There is reference to the fact that information was obtained from naval and F. B. I. espionage over telephones and cables in Hawaii, but no record of what this information was. This should be cleared up.

The Army Board finds that the Chief of Staff of the Army was at fault in that he failed to keep General Short informed of the international situation and that he delayed in getting critical information to General Short. In these respects, the Army Report parallels the Naval Court findings as to the Chief of Naval Operations. The Army Board further finds that General Marshall was at fault and that he failed to keep his Deputies informed of what was going on, so that they could act intelligently in his absence; in that he did not take action on General Short's report on 28 November that he had established "Alert No. 1"; and in that he lacked knowledge of conditions of readiness in the Hawaiian Command.

The Army Board finds that General Short was at fault in that he failed to place his command in an adequate state of readiness (the information which he had was incomplete and confusing, but it was sufficient to warn him of tense relations), in that he failed to reach an agreement with local naval officials for implementing joint Army and Navy plans and agreements for joint action, in that he failed to inform himself of the effectiveness of the long-distance reconnaissance being conducted by the Navy, and in that he failed to replace inefficient staff officers.

I find nothing in the Record of the Army Board to cause me to modify the opinions expressed in my endorsement on the Record of the Naval Court of Inquiry, except in relation to the cooperation between Admiral Kimmel and General Short. In view of the extensive and explicit discussion of this phase of the matter by the Army Board, I am no longer of the opinion that cooperation between these two officers was adequate in all respects. The cordial, but informal, contact which they maintained evidently was not sufficient to coordinate the means at their disposal to the best advantage. However, as already pointed out, this fault was part and parcel of the [14] general blindness to Japanese potentialities in the Central Pacific which was the basic cause of the Pearl Harbor disaster. The many details discussed by the Army Board and the Naval Court are useful in showing how this blindness rounded out to our disadvantage, but they do not, in my opinion, prove anything more than that the two naval officers in the high commands concerned—Admiral Stark and Admiral Kimmel—failed to display the superior judgment they should have brought to bear in analysing and making use of the information that became available to them.

I recommend that the Secretary of the Navy cause further investigation to be made in the matter referred to in paragraph 8 above; namely, the alleged radio contact with a Japanese force in the Marshall Islands, the alleged presence of Japanese midget submarines inside Pearl Harbor prior to 7 December, and the substance of information obtained by naval and F. B. I. telephone and cable intercepts. I do not think it necessary to reconvene the Court for this purpose. The proposed investigation could be made by another Court, or by an investigating officer, for attachment to the Record of the original Court of Inquiry.

E. Findings of the Secretary of the Navy and Further Investigation.

Upon review of the previous investigations, the Secretary of the Navy found that there were errors of judgment on the part of certain officers in the Naval Service, both at Pearl Harbor and at Washington. The Secretary further found that the previous investigations had not exhausted all possible evidence and that the investigation directed by Public Law 339 of the 78th Congress should be continued until the testimony of every witness in possession of material facts should be obtained and all possible evidence exhausted. The Secretary stated that his decision would be reviewed when the investigation was finally completed, in the light of the evidence then at hand.

The precept of the Secretary of the Navy, dated 2 May 1945, and amended 6 July 1945, directed that Admiral H. Kent Hewitt, USN, make a study of the previous investigations, that such further investigation as might appear to be necessary be then conducted, and that upon completion a report be submitted to the Secretary of the Navy setting forth the findings and conclusions reached.

Review of the previous investigations disclosed that various matters of importance, principally concerning intelligence, had not been investigated thoroughly. The subjects proposed for further investigation were approved by the Secretary of the Navy on 21 May 1945.

Counsel in this investigation was John F. Sonnett, Special Assistant to the Secretary of the Navy. Also assisting were Lieutenant Commander Benjamin H. Griswold, III, USNR, and Lieutenant John Ford Baecher, USNR. The reporters were Ship's Clerk Ben Harold, USNR, and Chief Yeoman Raymond E. Reese, USNR. These men took a special oath to maintain the security of the information developed during the investigation.

*[15] F. Witnesses in this Investigation.**At Pearl Harbor in 1941:*

Captain Edwin T. Layton, USN, Intelligence Officer, Pacific Fleet. (R. 182)

Captain Joseph J. Rochefort, USN, in charge of Communications Intelligence Unit, Fourteenth Naval District. (R. 43; 541)

Vice Admiral William W. Smith, USN, Chief of Staff, CincPac. (R. 335)

Vice Admiral Charles H. McMorris, USN, War Plans Officer, CincPac. (R. 293)

Rear Admiral Walter S. DeLany, USN, Assistant Chief of Staff, Operations, CincPac. (R.163)

Vice Admiral Patrick N. L. Bellinger, USN, Commander, Hawaiian Based Patrol Wings, Commander, Patrol Wing Two, Commander, Task Force Nine, Commander, Fleet Air Detachment, Pearl Harbor. (R. 471)

Captain John B. Earle, USN, Chief of Staff, 14th N. D. (R. 451)

Mr. George Street, Manager, RCA, Honolulu. (R. 411)

Rear Admiral Irving H. Mayfield, USN, District Intelligence Officer, 14th N. D. (R. 554)

Captain Thomas H. Dyer, USN, Cryptanalytical and Decrypting, Fleet Radio Unit, Pacific Fleet. (R. 418)

Captain Joseph Finnegan, USN, Translator, Fleet Radio Unit, Pacific Fleet. (R. 424)

Commander Wesley A. Wright, USN, Assistant Communications Officer, CincPac, on temporary duty with Com 14 Communications Intelligence Unit. (R. 442)

Lieutenant (jg) Farnsley C. Woodward, USN, Cryptanalyst, Communications Intelligence Unit, 14th N. D. (R. 541)

[16] Colonel Alva B. Yaswell, USMC, Translator, Communications Intelligence Unit, 14th N. D. (R. 541)

Captain William W. Outerbridge, USN, Commanding Officer, USS WARD. (R. 87)

Lieutenant Commander Monroe H. Hubbell, USNR, Commanding Officer, USS CONDOR. (R. 428)

Richard W. Humphrey, RM3c, USNR, Bishop's Point Radio Station.

Lieutenant Oliver H. Underkofler, USNR, Communications Office, 14th N. D. (R. 465)

Lieutenant Donald Woodrum, USNR, District Intelligence Office, 14th N. D. (R. 376)

Commander Harold S. Burr, USNR, Com 14 Liaison Officer at General Short's Headquarters. (R. 376)

Brigadier General Carroll A. Powell, USA, Signal Officer, Hawaiian Department. (R. 387)

At the Philippines in 1941:

Captain Redfield Mason, USN, Fleet Intelligence Officer, Asiatic Fleet. (R. 68)

Commander Rudolph J. Fabian, USN, Officer in Charge, Radio Intelligence Unit, Corregidor. (R. 68)

At Washington, D. C. in 1941:

Vice Admiral Theodore S. Wilkinson, USN, Director of the Office of Naval Intelligence. (R. 389)

Captain Arthur H. McCollum, USN, In charge of Far Eastern Section, Foreign Branch, ONI. (R. 10)

Captain Laurance F. Safford, USN, Communications Security Section. (R. 97; R. 529)

Captain Alwin D. Kramer, USN, ONI and Communications Security Section. (R. 128)

Mrs. Dorothy Edgers, Research Analyst, ONI. (R. 511)

[17] Lieutenant Commander Francis M. Brotherhood, USNR, Communications Security Section. (R. 143)

Lieutenant Frederick L. Freeman, USN, Communications Security Section. (R. 149)

Lieutenant Commander Allan A. Murray, USNR, Communications Security Section. (R. 433)

Lieutenant Commander George W. Linn, USNR, Communications Security Section. (R. 140)

Lieutenant Commander Alfred V. Pering, USNR, Communications Security Section. (R. 148)

Other witnesses:

Captain William H. Smedberg, III, USN, Now Assistant Combat Intelligence Officer, Staff, Cominch. (R. 4)

Lieutenant Commander Leo Reierstad, USNR, Now in charge of a translating unit of Op-16-FE. (R. 158)

Lieutenant (jg) Joseph M. Conant, USNR, Translation sub-section head in Op-16-FE. (R. 158)

Commander Walter Karig, USNR, Lieutenant Welbourn Kelley, USNR, Authors of "Battle Report." (R. 80)
 Lieutenant Commander Gilbert E. Boone, USNR Head of Op-20-GL. R. 554; R. 607)

[18] *G. Exhibits Received in this Investigation.*

Received in this investigation were the following exhibits:

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3	CinCPOA Weekly Confidential Intelligence Bulletin of 8 December 1944, relating to the attacking force.....	5
4	A translation of a captured Japanese submarine chart, showing courses and location of U. S. ships in Pearl Harbor.....	8
5	CinCPOA Confidential Intelligence Bulletin of 20 October 1944, containing description of Japanese midget submarines.....	9
6	ONI document "ONI 220-J, Japanese Submarines".....	9
7	Berthing plan at Pearl Harbor, 7 December 1941 (Ex. 60 of Naval Court).....	9
8	Photostatic copies of Com14 and Com16 dispatch estimates of Japanese fleet location and movements, 26 November 1941.....	12
9	ONI Bulletin of 1 December 1941, Japanese fleet locations.....	17
10	McCullum memorandum estimating situation as of 1 December 1941.....	21
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21	Pacific Fleet Intelligence Bulletin of 27 November 1941 concerning composition of Japanese Navy.....	185
22	Daily Communication Intelligence Summaries, 14 October 1941 to 5 December 1941, given to Fleet Intelligence Officer (Captain Layton) for delivery to Admiral Kimmel.....	194
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32	Original Japanese chart of Pearl Harbor recovered from Japanese midget submarine (returned to Captain Layton).....	281
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34	Staff Instructions, CinePac, 1941.....	293
35	U. S. Pacific Fleet Operating Plan, Rainbow Five (Navy Plan O-1, Rainbow Five) (WPPac-46).....	295
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69	Pacific Fleet Weekly Intelligence Bulletin for 11 June 1945, containing description of midget submarines and method of transport to Pearl Harbor	604
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I

THE WAR AND DEFENSE PLANS

A. U. S. Pacific Fleet Operating Plan Rainbow Five.

On 26 July 1941, U. S. Pacific Fleet Operating Plan Rainbow Five (Exhibit 35) was distributed to the Pacific Fleet by Admiral Kimmel. This plan was designed to implement the Navy basic war plan (Rainbow Five) in so far as the tasks assigned the U. S. Pacific Fleet were concerned. It was approved 9 September 1941 by the Chief of Naval Operations (Exhibit 36). The plan provided in part:

INTRODUCTION

CHAPTER IV. MOBILIZATION

0401. At the date of issue of this plan, the U. S. Pacific Fleet has virtually mobilized, and is operating, with intensive security measures, from the Pearl Harbor base. It is expected, therefore, that the major portion of the Fleet can be ready for active service within four days of an order for general mobilization. To provide for the contingency of M-day being set prior to the date on which hostilities are to open, the day of execution of this Plan is designated throughout the Plan as W-day. The day that hostilities open with Japan will be designated J-day. This may or may not coincide with W-day.

CHAPTER II. ASSUMPTIONS

1211. The general assumptions on which this Plan is based are:

a. That the Associated Powers, comprising initially the United States, the British Commonwealth (less Eire), the Netherlands East Indies, the Governments in Exile, China, and the 'Free French' are at war against the Axis powers, comprising either:

1. Germany, Italy, Roumania, Hungary, Bulgaria, or
2. Germany, Italy, Japan, Roumania, Hungary, Bulgaria, and Thailand.

NOTE: As of 22 June war exists between the European Axis and Russia, and the latter may be tentatively considered as an ally against that part of the Axis but not necessarily against Japan. . . .

[24]

CHAPTER III. INFORMATION

1314. The concept of the war in the Pacific, as set forth in ABC-1 is as follows:

Even if Japan were not initially to enter the war on the side of the Axis Powers, it would still be necessary for the Associated Powers to deploy their forces in a manner to guard against Japanese intervention. If Japan does enter the war, the military strategy in the Far East will be defensive. The United States does not intend to add to its present military strength in the Far East but will employ the United States Pacific Fleet offensively in the manner best calculated to weaken Japanese economic power, and to support the defense of the Malay barrier by diverting Japanese strength away from Malaysia. The United States intends to so augment its forces in the Atlantic and Mediterranean areas that the British Commonwealth will be in a position to release the necessary forces for the Far East.

CHAPTER III. INFORMATION

Section 3. Estimate of Enemy Action

1331. It is believed that German and Italian action in the Pacific will be limited to commerce raiding with converted types, and possibly with an occasional pocket battleship or heavy cruiser.

1332. It is conceived that Japanese action will be as follows:

a. The principal offensive effort to be toward the eventual capture of Malaysia (including the Philippines) and Hong Kong.

b. The secondary offensive efforts to be toward the interruption of American and Allied sea communications in the Pacific, the Far East and the Indian Ocean, and to accomplish the capture of Guam and other outlying positions.

- c. The offensive against China to be maintained on a reduced scale only.
- d. The principal defensive efforts to be:
 - 1. Destruction of threatening naval forces.
 - 2. Holding positions for their own use and denying positions in the Central and Western Pacific and the Far East which may be suitable for advanced bases.
- [25] 3. Protecting national and captured territory and approaches.
- 1333. To accomplish the foregoing it is believed that Japan's initial action will be toward:
 - a. Capture of Guam.
 - b. Establishment of control over the South China Sea, Philippine waters, and the waters between Borneo and New Guinea, by the establishment of advanced bases, and by the destruction of United States and allied air and naval forces in these regions, followed by the capture of Luzon.
 - c. Capture of Northern Borneo.
 - d. Denial to the United States of the use of the Marshall-Caroline-Marianas area by the use of fixed defenses, and, by the operation of air forces and light naval forces to reduce the strength of the United States Fleet.
 - e. Reenforcement of the Mandate Islands by troops, aircraft and light naval forces.
 - f. Possibly raids or stronger attacks on Wake, Midway and other outlying United States positions.
- 1334. The initial Japanese deployment is therefore estimated to be as follows:
 - a. Troops and aircraft in the Homeland, Manchukuo, and China with strong concentrations in Formosa and Hainan, fairly strong defenses in the Carolines, and comparatively weak but constantly growing defenses in the Marshalls.
 - b. Main fleet concentration in the Inland Sea, shifting to a central position (possibly Pescadores) after the capture of Guam and the reenforcement of the Mandates.
 - c. A strong fleet detachment in the Mindanao-Celebes area (probable main base in Halmahera).
 - d. Sufficient units in the Japan Sea to counter moves of Russian Naval forces in that area.
 - e. Strong concentration of submarines and light surface patrol craft in the Mandates, with such air scouting and air attack units as can be supported there.
 - f. Raiding and observation forces widely distributed in the Pacific, and submarines in the Hawaiian area.

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PART II. OUTLINE OF TASKS

CHAPTER I. TASKS ASSIGNED BY NAVY BASIC PLAN—MISSION

2101. The Navy Basic War Plan (Rainbow Five) assigns the following tasks within the Pacific Area to the U. S. Pacific Fleet:

- a. SUPPORT THE FORCES OF THE ASSOCIATED POWERS IN THE FAR EAST BY DIVERTING ENEMY STRENGTH AWAY FROM THE MALAY BARRIER, THROUGH THE DENIAL AND CAPTURE OF POSITIONS IN THE MARSHALLS, AND THROUGH RAIDS ON ENEMY SEA COMMUNICATIONS AND POSITIONS;
- b. PREPARE TO CAPTURE AND ESTABLISH CONTROL OVER THE CAROLINE AND MARSHALL ISLAND AREA, AND TO ESTABLISH AN ADVANCED FLEET BASE IN TRUK;
- c. DESTROY AXIS SEA COMMUNICATIONS BY CAPTURING OR DESTROYING VESSELS TRADING DIRECTLY OR INDIRECTLY WITH THE ENEMY;
- d. SUPPORT BRITISH NAVAL FORCES IN THE AREA SOUTH OF THE EQUATOR AS FAR WEST AS LONGITUDE 155° EAST;
- e. DEFEND SAMOA IN CATEGORY "D";
- f. DEFEND GUAM IN CATEGORY "F";
- g. PROTECT THE SEA COMMUNICATIONS OF THE ASSOCIATED POWERS BY ESCORTING, COVERING, AND PATROLLING AS REQUIRED BY CIRCUMSTANCES, AND BY DESTROYING ENEMY RAIDING FORCES;
- h. PROTECT THE TERRITORY OF THE ASSOCIATED POWERS IN THE PACIFIC AREA AND PREVENT THE EXTENSION OF ENEMY MILITARY POWER INTO THE EASTERN HEMISPHERE BY DESTROYING HOSTILE EXPEDITIONS AND BY SUPPORTING LAND AND AIR FORCES IN DENYING THE ENEMY THE USE OF LAND POSITIONS IN THAT HEMISPHERE;

CHAPTER II. TASKS FORMULATED TO ACCOMPLISH THE ASSIGNED MISSIONS

2201. It will be noted that the tasks assigned in the previous chapter are based upon Assumption a2 of paragraph 1211 (Japan in the war). In formulating tasks the Commander-in-Chief has provided also for Assumption a1 and divides the tasks to be accomplished by the Pacific Fleet into phases, as follows:

[27] a. PHASE I.—Initial tasks—Japan not in the war.

b. PHASE IA.—Initial tasks—Japan in the war.

c. PHASE II, etc.—Succeeding tasks.

2202. Phase I tasks are as follows:

a. COMPLETE MOBILIZATION AND PREPARE FOR DISTANT OPERATIONS; THEREAFTER MAINTAIN ALL TYPES IN CONSTANT READINESS FOR DISTANT SERVICE.

b. MAINTAIN FLEET SECURITY AT BASES AND ANCHORAGES AND AT SEA.

c. TRANSFER THE ATLANTIC REENFORCEMENT, IF ORDERED.

d. TRANSFER THE SOUTHEAST PACIFIC FORCE, IF ORDERED.

e. ASSIGN TWELVE PATROL PLANES AND TWO SMALL TENDERS TO PACIFIC SOUTHERN AND A SIMILAR FORCE TO PACIFIC NORTHERN NAVAL COASTAL FRONTIER, ON M-DAY.

f. ASSIGN TWO SUBMARINES AND ONE SUBMARINE RESCUE VESSEL TO PACIFIC NORTHERN NAVAL COASTAL FRONTIER ON M-DAY.

g. PROTECT THE COMMUNICATIONS AND TERRITORY OF THE ASSOCIATED POWERS AND PREVENT THE EXTENSION OF ENEMY MILITARY POWER INTO THE WESTERN HEMISPHERE BY PATROLLING WITH LIGHT FORCES AND PATROL PLANES, AND BY THE ACTION OF STRIKING GROUPS AS NECESSARY. IN SO DOING SUPPORT THE BRITISH NAVAL FORCES SOUTH OF THE EQUATOR AS FAR WEST AS LONGITUDE 155° EAST.

h. ESTABLISH DEFENSIVE SUBMARINE PATROLS AT WAKE AND MIDWAY.

i. OBSERVE, WITH SUBMARINES OUTSIDE THE THREE MILE LIMIT, THE POSSIBLE RAIDER BASES IN THE JAPANESE MANDATES, IF AUTHORIZED AT THE TIME BY THE NAVY DEPARTMENT.

j. PROSECUTE THE ESTABLISHMENT AND DEFENSE OF SUBSIDIARY BASES AT MIDWAY, JOHNSTON, PALMYRA, SAMOA, GUAM AND WAKE, AND AT CANTON IF AUTHORIZED.

k. CONTINUE TRAINING OPERATIONS AS PRACTICABLE.

l. MOVE THE MAXIMUM PRACTICABLE PORTION OF SECOND MARINE DIVISION TO HAWAII FOR TRAINING IN LANDING OPERATIONS.

m. GUARD AGAINST SURPRISE ATTACK BY JAPAN.

[28]

Phase IA

2203. Phase IA tasks are as follows:

a. CONTINUE TASKS OUTLINED IN 2202 a,b,g,h, and k.

b. ACCOMPLISH SUCH OF THE TASKS IN 2202 c,d,e,f, and j AS HAVE NOT BEEN COMPLETED.

c. MAKE AN INITIAL SWEEP FOR JAPANESE MERCHANTMEN AND ENEMY RAIDERS AND TENDERS IN THE NORTHERN PACIFIC.

d. CONTINUE THE PROTECTION OF THE TERRITORY AND COMMUNICATIONS OF THE ASSOCIATED POWERS, AND OF THE NAVAL COASTAL FRONTIER FORCES, CHIEFLY BY COVERING OPERATIONS.

e. 1. MAKE RECONNAISSANCE AND RAID IN FORCE ON THE MARSHALL ISLANDS.

2. IF AVAILABLE CRUISERS AND OTHER CIRCUMSTANCES PERMIT, MAKE CRUISER RAIDS AGAINST JAPANESE SHIPPING IN WATERS BETWEEN NANSEI SHOTO AND NANPO SHOTO.

f. ESTABLISH AND MAINTAIN MAXIMUM PRACTICABLE SUBMARINE PATROLS AGAINST JAPANESE FORCES AND COMMUNICATIONS NEAR THE JAPANESE HOMELAND.

g. MAINTAIN AIR PATROLS AGAINST ENEMY FORCES IN THE APPROACHES TO OAHU AND OUTLYING BASES.

h. ESCORT IMPORTANT SHIPPING, INCLUDING TROOP MOVEMENTS, BETWEEN THE HAWAIIAN AREA AND THE WEST COAST.

i. ROUTE SHIPPING IN THE FLEET CONTROL ZONE WHEN ESTABLISHED.

j. AUGMENT THE LOCAL DEFENSE FORCES OF THE HAWAIIAN NAVAL COASTAL FRONTIER AS NECESSARY.

k. MOVE FROM SAN DIEGO TO HAWAII THE REMAINING UNITS AND EQUIPMENT OF THE SECOND MARINE DIVISION.

l. PREPARE TO CAPTURE AND ESTABLISH CONTROL OVER THE MARSHALL ISLAND AREA.

PART III. TASK ASSIGNMENT

CHAPTER I. PHASE I

Section 4. TASK FORCE NINE (PATROL PLANE FORCE)

3141. *Task Force Nine* will perform the tasks assigned in the following paragraphs of this section.

[29] 3142. ON W-DAY TRANSFER TWELVE PATROL PLANES AND TWO TENDERS TO EACH OF THE PACIFIC SOUTHERN AND PACIFIC NORTHERN NAVAL COASTAL FRONTIERS. CONTINUE ADMINISTRATION OF THESE FORCES AND ROTATE DETAIL AT DISCRETION.

3143. PERFORM TASKS ASSIGNED IN THE PATROL AND SWEEPING PLAN (ANNEX I). . . .

"PART V. SPECIAL PROVISIONS

CHAPTER IV. TENTATIVE OPERATION PLANS

PHASES I AND IA

Section 1. Phase I

United States Pacific Fleet
U. S. S. PENNSYLVANIA, Flagship
Place
Date

Operation Plan

No. 1-R5."

1. Information, Assumptions, etc., as previously given in Parts I, II and III of Navy Plan O-1, Rainbow Five.

2. This Fleet will, in the Pacific Area, protect the territory and sea communications of the Associated Powers and will support British Naval Forces south of the equator as far west as Longitude 155° East, while continuing training and guarding against attack by Japan.

Annex I

United States Pacific Fleet
U. S. S. PENNSYLVANIA, Flagship
Place
Date

Patrol and Sweeping Plan"

1. Information and Assumptions as previously given in Parts I, II, and III of this Navy Plan O-1, Rainbow Five. Latest information of enemy dispositions, estimated intentions, and location of merchant shipping will be furnished by the Commander-in-Chief, U. S. Pacific Fleet, at time of execution.

[30] 2. Phase I

This Fleet will, in the Pacific Area, protect the territory and sea communications of the Associated Powers by:

- (a) Patrolling against enemy forces, particularly in the vicinity of the Hawaiian Islands; and on shipping lanes (1) West Coast-Hawaii, (2) Trans-Pacific westward of Midway and (3) in South Seas in vicinity of Samoa.
- (b) Escorting as conditions require and forces available permit.
- (c) Covering.
- (d) Employing striking forces against enemy raids and expeditions.
- (e) Routing shipping. . . .

3. (d) *Task Force Nine* (Patrol Plane Force).

(1) Having due regard for time required to overhaul and upkeep planes and for conservation of personnel, maintain maximum patrol plane search against enemy forces in the approaches to the Hawaiian area.

(2) Initially base and operate one patrol plane squadron from Midway. At discretion increase the number of planes operating from bases to westward of Pearl Harbor to two squadrons, utilizing Johnston and Wake as the facilities thereat and the situation at the time makes practicable.

(3) Be prepared, on request of Commander *Task Force Three*, to transfer one patrol squadron and tenders to that force for prompt operations in the South Pacific.

(4) Be particularly alert to detect disguised raiders.

(5) In transferring planes between bases, conduct wide sweep enroute.

(6) Planes engaged in training operations furnish such assistance to Naval Coastal Frontiers in which based as may be practicable.

[31] (7) Effect closest cooperation practicable with surface forces engaged in sweeping during initial sweep of Phase IA.

(8) Modify patrols as necessary in order to carry out tasks assigned in Marshall Raiding and Reconnaissance Plan (Annex H to Navy Plan 0-1). . . .

B. Joint Coastal Frontier Defense Plan, Hawaiian Theater, Orange 14ND-JCD-42.

The Joint Coastal Frontier Defense Plan, Hawaiian Coastal Frontier, Hawaiian Department and FOURTEENTH Naval District (14ND-JCD-42), was signed and placed in effect on 11 April 1941 by the Commanding General, Hawaiian Department, and by the Commandant, FOURTEENTH Naval District (Exhibit 80). The plan was based on the joint Army and Navy basic war plans, and was to constitute the basis on which all subsidiary peace and war projects, joint operating plans, and mobilization plans would be based. The method of coordination under the plan was by mutual cooperation which was to apply to all activities wherein the Army and the Navy would operate in coordination until and if the method of unity of command were invoked. The tasks assigned were as follows:

14. TASKS.

a. **JOINT TASK.** To hold OAHU as a main outlying naval base, and to control and protect shipping in the Coastal Zone.

b. **ARMY TASK.** To hold OAHU against attacks by sea, land, and air forces, and against hostile sympathizers; to support the naval forces.

c. **NAVY TASK.** To patrol the Coastal Zone and to control and protect shipping therein; to support the Army forces.

The Hawaiian Naval Coastal Zone was defined as "The Hawaiian Naval Coastal Zone comprises the waters of the Hawaiian Coastal Frontier" (Oahu and such adjacent land and sea areas as were required for the defense of Oahu).

The plan provided that the Commanding General, Hawaiian Department, and the Commandant, FOURTEENTH Naval District, should provide for the following:

17. **ARMY.** The Commanding General, HAWAIIAN DEPARTMENT, shall provide for:

a. The beach and land, seacoast and antiaircraft defense of OAHU with particular attention to the PEARL HARBOR NAVAL BASE and naval forces present thereat, HONOLULU HARBOR, CITY OF HONOLULU, and the SCHOFIELD BARRACKS-WHEELER FIELD-LUALUALEI area. The increasing importance of the KANEIOHE area is recognized.

[32] b. An antiaircraft and gas defense intelligence and warning service.

c. Protection of landing fields and naval installations on outlying islands consistent with available forces.

d. Defense of installations on OAHU vital to the Army and Navy and to the civilian community for light, power, water, and for interior guard and sabotage, except within naval establishments.

e. Defense against sabotage within the HAWAIIAN ISLANDS, except within naval shore establishments.

f. Establishment of an inshore aerial patrol of the waters of the OAHU D. C. A., in cooperation with the Naval Inshore Patrol (see par. 18. a.), and an aerial observation system on outlying islands, and an Aircraft Warning Service for the HAWAIIAN ISLANDS.

g. Support of naval aircraft forces in major offensive operations at sea conducted within range of Army bombers.

h. Provide personnel for and Army communication facilities to harbor control post provided for in paragraph 18. e.

i. In conjunction with the Navy, a system of land communications (coordinated by means of teletype, telegraph loops, and radio intercepts, and detailed joint instructions) to insure prompt transmittal and interchange of hostile intelligence. Radio communication between the Army and the Navy will be governed by "Joint Army and Navy Radio Procedure, The Joint Board, 1940."

j. An intelligence service, which, in addition to normal functions, will gather, evaluate, and distribute both to the Army and to the Navy, information of activities of enemy aliens or alien sympathizers within the HAWAIIAN ISLANDS.

k. Counter-espionage within the HAWAIIAN ISLANDS.

l. Control of dangerous aliens or alien sympathizers in the HAWAIIAN ISLANDS.

m. Army measures to assure effective supervision, control, and censorship over communication systems which will conform to Joint Action of the Army and the Navy, 1935, Chapter IX.

n. Supply of all Army and civil population in the HAWAIIAN ISLANDS.

[33] o. Hospitalization of all Army and civil population in the HAWAIIAN ISLANDS.

p. Reception and distribution of personnel and supplies for the Army and of supplies for the civil population.

18. NAVY. The Commandant, FOURTEENTH NAVAL DISTRICT, shall provide for:

a. An inshore patrol.

b. An offshore patrol.

c. An escort force.

d. An attack force.

e. Provide and maintain a harbor control post for joint defense of PEARL and HONOLULU HARBORS.

f. Installation and operation of an underwater defense for PEARL and HONOLULU HARBORS. (Hydro-acoustic posts, fixed, when developed and installed probably will be under cognizance of the Army.)

g. Support of Army forces in the OAHU-D. C. A. and installation of submarine mine fields in the defense of the OAHU-D. C. A. as may be deemed necessary and practicable.

h. Sweeping channels and mine fields.

i. Distant reconnaissance.

j. Attacking enemy naval forces.

k. Maintenance of interior guard and defense against sabotage within all naval shore establishments.

l. In conjunction with the Army, as provided for in paragraph 17 i., a local communication service to insure prompt transmittal and interchange of intelligence.

m. Navy measures to assure effective supervision, control and censorship over communication systems which will conform to Joint Action of the Army and the Navy, 1935, Chapter IX.

n. Operation of a Naval intelligence system, including counter-espionage, for the collection, evaluation, and dissemination of hostile information.

o. Supply and hospitalization of all local naval defense forces.

[34] p. Operation or supervision of all water transportation and facilities pertaining thereto.

C. Annex VII, Section VI, to the Joint Coastal Frontier Defense Plan.

Annex VII, Section VI to the Joint Coastal Frontier Defense Plan, Hawaiian Department and Fourteenth Naval District, dated 28 March 1941, and approved by Admiral Bloch and General Short 2 April 1941, (Exhibit 47), dealt with joint security measures and

protection of the Fleet and Pearl Harbor base. It stated that in order to coordinate joint defensive measures for the security of the Fleet and for the Pearl Harbor Naval base for defense against hostile raids or air attacks delivered prior to a declaration of war, and before a general mobilization for war, there were adopted the following agreements:

Paragraph II, in respect of joint air operations, provided that when the Commanding General and ComFOURTEEN agreed that the threat of a hostile raid or attack was sufficiently imminent to warrant such action, each commander would take such preliminary steps as were necessary to make available without delay to the other commander such proportion of the air forces at his disposal as circumstances warranted in order that joint operations might be conducted in accordance with the following plans: (a) joint air attacks upon hostile surface vessels to be conducted under the tactical command of the Navy; (b) defensive air operations over and in the immediate vicinity of Oahu to be executed under the tactical command of the Army; (c) when naval forces were insufficient for long distance patrol and search operations, and Army aircraft were made available, these aircraft would be under the tactical control of the naval commander directing the search operations.

Paragraph III provided for joint communications, and, among other things, that all information of the presence or movements of hostile aircraft offshore from Oahu secured through Navy channels would be transmitted promptly to the Command Post of the Army Provisional Anti-Aircraft Brigade and the Aircraft Warning Service Information Center; that subsequently, when the Army aircraft warning service was established, provision would be made for transmission of information on the location or distance of hostile and friendly aircraft, and special wire or radio circuits would be made available for the use of Navy liaison officers so that they might make their own evaluation of the available information and transmit it to their respective organizations.

Paragraph IV related to joint anti-aircraft measures, the arrival and departure procedure for aircraft, balloon barrages, Marine Corps anti-aircraft artillery, and Army Aircraft Warning Service. It provided that the latter service was to be expedited in its installation and operation by the Army and, "during the period prior to the completion of the AWS installation, the Navy, through use of Radar and other appropriate means, will endeavor to give such warning of hostile attacks as may be practicable.

[35] *D. Joint Estimate Covering Army and Navy Air Action in the Event of Sudden Hostile Action Against Oahu.*

On 31 March 1941, Rear Admiral Bellinger, Commander Naval Base Defense Air Force (Commander Patrol Wing Two), and Major General F. L. Martin, Commanding Hawaiian Air Force, prepared a joint estimate covering joint Army and Navy air action in the event of sudden hostile action against Oahu or Fleet units in the Hawaiian area (Exhibit 49).

Paragraph I of the estimate included a "Summary of the Situation," which indicated that relations between the United States and Orange were strained, uncertain, and varying; that in the past Orange had never preceded hostile action by a declaration of war; that a suc-

cessful sudden raid against our ships and naval installations on Oahu might prevent effective offensive action by our forces in the western Pacific for a long period; that a strong part of our fleet was constantly at sea in the operating areas, organized to take prompt offensive action; and, that it appeared possible that Orange submarines and/or an Orange fast raiding force might arrive in Hawaiian waters with no prior warning from our Intelligence Service.

Paragraph II of the estimate embraced a "Survey of Opposing Strengths," indicating, among other things, that Orange might send into the Hawaiian area one or more submarines and one or more fast raiding forces composed of carriers supported by fast cruisers; that the most difficult situation to meet would be when several of the above elements were present and closely coordinating their actions; and that the aircraft available in Hawaii were inadequate to maintain for any extended period from bases on Oahu a patrol extensive enough to insure that an air attack from an Orange carrier could not arrive over Oahu as a complete surprise.

Paragraph III of the estimate dealt with "Possible Enemy Action." It stated that a declaration of war might be preceded by a surprise submarine attack on ships in the operating area, a surprise attack on Oahu, including ships and installations in Pearl Harbor, or a combination of these two; that it appeared the most likely and dangerous form of attack on Oahu would be an air attack, most likely launched from one or more carriers which would probably approach inside of 300 miles. It was further pointed out that a single attack might or might not indicate the presence of more submarines or more planes waiting to attack after defending aircraft have been drawn away by the original thrust; that: "(d) any single submarine attack might indicate the presence of considerable undiscovered surface forces, probably composed of fast ships accompanied by a carrier;" and that in a dawn air attack there was a high possibility that it could be delivered as a complete surprise in spite of any patrol that we might be using.

Paragraph IV of the estimate considered "Action Open to Us." It was stated that it would be desirable to run daily patrols as far as possible to seaward through 360°, but this could only be effectively maintained with present personnel and material for a very short period, and, as a practicable measure, could not therefore be undertaken unless other intelligence [36] indicated that a surface raid was probable within rather narrow limits of time. Reference was made to other types of action open in the event of a surprise attack on ships in the operating area or on the islands, and pointed out that none of the outlined courses of action could be initiated by our forces until an attack was known to be imminent or had occurred.

Paragraph V contained "Decisions." The primary decision was that the Naval Base Defense Air Force would locate and attack forces initiating hostile action against Oahu or fleet units in order to prevent or minimize damage to our forces from a surprise attack, and to obtain information upon which to base coordinated retaliatory measures. A number of subsidiary decisions were made, including decisions for the establishment of a search and attack group, an air combat group, the assignment of missions to the groups, and definitions of conditions of readiness. The search and attack group was to be under the Commander Naval Base Defense Air Force—Commander

Patrol Wing Two, and, in accordance with current conditions of readiness, included patrol squadrons and Army bombardment and reconnaissance squadrons.

[37] E. *Naval Base Defense Force Operation Plan No. 1-41, and Naval Base Defense Air Force Plan.*

Admiral Block, as Naval Base Defense Officer, issued his Operation Plan No. 1-41, on February 27, 1941 (Exhibit 53 of the Naval Court). The Task Organization prescribed was: (a) Destroyer Patrol (Commander Inshore Patrol) consisting of two destroyers, a boom patrol, a harbor patrol, and A/B boom and minesweepers, (b) Base Defense Air Force (Commander Patrol Wing Two) in conjunction with the Army, (c) Antiaircraft Defense (District Marine Officer) in conjunction with the Army, (d) Harbor Control Post (District Operations Officer) in conjunction with the Army. This plan directed attention, among other things, to the Hawaiian Joint Coastal Frontier Defense Plan, and stated:

By cooperation in support of the Army, Naval security measures will be established as necessary for the joint protection of Pearl Harbor Base in order to safeguard the Fleet.

In conjunction with the Commanding General Hawaiian Department, the Naval Base Defense Officer (Commandant Fourteenth Naval District) will arrange to coordinate joint effort; to set conditions of readiness; to hold required drills; to make "alarm" and "all clear" signals.

Assumptions.

(a) That no responsible foreign power will provoke war under existing conditions, by attack on the Fleet or base, but that irresponsible and misguided nationals of such powers may attempt:

(1) Sabotage from small craft on ships based in PEARL HARBOR.

(2) Block the entrance channel to PEARL HARBOR by sinking an obstruction in the channel.

(3) Lay magnetic or other mines in the approaches to PEARL HARBOR.

(b) That a declaration of war might be preceded by:

(1) A surprise submarine attack on ships in base area—probable.

(2) A surprise air attack on ships in PEARL HARBOR—possible.

(3) A combination of these two—possible.

Annexed to Operation Plan 1-41 were: A detailed Inshore Patrol Plan, called Annex "A;" a detailed Naval Base Defense Air Force Plan, called Annex "Baker;" a detailed Anti-aircraft Defense Plan, called Annex "C;" a detailed Harbor Control Post Plan, called "D;" and a detailed Communications Plan, known as Annex "Easy."

Annex "Baker," the detailed Naval Base Defense Air Force Plan, dated 9 April 1941, was prepared by Admiral Bellinger and approved by Admiral Block. It divided the Task Organization into (a) Search and Attack Group, consisting of patrol squadrons and other planes, including Army reconnaissance squadrons, and (b) an air combat group. This plan was made in accordance with the Joint Estimate, dated 31 March 1941, which is digested above. The Naval Base Defense Air Force was, according to this plan, to [38] locate and destroy hostile forces raiding against Oahu or Fleet units in the operating areas. The plan was effective upon receipt and became operative without signal in the event of a surprise attack on Oahu. It might be made operative by dispatch. In the meantime, conditions of readiness, prescribed in Addendum Two to this plan, would be taken as directed by the Commanding General, Hawaiian Department, for Army units, and by the Naval Base Defense Officer (ComFOURTEEN) for Navy

units. The condition of material readiness was to be signified by a letter, such as "E," signifying that all aircraft were conducting routine operations and none were ready for the purpose of this plan, and the condition of operational readiness by a number, such as "5," signifying that all types of available planes would be ready in four hours. It was also required that a dispatch readiness report, as of 1500 each day, be made by each unit assigned by this plan to a task group, stating the number of planes and readiness.

[39] *F. Pacific Fleet Letter on Security of the Fleet at Base and in Operating Areas.*

Pacific Fleet Confidential Letter No. 2CI-41, from the Commander in Chief, Pacific Fleet, to the Pacific Fleet, concerning the security of the Fleet at base and in operating areas, was issued in February, 1941 and reissued in revised form on 14 October 1941.

This order provided that the Security of the Fleet was predicated on two assumptions:

(a) That no responsible foreign power would provoke war under present existing conditions by attack on the Fleet or base, but that irresponsible and misguided nationals of such powers might attempt

(1) sabotage on ships based in Pearl Harbor from small craft,
 (2) to block the entrance to Pearl Harbor by sinking an obstruction in the channel,

(3) to lay magnetic or other mines in the approaches to Pearl Harbor;

(b) That a declaration of war might be preceded by (1) a surprise attack on ships in Pearl Harbor, (2) a surprise submarine attack on ships in operating areas. (3) a combination of the two.

Security measures were prescribed covering:

A. Continuous patrols, inshore, boom and harbor.

B. Intermittent patrols to consist of a destroyer offshore patrol and an air patrol. The destroyer patrol was to consist (a) of a patrol to 10 miles from the entrance. (b) three destroyers to search 12 hours prior to sortie or entry of Fleet or Task Force, (c) one destroyer (READY DUTY) for screening heavy ships, other than during a Fleet or Task Force sortie or entry, to be on one hour's notice. The air patrol was to consist of daily search of operating areas, as directed by Commander Aircraft, Scouting Force, an air patrol to cover entry or sortie of a Fleet or Task Force, an air patrol during entry or departure of a heavy ship at other times. There also was to be a daily sweep for magnetic and anchored mines.

C. Sortie and entry.

D. Operating areas.

E. Ships at sea.

F. Ships in port.

The security provisions covering defense against air attack (G), described the principal Army anti-aircraft gun defenses of Pearl Harbor and directed that Marine defense battalions would assist the Army in manning them; and provided that in the event of a hostile air attack, any part of the Fleet in harbor, plus all fleet aviation shore based on Oahu, would augment the local air defense; it prescribed air defense sectors and a berthing plan in Pearl Harbor. It further provided that the senior officer embarked, exclusively of CincPac, should insure berthing so as to develop the maximum anti-aircraft gunfire;

and that ComFOURTEEN, as Naval [40] Base Defense Officer, should exercise with the Army joint supervisory control over the defense against air attack, and take other action, including supervisory control over naval shore based aircraft, arranging through the Commander of Patrol Wing Two for coordination of the joint air effort between the Army and the Navy, and coordinate Fleet anti-aircraft fire with the base defense by advising the Senior Officer Embarked (exclusive of CinCPac) of the condition of readiness to maintain, and by holding drills, etc.

Three conditions of naval base defense readiness were prescribed. Condition III read as follows:

Anti-aircraft battery (guns which bear in assigned sector) of at least one ship in each sector manned and ready. (Minimum of four guns required for each sector.) Condition of aircraft as prescribed by Naval Base Defense Officer.

The procedure to be followed by the task forces in the event of an air attack was also set forth: the Senior Officer embarked was to execute an emergency sortie order, sending destroyers out and preparing a carrier and heavy ships and submarines for sorties; the Task Force Commander at sea was to dispatch a striking unit, etc.; and the Naval Base Defense Officer was to give the alarm indicating that an attack was in progress or imminent, inform the Task Force Commander at sea of the attack and type of attacking aircraft, launch air search for enemy ships, and arm and prepare all bombing units available.

The action to be taken if a submarine attacked in the operating area was set forth. It was provided that the ship attacked was, among other things, to originate a plain language dispatch containing the essential details; various actions were to be taken by other ships; and the Patrol Wings were to assume readiness for search and for offensive action, to carry out search as directed by Task Force Commander, and to prepare to establish station patrol at a 220 mile radius from the scene of attack at one hour before daylight of the next succeeding daylight period. The shore based fleet aircraft were to prepare to relieve planes over the attack area, unless Pearl Harbor were also attacked, in which case the instructions issued by the Naval Base Defense Officer would have priority. It was further provided that "It must be remembered that a single attack may or may not indicate the presence of more submarines waiting to attack," and "(3) it must be remembered too, that a single submarine attack may indicate the presence of a considerable surface force probably composed of fast ships accompanied by a carrier. The Task Force Commander must, therefore, assemble his task groups as quickly as the situation and daylight conditions warrant in order to be prepared to pursue or meet enemy ships that may be located by air search or other means."

[41] G. *Execution of Plans Prior to 7 December 1941.*

(1) The Pacific Fleet Operating Plan Rainbow 5 provided that the day of execution of the plan was to be designated as W-Day, and that the day upon which hostilities opened with Japan would be J-Day, which might or might not coincide with W-Day. Prior to the attack on Pearl Harbor, W-Day had not been designated.

(2) The Joint Coastal Frontier Defense Plan had been signed and placed in effect on 11 April 1941 by the Commanding General, Hawaiian Department, and by the Commandant, Fourteenth Naval District. It will be recalled that under this plan the method of coordination of

Army and Navy effort was "by mutual cooperation" and not "unity of command." It will be recalled further that under this plan the Army task was to hold Oahu against attacks by sea, land, and air forces, and against hostile sympathizers; and to support the Naval forces; and, that the Navy task was to patrol the coastal zone and control and protect shipping therein; and to support the Army forces; and, that the Navy was obliged to provide distant reconnaissance.

(3) Annex VII, Section 6 of the Joint Coastal Frontier Defense Plan, which provided for joint defensive measures for defense against hostile raids or air attacks delivered prior to a declaration of war (including joint air operations and for the use of Army aircraft by the Navy for long distance patrol when Navy forces were insufficient), was to become effective when the Commanding General and COMFOURTEEN agreed that the threat of a hostile raid or attack was sufficiently imminent to warrant such action. No such agreement was made prior to the attack on December 7th.

(4) The Naval Base Defense Force Operation Plan, which provided for an Inshore Patrol consisting of two destroyers, a boom patrol, a harbor patrol, and an A/B boom and minesweepers, a Base defense air force, anti-aircraft defense, and a harbor control post, although effective as to the inshore patrol was not in operation as to the base defense air force.

(5) The Naval Base Defense Air Force Plan, dated 9 April 1941, which was an annex to the Naval Base Defense Force Plan and which had been made in accordance with the joint estimate of Bellinger and Martin, dated 31 March 1941, was effective upon receipt. It was to become operative without a signal in the event of a surprise attack on Oahu and it might have been made operative by dispatch. It was not made operative until the attack on 7 December 1941.

(6) The Pacific Fleet Letter on security of the Fleet at base and in operating areas, which recognized the possibility of a surprise attack on ships in Pearl Harbor and which set forth security measures including patrols to be conducted both by destroyers and by aircraft, was in effect during 1941, and in revised form after 14 October 1941.

[42] *H. Admiral Kimmel's Views as to the Possibility of a Surprise Air Attack.*

It appears from the War and Defense Plans, above summarized, that it was believed that prior to a declaration of war there might be a surprise attack by the Japanese on ships in Pearl Harbor or a surprise submarine attack on ships in the operating areas. The possibility of a surprise air attack on ships in Pearl Harbor had been expressed as early as 24 January 1941 by the Secretary of the Navy, in a letter to the Secretary of War (Exhibit 64), a copy of which was received by Admiral Kimmel shortly after he assumed command of the Pacific Fleet. In that letter, the Secretary of the Navy wrote:

If war eventuates with Japan, it is believed easily possible that hostilities would be initiated by a surprise attack upon the fleet or the naval base at Pearl Harbor . . . The dangers envisaged in their order of importance and probabilities are considered to be: (1) air bombing attack, (2) air torpedo plane attack, (3) sabotage, (4) submarine attack, (5) mining, (6) bombardment by gunfire.

In his testimony before the Naval Court of Inquiry, Admiral Kimmel indicated some confusion as to his agreement with and his evalua-

tion of the above letter by the Secretary of the Navy. He testified that he had felt that the most probable form of attack on Pearl Harbor was by submarine, and that a bombing attack was the second most probable, but that he had been of the view that there was no danger of an air torpedo attack because the water was too shallow. He then corrected his testimony, characterizing his previous testimony as erroneous, and stated that he had regarded an air attack as no more than a possibility.

It appears clearly that Admiral Kimmel at all times during his command of the Pacific Fleet was of the view that a surprise air attack on Pearl Harbor was a possibility. Thus, in a letter by Admiral Richardson, prepared in collaboration with Admiral Kimmel, on 25 January 1941 (Exhibit 70, Naval Court), it was stated in part that the security of the Pacific Fleet would be predicated on certain assumptions, including an assumption that Japan might attack without warning and the further assumption that Japanese attacks might be expected against shipping, outlying position, or naval units, and that surprise raids on Pearl Harbor were possible. Again, in a letter of 18 February 1941, concerning the adequacy of local defense (Exhibit 30, Naval Court), Admiral Kimmel stated, "I feel that a surprise attack (submarine, air, or combined) on Pearl Harbor is a possibility." And, as previously pointed out, the Fleet Security Letter, reissued on 14 October 1941, predicated the security of the Fleet on two assumptions, one of which was that a declaration of war might be preceded by a surprise attack on ships in Pearl Harbor. This, Admiral Kimmel testified before the Naval Court, referred to a surprise air attack.

In connection with Admiral Kimmel's statement before the Naval Court of Inquiry that he thought there was no danger of an air [43] torpedo attack on Pearl Harbor because the water was too shallow, several letters from the Chief of Naval Operations should be noted:

On 15 February 1941 (Exhibit 49, Naval Court), the Chief of Naval Operations wrote to CincPac regarding anti-torpedo baffles for protection against attacks on Pearl Harbor. This stated that the shallow depth of water limited the need for anti-torpedo nets in Pearl Harbor and the congestion and the necessity for maneuvering room limited the practicability of the present type of baffles. The letter indicated that a minimum depth of water of 75 feet might be assumed necessary successfully to drop torpedoes from planes and that the desirable height for dropping is 60 feet or less. There were various other considerations stated. The recommendations and comments of the Commander-in-Chief were especially desired. A similar letter was sent by the Chief of Naval Operations to the Commandants of various Naval Districts, including the Fourteenth, on 17 February 1941 (Exhibit 54, Naval Court).

The reply to the request for recommendations and comments was made on 20 March 1941, in a letter by Admiral Bloch, stating that the depth of water at Pearl Harbor was 45 feet, and for that and other reasons, he did not recommend anti-torpedo baffles. CincPac agreed, until such time as a light efficient net were developed.

In June 1941, the Chief of Naval Operations sent another letter to the Commandants of Naval Districts, copy to CincPac and others,

referring to recent developments, and to experience at Taranto, which stated that no minimum depth of water could be assumed safe as regards torpedo attack if there were sufficient water around a ship to permit an attack to be developed and a sufficient run to arm the torpedo, but that such an attack in 10 fathoms or more was more likely than in shallow water (Exhibit 55, Naval Court). The torpedoes at Taranto, it was said, were launched in thirteen to fifteen fathoms although some may have been in eleven.

Admiral Kimmel testified that on this correspondence he based his opinion that there was no chance of an air torpedo attack on Pearl Harbor—and that even after the June letter, he did not think that torpedoes would run in such shallow water. He pointed out that the Navy made no effort to place such nets in Pearl Harbor. He later stated that he did not think an aerial torpedo attack would be made because he did not think such torpedoes would run in Pearl Harbor and did not give this a great deal of consideration for that reason.

[44] I. *Adequacy of Forces to Carry Out Tasks Assigned.*

The adequacy of forces assigned to the Pacific Fleet for carrying out the tasks assigned in the war plans was the subject of testimony before both Admiral Hart and the Naval Court of Inquiry. From the testimony it appears that although there were shortages concerning which Admiral Kimmel had extensive correspondence with the Chief of Naval Operations, there was general agreement by the witnesses to the effect that the Fleet was considered adequate to carry out the initial tasks assigned in the war plans. The initial tasks, it will be recalled, were primarily defensive in nature. As will appear subsequently in this report, the number of fleet patrol planes in the Hawaiian area was not sufficient to enable a 360 degree reconnaissance to be flown daily from Oahu for more than a few days, but was sufficient for air reconnaissance of the more dangerous sectors to have been flown for at least several weeks. To this extent, therefore, the patrol planes assigned to the Pacific Fleet were a limiting factor as to the Fleet's ability to carry out one of the initial tasks assigned in the war plans, namely, to "maintain air patrols against enemy forces in the approaches of Oahu . . ."

The Joint Coastal Frontier Defense Plan stated that the Navy, through ComFOURTEEN, would provide for distant reconnaissance from Oahu. Admiral Bloch had no air forces assigned to him and had to rely upon the Fleet planes, which were under the control of Admiral Kimmel, for the accomplishment of this task. Thus naval patrol planes could be and were used for long distance reconnaissance from Oahu only when they were made available by Admiral Kimmel for that purpose.

[45] J. *Command Organization.*

(1) *Methods of Coordination Between Army and Navy Commands.* According to "Joint Action of the Army and Navy, 1935," (Exhibit 6, Naval Court), the operations of Army and Navy forces were to be coordinated by one of two methods:

- (a) Mutual cooperation, or,
- (b) The exercise of unity of command.

(2) *Coordination Between Army and Navy Commands in Hawaii.* The command organization in the Hawaiian area was designed to function through "mutual cooperation" between the Army and Navy.

This was the normal method of coordination according to Joint Action of the Army and the Navy (Exhibit 6, page 5), and applied to the defense of Pearl Harbor as well as the entire Hawaiian area.

(3) *Desirability of Unity of Command.*—(a) *Unity of Command for Hawaii considered in Washington.* Admiral Stark testified before the Naval Court that, prior to 7 December 1941, he had given much thought to the question of unity of command in Hawaii but that no satisfactory solution or decision had been reached as far as the Navy Department was concerned. It had been the topic of many conversations with the Chief of Staff of the Army, but it was anticipated only for amphibious operation (page 29, Naval Court). He and the Chief of Staff of the Army could have placed unity of command into effect at Hawaii, subject to the approval of the Secretaries of War and of the Navy (page 39, Naval Court). However, "Joint Action of the Army and Navy" (Exhibit 6, Naval Court) does not indicate that the approval of the Secretary of War and the Secretary of the Navy would have been required.

(b) *Unity of Command for Hawaii considered at Pearl Harbor.* Admiral Stark testified that Admiral Kimmel, as Commander-in-Chief of the Pacific Fleet, in mutual agreement with the Commanding General, Hawaiian Department, could have placed unity of command in effect in Oahu (Naval Court, page 39; Exhibit 6, page 5). Admiral Kimmel testified (Roberts Commission, page 538; Naval Court, page 296) that he had never had any discussion with the Commanding General of the Hawaiian Department on the desirability of putting unity of command into effect in the Hawaiian area, but did state that where command is vested in one agency, much better results can be obtained than when responsibility is divided.

Admiral Kimmel testified that so far as the authority of ComFOURTEEN to accomplish unity of command was concerned, ComFOURTEEN did not have the authority without reference to him and that he would not have approved this nor accepted the responsibility for Army action without reference to the Navy Department.

[46] Under the Naval Base Defense Plan (Exhibit 53, NC), unity of command was vested in the Commander Naval Base Defense Air Force over all offensive air operations and under the Army Air Commander for all defensive air operations, but only *after* the plan had been activated.

(c) *Weakness of "Mutual Cooperation."*

(i) *Air Command.*—Admiral Bellinger testified that the weakness of the air defense plan was that there was no one officer in command until after the plan was activated. The Bellinger-Martin estimate (Exhibit 49) he believed to be sound, but said that it lacked sanction and that the missing sanction was unity of command.

(ii) *Recommendation of Joint Command Center.*—In an endorsement dated 6 December 1941 from the Director, Radio Liaison Division, to the Director, Naval Districts Division, advocating a combined operating center for the Army and Navy at Pearl Harbor (which was not established prior to the attack), Admiral Hooper stated "The most perfect set-up for command is one in which the supreme commander is exercised by one officer best equipped of any for the task . . . Because our defense is under two officers, Army and Navy, we must try and arrange matters so that when component parts of the

commands are interwoven these two can function as nearly as possible as one." (Exhibit 77).

The recommendation for a Joint Command Center in Hawaii was originated by a dispatch from OpNav to ComFOURTEEN on 15 October 1941 (Exhibit 77), requesting that consideration be given to the construction of a combined operating center sufficient in size and facilities to accommodate in time of emergency staffs of all essential operating activities of both Army and Navy in Hawaii. An informal joint working committee had been formed in Washington to endeavor to improve cooperation of Army and Navy shore defense activities by the formation of joint command centers. A reply to the above-mentioned dispatch strongly recommending against such a move is contained in a letter from ComFOURTEEN to CNO, via CincPac, enclosing a letter from General Short to ComFOURTEEN and an endorsement by CincPac.

General Short stated that while he was strongly in favor of combined operating centers for equivalent units of Army and Navy forces, he did not believe that all of the operating centers should be combined into one single building, because it was necessary that Army headquarters be located in separate command posts for efficiency of individual operation. It was also undesirable from the communication and security standpoint. He suggested that, as an alternative, additional space for Navy units be constructed adjacent to the existing command posts for equivalent Army units.

[47] In the basic letter (Exhibit 77) ComFOURTEEN recommended that no steps be taken to concentrate the Army and Navy in a common building and believed that the best interests of the Cinc Pacific Fleet would be served by one building with only agencies of the Fleet therein.

The CincPacific Fleet in his endorsement to this letter stated that the mission of the Army and the Fleet were considerably different, the operation of one being defensive and local, while the operations of the other were offensive and far-flung. Strategic, rather than tactical, cooperation was indicated and therefore the necessity for rapid receipt and exchange of information and arrival at quick decision was of less importance. He was of the opinion that the establishment of a combined operating center for the Army and Navy in Hawaii was not only unnecessary, but definitely undesirable.

(±) *Disagreement concerning Unity of Command at the Outlying Islands.*—The evidence in the previous investigations and in this investigation indicates that there was some consideration of unity of command at outlying islands during the critical period 27 November to 7 December 1941. This occurred as a result of dispatches by the Chief of Naval Operations to CincPac on 26 November 1941 (Exhibits 18 and 40, Naval Court), in which it was advised that the Army had agreed to reinforce Midway and Wake with Army personnel and to station 25 Army pursuit planes at Midway and 25 at Wake provided that Admiral Kimmel considered this feasible and desirable. It was stated that it would be necessary for Admiral Kimmel to transport these planes and ground crews from Oahu to Midway and Wake on aircraft carriers, that the planes would be flown off at destination and that the ground crews would be landed in boats. Admiral Kimmel was directed to confer with the Commanding General concerning this matter, and to advise as soon as practicable.

It appears that this subject was considered at some length in conferences held by Admiral Kimmel on and after 27 November 1941. The discussion of unity of command as to these islands was summarized by Vice Admiral Smith in his testimony in this investigation. He said that Admiral Kimmel asked the Army what he could expect of Army fighters at Wake, and that General Martin of the Army Air Force replied that the Army did not allow such planes to go more than 15 miles offshore. Admiral Kimmel then stated that the Army planes were, therefore, no good to him.

General Short stated that if he manned those islands, he must command them and "Kimmel replied, 'Over my dead body. The Army should exercise no command over Navy bases.' General Short replied, 'Mind you, I don't want these islands. I think they are better manned by Marines. But if I must put planes and troops on them, then I must command them.'" (Page 352, record of this investigation).

[48] Admiral Kimmel's concern over the question of command at the outlying islands was indicated by his dispatch of November 28th to the Chief of Naval Operations, advising of the proposed reinforcement of Midway and Wake with Marine fighter planes and that he would investigate more thoroughly the feasibility and practicality of relieving them with Army planes. In this dispatch he stated, "All outlying forces must be exclusively under Naval command" (Exhibit 76, Naval Court). Similarly, in a letter of 2 December 1941 to Admiral Stark (Exhibit 50 of the Naval Court), Admiral Kimmel advised that the dispatches in regard to the use of Army personnel were being given earnest consideration, that he believed Admiral Stark would subscribe to the principle that all these outlying islands must be under Navy command and the forces there subject to the orders of the Commander-in-Chief without any qualifications whatsoever, and that he expected some difficulties along this line when Army personnel were injected into the picture unless a very clear directive were issued jointly by the War and Navy Departments.

It appears that Midway and Wake were reinforced with squadrons of Marine planes, and that therefore, unity of command under the Navy, actually existed at those islands. No solution of the command problem, in the event of possible future inclusion of Army forces, was reached.

[49]

FINDINGS

1. The basic assumption of the Rainbow Five War Plan was that the United States and her Allies would be at war with the Axis Powers, either including or excluding Japan.

2. The Navy Basic War Plan (Rainbow Five) assigned various offensive tasks to the Pacific Fleet, including the capture of positions in the Marshalls and raids on enemy sea communications and positions, and various defensive tasks, including the task of protecting the territory of the Associated Powers in the Pacific area and preventing the extension of enemy military power into the Eastern Hemisphere by destroying hostile expeditions.

3. The Pacific Fleet Operating Plan (Rainbow Five) assigned to the Fleet various initial tasks, including the maintenance of fleet security at the bases, at anchorages, and at sea, the protection of the communications and territory of the Associated Powers by patrolling with light forces and patrol planes, the establishment of defensive submarine

patrols at Wake and Midway, and guarding against surprise attack by Japan.

4. The Pacific Fleet Operating Plan (Rainbow Five) and annexes included among the initial tasks to be performed by the patrol planes the maintenance of the maximum patrol plane search practicable in the approaches to the Hawaiian area.

5. The Pacific Fleet Operating Plan was to be put into effect on W-day, which, it was stated, might or might not coincide with the day that hostilities opened with Japan. W-day was not fixed prior to the attack.

6. The Joint Coastal Frontier Defense Plan, Hawaiian Theater, was based on the Joint Army and Navy Basic War Plans. It constituted the basis of subsidiary peace and war projects, joint operating plans, and mobilization plans. The method of coordination under the plan was to be by mutual cooperation until and unless unity of command were invoked.

7. Under the Joint Coastal Frontier Defense Plan the Army's task was to hold Oahu against attacks by sea, land and air forces, and against hostile sympathizers, and to support the naval forces. The Navy's task was to patrol the coastal zone (which included Oahu and such adjacent land and sea areas as were required for the defense of Oahu), and to patrol and protect shipping therein, and to support the Army forces.

8. One of the specific tasks assigned to the Navy in the Joint Coastal Frontier Defense Plan was that the Commandant, FOURTEENTH Naval District, should provide for distant reconnaissance.

[50] 9. The Joint Coastal Frontier Defense Plan was placed in effect on 11 April 1941 by the Commanding General, Hawaiian Department, and by the Commandant, FOURTEENTH Naval District.

10. Annex VII, Section VI, to the Joint Coastal Frontier Defense Plan was an agreement between the Commandant, FOURTEENTH Naval District, and the Commanding General, Hawaiian Department, as to joint defensive measures for the security of the Fleet and for the Pearl Harbor Naval Base against hostile raids or air attacks delivered prior to a declaration of war.

11. Annex VII, Section VI, to the Joint Coastal Frontier Defense Plan provided, among other things, for joint air operations and provided that when naval forces were insufficient for long distance patrol and search operations and Army aircraft were made available, the latter would be under the tactical control of the naval commander directing search operations.

12. Annex VII, Section VI, to the Joint Coastal Frontier Defense Plan, also provided that the Army was to expedite the installation of its aircraft warning service, and that prior to the completion of that service, the Navy, through the use of radar and other appropriate means, would endeavor to give such warning of hostile attacks as might be practicable.

13. Annex VII, Section VI, of the Joint Coastal Frontier Defense Plan provided that when the Commanding General and ComFOURTEEN agreed that the threat of a hostile raid or attack was sufficiently imminent to warrant such action, each commander would take steps to make available to the other the air forces at his disposal, in order that joint operations might be conducted in accordance with the plan.

14. The Commanding General and ComFOURTEEN did not effect any agreement prior to the attack that the threat of a hostile raid or attack was sufficiently imminent to warrant placing Annex VII, Section VI, in operation.

15. The Naval Base Defense Force Operation Plan provided, among other things, for a Base Defense Air Force in conjunction with the Army. One of the assumptions was that it was possible that a declaration of war might be preceded by a surprise air attack on ships in Pearl Harbor, that it was probable that there might be a surprise submarine attack on ships in the base area, and that a combination of both forms of attack was possible.

16. The joint estimate by Admiral Bellinger and General Martin stated, among other things, that the most likely and dangerous form of attack on Oahu would be an air attack that would most likely be launched from carriers which would probably approach inside of three hundred miles. The estimate also stated that any single submarine attack might indicate the presence of considerable undiscovered surface forces, probably composed of [51] fast ships accompanied by a carrier. This Estimate came to the attention of Admiral Kimmel and Admiral Bloch.

17. The Naval Base Defense Air Force Plan was prepared by Admiral Bellinger and approved by Admiral Bloch. This plan, which was designated Annex "Baker" to the Naval Base Defense Force Operation Plan, made specific provision for joint air operations by the Army and Navy. The Plan was effective upon receipt. It was to become operative without signal in the event of a surprise attack, or might be made operative by dispatch. In the meantime conditions of readiness of aircraft were to be as directed by the Commanding General, Hawaiian Department, for Army units, and by ComFOURTEEN, as Naval Base Defense Officer, for Navy units.

18. The Pacific Fleet letter on security of the Fleet at base and in operating areas, which was reissued by Admiral Kimmel in revised form on 14 October 1941, provided that the Fleet's security was predicated on several assumptions, one of which was that a declaration of war might be preceded by a surprise attack on ships in Pearl Harbor, a surprise submarine attack on ships in the operating areas, or a combination of the two. This letter also stated that a single submarine attack might indicate the presence of a considerable surface force probably composed of fast ships accompanied by a carrier.

19. The Pacific Fleet security letter prescribed security measures, including provisions for defense against air attack. It provided, among other things, that ComFOURTEEN, as Naval Base Defense Officer, should exercise with the Army joint supervisory control over the defense against air attack and that he should take other action, including supervisory control over naval shore-based aircraft, and arrange through the Commander of Patrol Wing Two for coordination of the joint air effort by the Army and the Navy.

20. Under the Pacific Fleet security letter, the security measures were to include intermittent patrols to consist of a destroyer off-shore patrol, and an air patrol. The air patrol was to consist of daily search of fleet operating areas as directed by Aircraft Scouting Force, one covering the entry or sortie of a fleet or task force, and one during the entry or departure of a heavy ship at other times.

21. The only local defense plans in effect and operative prior to the attack of 7 December 1941 were the Joint Coastal Frontier Defense Plan, under which the Navy was obliged to provide distant reconnaissance, and the Pacific Fleet security letter, under which the only aircraft patrol from Oahu was a daily search of fleet operating areas, a search during entry or sortie of a fleet or task force, and during the entry or departure of a heavy ship at other times.

[52] 22. The Pacific Fleet Operating Plan (Rainbow Five), approved by the Chief of Naval Operations, in estimating probable enemy (Japanese) action, visualized that one of the enemy defensive efforts would be "destruction of *threatening* naval forces"; that initial action would include "possible raids or stronger attacks on Wake, Midway, and *other outlying United States positions*"; and that the initial Japanese deployment would include "raiding and observation forces *widely distributed in the Pacific*, and that *submarines* in the *Hawaiian area . . .*" (Italics supplied.) The possibility of an attack on Hawaii was, therefore, included but in no way emphasized.

23. Admiral Kimmel was of the opinion, throughout his tenure of command of the Pacific Fleet, that a surprise air attack on Pearl Harbor was a *possibility*. Neither he nor the key members of his staff appear to have considered it as a serious *probability*.

24. The method of command established in the local plans was that of "mutual cooperation." The relations between the responsible commanders were cordial. However, there was not in existence, prior to the attack, any permanent operating setup which could ensure the constant and timely exchange of information, decisions, and intended courses of action so essential to the efficient conduct of joint operations, particularly in an emergency. A recent proposal looking to the establishment of a Joint Command Center had been the subject of adverse recommendations by the responsible local commanders, both Army and Navy.

25. In accordance with "Joint Action," unity of command for the defense of Oahu could have been placed in effect by local agreement between the Commanding General of the Hawaiian Department and the Commandant of the FOURTEENTH Naval District. The latter, however, would naturally not make such an agreement without the approval of his immediate superior, the Commander-in-Chief, Pacific Fleet. The question of unity of command for outlying islands was discussed between Admiral Kimmel and General Short in connection with a proposal for reinforcement of Wake and Midway by Army planes. General Short's position was that if Army forces were involved, the command must be his. Admiral Kimmel maintained that the command of naval bases must remain with the Navy. The islands were reinforced with Marine planes.

[53]

II

JAPANESE ESPIONAGE AT HAWAII

The center of Japanese espionage at Hawaii was the Japanese Consulate General located in Honolulu. As a matter of regular routine, information was collected by the Consulate General concerning the location and movements of United States ships in and around Pearl

Harbor and concerning defense preparations. This information was forwarded by the Japanese Consulate General to Tokyo and elsewhere in coded messages sent via commercial communication companies. A collection of such messages, which has been decrypted and translated, appears in Exhibit 13 of this investigation and in Exhibit 63 of the Naval Court. This collection of messages does not include every such message, but does fully illustrate the type of espionage reports which were made. Subsequent to the attack, the incoming and outgoing message log of the Japanese Consulate General at Honolulu was recovered and translated. These logs indicate the nature of all of the communications to and from the Japanese Consulate General and show the frequency with which espionage reports were sent by the Consul during 1941. A copy of the log is set forth in Exhibit 62.

It is to be noted that the espionage reports submitted during 1941 by the Japanese Consulate General became increasingly more detailed and, in the first week of December, 1941, indicated the likelihood of a surprise attack on Pearl Harbor. The possession of all of those messages by the American intelligence services prior to the attack would have been of inestimable value. Some of them, as will appear later, were obtained prior to the attack. Those obtained, however, although indicating Japanese interest in the location and movements of ships in and from Pearl Harbor, did not include those messages, particularly during the first week of December, 1941, which indicated the likelihood of an air attack. It may also be noted at this point that those Consulate messages which were obtained prior to 7 December 1941 were decrypted and translated in Washington but not at Pearl Harbor.

Illustrative of the type of message sent earlier in 1941 is a report from Honolulu to Tokyo, dated 10 March 1941, which describes various vessels seen in Pearl Harbor (Translated by Navy, April 5—Document 1, Exhibit 13). The Japanese interest in the location of ships in particular areas of Pearl Harbor is demonstrated by a dispatch from Tokyo to Honolulu, dated 24 September 1941, requesting reports of vessels in five sub-areas of Pearl Harbor, and requesting reports of warships and aircraft carriers at anchor and tied up at wharves, buoys and docks. Particular request was made for mention of the fact when there were two or more vessels alongside the same wharf (Army translation, October 9—Document 2, Exhibit 13). The Japanese Consul at Honolulu established a code to refer to the location of vessels in particular areas (Navy translation, October 10—Document 3, Exhibit 13). Tokyo on 18 November 1941 requested a report on vessels anchored in certain areas and it directed that the investigation be made with great secrecy (Army translation, December 2—Document 9, Exhibit 13). A report was sent by Honolulu to Tokyo on 18 November 1941 setting forth the warships in the harbor in certain areas, commenting on the [54] presence or absence of aircraft carriers, and describing in detail the course of certain destroyers which were observed entering the harbor (Army translation, December 6—Document 10, Exhibit 13). On November 20th, Tokyo requested a comprehensive investigation of the Fleet bases in the neighborhood of the Hawaiian military reservation (Army translation, December 6—Document 7, Exhibit 13).

On 24 November 1941, Honolulu reported to Tokyo concerning the Fleet practice of leaving Pearl Harbor, conducting maneuvers, and returning; that the Fleet had not remained for a long period of time nor conducted maneuvers at Lahaina Road; that destroyers and submarines were the only vessels anchored there; that battleships seldom entered the port of Hilo, Hanalei or Haneo; that virtually no one had observed battleships in maneuver areas; and, stated that the Fleet maneuvered for one week at sea, either to the south of Maui or to the southwest and pointed out that aircraft carriers maneuvered by themselves. This also mentioned the times when cruisers and other ships left Pearl Harbor and how long they were away, and generally how long they remained at Pearl Harbor when anchored there (Army translation, December 16—Document 23, Exhibit 13).

On November 28th, Tokyo requested intelligence, which was described as being of major importance, concerning the movements of battleships out of the harbor, pointing out that if such movements were reported but once a week, the vessels could have traveled far, and that Honolulu was to use its own judgment in deciding on reports covering such movements. As to capital ships, it was requested that reports of the entrance or departure and length of time at anchor from the time of entry into port until departure be made (Army translation, December 8—Document 13, Exhibit 13). On November 28th, Honolulu reported to Tokyo concerning the B-17 planes at Midway and range of anti-aircraft guns, observations of maneuvers by troops, prospective reinforcements of troops at Honolulu during December or January, and advised of the presence of a cruiser usually about 15,000 feet south of Pearl Harbor and one or two destroyers at the entrance of the harbor (Army translation, December 8—Document 16, Exhibit 13).

The messages sent by the Japanese Consul during the week of 1 December to 7 December 1941, are of particular significance. A message of December 1st reported on ship maneuvers and described the place where maneuvers were held as about 500 nautical miles southeast of Oahu, and stated the reasons why that conclusion had been reached. This message set forth the "usual" schedule for departure and return of the battleships and stated that they left on Tuesdays and returned on Fridays, or left on Friday and returned on Saturday of the following week, and that all ships stayed in port about a period of one week. In view of their importance, five other messages sent during the first week in December, 1941, are quoted in full:

From: Tokyo (Togo)

To: Honolulu

December 2, 1941 (translated by Army 30 December 1941)

J-19

#123 (Secret outside the department)

In view of the present situation, the presence in port of warships, airplane carriers and cruisers is of [55] utmost importance. Hereafter, to the utmost of your ability, let me know day by day. Wire me in each case whether or not there are any observation balloons above Pearl Harbor or if there are any indications that they will be sent up. Also advise me whether or not the warships are provided with antimine nets.

From: Honolulu (Kita)

To: Tokyo

3 December 1941. (Translated by Navy 11 December 1941)

(PA-K2)

#245 (in 2 parts, complete) (Military Secret).

From Ichiro Fujii to the Chief of #3 Section of Military Staff headquarters.

1. I wish to change my method of communicating by signals to the following:

I. Arrange the eight signals in three columns as follows:

Meaning		Signal
Battleship divisions including scouts and screen units.	Preparing to sortie.....	1
A number of carriers.....	Preparing to sortie.....	2
Battleship divisions.....	All departed between 1st and 3rd.....	3
Carriers.....	Several departed between 1st and 3rd.....	4
Carriers.....	All departed between 1st and 3rd.....	5
Battleship divisions.....	All departed between 4th and 6th.....	6
Carriers.....	Several departed between 4th and 6th.....	7
Carriers.....	All departed between 4th and 6th.....	8

2. Signals.

I. Lanikai Beach House will show lights during the night as follows:

	Signal
[56] One light between 8 and 9 p. m.....	1
One light between 9 and 10 p. m.....	2
One light between 10 and 11 p. m.....	3
One light between 11 and 12 p. m.....	4

II

Two lights between 12 and 1 a. m.....	5
Two lights between 1 and 2 a. m.....	6
Two lights between 2 and 3 a. m.....	7
Two lights between 3 and 4 a. m.....	8

(Part 2)

III. Lanikai Bay, during daylight.

If there is a "star" on the head of the sail of the Star Boat it indicates signals 1, 2, 3, or 4.

If there is a "star" and a Roman numeral III it indicates signal 5, 6, 7, or 8.

IV. Lights in the attic window of Kalama House will indicate the following:

Times	Signal
1900-2000.....	3
2000-2100.....	4
2100-2200.....	5
2200-2300.....	6
2300-2400.....	7
0000-0100.....	8

V. K. G. M. B. Want Ads.

A. Chinese rug etc. for sale, apply P. O. box 1476 indicates signal 3 or 6.

B. CHIC. CO farm etc. apply P. O. box 1476 indicates signal 4 or 7.

C. Beauty operator wanted etc. apply P. O. box 1476 indicates signal 5 or 8.

3. If the above listed signals and wireless messages cannot be made from Oahu, then on Maui Island, 6 miles to the northward of Kula Sanatorium at a point halfway between Lower Kula Road and Haleakala Road (latitude 20°40' N., longitude 156°19' W., visible from seaward to the southeast and southwest of Maui Island) the following signal bonfire will be made daily until your EXEX signal is received:

	Time	Signal
[57] From 7-2.....		3 or 6
From 8-9.....		4 or 7
From 9-10.....		5 or 8

From: Honolulu

To: Tokyo

5 December 1941 (Translated by Navy 10 December 1941)

(PA-K2)

#252

(1) During Friday morning, the 5th, the three battleships mentioned in my message #239 arrived here. They had been at sea for eight days.

(2) The Lexington and five heavy cruisers left port on the same day.

(3) The following ships were in port on the afternoon of the 5th:

8 battleships.

3 light cruisers.

16 destroyers.

Four ships of the Honolulu class and ----- were in dock.

From: Honolulu

To: Tokyo

December 6, 1941 (Translated by Army 8 December 1941)

PA-K2

#253 Re the last part of your #123.

1. On the American Continent in October the Army began training barrage balloons troops at Camp Davis, North Carolina. Not only have they ordered four or five hundred balloons, but it is understood that they are considering the use of these balloons in the defense of Hawaii and Panama. In so far as Hawaii is concerned, though investigations have been made in the neighborhood of Pearl Harbor, they have not set up mooring equipment, nor have they selected the troops to man them. Furthermore, there is no indication that any training for the maintenance of balloons is being undertaken. At the present time there are no signs of barrage balloon equipment. In addition, it is difficult to imagine that they have actually any. However, even though they have actually [58] made preparations, because they must control the air over the water and land runways of the airports in the vicinity of Pearl Harbor, Hickam, Ford and Ewa, there are limits to the balloon defense of Pearl Harbor. I imagine that in all probability there is considerable opportunity left to take advantage for a surprise attack against these places.

2. In my opinion the battleships do not have torpedo nets. The details are not known. I will report the results of my investigation.

From: Honolulu.

To: Tokyo

December 6, 1941 (Translated by Army 8 December 1941)

PA-K2

#256

1. On the evening of the 5th, among the battleships which entered port were ----- and one submarine tender. The following ships were observed at anchor on the 6th:

9 battleships, 3 light cruisers, 3 submarine tenders, 17 destroyers, and in addition there were 4 light cruisers, 2 destroyers lying at docks (the heavy cruisers and airplane carriers have all left).

2. It appears that no air reconnaissance is being conducted by the fleet air arm.

[59]

FINDINGS

26. Japanese espionage at Pearl Harbor was effective and, particularly during the critical period 27 November to 7 December 1941, resulted in the frequent transmission to Japan of information of great importance concerning the Pacific Fleet, the movements and locations of ships, and defense preparations.

27. Certain reports sent by the Japanese Consul General via a commercial communications company at Honolulu in the week preceding the attack indicated the likelihood of an air attack on Pearl Harbor.

28. It will appear subsequently that various coded messages sent by the Japanese Consul General at Honolulu, which did not indicate

the likelihood of an air attack on Pearl Harbor, were intercepted by Army and Navy radio intercept stations and were decoded in Washington, D. C., prior to the attack; that others which were obtained at Honolulu by Naval Intelligence prior to the attack were, with the exception of a few unimportant messages, in a code which could not be decrypted there before December 7th; and, that three messages intercepted by Army radio intercept stations at Hawaii and at San Francisco, which indicated the likelihood of an air attack, were forwarded to the War Department for decryption but were either not received there prior to the attack or were not decrypted prior to the attack. If the United States intelligence services had been able to obtain and to decode and translate promptly all of the espionage reports sent by the Japanese Consul General during the period 27 November to 7 December 1941, the information so obtained would have been of inestimable value.

III

NAVAL INTELLIGENCE AND EVENTS PRELIMINARY TO THE ATTACK

[60] A. *The Organization of Naval Intelligence in General; Sources of Information, and Relations with the Pacific Fleet.*

The Office of Naval Intelligence, which was under the Chief of Naval Operations, consisted of two main branches—Domestic and Foreign. The Domestic Branch had to do with internal espionage and other subversive activities of foreign nationals or organizations inimical to national and particularly naval welfare. It maintained branch offices in various of the principal cities of the United States, including Honolulu. The Foreign Branch was organized into a number of sections, of which one was the Far Eastern Section. The Director of Naval Intelligence was Rear Admiral T. S. Wilkinson, Jr. The officer in charge of the Far Eastern Section of the Foreign Branch was Commander Arthur H. McCollum.

The primary sources of information which the Far Eastern Section had were Naval Attache reports from Japan and China, observers' reports from various ports in the Far East, reports from the Commander-in-Chief of the Asiatic Fleet and from the Commander-in-Chief of the Pacific Fleet, including reports as to radio intelligence, and reports of investigations conducted by the domestic branch of ONI, particularly from Honolulu, and State Department reports at Washington. A most important part of the information provided to the Far Eastern Section was supplied by a unit at Washington known as OP-20-G. This was under the command of Commander Laurence F. Safford and supplied information obtained from communication or radio intelligence. This section was staffed both by Communications officers and Intelligence officers. The information received by OP-20-G was supplied to Lt. Comdr. Alvin D. Kramer of ONI, who was working with that section, and was transmitted by him to the head of the Far Eastern Section and to the Director of Naval Intelligence.

The section known as OP-20-G was concerned with the interception, decryption, and translation of Japanese messages. In addition it was

responsible for furnishing the Navy's own codes and ciphers and for the supervision of the security of the Navy's own communications. Japanese messages were intercepted by various methods, including radio interception by a number of radio intercept stations located in the United States, which transmitted the Japanese communications, as intercepted by them, to OP-20-G for decryption and translation. In addition to reports from intercept stations located in the United States, this section received reports from communication intelligence units located at Pearl Harbor and in the Philippines. This unit was concerned with the plans and intentions of foreign governments, principally Japan, and with intelligence relating to naval operations in the Atlantic. The communications intelligence organization at Pearl Harbor, which had subsidiary stations at Oahu, Midway, Samoa, and Dutch Harbor, was concerned primarily with the dispositions and [61] plans of naval forces in the Pacific and with surveillance of Japanese naval communications. The communications intelligence unit in the Philippines, which was located at Corregidor, was concerned with Japanese naval communications and Japanese diplomatic communications. The Officer in Charge of the communications intelligence unit at Pearl Harbor was Lt. Comdr. Joseph J. Rochefort. The officer in charge of the communications intelligence unit at Corregidor until September, 1941 was Lt. Comdr. Rudolph J. Fabian. He remained thereafter assisting that unit.

Japanese diplomatic communications were in various codes, such as the code known as the "purple" code, the "red" code, the "J-19" code, the "PAK 2" code, and the "LA" code. The so-called "purple" code contained the most important Japanese diplomatic messages. Messages in this and in other diplomatic codes were intercepted and read at the Philippines primarily for the purpose of local information. They were sent, as intercepted, to the Navy Department in one of the Navy's own codes. All intercepted diplomatic traffic was sent to Washington whether or not it was deciphered and read at the Philippines. None of this information was sent from the Philippines to Pearl Harbor. The unit at Pearl Harbor was intercepting and decrypting no Japanese diplomatic traffic. It had been directed to concentrate on Japanese naval systems. The unit at Washington was charged with the general control of the units at Corregidor, Pearl Harbor, and at Washington, and handled the Japanese diplomatic systems and also handled some Japanese naval systems.

Intercepted Japanese diplomatic traffic received by the Washington unit was pooled with similar traffic intercepted by the Army and was decrypted and translated by the Navy and the Army on an alternate day basis. The resulting information was distributed daily by ONI to the Chief of Naval Operations, and to others in the Navy Department. The President and the State Department similarly were furnished this information daily.

It appears that, although the Navy enjoyed considerable success in decrypting Japanese diplomatic communications, the Japanese naval codes were not being read. Information obtained by radio intelligence, therefore, from Japanese naval traffic was based almost entirely on so-called "traffic analysis" and not upon reading of the messages themselves.

The units at Pearl Harbor and the Philippines advised the Washington unit of the results of their traffic analysis of Japanese naval

communications, and of the estimated location and movement of Japanese naval forces, and also exchanged information with one another on that subject. The units also exchanged information on technical subjects, that is, pertaining to codes and ciphers and keys for decyphering codes.

Information developed from the reading of the "purple" messages was not sent to the Pearl Harbor unit as such. It does appear, however, that various of the warning messages and other dispatches sent by the Chief of Naval Operations to the Commander-in-Chief, Pacific Fleet, were based upon information derived from the Japanese diplomatic messages. [62] Thus it appears that the knowledge of the Commander-in-Chief of the Pacific Fleet as to the status of diplomatic relations with Japan depended primarily upon the messages sent to him by the Chief of Naval Operations. The information received by the radio intelligence unit at Pearl Harbor as to the location and movement of Japanese naval forces was, however, brought directly to the attention of the Commander-in-Chief of the Pacific Fleet daily by the Fleet Intelligence Officer, as was other material of an intelligence nature.

B. The Approach of War: Intercepted Communications Available at Washington, and Messages Sent by CNO to Admiral Kimmel.

It should be noted that the Japanese communications which were intercepted and decoded and translated by the War and Navy Departments, as set forth in this section, were not sent to Admiral Kimmel. Various of the messages sent to Admiral Kimmel by the Chief of Naval Operations were based on these Japanese communications.

(1) The resignation of the Japanese Cabinet and October 16th dispatch.

On 16 October 1941, the Chief of Naval Operations sent a dispatch to Cincant, CincPac and CincAF (Exhibit 13, Naval Court), reading as follows:

The resignation of the Japanese Cabinet has created a grave situation X If a new Cabinet is formed it will probably be strongly nationalistic and anti American X If the Konoje Cabinet remains the effect will be that it will operate under a new mandate which will not include rapprochement with the US X In either case hostilities between Japan and Russia are a strong possibility X Since the US and Britain are held responsible by Japan for her present separate situation there is also a possibility that Japan may attack these two powers X In view of these possibilities you will take due precautions including such preparatory deployments as will not disclose strategic intention nor constitute provocative actions against Japan X Second and third aedes inform appropriate Army and Navy district authorities X Acknowledge

On 17 October 1941, Admiral Stark wrote to Admiral Kimmel (Exhibit 38, Naval Court). In this letter, Admiral Stark advised that things had been "popping" here for the last twenty-four hours, but from the dispatches Admiral Kimmel knew about all that they did. He said, "Personally, I do not believe the Japanese are going to sail into us and the message I sent you merely stated the 'possibility'; in fact, I tempered the message handed me considerably. Perhaps I was wrong, but I hope not. In any case after long pow-wows in the White House, it was felt that we should be on guard, at least until something indicates the trend."

[63] Admiral Stark continued that Admiral Kimmel would recall that in an earlier letter, when War Plans was forecasting a Jap-

anese attack on Siberia in August, Admiral Stark had said that his own judgment was that they would make no move in that direction until the Russian situation showed a definite trend. In this letter he said that he thought this whole thing worked up together. He stated that efforts would be made to maintain the status quo in the Pacific. How long it could be kept going, he did not know, but the President and Mr. Hull were working on it. To this letter was annexed a postscript, stating in part, "General Marshall just called up and was anxious that we make some sort of reconnaissance so that he could feel assured that on arrival at Wake, a Japanese raider attack may not be in order on his bombers. I told him that we could not assure against any such contingency, but that I felt it extremely improbable and that, while we keep track of Japanese ships as far as we can, a carefully planned raid on any of these island carriers in the Pacific might be difficult to detect. However, we are on guard to the best of our ability, and my advice to him was not to worry."

Also annexed was a memorandum of 17 October 1941, by Rear Admiral Schuirmann, estimating the importance of changes in the Japanese Cabinet. The substance of this analysis was that the military would determine Japanese action whether to attack Russia or move southward, and would make that decision on the basis of opportunity and what they could get away with, and that it would not be determined by the cabinet in power.

(2) *Japanese messages concerning German attitude; Nomura's desire to resign.*

On 18 October 1941, the Navy translated an intercepted Japanese communication from Berlin to Tokyo, dated 1 October 1941, which stated that the Germans were becoming increasingly dissatisfied with Japan's position, particularly because Japan was not advising Germany of the negotiations with the United States, although the United States was advising England (Document 4, Exhibit 63, Naval Court).

A Japanese message from Tokyo to Washington, dated 16 October 1941, was intercepted and translated on 17 October 1941. In this Toyoda advised Nomura that although he had been requested by both the German and Italian Ambassadors in Tokyo to give them confidential information on the Japanese-United States negotiations, he had, in consideration of the nature of the negotiations, been declining to do so. However, early in October, following the German attacks on American merchant ships and the consequent revival of the movement for revision of the neutrality act, the German authorities demanded that the Japanese Government submit to the American Government a message that if the Roosevelt Administration continued to attack the Axis powers, a belligerent situation would inevitably arise between Germany, Italy, and the United States, which, under the Three-Power Agreement, might lead Japan to join immediately the war against the United States. It was indicated that such a message was being considered and there were reasons which would not permit of postponement (Document 3, Exhibit 63, Naval Court).

[64] On 22 October 1941, Nomura sent a message to Tokyo which was intercepted and translated on 23 October 1941, in which he said that he was sure that he, too, should go out with the former cabinet; that he knew that the Secretary of State realized how sincere he was and yet how little influence he had in Japan; that there were some

Americans who trusted him and who said that things would get better for him, but that their encouragement was not enough; that among his confreres in the United States there were some who felt the same way, but they were all poor deluded souls; that the instructions could be carried out by Wakasugi; that Nomura did not want to be the bones of a dead horse; that he did not want to continue "this hypocritical existence, deceiving other people;" that he was not trying to flee from the field of battle, but as a man of honor, that was the only way open for him to tread; and that he sought permission to return to Japan (Document 5, Exhibit 63, Naval Court).

On 23 October 1941, a message from Tokyo to Washington of the same date was intercepted and translated, which stated that the efforts Nomura was making were appreciated; that, as he was well aware, the outcome of those negotiations had a great bearing upon the decision as to which road the Imperial Government would proceed; that as such it was an exceedingly important matter; that they were placing all of their reliance on Nomura's reports for information on this matter; that for these reasons they hoped that he would see fit to sacrifice his personal wishes and remain at his post (Document 6, Exhibit 63, Naval Court).

(3) *Action taken by Admiral Kimmel.*

Admiral Kimmel advised, in a letter of October 22nd (Exhibit 14, Naval Court), that the action taken included maintaining two submarines for patrol at Midway, dispatching twelve patrol planes to Midway, preparing to send six patrol planes from Midway to Wake, and to replace the six at Midway from Pearl Harbor, sending two submarines to Wake, and sending additional Marines and stores there, dispatching additional Marines to Palmyra, placing Admiral Pye and his ships on twelve hours notice, getting six submarines ready to depart for Japan on short notice, putting some additional security measures in effect in the operating areas outside Pearl Harbor.

On 7 November 1941, Admiral Stark wrote to Admiral Kimmel (Exhibit 74, Naval Court) in reply to Admiral Kimmel's letter of October 22nd. He stated, among other things, "O. K. on the dispositions which you made in connection with recent change in the Japanese cabinet. The big question is—what next?!" Also, "Things seem to be moving steadily towards a crisis in the Pacific. Just when it will break, no one can tell. The principal reaction I have to it all is what I have written you before; it continually gets 'worse and worse'! A month may see, literally, most anything. Two irreconcilable policies cannot go on forever—particularly if one party cannot live with the setup. It doesn't look good."

[65] (4) *The first Japanese deadline message: Japanese interest in American ships.*

On 5 November 1941, the Navy translated a message from Tokyo to Washington, reading as follows:

(Of utmost secrecy).

Because of various circumstances, it is absolutely necessary that all arrangements for the signing of this agreement be completed by the 25th of this month. I realize that this is a difficult order, but under the circumstances it is an unavoidable one. Please understand this thoroughly and tackle the problem of saving the Japanese-U. S. relations from falling into a chaotic condition. Do so with great determination and with unstinted effort, I beg of you.

This information is to be kept strictly to yourself only.

During the first half of November, there were translated in Washington various intercepted Japanese communications concerning ships and planes at Manila and Seattle (Documents 1-8, Exhibit 68, Naval Court). According to one of these messages, which was dated 5 November 1941, the Navy General Staff wanted investigation done at Manila as to the conditions of airports, types of planes and numbers of planes there, warships there, machinery belonging to land forces, and the state of progress being made on all equipment and establishments.

(5) *Arrival of Kurusu; Stark and Marshall recommendations as to ultimatum.*

The situation existing early in November was summarized by Nomura, in a report to Tokyo, dated 10 November 1941, intercepted on November 12th (Document 8, Exhibit 63, Naval Court by reference to a report from the legal adviser to the Japanese Embassy, who had conferred with Senator Thomas and Secretary Hull, that the United States was not bluffing, that if Japan invaded again, the United States would fight with Japan, that psychologically the American people were ready, that the Navy was ready and prepared for action. Nomura also reported that he had a conversation with "a certain Cabinet member" who had said that Nomura was indeed a dear friend, that he would tell him alone this: that the American government was receiving reports that Japan would be on the move again and did not believe that Nomura's visit to the President, or coming of Kurusu, would have any effect on the general situation. Nomura said that he had explained how impatient the Japanese had become since the freezing, how eager they were for a quick understanding, how they did not desire a Japanese-American war, and how they hoped for peace until the end. The Cabinet member replied, however, that the President and Secretary of State believed "those reports." [66] Nomura also said that his friend had stated that the United States could not stop because if Japan moved, something would have to be done to save the "face" of the United States.

Admiral Stark was not hopeful that anything in the way of better understanding between the United States and Japan would come from Kurusu's visit. His opinion was that it would be impossible to reconcile the Japanese and American views. Admiral Stark so advised Admiral Kimmel by letter dated 14 November 1941 (Exhibit 39, Naval Court). With this letter, Admiral Stark also sent to Admiral Kimmel a copy of a memorandum, dated 5 November 1941, by Admiral Stark and General Marshall, for the President. This was concerned with the belief of Chiang-Kai-Shek that a Japanese attack on Kuming was imminent and that outside military support was the sole hope for the defeat of that threat. The memorandum considered whether the United States would be justified in undertaking offensive operations against the Japanese to prevent her from severing the Burma Road. The memorandum stated that the Fleet in the Pacific was inferior to the Japanese Fleet and could not undertake an unlimited strategic offensive in the Western Pacific. It pointed out that by the middle of December, 1941, United States air and submarine strength in the Philippines would become a positive threat to any Japanese operations south of Formosa. The recommendations were in general that all aid short of war be given to China and that no ultimatum be given to Japan.

(6) *Further and Final Japanese "deadline messages."*

At this time, information was received in Washington that the Japanese Government had established a further and final deadline for the completion of diplomatic negotiations. This consisted of two messages from Tokyo to Washington, which were intercepted and translated by the Army, as follows:

(a) A translation on 17 November 1941 (Document 10, Exhibit 63, Naval Court), of a dispatch, dated November 16th, the highlights of which were:

* * * The fate of our Empire hangs by the slender thread of a few days, so please fight harder than you ever did before.

What you say is of course so * * * but I have only to refer you to the fundamental policy laid down in my #725 (in which Togo says that conditions within and without Japan will not permit any further delay in reaching a settlement with the United States) * * * try to realize what that means. In your opinion we ought to wait and see what turn the war takes and remain patient * * * the situation renders this out of the question. I set the deadline for the solution of these negotiations in my #736, and there will be no change. Please try to understand that. You see how [67] short the time is; therefore, do not allow the United States to sidetrack us and delay the negotiations any further. Press them for a solution on the basis of our proposals, and do your best to bring about an immediate solution.

(b) On 22 November 1941 (Document 11, Exhibit 63, Naval Court), a translation of a dispatch of the same date, reading in substance:

To both you Ambassadors,

It is awfully hard for us to consider changing the date we set in my #736. You should know this, however, I know you are working hard. Stick to our fixed policy and do your very best. Spare no efforts and try to bring about the solution we desire. There are reasons beyond your ability to guess why we wanted to settle Japanese-American relations by the 25th, but if within the next three or four days you can finish your conversations with the Americans; if the signing can be completed by the 29th (let me write it out for you—twenty-ninth); if the pertinent notes can be exchanged; if we can get an understanding with Great Britain and the Netherlands; and in short if everything can be finished, we have decided to wait until that date. This time we mean it, that the deadline absolutely cannot be changed. After that things are automatically going to happen. Please take this into your careful consideration and work harder than you ever have before. This, for the present, is for the information of you two Ambassadors alone.

(7) *The November 24th dispatch to CincPac and others.*

On 24 November 1941 (Exhibit 15), a dispatch (which before the Naval Court Admiral Stark said was based in part on the "deadline" intercept—page 775), was sent by the Chief of Naval Operations to CincAF, CincPac, ComELEVEN, ComTWELVE, ComTHIRTEEN, and ComFIFTEEN for action, reading:

Chances of favorable outcome of negotiations with Japan very doubtful X This situation coupled with statements of Japanese Government and movements their naval and military forces indicate in our opinion that a surprise aggressive movement in any direction including attack on Philippines or Guam is a possibility X Chief of Staff has seen this dispatch concurs and requests action addresses to inform senior army officers their areas X Utmost secrecy necessary in order not to complicate an already tense situation or precipitate Japanese action X Guam will be informed separately

[68] On 25 November 1941 (Exhibit 47, Naval Court), Admiral Stark wrote to Admiral Kimmel in response to his letter of 17 October 1941, on the inadequacy of local defense forces in Hawaii (Exhibit 46, Naval Court). Admiral Stark stated that CincPac had taken cognizance of his responsibilities in connection with tasks per-

taining to the Hawaiian Coastal Frontier and that the forces available in the Hawaiian area, both Fleet and local defense forces, and the actual operations of our own and hostile forces would indicate the numbers of Fleet vessels or aircraft required to be assigned to local defense tasks. Admiral Stark's letter continued by summarizing the situation in regard to increasing the local defense forces and, among other things, pointed out that the Department had no additional airplanes available for assignment to the FOURTEENTH Naval District. A marginal note on a copy of this letter, apparently written in Hawaii, stated, "In other words, look to the Fleet. They seem to forget that the Fleet has offensive work to do."

On 25 November 1941 (Exhibit 16, Naval Court), Admiral Stark also wrote a personal letter to Admiral Kimmel stating, among other things, that Admiral Stark agreed with Admiral Kimmel that, for example, to cruise in Japanese home waters, Admiral Kimmel should have a substantial increase in the strength of his fleet, but pointed out that neither ABC-1 nor Rainbow-5 contemplated this as a general policy; after the British strengthened Singapore, and under certain auspicious occasions, opportunity for raids in Japanese waters might present themselves, but this would be the exception rather than the rule. A postscript to this letter stated that both Mr. Hull and the President confirmed the gravity of the situation indicated by the message which Admiral Stark sent a day or two before. It stated further that neither the President nor Mr. Hull would be surprised over a Japanese surprise attack; that from many angles an attack on the Philippines would be the most embarrassing thing that could happen to us; and there were some who thought it likely to occur. Admiral Stark further stated: "I do not give it the weight others do, but I included it because of the strong feeling among some people. You know I have generally held that it was not the time for the Japanese to proceed against Russia. I still do. Also I still rather look for an advance into Thailand, Indo-China, Burma Road area as the most likely. . . . I won't go into the pros and cons of what the United States may do. I will be damned if I know. I wish I did. The only thing I do know is that we may do most anything and that's the only thing I know to be prepared for; or we may do nothing—I think it is more likely to be anything."

(8) *Dispatches concerning reinforcement of Wake and Midway.*

On 26 November 1941, a dispatch (Exhibit 40, Naval Court) was sent by the Chief of Naval Operations to CincPac stating that the Army had offered to make available some units of infantry for reinforcing defense battalions now on station, if Admiral Kimmel considered that desirable; also, that the Army proposed to prepare, in Hawaii, garrison troops for advance bases which Admiral Kimmel might occupy, but was unable to provide any anti-aircraft units. Admiral Kimmel was instructed to take this into consideration and [69] advise when practicable the number of troops desired and recommended armament.

Also on 26 November 1941, another dispatch (Exhibit 18) was sent to CincPac, which stated that in order to keep the planes of the Second Marine Aircraft Wing available for expeditionary use, OpNav had requested the Army, and the Army had agreed, to station twenty-five Army pursuits at Midway and a similar number at Wake, provided CincPac considered this feasible and desirable; that it would be neces-

sary for CincPac to transport these planes and ground crews from Oahu to these stations on aircraft carriers, and that the planes would be flown off at destination; that ground personnel would be landed in boats and essential spare parts, tools and ammunition would be taken in the carrier or on later trips of regular Navy supply vessels; that the Army understood that these forces must be quartered in tents; that the Navy must be responsible for supplying water and subsistence and transporting other Army supplies; that the stationing of these planes must not be allowed to interfere with planned movements of Army bombers to the Philippines; and, that additional parking areas should be laid promptly if necessary. A question was raised as to whether or not Navy bombs at outlying positions could be carried by Army bombers which might fly to those positions in order to support Navy operations. CincPac was directed to confer with the Commanding General and advise as soon as practicable.

(9) *Intercepted Japanese communications of November 26th and 27th.*

On November 26th and 27th, there were available in Washington additional intercepted Japanese messages, all of which had been sent from Tokyo, as follows:

(a) A Navy translation on 27 November 1941 (Document 14, Exhibit 63, Naval Court) of a message to Nanking, dated 15 November 1941, in the so-called "Purple" code, addressed to "Naval authorities" which stated:

We are now in the midst of very serious negotiations and have not reached an agreement as yet. As the time limit is near please have them (defer?) for a while.

(b) A Navy translation on 26 November 1941 (Document 13, Exhibit 63, Naval Court) of a message to Washington, dated 19 November 1941, stating that:

When our diplomatic relations are becoming dangerous, we will add the following at the beginning and end of our general intelligence broadcasts:

(1) if it is Japan-U. S. relations, "HIGASHI".

(2) Japan-Russia relations, "KITA".

(3) Japan-British relations, (including Thai, Malaya and N. E. I.), "NISHI".

[70] The above will be repeated five times and included at beginning and end. Relay to Rio de Janeiro, Buenos Aires, Mexico City, San Francisco.

(c) An Army translation on 26 November 1941 (Document 9, Exhibit 68, Naval Court), of a message to Manila, dated 20 November 1941, in the "purple" code, marked "Strictly Secret" and stating:

Please advise immediately the results of your investigations as to the type of draft --- presumed to be in the waters adjacent to Subic Bay. (Near Manila, P. I.)

Furthermore, please transmit these details to the Asama Maru as well as to Tokyo.

(d) An Army translation on 26 November 1941 (Document 12, Exhibit 63, Naval Court) of a message to Washington, dated 26 November 1941, in the "purple" code, which stated:

To be handled in Government Code.

The situation is momentarily becoming more tense and telegrams take too long. Therefore, will you cut down the substance of your reports of negotiations to the minimum and, on occasion, call up Chief YAMAMOTO of the American Bureau on the telephone and make your request to him. At that time we will use the following code: (Codes were then set forth.)

(10) *The State Department note of November 26th and Japanese reaction thereto: the war warning of November 27th.*

The diplomatic negotiations with the Japanese representatives, Nomura and Kurusu, came to a head on 26 November 1941. At that time, the State Department presented a proposal to the Japanese and that Department reported to the Navy Department, among others, that it had no further hopes of composing matters with the Japanese. The Japanese reaction to this proposal appears from dispatches which were subsequently decrypted and translated. They are as follows:

(a) An Army translation (Document 17, Exhibit 63, Naval Court) of a message from Washington (Nomuru) to Tokyo, dated 26 November 1941, in the "purple" code and marked "Extremely urgent," which stated:

At 4:45 on the afternoon of the 26th I and Ambassador KURUSU met with Secretary HULL and we talked for about two hours.

HULL said, "For the last several days the American Government has been getting the ideas of various quarters, as well as conferring carefully with the nations concerned, on the provisional treaty proposal presented by Japan on [71] the 20th of this month, and I am sorry to tell you that we cannot agree to it. At length, however, we feel compelled to propose a plan, tentative and without commitment, reconciling the points of difference between our proposal of June 21st and yours of September 25th." So saying, he presented us with the following two proposals:

A. One which seeks our recognition of his so-called 'four principles.'

B. (1) The conclusion of a mutual non-aggressive treaty between Tokyo, Washington, Moscow, the Netherlands, Chungking and Bangkok.

(2) Agreement between Japan, the United States, England, the Netherlands, China and Thai on the inviolability of French Indo-China and equality of economic treatment in French Indo-China.

(3) The complete evacuation of Japanese forces from China and all French Indo-China.

(4) Japan and the United States both definitely promise to support no regime in China but that of CHIANG-KAI-SHEK.

(5) The abolition of extra-territoriality and concessions in China.

(6) The conclusion of a reciprocal trade treaty between Japan and the United States on the basis of most favored nation treatment.

(7) The mutual rescinding of the Japanese and American freezing orders.

(8) Stabilization of yen-dollar exchange.

(9) No matter what sort of treaties either Japan or the United States has contracted with third countries, they both definitely promise that these treaties will not be interpreted as hostile to the objectives of this treaty or to the maintenance of peace in the Pacific. (This is, of course, supposed to emasculate the Three-Power Pact.)

In view of our negotiations all along, we were both dumbfounded and said we could not even cooperate to the extent of reporting this to Tokyo. We argued back furiously, but HULL remained solid as a rock. Why did the United States have to propose such hard terms as these? Well, England, the Netherlands, and China doubtless put her up to it. Then, too, we have been urging them to quit helping CHIANG, and lately a number of important Japanese in speeches have been urging that we strike at England and the United States. Moreover, there have been rumors that we are demanding of Thai that she give us complete control over her national defense. All that is reflected in these two hard proposals, or we think so.

[72] (b) An Army translation (Document 16, Exhibit 63, Naval Court) of a message from Washington to Tokyo, dated 26 November 1941, in the "purple" code and marked "Extremely urgent," Message #1180, reading:

From NOMURA and KURUSU.

As we have wired you several times, there is hardly any possibility of having them consider our "B" proposal in toto. On the other hand, if we let the situation remain tense as it is now, sorry as we are to say so, the negotiations

will inevitably be ruptured, if indeed they may not already be called so. Our failure and humiliation are complete. We might suggest one thing for saving the situation. Although we have grave misgivings, we might propose, first, that President ROOSEVELT wire you that for the sake of posterity he hopes that Japan and the United States will cooperate in the maintenance of peace in the Pacific (just as soon as you wire us what you think of this, we will negotiate for this sort of an arrangement with all we have in us), and that you in return reply with a cordial message, thereby not only clearing the atmosphere, but also gaining a little time. Considering the possibility that England and the United States are scheming to bring the Netherlands Indies under their protection through military occupation, in order to forestall this, I think we should propose the establishment of neutral nations, including French Indo-China, Netherlands India and Thai. (As you know, last September President ROOSEVELT proposed the neutrality of French Indo-China and Thai.)

We suppose that the rupture of the present negotiations does not necessarily mean war between Japan and the United States, but after we break off, as we said, the military occupation of Netherlands India is to be expected of England and the United States. Then we would attack them and a clash with them would be inevitable. Now, the question is whether or not Germany would feel duty bound by the third article of the treaty to help us. We doubt if she would. Again, you must remember that the Sino-Japanese incident would have to wait until the end of this world war before it could possibly be settled.

In this telegram we are expressing the last personal opinions we will have to express, so will Your Excellency please be good enough at least to show it to the Minister of the Navy, if only to him; then we hope that you will wire back instantly.

(c) An Army translation (Document 18, Exhibit 63, Naval Court) of a message from Tokyo to Washington, dated 28 November 1941, in the "purple" code, reading:

[73] Re your #1189.

Well, you two Ambassadors have exerted superhuman efforts but, in spite of this, the United States has gone ahead and presented this humiliating proposal. This was quite unexpected and extremely regrettable. The Imperial Government can by no means use it as a basis for negotiations. Therefore, with a report of the views of the Imperial Government on this American proposal which I will send you in two or three days, the negotiations will be de facto ruptured. This is inevitable. However, I do not wish you to give the impression that the negotiations are broken off. Merely say to them that you are awaiting instructions and that, although the opinions of your Government are not yet clear to you, to your own way of thinking the Imperial Government has always made just claims and has borne great sacrifices for the sake of peace in the Pacific. Say that we have always demonstrated a long-suffering and conciliatory attitude, but that, on the other hand, the United States has been unbending, making it impossible for Japan to establish negotiations. Since things have come to this pass, I contacted the man you told me to in your #1180 and he said that under the present circumstances what you suggest is entirely unsuitable. From now on do the best you can.

(Note: The man is the Navy Minister.)

On 27 November 1941, Admiral Kimmel received a dispatch from CNO, which has been termed the "war warning." It read:

This dispatch is to be considered a war warning x negotiations with Japan looking toward stabilization of conditions in the Pacific have ceased and an aggressive move by Japan is expected within the next few days x the number and equipment of Japanese troops and the organization of naval task forces indicate an amphibious expedition against either the Philippines (printed in ink, "Thai") or Kra Peninsula or possibly Borneo x execute an appropriate defensive deployment preparatory to carrying out the tasks assigned in WPL 46 x inform district and Army authorities x a similar warning is being sent by War Department x spenavo inform British x continental districts Gnam Samoa directed take appropriate measures against sabotage.

(11) *The dispatch of November 28th:*

On November 28th, the Chief of Naval Operations sent a copy of a dispatch to CincPac for information which was received on November 29th (Exhibit 19, Naval Court), which repeated a dispatch which had been sent by the Army to Commander, Western Defense Command, as follows:

[74] Negotiations with Japan appear to be terminated to all practical purposes with only the barest possibility that the Japanese Government might come back and offer to continue X Japanese future action unpredictable but hostile action possible at any moment X If hostilities cannot repeat not be avoided the United States desires that Japan commit the first overt act X This policy should not repeat not be construed as restricting you to a course of action that might jeopardize your defense X Prior to hostile Japanese action you are directed to undertake such reconnaissance and other measures as you deem necessary but these measures should be carried out so as not repeat not to alarm civil population or disclose intent X Report measures taken X A separate message is being sent to G-2 Ninth Corps area re subversive activities in the United States X Should hostilities occur you will carry out the tasks assigned in Rainbow Five so far as they pertain to Japan X Limit dissemination of this highly secret information to minimum essential officers

The Navy dispatch continued that WPL-52 was not applicable to the Pacific area and would not be placed in effect in that area, except as then in force in Southeast Pacific Sub Area, Panama Coastal Frontier. It stated further:

"Undertake no offensive action until Japan has committed an overt act X Be prepared to carry out tasks assigned in WPL 46 so far as they apply to Japan in case hostilities occur.

(12) *Intercepted diplomatic communications, November 29 to December 6, 1941.*

On 30 November 1941, there was a Navy translation of a message from Tokyo to the Japanese emissaries in Washington, dated 29 November 1941 (Document 19, Exhibit 63, Naval Court), requesting that they make one more attempt to discuss the situation with the United States, and to state that the United States had always taken a fair position in the past; that the Imperial Government could not understand why the United States was taking the attitude that the new Japanese proposals could not be the basis of discussion, but instead had made new proposals which ignored actual conditions in East Asia and which would greatly injure the prestige of the Imperial Government; that the United States should be asked what had become of the basic objectives that the United States had made as the basis for negotiations for seven months; and that the United States should be asked to reflect on the matter. The emissaries were directed in carrying out this instruction to be careful that this did not lead to anything like a breaking off of negotiations.

[75] Also on 30 November 1941, there was a Navy translation of a trans-Pacific radio telephone conversation from Kurusu in Washington to Yamamoto in Tokyo, in which a telephone code was used (Document 20, Exhibit 63, Naval Court). This indicated that Kurusu expected a long message ("probably Tokyo's reply to Mr. Hull's proposals"); that the President was returning apparently because of the speech of the Japanese Premier which Kurusu said was having strong repercussions here; that Kurusu said that unless the Premier and others used greater caution in speeches, it would put the Japanese emissaries here in a very difficult position; that care should be exercised, that Yamamoto said that they were being careful; that

Kurusu wanted the Foreign Minister told that the emissaries here had expected to hear something different—some good word—but instead got this (the Premier's speech); that the Japanese-American negotiations were to continue; that Yamamoto wanted them to be stretched out; that Kurusu needed Yamamoto's help to do this, and that both the Premier and the Foreign Minister would need to change the tone of their speeches and that all would have to use some discretion; that Yamamoto said the real problem that the Japanese were up against was the effect of happenings in the South.

There were four significant Japanese communications intercepted on 1 December 1941, as follows:

(a) Navy translation—(Document 21, Exhibit 63, Naval Court)

From: Tokyo
To: Washington
1 December 1941
(Purple CA)
#865 Re my #857

1. The date set in my message #812 has come and gone, and the situation continues to be increasingly critical. However, to prevent the United States from becoming unduly suspicious we have been advising the press and others that though there are some wide differences between Japan and the United States, the negotiations are continuing. (The above is for only your information.)

2. We have decided to withhold submitting the note to the U. S. Ambassador to Tokyo as suggested by you at the end of your message #1124. Please make the necessary representations at your end only.

3. There are reports here that the President's sudden return to the capital is an effect of Premier Tojo's statement. We have an idea that the President did so because of his concern over the critical Far Eastern situation. Please make investigations into this matter.

[76] (b) Army translation—(Document 22, Exhibit 63, Naval Court)

From: Tokyo
To: Berlin
November 30, 1941
Purple

#986 (Strictly Secret) (To be handled in Government Code) (Part 1 of 2)
(Secret outside the Department)

1. Japan-American negotiations were commenced the middle of April this year. Over a period of half a year they have been continued. Within that period the Imperial Government adamantly stuck to the Tri-Partite Alliance as the cornerstone of its national policy regardless of the vicissitudes of the international situation. In the adjustment of diplomatic relations between Japan and the United States, she has based her hopes for a solution definitely within the scope of that alliance. With the intent of restraining the United States from participating in the war, she boldly assumed the attitude of carrying through these negotiations.

2. Therefore, the present cabinet, in line with your message, with the view of defending the Empire's existence and integrity on a just and equitable basis, has continued the negotiations carried on in the past. However, their views and ours on the question of the evacuation of troops, upon which the negotiations rested (they demanded the evacuation of Imperial troops from China and French Indo-China), were completely in opposition to each other.

Judging from the course of the negotiations that have been going on, we first came to loggerheads when the United States, in keeping with its traditional ideological tendency of managing international relations, re-emphasized her fundamental reliance upon this traditional policy in the conversations carried on between the United States and England in the Atlantic Ocean. The motive of the United States in all this was brought out by her desire to prevent the establishment of a new order by Japan, Germany, and Italy in Europe and in the Far East (that is to say, the aims of the Tri-Partite Alliance). As long as

the Empire of Japan was in alliance with Germany and Italy, there could be no maintenance of friendly relations between Japan and the United States was the stand they took. From this point of view, they began to demonstrate a tendency to demand the divorce of the Imperial Government from the Tri-Partite Alliance. This was brought out at the last meeting. That is to say that it has only been in the negotiations of the last few days that it has become gradually more and more clear that the Imperial Government could no longer [77] continue negotiations with the United States. It became clear, too, that a continuation of negotiations would inevitably be detrimental to our cause.

(Part 2 of 2)

3. The proposal presented by the United States on the 26th made this attitude of theirs clearer than ever. In it there is one insulting clause which says that no matter what treaty either party enters into with a third power it will not be interpreted as having any bearing upon the basic object of this treaty, namely the maintenance of peace in the Pacific. This means specifically the Three-Power Pact. It means that in case the United States enters the European war at any time the Japanese Empire will not be allowed to give assistance to Germany and Italy. It is clearly a trick. This clause alone, let alone others, makes it impossible to find any basis in the American proposal for negotiations. What is more, before the United States brought forth this plan, they conferred with England, Australia, the Netherlands, and China—they did so repeatedly. Therefore, it is clear that the United States is now in collusion with those nations and has decided to regard Japan, along with Germany and Italy, as an enemy.

(c) On 1 December 1941, the Army translated an intercepted message from Tokyo to the Japanese Ambassador in Berlin, dated 30 November 1941 (Document 6, Exhibit 13), which in substance stated:

The conversations between Tokyo and Washington now stand ruptured. Say very secretly to Hitler and Ribbentrop that there is extreme danger that war may suddenly break out between the Anglo-Saxon nations and Japan, and that the time of the breaking out of this war may come quicker than anybody dreams. We will not relax our pressure on the Soviet, but for the time being would prefer to refrain from any indirect moves on the north. . . . Impress on the Germans and Italians how important secrecy is.

(d) Army translation—(Document 23, Exhibit 63, Naval Court)

From: Washington (Nomura)

To: Tokyo

November 28, 1941

Purple

#1214 To be handled in Government Code.

Re my #1190.

So far silence has been maintained here concerning our talks with the United States; however, now the results of our conference of the 26th are out and headlines like [78] this are appearing in the papers: "Hull Hands Peace Plan to Japanese", and "America Scorns a Second Munich." The papers say that it is up to Japan either to accept the American proposal with its four principles, or face war, in which latter case the responsibility would be upon Japan.

This we must carefully note.

On 3 December 1941, there was available the Army translation of a report by Kurusu and Nomura to Tokyo, dated 2 December 1941 (Document 25, Exhibit 63, Naval Court), which stated:

Today, the 2nd, Ambassador KURUSU and I had an interview with Under-Secretary of State WELLES. At that time, prefacing his statement by saying that it was at the direct instruction of the President of the United States, he turned over to us the substance of my separate wire #1233. Thereupon we said: "Since we haven't been informed even to the slightest degree concerning the troops in French Indo-China, we will transmit the gist of your representations directly to our Home Government. In all probability they never considered that such a thing as this could possibly be an upshot of their proposals of November 20." The Under-Secretary then said: "I want you to know that the stand the United States takes is that she opposes aggression in any and all parts of the world." Thereupon we replied: "The United States and other countries have pyramided economic

pressure upon economic pressure upon us Japanese. (I made the statement that economic warfare was even worse than forceful aggression.) We haven't the time to argue the pros and cons of this question or the rights or wrongs. The people of Japan are faced with economic pressure, and I want you to know that we have but the choice between submission to this pressure or breaking the chains that it invokes. We want you to realize this as well as the situation in which all Japanese find themselves as the result of the four-year incident in China; the President recently expressed cognizance of the latter situation. Furthermore, I would have you know that in replying to the recent American proposals, the Imperial Government is giving the most profound consideration to this important question which has to do with our national destiny." Under-Secretary WELLES said: "I am well aware of that." I continued: "We cannot over-emphasize the fact that, insofar as Japan is concerned, it is virtually impossible for her to accept the new American proposals as they now stand. Our proposals proffered on the 21st of June and the proposals of September 25th, representing our greatest conciliations based on the previous proposal, still stand. In spite of the fact that the agreement of both sides was in the offing, it has come to naught. At this late juncture to give thoughtful consideration to the new proposals certainly will not make for a smooth and speedy settlement of the negotiations. Recently, we promised to evacuate our troops from French Indo-China in [79] the event of a settlement of the Sino-Japanese incident and the establishment of a just peace in the Far East. In anticipating the settlement of fundamental questions, the question of the representations of this date would naturally dissolve." The Under-Secretary assiduously heard us out and then said: "The American proposals of the 26th were brought about by the necessity to clarify the position of the United States because of the internal situation here." Then he continued: "In regard to the opinion that you have expressed, I will make it a point immediately to confer with the Secretary." I got the impression from the manner in which he spoke that he hoped Japan in her reply to the American proposals of the 26th would leave this much room. Judging by my interview with Secretary of State HULL on the 1st and my conversations of today, it is clear that the United States, too, is anxious to peacefully conclude the current difficult situation. I am convinced that they would like to bring about a speedy settlement. Therefore, please bear well in mind this fact in your considerations our reply to the new American proposals and to my separate wire #1233.

There were various intercepted Japanese communications of interest available on 4 December 1941, as follows:

(a) Navy translation (Document 26, Exhibit 63, Naval Court)

From: Tokyo
To: Hsinking
1 December 1941
(Purple)
#893

. . . In the event that Manchuria participates in the war . . . in view of various circumstances it is our policy to cause Manchuria to participate in the war in which event Manchuria will take the same steps toward England and America that this country will take in case war breaks out.

A summary follows:

1. American and British consular officials and offices will not be recognized as having special rights. Their business will be stopped (the sending of code telegrams and the use of short wave radio will be forbidden.). However it is desired that the treatment accorded them after the suspension of business be comparable to that which Japan accords to consular officials of enemy countries resident in Japan.

[80] 2. The treatment accorded to British and American public property, private property, and to the citizens themselves shall be comparable to that accorded by Japan.

3. British and American requests to third powers to look after their consular offices and interests will not be recognized.

However, the legal administrative steps taken by Manchoukuo shall be equitable and shall correspond to the measures taken by Japan.

4. The treatment accorded Russians resident in Manchoukuo shall conform to the provisions of the Japanese-Soviet neutrality pact. Great care shall be exercised not to antagonize Russia.

(b) Navy translation (Document 27, Exhibit 63, Naval Court)

From: Washington
 To: Tokyo
 1 December 1941
 (Purple)
 #1227

(This raised the question of a possibility of a conference between persons in whom the leaders have confidence to have the make one final effort to reach some agreement. The meeting to be held at some midway point, such as Honolulu. . . It was said that this last effort might facilitate the final decision as to war or peace.)

(c) Navy translation (Document 29, Exhibit 63, Naval Court)

From: Tokyo
 To: Washington
 3 December 1941
 (Purple)
 #875 Chief of Office routing.
 Re your #1232

Please explain the matter to the United States along the following lines:
 There seem to be rumors to the effect that our military garrisons in French Indo-China are being strengthened. The fact is that recently there has been an unusual amount of activity by the Chinese forces in the vicinity of the Sino-French Indo-China border. In view of this, we have [81] increased our forces in parts of northern French Indo-China. There would naturally be some movement of troops in the southern part as a result of this. We presume that the source of the rumors is in the exaggerated reports of these movements. In doing so, we have in no way violated the limitations contained in the Japanese-French joint defense agreement.

(d) Navy translation (Document 31, Exhibit 63, Naval Court)

From: Washington
 To: Tokyo
 3 December 1941
 (Purple)
 #1243

If we continue to increase our forces in French Indo-China, it is expected that the United States will close up our Consulates, therefore consideration should be given to steps to be taken in connection with the evacuation of the consuls.

On 5 December 1941, there were available translations of additional intercepted Japanese communications dealing with the diplomatic negotiations, as follows:

(a) Army translation (Document 33, Exhibit 63, Naval Court)

From: Washington
 To: Tokyo
 3 December 1941
 (Purple)
 #1243

Judging from all indications, we feel that some joint military action between Great Britain and the United States, with or without a declaration of war, is a definite certainty in the event of an occupation of Thailand.

(b) Navy translation (Document 34, Exhibit 63, Naval Court)

From: Washington
 To: Tokyo
 1 December 1941
 (Purple)
 #1225

(This is a report of conversations held by Japanese representatives with Secretary Hull on December 1st, which referred to the Japanese Premier's speech, the President's return, Japanese troop movements, and apparent agreements as to the impossibility of reaching an agreement.)

[82] (13) *Intercepted Japanese espionage messages between 29 November and 6 December 1941.*

During this period there were available to the Navy and to the Army in Washington translations of intercepted Japanese espionage reports concerning Manila, San Francisco, and Honolulu. From these it appeared that the Japanese were interested in the movements of ships to and from those ports. The messages relating to Honolulu were as follows:

(a) On December 3rd, the Navy Department translated a communication from Tokyo to Honolulu, dated 15 November 1941 (Document 24, Exhibit 63, Naval Court), which stated that since relations between Japan and the United States were most critical, the "Ships in the harbor report" should be made irregularly but at the rate of twice a week and that extra care should be taken to maintain secrecy.

(b) On December 5th, there was available at the War Department a translation of a message from Tokyo to Honolulu, dated 18 November 1941, requesting reports on vessels in certain areas of Pearl Harbor, and directing that the investigation be made with great secrecy (Document 37, Exhibit 63, Naval Court).

(c) Also available on December 5th at the Navy Department was a translation of a message from Tokyo to Honolulu, dated 29 November 1941, stating that reports had been received on ship movements, but in the future Honolulu was also to report even when there were no movements (Document 36, Exhibit 63, Naval Court).

(d) On December 6th, there was available at the War Department a translation of a message from Honolulu to Tokyo, dated 18 November 1941, (Document 40, Exhibit 63, Naval Court), reporting on ships anchored in Pearl Harbor and in certain areas of the harbor, and pointing out that the *Saratoga* was not in harbor and that the *Enterprise* or some other vessel was in a particular area. This message also reported on the course of certain destroyers which had been observed entering the harbor.

(14) *Intercepted message advising of fourteen-part reply by Japanese and first thirteen parts of reply—6 December 1941.*

On 6 December 1941, the Army translated an intercepted Japanese communication (Document 38, Exhibit 63, Naval Court), from Tokyo to Washington, which read:

1. The Government has deliberated deeply on the American proposal of the 26th of November and as a result we have drawn up a memorandum for the United States contained in my separate message #902 (in English).

[83] 2. This separate message is a very long one. I will send it in fourteen parts and I imagine you will receive it tomorrow. However, I am not sure. The situation is extremely delicate, and when you receive it I want you please to keep it secret for the time being.

3. Concerning the time of presenting this memorandum to the United States, I will wire you in a separate message. However, I want you in the meantime to put it in nicely drafted form and make every preparation to present it to the Americans just as soon as you receive instructions.

Also on 6 December 1941, the Navy translated the first thirteen parts of the Japanese reply (Document 39, Exhibit 63, Naval Court), which had been sent from Tokyo to Washington in the Japanese diplomatic code. It may be noted that the translations of parts 8 and 9 of the reply which were originally indicated as Navy translations were corrected so as to indicate that they were translated by the Army. These 13 parts which are not set forth here, but particularly part 13, disclosed that the Japanese were of the view that the

American proposal, viewed in its entirety, could not be accepted by the Japanese as a basis of negotiations.

The message concerning delivery of the Japanese reply, and the first thirteen parts of that reply, were received in the Navy Department by 3 p. m. on 6 December 1941. After decryption and translation by about 9 p. m. on December 6th, they were distributed by Lt. Comdr. Kramer to the White House and to the Secretary of the Navy. The Secretary of War and Secretary of State apparently also received copies and a meeting was called of the three Secretaries for ten o'clock on the following morning.

(15) *Communications intercepted on 7 December 1941.*

The Japanese communications which were translated and available on the morning of 7 December 1941 included the following:

- (a) From: Washington (Nomura)
To: Tokyo
December 3, 1941
Purple ((Urgent)
#1256. Re your #875

I received your reply immediately. I presume, of course, that this reply was a result of consultations and profound consideration. The United States Government is attaching a great deal of importance on this reply. Especially since the President issued his statement yesterday, it is being rumored among the journalists that this reply is to be the key deciding whether there will be war or peace between Japan and the United States. There is no saying but what the United States Government will take a bold step depending [84] upon how our reply is made. If it is really the intention of our government to arrive at a settlement, the explanation you give, I am afraid, would neither satisfy them nor prevent them taking the bold step referred to—even if your reply is made for the mere purpose of keeping the negotiations going. Therefore, in view of what has been elucidated in our proposal which I submitted to the President on November 10th, I would like to get a reply which gives a clearer impression of our peaceful intentions. Will you, therefore, reconsider this question with this in mind and wire me at once.

- (b) From: Washington
To: Tokyo
December 6, 1941
Purple (Urgent)
#1272

In addition to carrying on frontal negotiations with the President and HULL, we also worked directly and indirectly through Cabinet members having close relations with the President and through individuals equally influential (because of its delicate bearing upon the State Department, please keep this point strictly secret). Up until this moment we have the following to report:

(1) On the 4th those engaged in Plan "A" dined with the President and advised him against a Japanese-American war and urged him to do the "introducing" at once between Japan and China. However, the President did not make known what he had in mind. According to these men, this attitude of the President is his usual attitude. Recently, when the President discussed matters with LEWIS and settled the strike question, I understand that he did so on the advice of these individuals.

(2) Those carrying on Plan "B" included all of our proposal of November 20th into that of September 25th and after incorporating those sections in the United States proposal of November 26th which are either innocuous or advantageous to us----- (Message Incomplete)-----

- (c) From: Budapest
To: Tokyo
December 7, 1941
LA
#104 Re my #103

On the 6th, the American Minister presented to the Government of this country a British Government communique to the effect that a state of war would break out on the 7th.

Relayed to Berlin.

[85] (d) Navy translation (Document 39, Exhibit 63, Naval Court)

From: Tokyo
 To: Washington
 7 December 1941
 (Purple-Eng)
 #902 Part 14 of 14

(Note: In the forwarding instructions to the radio station handling this part, appeared the plain English phrase "VERY IMPORTANT")

7. Obviously it is the intention of the American Government to conspire with Great Britain and other countries to obstruct Japan's efforts toward the establishment of peace through the creation of a New Order in East Asia, and especially to preserve Anglo-American rights and interests by keeping Japan and China at war. This intention has been revealed clearly during the course of the present negotiations. Thus, the earnest hope of the Japanese Government to adjust Japanese-American relations and to preserve and promote the peace of the Pacific through cooperation with the American Government has finally been lost.

The Japanese Government regrets to have to notify hereby the American Government that in view of the attitude of the American Government it cannot but consider that it is impossible to reach an agreement through further negotiations."

(e) Army translation (Document 41, Exhibit 63, Naval Court)

From: Tokyo
 To: Washington
 December 7, 1941
 Purple (Urgent—Very Important)
 #907 To be handled in government code.

Re my #902.

Will the Ambassador please submit to the United States Government (if possible to the Secretary of State) our reply to the United States at 1:00 p. m. on the 7th, your time.

(16) *Delivery of Part 14 and the 1 p. m. message and action taken.*

The evidence indicates that Part 14 of the Japanese reply, which required decoding but not translation, was received between 0305 and 0700 on 7 December 1941, and that it and the first 13 parts were distributed [86] by Lt. Comdr. Kramer to Admiral Stark's office between 0900 and 0930, and then to the White House and to the State Department. The "1 p. m. delivery message" was not distributed at this time. Kramer testified that he returned to the Navy Department at about 10:20 and found that message and certain other messages, such as a message which directed the destruction of Japanese codes, still on hand and another which thanked the Ambassador for his services. This material, Kramer testified, was delivered to Admiral Stark at about 10:30, and then to the White House and to the State Department.

The evidence indicates that the "1 p. m. message" was decrypted and was available in Japanese in the Navy Department prior to 0700 on 7 December 1941, and that because there was no Japanese translator on duty it was sent to the Army for translation at about 0700. It is not clear when the Army returned the translation of that message. Kramer stated that it was not in the Navy Department when he left to distribute the fourteen-part reply between 0900 and 0930 that morning, but that he found it upon his return to the Navy Department at about 10:20. It would appear, therefore, that the Army returned its trans-

lation of the "1 p. m. message" some time between 0900 and 1020 on 7 December 1941. It further appears that several hours' advance notice of the contents of that message may have been lost because there was no Japanese translator on duty at the Navy Department on that Sunday morning, and because it was necessary to wait for an Army translation.

Prior investigations developed the fact that, after consultation with Admiral Stark that morning, General Marshall sent a message to various Army commands, including the Commanding General, Hawaiian Department. The message read:

Japanese are presenting at one p. m. Eastern Standard time today what amounts to an ultimatum also they are under orders to destroy their code machine immediately stop Just what significance the hour set may have we do not know but be on alert accordingly stop Inform naval authorities of this communication.

The prior investigations also developed the fact that the Army radio was unable to raise Hawaii that morning and accordingly sent that message by commercial cable in code. The message, according to General Short's prior testimony, was received by the Signal Officer at Hawaii at 1145, and decoded some four hours after the attack.

Whether or not the Army message would have reached the Commanding General, Hawaiian Department, prior to the attack if a Navy translator had been on duty on the morning of 7 December 1941, or if the Army had immediately translated and returned the "1 p. m. message," is speculative. It is, moreover, also speculative as to what action might have been taken by General Short or Admiral Kimmel had they received that Army message prior to the attack.

[87] (17) *Messages sent to Admiral Kimmel between 29 November and 7 December 1941.*

The messages sent by the Chief of Naval Operations to Admiral Kimmel during this period dealt primarily with the destruction of codes by the Japanese and with the advisability of destruction of United States codes at Guam. The messages are discussed subsequently in this report.

(18) *Admiral Kimmel's failure to transmit information to subordinate commanders.*

It appears from the testimony secured by Admiral Hart in his investigation that Admiral Newton left Pearl Harbor on 5 December 1941 with a powerful force consisting of the Lexington, Chicago, Portland, and five destroyers, to deliver a squadron of planes to Midway. He testified that on that mission he gave no special orders regarding the arming of planes or regarding preparation for war, other than the ordinary routine. He said that he never saw, nor was he ever informed of the contents of the October 16th dispatch concerning the resignation of the Japanese cabinet, of the November 24th dispatch advising of the possibility of a surprise aggressive movement by the Japanese in any direction, including attack on the Philippines or Guam, or the November 27th war warning. He said that except for what he read in the newspapers, he did not learn anything during the period November 26th to December 5th which indicated the increased danger of hostilities with Japan.

Admiral Bellinger, who was commander of Task Force Nine, consisting of the patrol planes of the Pacific Fleet, testified in this investi-

gation that he never saw nor did he learn the contents of the October 16th, November 24th, or November 27th dispatches from the Chief of Naval Operations.

[88] C. *The Interception of Japanese Telephone and Cable Messages.*

It appears that in Washington, D. C., the Navy was receiving information obtained from intercepted Japanese telephone and cable messages. For example, on 30 November 1941, the Navy decrypted and translated a trans-Pacific radio telephone conversation in code between Kurusu in Washington and Yamamoto in Tokyo (Document 20, Exhibit 63, Naval Court). And, on 10 October 1941, the Navy decrypted and translated a cable message from Honolulu to Washington, in which a code was established for reporting the location of vessels in Pearl Harbor, which message had been photographed in the cable office in Washington and thus obtained by the Navy (Document 3, Exhibit 13).

For many months prior to the attack, the Office of Naval Intelligence at Honolulu had been tapping the telephone wires of the Japanese Consul and of the Japanese Vice Consul. For a period of time also the home telephones of these officials had been tapped. The taps on the lines of the Consulate were removed on 2 December 1941 by direction of Captain Mayfield, who was then the District Intelligence Officer. The evidence indicates that he took this action because he was fearful that the existence of such telephone taps would be discovered by the Japanese Consul. His fear arose from the fact that an FBI tap on the lines of a Japanese official of the NYK had been detected by a telephone company employee who had advised the District Intelligence Office of this. A representative of the District Intelligence Office subsequently had informed the local FBI office. It was learned that the FBI office had complained to the telephone company concerning the disclosure of its tap. In light of this situation, Captain Mayfield directed that the Navy taps be removed.

It appears that no important military information was intercepted by means of the Navy Intelligence taps on the lines of the Japanese Consulate General. Exhibits 38A and 38B of this investigation consist of photostatic copies of the notes made of the telephone conversation over the Japanese Consul General's line and the Japanese Vice Consul's line during the period 1 October 1941 to 2 December 1941.

Subsequent to 2 December 1941, the Federal Bureau of Investigation apparently continued its telephone taps and in this fashion on or about 5 December 1941 learned the contents of a telephone conversation between a man named Mori in Hawaii and a person in Japan. The fact of this conversation was brought to the attention of the District Intelligence Officer, and on 6 December 1941, a transcript of the conversation was furnished to him and arrangements were made for a representative of the District Intelligence Office to listen to the recording of the telephone conversation: this, however, was not done until after the attack. A transcript of the telephone conversation, with marginal notes made by the District Intelligence representative after the attack, is Exhibit 39 of this investigation. It may be noted that it

appears from prior investigations that this conversation was brought to the attention of General Short [89] on the evening of 6 December 1941, and apparently nothing could be made out of it and no action was taken concerning it. There is no evidence indicating that this telephone conversation was brought to Admiral Kimmel's attention prior to the attack.

In the conversation, there was mention of the flights of airplanes daily, the number of sailors present, the attitude of local Japanese, the local construction projects, the size of the local population, the precautionary measures taken at night time, the use of searchlights at night, the emphasis in Honolulu newspapers on the southern advance of Japan into French Indo-China, the visit of Kurusu, the local climate, the visit of Litvinoff, the Russian Ambassador, the recent return of a Japanese from Honolulu to Japan, and the number of Japanese in the United States Army. The person in Japan inquired for information about the United States Fleet. Mori stated that he knew nothing about the Fleet, and that since they tried to avoid talking about such matters they did not know much about the Fleet. He said he didn't know whether all of the Fleet had gone, but that the Fleet present seemed small, and it seemed that the Fleet had left. The person in Japan then inquired whether that was so and what kind of flowers were in bloom in Hawaii. Mori stated that the flowers in bloom were the fewest out of the whole year, however that the hibiscus and the poinsettia were in bloom. He later stated that the Japanese chrysanthemums were in full bloom.

There is some reason to believe that the statements concerning flowers in the Mori telephone conversation were the use of code words indicating the absence or presence of ships in Pearl Harbor. In this connection, the Operation Order for the Japanese task force which attacked Pearl Harbor (Exhibit 3) provided for the use of a radio broadcast code in which the statement "the cherry blossoms are in all their glory" would signify that there were "No warships in Pearl Harbor." This lends support to the theory advanced by representatives of the District Intelligence Office in their testimony to the effect that the primary purpose of the Mori telephone conversation over the trans-Pacific radio was to provide information to Japanese Fleet units which would be listening in on that frequency.

The espionage reports submitted by the Japanese Consul at Honolulu have been previously discussed. It will be recalled that in those coded messages considerable information was given of the movement of ships and location of ships in Pearl Harbor and of defense preparations at Oahu. Certain messages sent during the first week of their "glory" would signify that there were "No warships in Pearl Harbor." The Japanese Consulate General at Honolulu transmitted its messages via commercial companies using the various communications companies alternately. During the month of November, the McKay Radio Company handled the messages primarily, and during the month of December, 1941, RCA was transmitting the messages.

[90] Prior to December, 1941, efforts had been made by the District Intelligence Officer to get access to the files of the communications companies and thus to secure copies of the Japanese Consul General's messages. These efforts were without success, in view of the legal prohibitions against the disclosure of such messages. During a

visit by Mr. Sarnoff, President of RCA, the District Intelligence Officer requested him to cooperate with the Navy by making such messages available, and pointed out the importance to the country of giving the Navy access to such messages.

On 5 December 1941, RCA Communications, at Honolulu, turned over to Captain Mayfield, the District Intelligence Officer, copies of some messages which had been sent by the Japanese Consul via RCA on the third and fourth of December. These messages, with the exception of a few unimportant plain language messages, were in code. Captain Mayfield turned them over to the FOURTEENTH Naval District Communication Intelligence Unit, headed by Lieutenant Commander Rochefort, for decryption and translation. That organization had not been working on Japanese diplomatic traffic. Efforts were immediately made to decrypt and to translate those messages. The messages so received by Captain Mayfield and turned over to the FOURTEENTH Naval District Communication Intelligence Unit for decryption and translation were not identified in any record made at the time. Lieutenant Woodward, who did the decryption of them, has identified, to the best of his recollection, the messages received on December 5th as those set forth in Exhibit 56 and at pages 7-11 of Exhibit 56A of this investigation.

Various Japanese codes were used in the messages, including the "LA" code, which was the simplest and evidently the least important. The messages in that code, and the plain language messages, were decoded and read prior to the attack. The "LA" code messages so read are pages 1-5 of Exhibit 56. They contained no important military information. One, for example, reported the departure of a transport and another related to the cost of sending families home to Japan.

The testimony of Lieutenant Woodward, who decrypted the message, of Colonel Lasswell and Captain Finnegan, who translated various of the messages, of Captain Rochefort, who was in charge of the unit, and of Admiral Mayfield, who was District Intelligence Officer, indicate that no information of military importance was obtained prior to the attack from any of the Japanese Consulate's messages. It has been testified that various of the other messages received on 5 December 1941 were in a Japanese code known as the "PA" or "PA-K2" system and that efforts to decrypt these were not successful until after the attack. These messages, as identified by Lieutenant Woodward, will be found at pages 6-23 of Exhibit 56 (supplied by the Radio Intelligence Unit) and at pages 7-12 of Exhibit 56A (supplied by the District Intelligence Office). They were as follows:

(1) December 3rd to Tokyo—Advising that a freighter in military service departed on the second and that a named ship arrived on the third (p. 10, Exhibit 56A).

(2) December 3rd to Tokyo—Advising that the WYOMING and two seaplane tenders left port. The balance of the message was not recovered (p. 8, Exhibit 56A).

[91] (3) December 3rd to Tokyo—In connection with the handling of expenses for steamer passage to Japan.

(4) December 3rd to Tokyo—Advising of a change in method of communicating by signals, so that each of the numbers one to eight had a certain meaning as to departures and dates of departure of ships, which numbers were to be communicated by lights in beach

houses, by the use of a sailboat, by certain want ads to be broadcast over a local radio station, and by bonfires at certain points if the previous signals could not be made (p. 12, Exhibit 56).

(5) December 3rd to Tokyo and elsewhere—Regarding money taken in for sale of tickets (p. 16, Exhibit 56).

(6) December 3rd to Tokyo—Advising that the WYOMING and two seaplane tenders departed the third (p. 22, Exhibit 56).

(7) December 3rd to Tokyo and San Francisco—Advising that a transport had sailed for the Mainland and that a ship had arrived from San Francisco (p. 20, Exhibit 56).

A photostatic copy of the December, 1941, bill of RCA Communications at Honolulu, covering the Japanese Consul General's messages in November and December, 1941, was received from the District Intelligence Office at Honolulu (Exhibit 55). This indicates that there were four radiograms sent on November 2nd, two on November 13th, four on December 1st, and two on December 2nd. The testimony concerning these is to the effect that they were not received or read prior to the attack, that they were received later and were thought to be in more complex codes, probably machine codes, as there were no indicators by which they could be identified.

It further appears from Exhibit 55 that there were various other radiograms charged to the Japanese Consul General for December 4th and 5th, and three for December 6th. The testimony concerning these indicates that none was obtained prior to the attack.

The two messages listed on the RCA bill for December 4th, according to Lieutenant Woodward, were among a group of messages received on the night of December 7th (p. 4-5, Exhibit 56A). It was later learned that one advised Tokyo that an English gunboat arrived on the third and departed and that the sailors had come ashore and had received mail at the British Consulate; the other advised that a light cruiser had departed hastily on the fourth (Exhibit 57).

The five radiograms listed on the RCA bill for December 5th were received after the attack and were actually two messages to Tokyo, the second having been sent also to San Francisco, Seattle, and Washington, D. C. The first message reported the arrival on the morning of the 5th of three battleships, which had been at sea for eight days, also that the LEXINGTON and five cruisers had left the same day, and that eight battleships, three cruisers, and sixteen destroyers were in port. The second message has not been translated. It relates to funds of the Consulate General (Exhibit 57).

[92] The three radiograms charged for December 6th were actually two messages in "PA-K2" code (Exhibit 57). The first, which was translated after the attack, was sent to Tokyo and to Washington at 6:01 p. m. on 6 December 1941. It set forth the ships observed at anchor on the sixth and stated:

. . . 9 battleships, 3 light cruisers, 3 submarine tenders, 17 destroyers, and in addition there were 4 light cruisers, 2 destroyers lying at docks (the heavy cruisers and airplane carriers have all left).

2. It appears that no air reconnaissance is being conducted by the fleet air arm.

The other message of December 6th, which was filed at 12:58 p. m. that day, was, after decryption, translated by Joseph Finnegan, now a Captain, U. S. N., who reported for duty in the radio intelligence

unit on the 9th or 10th of December, 1941. He translated that message (Exhibit 57) as follows:

From: KITA
To: F. M. TOKYO

6 DEC. 41.

Referring to last paragraph of your No. 123.

1. The Army ordered several hundred balloons for training at Camp Davis, N. C. on the American mainland. They considered (at that time) the practicability of their employment in the defense of Hawaii and Panama. Investigation of the vicinity of Pearl Harbor reveals no locations selected for their use or any preparations for constructing moorings. No evidence of training or personnel preparations were seen. It is concluded that their installation would be difficult. Even if they were actually provided they would interfere with operations at nearby Hickam Field, EWA Field and Ford Island. The whole matter seems to have been dropped.

2. Am continuing in detail the investigation of the nonuse of nets for torpedo defense of battleships and will report further.

Captain Finnegan admitted in his testimony that the last sentence of the first paragraph of his translation was an incorrect translation. As appears from an Army translation of that message (Exhibit 57), that sentence, correctly translated, was as follows:

I imagine that in all probability there is considerable opportunity left to take advantage for a surprise attack against these places.

As previously noted, among the messages turned over to the District Intelligence Officer and to ComFOURTEEN Communication Intelligence Unit for decryption and translation on 5 December 1941, was the [93] message from Honolulu to Tokyo dated 3 December 1941, which established a system of signals to be used from Oahu by means of lights at beach houses, the use of a sailboat, by wants ads on a radio station, and bonfires. This message was in the possession of the Radio Communications Intelligence Unit from 5 December to 10 December 1941, at which time it was successfully decrypted and translated. The Japanese Consul General's signal message of December 3rd was not only in the possession of the Navy at Pearl Harbor prior to the attack, but was also in the possession of the Navy Department at Washington prior to the attack. A copy of that message as contained in the Op-20-G files at the Navy Department, indicates that it was translated on 11 December 1941, and that it had been intercepted by any Army radio intercept station at Fort Hunt, Va. (Document 22, Exhibit 13). In fact, however, that message was decrypted and translated in rough form prior to 1 p. m., 6 December 1941, by Mrs. Edgers, a translator assigned to the Op-20-G Unit, Navy Department. She testified that she believed that it was shown that afternoon to Kramed and that he examined it in rough form. Kramer did not recall this but did recall going over the message thoroughly on December 8th. Evidently further work on this message was deferred on December 6th because of the pressure of work on the thirteen parts of the Japanese fourteen-part reply which were being decrypted that afternoon and evening.

It should be noted that a message from Tokyo to Honolulu dated 2 December 1941, was intercepted by the Army radio intercept unit at Fort Shafter, Hawaii (Document 24, Exhibit 13). This message stated that in view of the present situation the presence of warships, airplane carriers and cruisers was of utmost importance, that there should be daily reports, that there should be reports whether or not there were observation balloons above Pearl Harbor, or an indications

that they would be set up, and whether or not the warships were provided with anti-mine nets. The message apparently was forwarded from Fort Shafter by mail to the Army. The Army translation of the message bears a note that the message was received on December 23rd and translated on 30 December 1941, by the Army. It has been testified by Brigadier General Powell, Signal Officer, Hawaiian Department, that no decryption was done at Fort Shafter, but that all intercepted traffic was forwarded to Washington for decryption and translation.

Finally, it appears that the two highly significant messages sent by the Japanese Consul General during the afternoon of December 6th were both intercepted by the Army intercept station at San Francisco and forwarded to the Army in Washington by teletype (Docs. 14, 15, Exhibit 13). Both of these were in the Japanese code known as the "PA-K2" code and are indicated to have been translated by the Army on Monday, December 8, 1940, according to Captain Safford, the longer message, stating that there was "considerable opportunity left to take advantage for a surprise attack" against Pearl Harbor, and that the battleships did not have torpedo nets, could have been decrypted in about an hour and a half; and the shorter message, which stated in part that no air reconnaissance was being conducted by the Fleet air arm, could have been decrypted in less than an hour.

[94] D. *The "Winds Code" and the Alleged "Winds Message."*

In the latter half of November, 1941, the Japanese Government by messages to Washington and elsewhere established two codes to be used for communication between Tokyo and elsewhere. The first has been referred to as the "winds code." In that code certain Japanese words were to be added in the middle and at the end of the daily Japanese language short-wave news broadcasts and could also be used in Morse code messages, which words would apparently be weather reports. Thus, the Japanese words "HIGASHI NO KAZEAME" which meant "East wind rain," would actually mean that Japan-United States relations were in danger. Words were also supplied for Japan-Russian relations and for Japan-British relations. The existence of this code was brought to the attention of the Navy Department late in November through the interception and decryption of Japanese messages establishing the code, and also through information to the same effect received from other sources such as the United States Naval Attache at Batavia. It appeared that the use of the code words would indicate a breaking off of diplomatic relations or possibly war between the countries designated.

The Japanese also established, late in November, 1941, a code system which has been referred to as the "hidden word code." This code was not discussed in previous investigations. The establishment of the code was first learned through the interception and decryption in Washington, D. C. of several Japanese diplomatic communications which had been sent from Tokyo on and after 2 December 1941 (Documents 6, 8, 12, 17 and 20, Exhibit 13). This code was intended to be used, when telegraphic communications might be severed, as a means of informing Japanese diplomats of the situation concerning the country in which they were located. Thus the word "KODAMA" meant Japan, the word "KOYANATI" meant England, the word "MINAMI" meant United States, and the word "HATTORI" meant that relations between Japan and another country, to be identified by a

code word, were not in accordance with expectations. It may be noted that the meaning of the last word, as set forth in the Navy translation of the "hidden word code," differs from the meaning which the War Department cryptanalyst testified should have been given to the word. According to his testimony, the word should have been translated as meaning that relations were on the verge of crisis or that hostilities might commence.

Prior investigations conducted by the Army Pearl Harbor Board and the Naval Pearl Harbor Court of Inquiry resulted in findings that prior to 7 December 1941 there had been a "winds code message" by the Japanese in which the code words relating to the United States were used, and that this message had been intercepted by the Navy Department prior to the attack and communicated to the Army, but that no copy of it could be found in the Army or Navy files. It appears that these findings were based primarily on the testimony of Captain Safford and of Captain Kramer of the Navy Department.

It should be noted that a Japanese message using the "winds code" words relating to the United States, if received on 3 or 4 December, or at any other time prior to 7 December 1941, would have conveyed no information of importance which the Navy and War Departments did not already possess. Such a message would have indicated either a break in diplomatic relations or possibly war with the United States. That both the Navy Department and the War Department, and Admiral Kimmel as well, were already aware that a break in diplomatic relations or war with the United States was imminent, is clearly established by the [95] November 27th "war warning" to Admiral Kimmel, and by the repetition on November 28th by the Navy of the Army's warning dispatch to General Short.

In view, however, of the findings by the Naval Court of Inquiry and the Army Pearl Harbor Board that a "winds message" relating to the United States was received about 3 December 1941, and that no copy of it could be found, further investigation on this point was deemed necessary.

(1) *Prior investigations.*

(a) *The Naval Court of Inquiry:*

In the "Addendum" to its findings, the Naval Pearl Harbor Court of Inquiry stated concerning the "Winds Code" as follows:

From 26 November to 7 December, 1941, there was much diplomatic dispatch traffic intercepted between Tokyo and the Japanese Ambassador in Washington which had a bearing on the critical situation existing and which was not transmitted to the Commander-in-Chief, Pacific. A message dated 19 November, 1941, Tokyo to Washington, translated on 28 November, 1941, and referred to as "The Winds Code" was as follows:

"Regarding the broadcast of a special message in an emergency.

"In case of emergency (danger of cutting off our diplomatic relations), and the cutting off of international communications, the following warning will be added in the middle of the daily Japanese language short wave news broadcast.

"(1) In case of a Japan-U. S. relations in danger: HIGASHI NO KAZEAME.¹

"(2) Japan-U. S. S. R. relations: KOTANOKAZE KUMORI.²

"(3) Japan-British relations: NISHI NO KAZE HARE.³

"This signal will be given in the middle and at the end as a weather forecast and each sentence will be repeated twice. When this is heard please destroy all code papers, etc. This is as yet to be a completely secret arrangement.

"Forward as urgent intelligence."

¹ East wind rain.

² North wind cloudy.

³ West wind clear.

[96] The Commander-in-Chief, Asiatic Fleet, on 28 November, 1941, sent to the Chief of Naval Operations, information to Commander-in-Chief, Pacific Fleet; Commandant 16th Naval District; and Commandant 14th Naval District, substantially the same information as outlined above. On 5 December, 1941, the United States Naval Attache, Batavia, sent to the Chief of Naval Operations substantially the same information. These messages stated that at some future date information would be sent by Japan indicating a breaking off of diplomatic relations or possibly war between countries designated.

All officers of the Communication and Intelligence Divisions in the Navy Department, considering the expected information most important, were on the lookout for this notification of Japanese intentions. On 4 December an intercepted Japanese broadcast employing this code was received in the Navy Department. Although this notification was subject to two interpretations, either a breaking off of diplomatic relations between Japan and the United States, or war, this information was not transmitted to the Commander-in-Chief, Pacific Fleet, or to other Commanders afloat.

It was known in the Navy Department that the Commanders-in-Chief, Pacific and Asiatic Fleets, were monitoring Japanese broadcasts for this code, and apparently there was a mistaken impression in the Navy Department that the execute message had also been intercepted at Pearl Harbor, when in truth this message was never intercepted at Pearl Harbor. No attempt was made by the Navy Department to ascertain whether this information had been obtained by the Commander-in-Chief, Pacific, and by other Commanders afloat.

Admiral Stark stated that he knew nothing about it, although Admiral Turner stated that he himself was familiar with it and presumed that Admiral Kimmel had it. This message cannot now be located in the Navy Department.

(b) *The Army Pearl Harbor Board:*

The "Top Secret" and separate portion of the Army Pearl Harbor Board's report referred to the "Winds Message." The report stated that a winds execute message reading "War with the United States, war with Britain, including the Netherlands East Indies, except peace with Russia" had been received in the Navy Department on 3 December 1941; that the Navy admitted that that message was received prior to December 6th; and, that the War Department files contained no copy of the message. The report referred in this connection to testimony by Captain Safford, who stated that such message had been received by Commander Kramer, who had been [97] notified by Brotherhood of its receipt, and that it had been seen by Safford at 8:00 a. m. on December 4th. Safford stated that no copy of the message could be found in the Navy Department files.

The Army report further stated that on December 5th, Admiral Noyes called Colonel Sadtler, at 9:30 a. m., saying: "Sadtler, the message is in." Apparently based on Sadtler's testimony, the report also stated that Sadtler did not know whether this meant war with the United States, but believed it meant war with either the United States, Russia or Great Britain; that he discussed it with his superiors and was instructed to confer with Admiral Noyes; and that he telephoned Admiral Noyes, who said that he was too busy and would have to confer with Sadtler later. Sadtler then saw various officers in the War Department, all of whom did not think that any further information should be sent to Hawaii.

It also appeared that the Army Board had received testimony on this matter from Colonel Bratton, who said that Sadtler, acting on behalf of Colonel Bratton, had arranged for the FCC to monitor Japanese broadcasts. Apparently Bratton testified that no information reached him before December 7th which indicating a break in relations with the United States and that he did not think that any such information had reached anyone else. He referred to an FCC intercept which was not the message for which they had been looking.

(2) *The basis of the previous findings that there was a Winds Executive message prior to the attack.*

The basis for the Army Pearl Harbor Board finding that a "winds message" relating to the United States had been received appears, to the extent known by the Navy, in the above summary of the top secret portion of the Army Board's report. That indicates that primarily the basis for the finding was the testimony of Captain Safford. In addition to Safford's testimony, there was apparently testimony by Sadtler of a conversation with Admiral Noyes in which he referred to a "winds message" but not to the contents of that message.

Captain Safford testified before Admiral Hart and before the Naval Pearl Harbor Court of Inquiry. His testimony was the primary basis for the Naval Court of Inquiry's findings that a "winds message" relating to the United States had been received. In addition to his testimony, the Naval Court of Inquiry had testimony from Captain Kramer bearing on this subject which tended to support the finding.

In his testimony before Admiral Hart, Captain Safford said:

On the 4th of December, 1941, Commander McCollum drafted a long warning message to the Commanders in Chief of the Asiatic and Pacific Fleets, summarizing significant events up to that date, quoting the "Winds Message", and ending with the positive warning that war was imminent. Admiral Wilkinson approved this message and discussed it with Admiral Noyes in my [98] presence. I was given the message to read after Admiral Noyes read it, and saw it at about three p. m., Washington time, on December 4, 1941. Admiral Wilkinson asked, "What do you think of the message?" Admiral Noyes replied, "I think it is an insult to the intelligence of the Commander in Chief." Admiral Wilkinson stated, "I do not agree with you. Admiral Kimmel is a very busy man, with a lot of things on his mind, and he may not see the picture as clearly as you and I do. I think it only fair to the Commander in Chief that he be given this warning and I intend to send it if I can get it released by the front office." Admiral Wilkinson then left and I left a few minutes later. At the time of the Japanese attack on Pearl Harbor, I thought that this message of warning had been sent, and did not realize until two years later, when I studied the Roberts report very carefully, that McCollum's message had not been sent. In order to clarify the above statement and my answer to a previous question, it is necessary to explain what is meant by the "Winds Message". The "Winds Message" was a name given by Army and Navy personnel performing radio intelligence duties to identify a plain-language Japanese news broadcast in which a fictitious weather report gave warning of the intentions of the Japanese Government with respect to war against the United States, Britain (including the N. E. I.), and Russia. We received a tip-off from the British in Singapore in late November, 1941, which was immediately forwarded to the Navy Department by the Commander in Chief, U. S. Asiatic Fleet, with an information copy to the Commander in Chief, Pacific Fleet. We also received a tip-off from the Dutch in Java through the American Consul General and through the Senior Military Observer. The Dutch tip-off was handled in routine fashion by the coding rooms of the State Department, War Department, and Navy Department. The Director of Naval Intelligence requested that special effort be made to monitor Radio Tokyo to catch the "Winds Message" when it should be sent, and this was done. From November 28 until the attack on Pearl Harbor, Tokyo broadcast schedules were monitored by about 12 intercept stations, as follows: N. E. I. at Java; British at Singapore; U. S. Army at Hawaii and San Francisco; U. S. Navy at Corrigedor, Hawaii, Bremerston, and four or five stations along the Atlantic seaboard. All Navy intercept stations in the continental United States were directed to forward all Tokyo plain-language broadcasts by teletype, and Bainbridge Island ran up bills of sixty dollars per day for this material alone. The "Winds Message" was actually broadcast during the evening of December 3, 1941 (Washington Time), which was December 4 by Greenwich time and Tokyo time. The combination of frequency, time of day, and radio propagation was such that the "Winds Message" was heard only on the East Coast of the United States, and even then by only one or two of the Navy stations that were listening for it. The other nations and other Navy C. I. units, not hearing the "Winds Message" themselves and not receiving any word from the Navy Department, naturally presumed [99]

that the "Winds Message" had not yet been sent, and that the Japanese Government was still deferring the initiation of hostilities. When the Japanese attacked Pearl Harbor, the British at Singapore, the Dutch at Java, and the Americans at Manila were just as surprised and astonished as the Pacific Fleet and Army posts in Hawaii. It is apparent that the War Department, like the Navy Department, failed to send out information that the "Winds Message" had been sent by Tokyo. The "Winds Message" was received in the Navy Department during the evening of December 3, 1941, while Lieutenant (jg) Francis M. Brotherhood, U. S. N. R., was on watch. There was some question in Brotherhood's mind as to what this message really meant because it came in a different form from what had been anticipated. Brotherhood called in Lieutenant Commander Kramer, who came down that evening and identified the message as the "Winds Message" we had been looking for. The significant part of the "Winds Message" read: "HIGASHI NO KAZEAME. NISHI NO KAZE HARE. The negative form of KITA NO KAZE KUMORI". The literal translation of these phrases is: "EAST WIND RAIN. WEST WIND CLEAR. NEITHER NORTH WIND NOR CLOUDY." The meaning of this message from the previously mentioned tip-off was: "War with the United States. War with Britain, including the N. E. I., etc. Peace with Russia." I first saw the "Winds Message" about 8:00 a. m. on Thursday, December 4, 1941. Lieutenant A. A. Murray, U. S. N. R., came into my office with a big smile on his face and piece of paper in his hand and said, "Here it is!" as he handed me the "Winds Message." As I remember, it was the original yellow teletype sheet with the significant "Winds" underscored and the meaning in Kramer's handwriting at the bottom. Smooth copies of the translation were immediately prepared and distributed to Naval Intelligence and to S. I. S. in the War Department. As the direct result of the "Winds Message," I prepared a total of five messages, which were released between 1200 and 1600 that date, ordering the destruction of cryptographic systems and secret and confidential papers by certain activities on the Asiatic Station. As a direct result of the "Winds Message," McCollum drafted the long warning message, previously referred to, which was disapproved by higher authority, but which the Navy Department C. I. Unit believed had been sent. Both Naval Intelligence and the Navy Department C. I. Unit regarded the "Winds Message" as definitely committing the Japanese Government to war with the United States and Britain, whereas the information of earlier dates had been merely statements of intent. We believed that the Japanese would attack by Saturday (December 6), or by Sunday (December 7) at the latest. The following officers recall having seen and having read the "Winds Message": Captain L. F. Safford, U. S. N., Lieutenant Commander F. M. Brotherhood, U. S. N. R., Lieutenant Commander A. A. Murray, U. S. N. R., and Lieutenant (jg) F. L. Freeman, U. S. N. The following officers knew by hearsay that the "Winds Message" had been intercepted but did not actually see it themselves: Commander L. W. Parke, U. S. N.; Lieutenant Commander G. W. Linn, U. S. N. R.; Ensign Wilmer Fox, U. S. N.; Major F. B. Rowlett, Signal Corps Reserve. * * *

[100] The "Winds Message" was last seen by myself about December 14, 1941, when the papers which had been distributed in early December were assembled by Kramer, checked by myself, and then turned over to the Director of Naval Communications for use as evidence before the Roberts Commission, according to my understanding at the time.

Before the Naval Court of Inquiry, Captain Safford repeated in substance his prior testimony and stated that Lieutenant Murray or possibly Kramer brought him the message: that he couldn't determine from what Navy intercept station the message had come; that he had a vague recollection of a second "Winds Message", but had been unable to find any trace of it until he testified before Admiral Hart; that since that time he learned that the FCC had intercepted a "Winds Message" at Portland, but that he did not recognize that message. He did not recall any of the FCC intercepts contained in Exhibit 65 of the Naval Court of Inquiry, none of which indicated a break with the United States. He stated further that despite repeated search since November, 1943, no copy of the "Winds Message" could be found in the files; that Lieutenant Commander Brotherhood had told him that he knew the disposition of them, but did not care to tell Safford.

Also Safford said that he knew what had happened to the Army copies of that message through very "second hand and devious sources." He also repeated his prior testimony to the effect that about the middle of the first week in December, 1944, Commander McCollum had drafted a long dispatch which included information about the "Winds Message," and which dispatch had not been sent out.

Commander Kramer in his testimony before the Naval Court, said that on December 3rd or 4th he had been shown a "Winds Message" by the watch officer and took it immediately to Captain Safford, who took it to Admiral Noyes. This was a plain-language message and, as shown to him, contained the phrase translated as "East Wind Rain" which meant strained relations or a break with the United States. The message had been on teletype paper and indicated that it had come through an USN intercept station.

Among the witnesses before the Naval Court of Inquiry who testified that so far as they knew there had never been a "Winds Message" relating to the United States were Admiral Stark, General Marshall, and Admiral Noyes. Neither Admiral Wilkinson nor Commander McCollum, who were alleged by Safford to have had knowledge of the "Winds Message," was a witness before the Naval Court of Inquiry, as both were at the time actively engaged in combat operations.

(3) *Evidence Obtained in this Investigation Concerning "Winds Message."*

(a) *Testimony of Captain Safford:*

Captain Safford testified that in the Fall of 1943 it appeared that there was going to be a trial or court martial of Admiral Kimmel. He realized that he would be one of the important witnesses and that his memory was vague. Accordingly, he began looking around to get [101] information in order to prepare a written statement which he could use in his testimony. He noticed that in the Roberts report there was no reference to the "Winds Message" or to the dispatch which McCollum had drafted. Safford then began talking to everyone who had been around at the time to see what they could remember, and to see if they could give him leads so that it would be a matter of fact and not a matter of memory. He talked the thing over with various of the Army people.

Safford testified that he had written to Brotherhood and that Brotherhood had written back saying that he didn't care to tell Safford about the disposition of the copies of the "Winds Message," but when Brotherhood returned to the United States, Safford asked him about it and found out that there had been a misunderstanding. Brotherhood had been referring to the false "Winds Message" (Document 2 of Exhibit 65 of the Naval Court), which apparently related to Russia, but which was a genuine weather broadcast.

Safford stated that he had information "third hand" concerning the Army's copies of the "Winds Message," and that he thought it might be confirmed in the testimony of Colonel Sadtler before the Army investigation. He stated that his information from the Army came through W. F. Friedman, a cryptanalyst in the War Department, and that the information was that the copies of the "Winds Message" had been destroyed in the War Department by then Colonel Bissell on the direct orders of General Marshall. Safford also stated that Colonel Bratton of the War Department had had some question

about the message and had asked Admiral Noyes by telephone for a copy of the original of the "Winds Message," but that Admiral Noyes had refused to comply on the grounds that the Navy translation was correct. This, he said, should appear in Colonel Bratton's testimony before the Army investigation. He also stated that a Captain Shukraft of the Army knew that the "Winds Message" had been received.

Safford testified that he had talked with Kramer shortly before his testimony during this investigation, and that contrary to his earlier impression, Kramer told him that the "Winds Message" and various other intercepts relating to Japan had not been turned over to the Roberts Commission, but about 9 December 1941 had been collected and shown to Under Secretary Forrestal, during the absence of Secretary Knox. He also said that Kramer told him that he did not recall the "Winds Message" specifically. Safford also stated that the reference in McCollum's message to the "Winds Message" was very short and was the last item in McCollum's draft dispatch.

Safford testified that it now appears more likely that the "Winds Message" was received early in the morning of December 4th, Washington time, rather than the night before, because the watch officers who were on duty recollected only the false "Winds Message," and not the "true 'Winds Message.'" The vagaries of high frequency radio, he said, resulted in the message being intercepted only on the East Coast of the United States, and that such conditions were not unusual. He pointed out that they had to call on Corrigedor to cover the Tokyo-Berlin circuits because the combined efforts of intercept stations on the East Coast, [102] West Coast, Hawaii and England could not provide better than about fifty percent coverage. Although he had no knowledge as to which Naval station allegedly intercepted the message, his first guess was the station at Cheltenham, Maryland, and his second guess was Winter Harbor, Maine. He stated that the logs of those stations and of the Navy Department had been destroyed during one of the numerous moves and no record had been kept.

Referring to the message telephoned by the FCC to Lieutenant Commander Brotherhood at 9:05 p. m. on December 4th (Exhibit 65, Naval Court), he said that this was the "false" message which appeared on the surface to use the "winds" code words relating to Russia, but which was a genuine weather broadcast. This message, he said, Brotherhood telephoned to Admiral Noyes and later Kramer took one look at it and said it was not what was wanted and threw it into the waste basket. He said that that message was received twelve hours or more after what he referred to as the "true winds message."

Safford identified Document 4, Exhibit 65, as a true "winds" message relating to England, which was intercepted on 7 December 1941 after the attack on Pearl Harbor.

Safford testified that he had been advised that the Dutch had been monitoring for a "winds" execute message, but that prior to the attack they had intercepted no such message.

(b) *Captain Kramer's Testimony:*

Captain Kramer said that he had testified previously concerning the "winds" message but wanted to go over that previous testimony in the light of thinking it over since that time. He said that he had

had no recollection of a "winds" message at the time it was first mentioned to him, the spring of 1944, but after receiving from Safford some of the details of the circumstances surrounding it, he did recall a message some days before 7 December 1941, about the middle of the week, and did recall being shown such a message by the watch officer and walking with him to Captain Safford's office and being present while he turned it over to Captain Safford. Captain Kramer thought that that message had been a "winds" message, but did not recall the wording of it. He said it might have been one using the code words referring to the United States, as he previously testified, but he was less positive of that now that he had been at the time of his previous testimony. The reason for this revision of his view was that on thinking it over, he had a rather sharp recollection that in the latter part of the week preceding the attack there was still no specific mention of the United States in any of the Japanese traffic. For that reason he was under the impression when he testified during this investigation that the message referred to England and possibly to the Dutch rather than to the United States, although it may have referred to the United States, too. He just didn't recall.

Captain Kramer testified that on the morning of December 7th, a Japanese "hidden word" code message was received and was hurriedly translated by him as he was about to leave the Navy Department to deliver other messages. The message as translated by Kramer was, "Relations between Great Britain and Japan are not in accordance with expectations" (Exhibit 20). In his [103] haste, Kramer overlooked the word "MINAMI" which was contained in the Japanese Message and which referred to the United States. He testified that after he returned to the Navy Department and shortly before 1 p. m. on December 7th, he discovered his mistake and made a penciled correction on the file copy of the translation. He testified further that he believed that he made several telephone calls about fifteen minutes before the attack and advised the officer in charge of the Far Eastern Section of ONI and an officer of G-2 of the War Department. The copies of the translation in the Navy Department's files do not disclose any correction of the translation (Exhibit 20). Kramer testified concerning this that a number of copies of the translation were made at the time, and that undoubtedly his correction was made on another copy which has since been discarded.

Captain Kramer also stated that he had been under the impression until he testified before this investigation that the "hidden word message" of 7 December 1941 had been a "Winds Message," but now recognized it as a "hidden word message." He stated that he thought that the "hidden word message", which he identified as having been received on 7 December, was among the group of messages shown to Mr. Forrestal about 9 December 1941, when he hastily reviewed a folder of that traffic for Mr. Forrestal. This was done, he said, because of the fact that previously Mr. Forrestal had not seen such material.

(c) *Lieutenant Commander Brotherhood's Testimony:*

Lt. Comdr. Brotherhood testified that he was one of the four watch officers who were on watch in Captain Safford's section during the

first week of December, 1941. He said that he had never received an intercept or message wherein the "Winds Code" words relating to the United States were used. He said that about December 4th, he received a telephone message from the FCC in which the words apparently relating to Russia were used; that he called Admiral Noyes, who commented that the word was blowing from a "funny" direction, and that he, Brotherhood, did not think at the time that it was an actual "Winds Message." Brotherhood stated that shortly before he testified in this investigation, he had had a conversation with Safford who stated that Brotherhood had called him about December 4th or 5th and had told him that such a message had arrived. Brotherhood said he did not recall the telephone conversation and that he believed, therefore, that he had called Captain Safford at that time.

(d) *Lieutenant Commander Linn's Testimony:*

Linn testified that a 24-hour watch was maintained in Captain Safford's section; that he was senior officer of that watch, and was one of the four officers who stood that watch during the first week in December, 1941. Any intercept which had come into that section, he said, would have had to come through one of the four watch officers. He was familiar with the "Winds Code" and he never saw any intercept [104] prior to 7 December 1941 in which the "winds" code words relating to the United States were used.

(e) *Lieutenant Commander Pering's Testimony:*

Pering testified that he was one of the four watch officers standing watch during the first week of December, 1941, in Captain Safford's section. He knew of the existence of the "winds" code and he never saw any intercept using the code words relating to the United States.

(f) *Lieutenant Commander Murray's Testimony:*

Murray testified that he was one of the four watch officers standing a twenty-four hour watch in Captain Safford's section during the first week in December, 1941. He testified that no "winds" code execute relating to the United States ever came to his attention during that week. He said that after the attack, Linn had told him that a "winds" message had come in on 7 December 1941.

(g) *Lieutenant Freeman's Testimony:*

Freeman testified that he was in a section which disseminated to ONI intelligence received from the field radio intelligence units; that his unit worked very closely with Captain Safford's unit, and that every effort was made to monitor for a "winds" message." Freeman was one of the officers mentioned by Captain Safford, in his testimony before Admiral Hart, as having personal knowledge of the receipt of a "winds" message relating to the United States. He testified that he never knew of any intercept of a "winds" message relating to the United States.

(h) *Captain McCollum's testimony:*

Captain McCollum testified that he had been familiar with the "winds" code; that he had no knowledge of any message transmitted which contained the words relating to the United States; that the message which contained the words apparently relating to Russia had been received during the first week of December, 1941, but that in his opinion that was a bona fide weather report. He said further that during the first week of December, 1941, he drafted a dispatch

summarizing the situation which he wanted to have sent out; that he remembered no reference to any "winds" message in that dispatch; and, that the dispatch was based on a memorandum of his dated 1 December 1941 which did not refer to a "winds" message (Exhibit 10). He did not know whether or not his draft dispatch had been sent out. It had been submitted to Admiral Wilkinson.

(i) *Admiral Wilkinson's Testimony:*

Admiral Wilkinson testified that his only recollection of the "winds" code was that some time after the attack, some one, possibly Commander McCollum, had mentioned to him that a message using a "winds" code had been received. Possibly, he said, it was the message received on the 7th using the words relating to England. He did not recall anything about the long dispatch which McCollum had drafted and which [105] Captain Safford had testified Admiral Wilkinson had endeavored to have sent out.

(j) *Captain Mason's and Commander Fabian's Testimony:*

Captain Mason, who was Fleet Intelligence Officer, Asiatic Fleet, and Commander Fabian, who was in the Radio Intelligence Unit at Corregidor, both testified that intensive efforts had been made there to monitor for any Japanese broadcasts using the "winds" code, and that nothing was received wherein the words relating to the United States were used. In this connection, it should be noted that it was the view of the Navy Department that the unit at Corregidor, because of its geographical location, was in a much better position to intercept Japanese radio broadcasts than were the units at Pearl Harbor or Washington (see Exhibit 8).

They also testified that close liaison was maintained with British Intelligence services in the Philippines, that the British had been monitoring for a "winds" message also, and that had such a message been received by the British, they most certainly would have been advised of its receipt, but that they received no information from the British as to the receipt of a "winds" message prior to the attack.

(k) *Captain Layton's Testimony:*

Captain Layton, Pacific Fleet Intelligence Officer, testified that he had been familiar with the "winds" code; that efforts were made to monitor for the use of that code; and all available Japanese language officers were placed on continuous watch on several circuits and were to cover all known news broadcasts emanating from Japan; that he checked up each day with Commander Rochefort and that no "winds" intercept was received prior to 7 December 1941, nor did they receive any dispatch from any source stating that such an intercept had been heard.

(l) *Captain Safford recalled:*

Captain Safford was recalled and testified that he never had a conversation with Colonel Sadler concerning the existence of a "winds" message. He stated that he could not recall distinctly whether or not he received a call from Brotherhood about December 4th in which Brotherhood advised of the receipt of a message apparently using the Russian "winds" code words. He had had a vague idea that there was another "winds" message, and, he said, the FCC intercept seemed to fill the bill. He said further, however, that until 1944 he did not recall having seen, or knowing of the FCC intercept in which the words relating to Russia were used.

(m) *Mr. Friedman's Testimony:*

Mr. Friedman, a cryptanalyst of the War Department, stated that prior to 7 December 1941 he had no information as to whether or not a "winds" message had been intercepted. He said that he had had several conversations with Captain Safford concerning the subject, the first one about a year and a half ago, and none later than six months prior to his [106] testimony in this investigation. He said that Safford had indicated in the course of the early conversations that there had been a "winds" message, but that no copies could be found in the Navy's files, and that his theory was that it had been intercepted by a Navy East Coast station. Mr. Friedman also testified that about a year and a half ago he had a conversation with Colonel Sadler, who had indicated that a "winds" message had come in on the 4th or 5th of December; that he had been notified either directly or by somebody in the Navy, possibly Admiral Noyes, that the message was in; that there had been some question about the exact Japanese words which had been used, and that Sadler had not seen the message himself, and Mr. Friedman thought that Colonel Sadler also told him that they had tried to get a verification from Admiral Noyes but had not been successful, whereupon the G-2 authorities simply passed the matter over since there was apparently nothing to substantiate the existence of the message. Mr. Friedman said that he had asked Sadler whether he had ever seen a copy of that message, and Colonel Sadler said that he had not, but that he had been told by somebody that the copies had been ordered or directed to be destroyed by General Marshall. Mr. Friedman testified that he regarded this as highly inconceivable, but that in conversation with Captain Safford he probably just passed that out as one of those crazy things that get started, and that he had no idea that Safford would repeat that statement. Mr. Friedman had no knowledge, directly or indirectly, concerning the existence of a "winds" message relating to the United States, apart from his conversations with Captain Safford and Colonel Sadler.

(n) *Captain Rochefort's Testimony:*

Captain Rochefort, who was in charge of the Radio Intelligence Unit at Pearl Harbor, testified that they monitored for any "winds" code message, covering all known broadcasts from Tokyo on a twenty-four hour basis, and that results were nil. He testified further that he had made an exhaustive search into all available Navy records and could find no trace of any "winds" message prior to 7 December 1941.

[107] *E. Information Concerning the Organization of the Japanese Navy.*

(1) *ONI Report of 29 July 1941.*

On July 29th, the Office of Naval Intelligence issued a revised report, which had been prepared by Commander McCollum, dealing with the organization of the Japanese Navy. This stated that, as a result of information which had been received, it was possible to give a much more complete picture of the organization of the Japanese Navy. It stated that the Japanese naval forces afloat were organized into two main commands—the Combined Fleet and the Japanese Naval Forces in China. The Combined Fleet included:

(a) *First Fleet, or Battle Force.*

- (b) Second Fleet, or Scouting Force.
- (c) Third Fleet, or Blockade and Shipping Control Force.
- (d) Fourth Fleet, or Mandated Islands Defensive Force.
- (e) Submarine Force (also called the Sixth Fleet).

The *Combined Fleet and First Fleet*, under the command of Admiral Yamamota, consisted of various BatDivs, a CruDiv, three CarDivs and two destroyer squadrons. BatDiv 3 (KONGO, HIYEI, KIRISHIMA, HARUNA) was included. The carrier divisions were CarDiv 3 (ZUIKAKU, SHOKAKU); CarDiv 5 (RYUJO, HOSHO); and CarDiv 7 (CHITOSE, CHIYODA, MIZUHO).

The *Second Fleet*, under the command of Vice Admiral Koga, included various cruiser divisions, two carrier divisions and two destroyer squadrons. CruDiv 8 (CHIKUMA and TONE) was included. The carrier divisions were: (CarDiv 1 (AKAGI and KAGA), and CarDiv 2 (SORYU and HIRYU).

The *Third Fleet* included CarDiv 6 (NOTORO and KAMIKAWA MARU) and various minelayer and minesweeper divisions, a base force and sub-chaser squadrons.

The composition of the *Fourth Fleet* or Mandates Fleet, and of the *Submarine Fleet* and of the *Japanese Naval Forces in China* was also given. (Exhibit 81)

(2) *Pacific Fleet Intelligence Bulletin Number 45-41.*

On 27 November 1941 (when the "war warning" was received), the Commander in Chief, Pacific Fleet, distributed Pacific Fleet Intelligence Bulletin Number 45-41 (Exhibit 21). This bulletin dealt with the organization of the Japanese Navy and with Japanese Forces and installations in the Mandated Islands. It was a revision of the ONI bulletin above summarized and replaced that bulletin on the subject of the Japanese Fleet. This stated:

The principal change consists of a further increase in the number of fleet commands. This has arisen from the regrouping of aircraft carriers and seaplane tenders into separate forces, and from the creation of special task forces in connection with the southward advance into Indo-China. The regrouping has resulted in a notable [108] specialization within the various commands, as shown below:

Major Fleet Commands

1. First Fleet (Battle Force)----- 3 Batdivs, 1 Crudiv, 2 Desrons.
 2. Second Fleet (Scouting Force)----- 4 Crudivs, 2 Desrons, etc.
 3. Third Fleet (Blockade & Transport Small Craft Force)
 4. Fourth Fleet (Mandate Defense Force)... 1 Desron, 1 Subron, and many small units.
 5. Fifth Fleet (?)----- (?).
 6. Sixth Fleet (Submarine Fleet)----- 6 Subrons.
 7. Carrier Fleet (Aircraft Carriers)----- 5 Cardivs.
 8. Combined Air Force (Seaplane tenders, 4 Airrons, & shore based planes etc.)
- II. Japanese Naval Forces in China (Staff Headquarters).
1. First China Exped. Fleet (Central China) Gunboats.
 2. Second China Exped. Fleet (South China) 1 CA, 1 CL and small craft.
 3. Third China Exped. Fleet (North China) Torpedo Boats, etc.
 4. Southern Exped. Fleet (Saigon)----- 1 CL, transports and mine craft.

The Japanese Navy now includes more vessels in active service than ever before. More merchant ships have been taken over by the Navy, and the line between merchant ship and naval auxiliary grows fainter all the time. The base

forces and guard divisions in the Mandated Islands have also greatly increased the strength of the Navy, which is on full-war-time footing.

The *Combined Fleet and First Fleet* as listed in this bulletin included three BatDivs, among which was BatDiv 3 (HIYEI, KONGO, KIRISHIMA and HARUNA—as to the latter it was stated that it had been inactive during 1941 and was probably undergoing major repairs). Also included was a cruiser division and two destroyer squadrons.

The *Second Fleet* included four CruDiv and two destroyer squadrons. One of the CruDiv was CruDiv 8 (TONE, CHIKUMA).

The composition of the *Third, Fourth and Sixth* (Submarine) Fleets was given in some detail in this bulletin. As to a *Fifth Fleet*, it stated "The composition of a new Fifth Fleet is still unknown. The flagship has been reported at Maizuru."

[109] The composition of the *Carrier Fleet*, with the KAGA as flagship, and consisting of ten carriers and sixteen destroyers, was listed as follows:

CarDiv 1: AKAGI, KAGA (F) and a destroyer division.

CarDiv 2: SORYU (F) and HIRYU and a destroyer division.

CarDiv 3: RYUJO (F) and HOSHO and a destroyer division.

CarDiv 4: ZUIKAKU and SHOKAKU and a destroyer division.

CarDiv—: KORYU and KASUGA (MARU).

As will appear subsequently, the forces which attacked Pearl Harbor on 7 December 1941 included six carriers, the KAGA and AKAGI (CarDiv 1), the SORYU and HIRYU (CarDiv 2), and the ZUIKAKU and SHAKAKU. The latter two carriers had been identified as CarDiv 4 in the Pacific Fleet Intelligence Bulletin, as CarDiv 3 (annexed to the First Fleet) in the earlier ONI bulletin, and as CarDiv 5, in Exhibit 3, which sets forth the composition of the attacking force.

Also included in the attacking force were the HIYEI and KIRISHIMA (two of the battleships of BatDiv 3) which had been listed in the intelligence bulletins as assigned to the Combined Fleet and First Fleet, and the TONE and CHIKUMA (CruDiv 8) which had been listed in the Intelligence bulletins as assigned to the Second Fleet.

[110] F. *Information Concerning the Location and Movements of Japanese Naval Forces*

The evidence indicates that there were no formal arrangements whereby the Navy communicated to the Army estimates of the location and movements of Japanese naval forces. Officers of the Far Eastern Section of Military Intelligence at Washington had access to charts maintained in the Far Eastern Division of the Office of Naval Intelligence showing such information, and had access to radio intelligence information available in the Navy Department, and the situation was discussed with them. At Pearl Harbor, an intelligence officer of the Hawaiian Air Force received some general information concerning Japanese movements, from the Fleet Intelligence Officer.

(1) *Information available at the time of the "War Warning."*

The procedure for handling radio intelligence information concerning Japanese movements was set forth in a dispatch of 24 November 1941 from OpNav to CincAF, information ComSIXTEEN, CincPac, ALUSNA Chungking, ASTALUSNA Shanghai, and

ALUSNA Tokyo (Exhibit 8). This dispatch stated that Japanese naval movements as reported by the individual information addresses were often conflicting because of their necessarily fragmentary nature and that since ComSIXTEEN intercepts were considered most reliable, it was suggested that other reports be carefully evaluated and sent to ComSIXTEEN for action and to OpNav for information and, that after combining all incoming reports, ComSIXTEEN was to direct dispatches to OpNav, info CincPac, based on all information received and indicating the ComSIXTEEN evaluation.

The Japanese naval situation as estimated by ComFOURTEEN on 26 November 1941, was set forth in a dispatch of that date to OpNav, information CincPac, CincAF, and ComSIXTEEN. This dispatch stated that for the past month the Commander of the Second Fleet had been organizing a task force consisting of Second Fleet and other units and, after discussing various other units, stated: "There is believed to be strong concentration of submarines and air groups in the Marshalls which comprise Airon 24, at least one carrier division unit, plus probably one-third of the submarine fleet. Evaluate above to indicate strong force may be preparing to operate in southeastern Asia while component parts may operate from Palao and Marshalls."

On the same day, ComSIXTEEN sent a dispatch to CincPac, OpNav, ComFOURTEEN and CincAF, discussing in considerable detail the estimate of ComSIXTEEN concerning the location and probable movements of Japanese Fleet units (Exhibit 8). This stated that traffic analysis for the past few days had indicated that the Commander-In-Chief of the Second Fleet was directing some units of the First, Second, Third and Fourth Fleets in a loose-knit task force organization that apparently would be divided into two sections. One section expected to operate in the South China area, was referred to in the dispatch as the "first section." The "first section" was estimated to consist of CruDiv 7, AirRon 6, Defense Division 1, Desron 3, and Subron 6. The "second section" consisted of units expected to [111] operate in the Mandates. The "second section" was believed to include Crudiv 5, Cardiv 3, RYUJO and one MARU. It was indicated that BatDiv 3 might be included in the "second section," but that this could not be clarified yet. The dispatch further stated: "Cannot confirm supposition that carriers and submarines in force are in the Mandates X. Our best indications are that all known First and Second Fleet carriers still in Sesebo-Kure area." The evaluation was considered to be reliable.

During this time, the Office of Naval Intelligence was issuing fortnightly summaries of current national situations. The summary for 1 December 1941 (Exhibit 9) was distributed by air mail. The statements therein as to the Japanese naval situation, which portion was prepared by the Far Eastern Section of ONI, were based upon information which had been received at least three or four days prior to the date of the document. This stated:

Deployment of naval forces to the southward has indicated clearly that extensive preparations are underway for hostilities. At the same time troop transports and freighters are pouring continually down from Japan and northern China coast ports headed south, apparently for French Indo-China and Formosan ports. Present movements to the south appear to be carried out by small individual units, but the organization of an extensive task force, now definitely indicated, will probably take sharper form in the next few days. To date this task force,

under the command of the Commander in Chief Second Fleet, appears to be subdivided into two major task groups, one gradually concentrating off the Southeast Asiatic coast, the other in the Mandates. Each constitutes a strong striking force of heavy and light cruisers, units of the Combined Air Force, destroyer and submarine squadrons. Although one division of battleships also may be assigned, the major capital ship strength remains in home waters, as well as the greatest portion of the carriers.

The equipment being carried south is a vast assortment, including landing boats in considerable numbers. Activities in the Mandates, under naval control, consists not only of large reinforcements of personnel, aircraft, munitions but also of construction material with yard workmen, engineers, etc.

(2) *Admiral Kimmel's sources of information after the "war warning."*

The COMFOURTEEN communication intelligence unit continued the practice, which had been followed for some time past, of preparing daily communications intelligence summaries for submission to Admiral Kimmel via Lt. Comdr. Layton, the Fleet Intelligence Officer. Photostatic copies of the communication intelligence summaries from 14 October to 14 December 1941, [112] constitute Exhibit 22 of this investigation. Lieutenant Commander Layton, who presented these summaries to Admiral Kimmel, also prepared daily intelligence reports which were distributed to various members of CincPac's staff. The intelligence memoranda were not given to the Admiral or Chief of Staff because they saw the basic material upon which the reports were based. The intelligence reports by Layton for the period 6 October to 2 December 1941, constitute Exhibit 26. None was prepared after December 2nd, according to Layton.

The daily communication intelligence summaries together with the dispatches received by Admiral Kimmel from other organizations during the period 27 November to 7 December 1941, constituted the only sources of information which he had during that period concerning the location and movements of Japanese naval forces.

(3) *Information received by Admiral Kimmel after the "war warning."*

The critical period commenced on 27 November 1941, when the Japanese force, which was to attack Pearl Harbor, secretly left Tanakan Bay, Etorofu Island and, in radio silence, proceeded undetected toward Pearl Harbor. The Japanese force, which included three of Japan's Carrier Divisions, CarDiv 1, AKAGI, KAGA; CarDiv 2, HIRYU, SORYU; CarDiv 5, SHOKAKU, ZUIKAKU; BatDiv 3, first section, HIYEI, KIRISHIMA; CruDiv 8, CHIKUMA; and other lighter vessels, cruised for ten days to a point 200 miles north of Oahu, where the planes were launched for the attack on Pearl Harbor.

It will be recalled that the November 24th dispatch from CNO in part had stated that the diplomatic situation and statements of the Japanese Government and movements of their naval and military forces indicated that a surprise aggressive movement in any direction, including attack on the Philippines or Guam, was a possibility. The "war warning" of the 27th had stated that an aggressive move by Japan was expected within the next few days and that the number and equipment of Japanese troops and the organization of naval task forces indicated an amphibious expedition against either the Philippines, Thai, or Kra Peninsula, or possibly Borneo.

The information which Admiral Kimmel subsequently received as to the location and movements of Japanese naval forces was as follows:

28 November 1941:

The Naval Attache at Shanghai reported in his dispatch 270855 the sightings by the master of a foreign vessel, which had left Hong Kong en route to Shanghai, of many transports proceeding south singly or in small groups.

[113] The November 27th ComFOURTEEN radio intelligence summary delivered on November 28th, stated that in general traffic volume was a little below normal, due to poor signals on certain frequencies and that the Tokyo-Takao circuit was unreadable on mid-watch. Some tactical traffic was heard, intercepted from carriers. Bako, Sama and Saigon were active as originators. The main Tokyo originator was the intelligence activity which sent five dispatches to the major commanders. The direction finder activity was very high. As to the Combined Fleet, it was said that there was still no evidence of any further movement from the Kure-Sasebo area. The Chief of Staff of the Combined Fleet originated several messages of general address; he had been fairly inactive as an originator. The Commander in Chief, Second Fleet, originated many messages to the Third Fleet and other units. As to the Third Fleet, it was stated that there was nothing to indicate any movement. As to the Fourth Fleet Commander, it was said that he frequently addressed dispatches to the defense forces in the Mandates, and also that there was no further information on the presence of Carrier Division Five in the Mandates. The Commander Submarine Force, it was stated, was still in the Chichijima area. Concerning air forces in general, it was indicated that an air unit in the Takao area addressed a dispatch to the KORYU and SHOKAKU and that "Carriers are still located in home waters." This summary was initialed by Admiral Kimmel.

It appears, therefore, that as of this time the ComFOURTEEN, ComSIXTEEN, and Washington radio intelligence units were of the opinion that the major portion of the Japanese carriers were in "home waters;" that ComFOURTEEN was of the opinion that a carrier unit was in the Marshalls, and that ComSIXTEEN expected CarDiv 3 to operate in the Mandates. The evidence disclosed that the term "home waters" was understood differently by the Far Eastern Section of OWI, which prepared the 1 December 1941 ONI estimate, and by the Fleet Intelligence Officer, Pacific Fleet. Captain McCollum testified that the term meant the normal cruising grounds of the Japanese Fleet, roughly west of the 180 meridian of longitude and north of the southern end of Formosa, and included the Kurile Islands but not the Aleutians. Captain Layton, the Fleet Intelligence Officer, testified that "home waters" meant to him, and was understood by Admiral Kimmel to mean, the drill grounds of the Inland Sea and approaches to Kyushu, the coastal offshore area, the Isei Bay Area; in general the waters surrounding Honshu, Shikoku and Kyushu, but not including northern Japan and the Kuriles, to a point about 60 miles east of Japan.

29 November 1941:

On November 28th, the Chief of Naval Operations sent a copy of a dispatch to CincPac for information which was received on November 29th (Exhibit 19, Naval Court), which repeated a dispatch which had been sent by the Army to Commander, Western Defense Command, as follows:

[114] Negotiations with Japan appear to be terminated to all practical purposes with only the barest possibility that the Japanese Government might come back and offer to continue X Japanese future action unpredictable but hostile action possible at any moment X If hostilities cannot repeat not be avoided the United States desires that Japan commit the first overt act X This policy should not repeat not be construed as restricting you to a course of action that might jeopardize your defense X Prior to hostile Japanese action you are directed to undertake such reconnaissance and other measures as you deem necessary but these measures should be carried out so as not repeat not to alarm civil population or disclose intent X Report measures taken X A separate message is being sent to G-2 Ninth Corps area re subversive activities in the United States X Should hostilities occur you will carry out the tasks assigned in Rainbow Five so far as they pertain to Japan X Limit dissemination of this highly secret information to minimum essential officers

The Navy dispatch continued that WPL-52 was not applicable to the Pacific area and would not be placed in effect in that area, except as then in force in Southeast Pacific Sub Area, Panama Coastal Frontier. It stated further:

Undertake no offensive action until Japan has committed an overt act X Be prepared to carry out tasks assigned in WPL 46 so far as they apply to Japan in case hostilities occur

On the 28th of November, ComFOURTEEN addressed to OpNav, information CincAF, and stated:

Following received by British consul from usually reliable source X Japanese will attack Krakow Isthmus from sea on one December without ultimatum or declaration in order get between Bangkok and Singapore X Attackers will proceed direct from Hainan and Formosa X Main landing to be made at Songkhola X (Singora)

ComSIXTEEN in a dispatch of the 28th addressed to CincAF, OpNav, CincPac, ComFOURTEEN, stated that an unidentified ship believed to be a light cruiser had apparently relieved the KASHII as flagship, Southern Expeditionary Fleet; that this ship was now in the Camranh Bay-Saigon area.

OpNav, indispach 281633, addressed CincAF, info CincPac, ComSIXTEEN, ComFOURTEEN, and supplied information from State Department, from Saigon, dated November 26th, which stated that five days previously [115] Orange troops and supply vessels began to put in at Saigon, taking up all available quay space; that 20,000 troops had landed and that 10,000 had arrived from the north by rail during the same period; that the total troops in South Indo-China totaled 70,000. It observed that there was an estimate of some 128,000, but considered that too high. It reported that many trucks had landed and were moving troops and supplies to the interior. It observed that this movement is of large proportions and indicates hostilities against Thailand may begin soon. It also forwarded information from Hanoi, also from the State Department, dated November 26th, that said supplies and military equipment, particularly railway, rolling stock, gasoline, landing at Haiphong even recently augmented and are being transhipped south. Among recently landed artillery are anti-tank guns; that the Japanese had

recently purchased a considerable number of native boats along the coast of Tongking Province. It was reported they desired to purchase 500. These boats were being sent south. Further reports from Hanoi, dated November 25th, said that the American Consul had received reliable information that the Governor General had ascertained from an agent that around 1 December, without either declaration of war or ultimatum, Nippon Navy will attack Kra Isthmus. Simultaneously the Army would advance on Thailand; that great increased troop landings and movements were noted south; that during last few days about 4,000 men have landed. On November 25th and 26th, 1,500 would go south by special train; that in Tongking there were approximately 25,000 Jap troops and at Gillam there were approximately ninety airplanes. Dated November 26th, Hanoi, was the report that on early November 25th the Haiphong mayor had advised all interested persons that the Japanese intended to sequester all freight en route to China, that the Japanese had demanded keys to all warehouses by noon November 25th.

The ComFOURTEEN radio intelligence summary of the 28th, delivered the 29th, stated generally that traffic volume was normal, communications to and from South China and between the Mandates and the Empire were very heavy. No tactical traffic was seen. The suspected radio intelligence net was very active and was becoming more so. Much traffic was directed to the Tokyo direction under command from various stations and this command also originated messages of high precedence to the major fleet commanders. It was said that "This activity is interpreted to indicate that the radio intelligence net is operating at full strength upon U. S. naval communications and IS GETTING RESULTS." As to the Combined Fleet, it was stated that there was no indication of movement of any of its units. As to the Third Fleet, there was little activity from its units save for the Commander in Chief. The bulk of the Fourth Fleet was said to be still at Truk. The Commander in Chief of the South China Fleet originated more traffic than usual and addressed his fleet collectively for information to the Commander in Chief, Second, and Commander in Chief, Third Fleets. There was little indication of submarine activity. This summary was initialed by Admiral Kimmel.

[116] The ComSIXTEEN communication intelligence unit sent a dispatch on the 29th noting various recent developments from radio intelligence, such as various encrypted addresses noted in the preceding two days traffic, that various additional units now appeared to be associated with the "first section" (South China area), referred to in ComSIXTEEN's November 26th dispatch, that the Hiyei (which in fact was en route to Pearl Harbor) and Kongo appeared to be associated definitely with the "first section." but no movement from the Takao area had been noted, and, that the Cinc Combined Fleet was to leave the Kure zone that day, the Sasebo zone on December 1st, and enter the Bako zone on the 2nd.

30 November 1941:

On 30 November 1941, OpNav sent a dispatch to CincAF for action and to CincPac for information (Exhibit 76, Naval Court), which advised in part:

Indications that Japan about to attack points on Kra by overseas expedition . . . desire you cover by air the line Manila Camranh Bay on three days commencing upon receipt of this dispatch X . . .

A second similar dispatch was also sent on the same day (Exhibit 77, Naval Court) requesting a daily report from CincAF, even if there were no contacts and the information were all negative.

The communication intelligence summary of the 29th delivered this day stated generally that traffic volume was above normal, and that the traffic to South China was still very high. A good share of the traffic was made up of messages of an intelligence nature. Tokyo intelligence sent eleven messages during the day to major commanders both ashore and afloat, while the radio intelligence activity at Tokyo sent four long messages to the major commanders. In addition to the stations normally reporting to Tokyo radio Yokosuka (near Tokyo) sent in reports. This station had not previously been seen to submit reports. The direction finder net controlled directly by Tokyo was up during the night with much activity. The Navy Minister originated his usual AINav, and the naval general staff addressed Commanders, Second Fleet, Third Fleet, Combined Air Force, and the South China Unit. A unit which had been addressed as the 103rd air group originated one dispatch whose address was composed entirely of enciphered calls and it was apparent that he had no navy call list. One address was "Eleventh Air Fleet." Since this had appeared before, it was evidence that the use of Kantai was intentional in making positively known the existence of an air fleet. Its composition was unknown. The dispatches indicated that various units were under the immediate command of the Commander in Chief, Second Fleet, including Cardiv 3, and the Third Fleet.

Associated with the Third Fleet were two battleships but their assignment was not yet definite. Various messages were sent by the Commander in Chief, Third Fleet, and he held extensive communication with [117] the Commander in Chief, Second Fleet, and Bako. The Cinc Fourth Fleet was relatively inactive. He was still in the Truk area. There was some traffic for Commander Submarine Force, who was at Chichiyima the previous day, and also some traffic from the Commander in Chief, China Fleet.

1 December 1941:

A copy of a dispatch by CNO to CincAF, 301709, was received by CincPac, referring to the previous dispatch which had directed an air search on the line Manila to Camranh Bay, directing that a report be made daily even if the information were all negative (Exhibit 77, Naval Court).

A dispatch from OpNav, dated 1 December 1941, was also received referring to a Thailand-Japanese intrigue aimed at forcing the British to attack Thai as a counter-move to a Japanese landing in Kota Bharu, whereupon Thai would declare war and ask Japanese help.

A dispatch of 1 December from ComSIXTEEN advised of radio intelligence information indicating that various units under Cinc Third Fleet were in the Takao area and that Cinc Second Fleet had shifted from Kure to Sasebo apparently en route to South China waters.

The communication intelligence summary for November 30th, delivered on December 1st, stated generally that traffic volume was less than for the past few days, that the traffic consisted largely of dis-

patches bearing old dates. No reason could be given for the retransmission of these messages unless the high volume of traffic for the past few days had prevented the repetition of dispatches. The number of dispatches originated on the 30th was very small. The only tactical circuit heard was one with the carrier AKAGI and several MARUs. As to the Combined Fleet and First Fleet, it was stated the Chiefs of Staff of those Fleets were in Kure. In the same message, the Chief of Staff, Second Fleet, was not listed in any location. Other traffic indications were that he was at sea. The Commander in Chief, Second Fleet, sent one dispatch to his usual addressees of the Third Fleet and Combined Air Forces, but also included the KONGO and HIYEI, which it was said placed them as members of his task force. (The HIYEI was actually en route to Pearl Harbor.) As to the Third Fleet, it was said, "No information obtained as to the location of the Commander in Chief, Third Fleet, which gives the strong impression that he is underway." The Fourth Fleet was believed to be still in the Truk area. It was said that the continued association of Jaluit and Commander Submarine Force, plus his known progress from the Empire to Chichijime to Saipan made his destination obviously the Marshalls; also that since one of his large units arrived in the Marshalls some time ago, that unit could not agree with ComSIXTEEN that there was not a submarine concentration in that area. "Every evidence points to a concentration, not only the small Fourth Fleet submarines there, but also a good proportion of the Fleet submarines of the Submarine Force." It was also said that "the presence of a unit of plane guard destroyers indicates the presence of at least one carrier in the Mandates, although this has not been confirmed." This communication summary was initialed by Admiral Kimmel and Admiral McMorris, the War Plans Officer.

[118] A dispatch was received from ComSIXTEEN, addressed to OpNav, information CincAF, CincPac, and ComFOURTEEN, to the effect that a reassignment of all Japanese naval calls had occurred at midnight.

2 December 1941:

On 2 December 1941, ComSIXTEEN reported that Cinc Second and Cinc Third Fleets were in the Takao area, and, that broadcasts to fleet units were being sent to Takao or Bako in addition to Tokyo. Also reported was the fact that the Japanese Ambassador at Bangkok had requested permission to destroy codes.

CincAF also reported that a patrol plane had spotted nine submarines on a southerly course in the South China Sea between Camranh Bay and the Philippines. Also that three submarines were sighted 070 from Saigon, 180 miles, heading south, and that twenty-one transports, with air patrol overhead, were at Camranh Bay.

A report from the Assistant Naval Attache, Shanghai, advised of the arrival of 14,000 troops sailing from there the week ending the 22nd.

The communication intelligence summary for the previous day stated generally that all service radio calls of forces afloat changed promptly at 0000 1 December. Previously service calls had been changed after a period of six months or more. Calls were last changed on 1 November 1941. The fact that service calls lasted only one month

indicated an additional progressive step in preparing for active operations on a large scale. For a period of two to three days prior to the change of calls, the bulk of the radio traffic consisted of dispatches from one to four or five days old. It appeared that the Japanese Navy was adopting more and more security provisions. A study of traffic prior to 0000 1 December indicated that an effort was made to deliver all dispatches using old calls so that promptly with the change of calls there would be a minimum of undelivered dispatches and consequent confusion and compromise. Either that, or the large number of old messages may have been used to pad the total volume and make it appear as if nothing unusual were pending. It should be noted that the sentence in the above summary reading "The fact that service calls lasted only one month indicates an additional progressive step in preparing for active operations on a large scale" was underscored in red pencil commencing with the words "service calls." Captain Layton testified that to the best of his recollection this was underlined by Admiral Kimmel at the time.

The summary further stated as to the First Fleet "nothing to indicate that this fleet as a fleet is operating outside of Empire waters." As to the Second Fleet, it was stated "This fleet is believed proceeding from the Kure-Sasebo area in the direction of South China and Indo-China;" Takao did not appear to play an important role in the traffic; consequently, the assumption was made that this fleet was passing up Takao. As to the Third Fleet, it was stated there was "nothing to report except that the [119] same associations of Second, Third Fleets and Combined Air Force with South China and Indo-China Forces continued. As to Fourth Fleet, "No change in the Fourth Fleet or Mandates area." As to Fifth Fleet, "Nothing to report." As to submarines, it was stated a large number of the Submarine Force was believed to be in the area eastward of Yokosuka-Chichijima and Saipan. As to Combined Air Force, it was stated "No change." As to carriers, it was said "No change." This summary was initialed by Admiral Kimmel.

In accordance with the request of Admiral Kimmel, Layton, the Fleet Intelligence Officer, prepared a memorandum for the Admiral dealing with the location of the Japanese Fleet. This memorandum was prepared, according to Layton, on the evening of 1 December, and was submitted by him to Admiral Kimmel on 2 December 1941. The original memorandum is Exhibit 23. The memorandum bears certain notations in red pencil which, Layton testified, were inserted by him on December 2nd prior to submission of the memorandum to Admiral Kimmel, and which reflected the later information received after preparation of the memorandum on the night of December 1st-2nd. It also bears certain lead pencil notations which Layton identified as the handwriting of Admiral Kimmel. This memorandum, according to Layton, summarized his best estimate of the location of the Japanese Fleet, based on all information available to him and to Admiral Kimmel up to and including 1 December 1941.

Layton's estimate stated that from the best available information, units of the Orange (Japanese) were "thought" to be located as listed in the memorandum. In the Kure-Sasebo area he listed the Commander in Chief of the Combined Fleet and Commander in Chief, First Fleet, with six battleships, "(?)", and other units. He listed

the Commander in Chief, Third Fleet, at Nagara initially and then corrected it in red to indicate that it was at Takao. Also in the Kure-Sasebo area he located Cruiser Division 8.

In the Shanghai area, Layton's estimate located the Commander in Chief, China Fleet, the Shanghai base force, and an air group.

In the Bako-Takao area, Layton listed Third Fleet submarine squadrons and various destroyers and the Commander of the Combined Air Force with numerous air groups and the KASUGA MARU (thought to be a converted carrier with 36 planes). He estimated that the Commander in Chief, Second Fleet, had been en route to Takao (this he corrected in red pencil to indicate that he was at Takao) with a cruiser division, destroyers, and with "Cardiv 4—two CV and four DD; Cardiv 3—two CV and 3 DD; Batdiv 3 less HARUNA—3 BB (maybe 2 BB)" and, he added in red pencil, certain cruisers and Destroyer Division 2.

In the Hainan-Canton area, Layton located the Commander in Chief of the South China Fleet and various cruisers and destroyers and transports. In the French Indo-China area, he located the Commander in Chief of an Expeditionary Fleet with various ships including 21 transports and some base forces among others. In the Mandates area, he located at Palao an air group [120] and base force; at Truk, the Commander in Chief of the Fourth Fleet with cruisers and destroyers, and a base force and an air group. At Saipan, he located the Commander in Chief of the Submarine Force with possibly submarines and various air groups and a base force. In the Marshalls area, he located various air groups and the carrier "KORYU? plus plane guards", and several submarine squadrons and base force.

Layton's memorandum did not make any reference to the location of Carrier Divisions 1 and 2 of the Japanese Fleet (which in fact were en route to attack Pearl Harbor). According to Layton, on 2 December 1941, during his conference with Admiral Kimmel, the Admiral noticed and commented on the absence of information concerning Japanese Carrier Divisions 1 and 2. In his testimony, he described the conversation on this point as follows:

MR. SONNETT. Will you state the substance of what he said and what you said, as best you recall it?

Captain LAYTON. As best I recall it, Admiral Kimmel said, "What! You don't know where Carrier Division 1 and Carrier Division 2 are?" and I replied, "No, sir, I do not. I think they are in home waters, but I do not know where they are. The rest of these units, I feel pretty confident of their location." Then Admiral Kimmel looked at me, as sometimes he would, with somewhat a stern countenance and yet partially with a twinkle in his eye and said, "Do you mean to say that they could be rounding Diamond Head and you wouldn't know it?" or words to that effect. My reply was that, "I hope they would be sighted before now," or words to that effect. . . .

MR. SONNETT. Your testimony, Captain, was not quite clear to me, arising out of your description of Admiral Kimmel's twinkle in his eye when he spoke. What I am trying to get at is this: Was the discussion about the absence of information concerning Cardivs 1 and 2 a serious or jocular one?

Captain LAYTON. His question was absolutely serious, but when he said, "Where are Cardivs 1 and 2?" and I said, "I do not know precisely, but if I must estimate, I would say that they are probably in the Kure area since we haven't heard from them in a long time and they may be refitting as they finished operations only a month and a half ago," and it was then when he, with a twinkle in his eye, said, "Do you mean to say they could be rounding Diamond Head?" or words to that effect. In other words, he was impressing me on my complete ignorance as to their exact location.

Mr. SONNETT. He was conscious, therefore, of your lack of information about those carriers?

[121] Captain LAYTON. This incident has been impressed on my mind. I do not say that I quote him exactly, but I do know that he made such a statement to me in the way to point out to me that I should know where they are but hadn't so indicated their location.

3 December 1941:

It will be recalled that on December 3rd dispatches were sent by CNO to CincPac and others advising that Japanese diplomatic and consular posts at Hong Kong, Singapore, Batavia, Manila, Washington, and London, had been ordered to destroy the "purple" machine and most of the codes and ciphers.

Layton testified that at the time Admiral Kimmel asked him what the "purple machine" was; that he did not know and made inquiry; that he advised Admiral Kimmel that it was the Japanese diplomatic electrical coding machine; that he did not then know whether or not the Japanese consul at Hawaii had such a machine; and, that he subsequently learned that the Japanese consul there did not have such a machine.

The communication intelligence summary delivered on the 3rd, covering the 2nd, stated generally that the most prominent factor in the traffic was the apparent confusion in the routing of traffic for certain major parts of the Japanese Fleet. There was instances where the same dispatch was repeated several times after it had appeared on the Tokyo broadcast and also where Takao radio received the same dispatch that it had previously sent. It was stated that ComSIXTEEN had reported Second and Third Fleets in Takao area, and that Takao radio was broadcasting traffic to these fleets. The broadcast, it was said, was not uncovered at ComFOURTEEN and contrary to the location report, there was one indication that these two fleets were not close to Takao. In several instances, Takao radio forwarded traffic to Tokyo for these fleets. It was said that "Summing up all reports and indications, it is believed that the large fleet made up of Second, Third and First Fleet units, has left Empire waters, but is either not close enough to Takao for good communications or is proceeding on a course not close to Takao." It was further stated, "The change of calls on December 1st has prevented this office from making definite statement as of this date of the units now in the southern area. To further complicate the situation, Shanghai radio handled a considerable amount of traffic which obviously was originated by and destined for units in the Takao area." Also it was pointed out generally that "There was a very high percentage of high precedence traffic originated both by major forces afloat and Tokyo." As to the First Fleet, it was stated that despite the lack of positive identifications, the First Fleet appeared relatively quiet and that "from inconclusive evidence, it appears as if there may have been a split in the original or normal combined fleet staff and that these may be two supreme commanders with staffs. As an example, traffic routing indicates one combined fleet call associated with the Second and Third Fleets, and apparently in company, while another combined fleet call appears not associated with the Second and Third Fleets." As to the Second Fleet, it was stated "No units have stood out prominently in [122] the last two or three days. This is probably due to lack of new identifications, but contributes somewhat to the belief that a large part of

the Second Fleet is underway in company." As to the Third Fleet, it said there was nothing to report. As to the Mandates, it was said that the association of submarine force and Fourth Fleet continued.

Concerning carriers, this summary stated, "Almost a complete blank of information on the carriers today. Lack of identifications has somewhat promoted this lack of information. However, since over 200 service calls have been partially identified since the change on the first of December and not one carrier call has been recovered, it is evidence that carrier traffic is at a low ebb." This summary was initialed by Admiral Kimmel.

4 December 1941:

On 4 December 1941, OpNav sent a dispatch (Exhibit 21, Naval Court) to NavStaGuam for action, and to CinCAF, CincPac, ComFOURTEEN and ComSIXTEEN for information stating:

Guam destroy all secret and confidential publications and other classified matter except that essential for current purposes and special intelligence retaining minimum cryptographic channels necessary for essential communications with CinCAF CincPAC ComFOURTEEN ComSIXTEEN and Opnav X be prepared to destroy instantly in event of emergency all classified matter you retain X Report crypto channels retained.

ComSIXTEEN advised, in a dispatch received on December 4th, that seven transports had been sighted off Saigon on 15 November 1941, and on the 20th a seaplane carrier northeast of Amoy.

The Assistant Naval Attache, Shanghai, advised, in a dispatch received 4 December, that several large liners had been carrying supplies and personnel to the Carolines, that 3,000 laborers had landed at Jaluit and that certain islands were being specially developed.

The Naval Attache, Tokyo, advised in a dispatch received this day that a transport loaded with aircraft and another with naval personnel had left Yokahama on 27 November 1941.

The previous day's communication intelligence summary stated under the heading "General," that traffic volume was normal with receiving conditions good. The present state of call recovery did not permit much detailed information to be obtained. The extensive use of alternate calls by the major commands slowed up identification of even these units. Very few units had been positively identified so far. The Chief of the Naval General Staff originated three long dispatches to the Commanders in Chief, Combined, Second, and Third Fleets. Tokyo intelligence originated nine [123] dispatches to the same addresses. It was stated that the presence of the Commander in Chief, Second Fleet, in Taiwan waters was not revealed by radio traffic. It was stated that it was the impression that both the Second and Third Fleets were underway, but that this was not verified by radio intelligence means. It was also stated that there were some Fourth Fleet units in the Marshall Islands but their identity was not known. It was stated also that there was "no information on submarines or carriers." This summary was initialed by Admiral Kimmel.

5 December 1941:

There were no dispatches of an intelligence nature received by CincPac. The previous day's communication intelligence summary stated that in general traffic volume was normal with fair receiving

conditions. Takao radio instituted a fleet broadcast system using the prefix UTU in heading so that there were two fleet broadcasts now in operation. So far only a few messages had been placed on the Takao broadcast. There were a large number of urgent messages, most of these from Tokyo to the major commanders. Tokyo intelligence originated messages to the Chiefs of Staff, China Fleet, Combined Fleet, Third Fleet, South China Fleet, French Indo-China Force, and same. In all, this activity sent twelve messages to the major commanders. As to the Combined Fleet, it was stated "The outstanding item of today's traffic is the lack of messages from the Commander in Chief, Second Fleet, and Commander in Chief, Third Fleet. These previously very talkative commanders are now very quiet. While the fleet calls are not yet well identified, the lack of traffic from these commands cannot be ascribed to that. These two commands are still prominent as addressees. It is now believed that the Commander in Chief, Second Fleet, is in the vicinity of Takao and that the apparently conflicting evidence is due to traffic destined for the Tokyo UTU broadcast, which CincSecond Fleet is still copying." As to the Fourth Fleet, it was stated that the Commander in Chief sent a message to various units and that no further check could be made on the presence of Fourth Fleet units in the Marshalls and that Jaluit appeared many times in the day's traffic, being associated with Commander Submarine Force, Tokyo radio and an oil tanker. As to South China, it was stated that Bako continued as an active originator addressing many messages to Sama and Saigon. Except for traffic between South China commanders, all units in that area were quiet. This summary was initialed by Admiral Kimmel.

6 December 1941:

Several dispatches dated 6 December 1941 were found in the CincPac files, but it does not appear whether or not they were received prior to the attack. One was an OpNav dispatch authorizing CincPac to direct the destruction of secret and confidential documents at our outlying islands "in view of the international situation and the exposed position of our outlying Pacific islands." (Exhibit 22, Naval Court.) Other dispatches dated the 6th, from the Naval Observer at Wellington, advised of Japanese destruction of codes; from the Assistant Naval Attache, Shanghai, advised of the departure south of Japanese troops and increase of Japanese gendarmerie force in Shanghai; and, from CincAF, advised of a [124] 25-ship convoy, a 10-ship convoy, and 3 ships, off Saigon, French Indo-China, all of which appeared to be headed in a westerly direction, also 30 ships and a cruiser were sighted in Camranh Bay.

The radio intelligence summary for 5 December, which was delivered on the 6th, was the last summary delivered to Admiral Kimmel before the attack. It stated in general that traffic volume was heavy. All circuits were overloaded with Tokyo broadcasts going over full 24 hours. Tokyo Mandates circuit in duplex operation. There were several new intercept schedules heard. It was noted that some traffic being broadcast was several days old which indicated the uncertainty of delivery existing in the radio organization. There were many messages of high precedence which appeared to be caused by the jammed condition of all circuits. A plain language message was sent by the captain of the OKAWA from Tokyo to Takao, prob-

ably for further relay, addressed to the Chief of the Political Affairs Bureau saying, "In reference to the Far Eastern crisis what you said is considered important at this end, but proceed with what you are doing, specific orders will be issued soon."

As to the Combined Fleet, it was stated that neither the Second nor Third Fleet Commanders had originated any traffic. They were still frequently addressed but were receiving their traffic over broadcasts. It was stated that "They are undoubtedly in the Takao area or farther south since the Takao broadcasts handles nearly all their traffic. No traffic from the Commander Carriers or Submarine Force has been seen either."

There was no traffic from the Third Fleet, but some traffic for that fleet. There was also some traffic to the Fourth Fleet addressed at Jaluit, strengthening the impression that the Commander in Chief, Fourth Fleet, was in the Marshalls. As to South China, there was much traffic addressed to the Commander in Chief, Second Fleet, by Sama. Bako continued as an active originator with many dispatches to the Second and Third Fleets. The Commander Combined Air Force appeared to be busy with the movement of air corps, several of which were moving probably to Indo-China.

[125] 29. Naval Intelligence was effectively organized to acquire information from coded diplomatic messages between the Japanese Government and its representatives. Through the interception of Japanese diplomatic messages and their decryption and translation in Washington, D. C., prior to the attack, knowledge was obtained of the Japanese Government's actual views concerning the diplomatic situation, of the Japanese Government's intention to wage war, and of the fact that hostilities were impending and imminent.

30. The information acquired in Washington through the interception of Japanese diplomatic messages was adequately and promptly disseminated at Washington by Naval and Military Intelligence to the Chief of Naval Operations, to the Army Chief of Staff, to the State Department, and to the President.

31. The Commander-in-Chief, Pacific Fleet, had to rely upon the Chief of Naval Operations for information as to the status of the diplomatic negotiations with the Japanese, and had requested to be kept fully informed on this subject.

32. The Japanese diplomatic messages acquired by Naval Intelligence at Washington were not transmitted to the Commander-in-Chief, Pacific Fleet, as such. Reasons advanced for this course of action were that the Japanese might intercept the naval messages and learn of the Navy's success in decrypting Japanese codes; that the volume of intercepted messages was so great that the transmission of them, particularly during the critical period, would have overtaxed the Navy's communications facilities; and, that it was the duty of the Chief of Naval Operations to evaluate such information and to advise CincPac of the important facts learned.

33. Various of the warning messages sent by the Chief of Naval Operations to the Commander-in-Chief, Pacific Fleet, were based on the information obtained from intercepted Japanese messages.

34. The warnings sent to the Commander-in-Chief, Pacific Fleet, during November (particularly the "war warning" of the 27th) and early December, 1941, indicated in unmistakable language that the

diplomatic negotiations had ceased, that war with Japan was imminent, and that Japanese attacks might occur at any moment.

35. The Chief of Naval Operations did not advise the Commander-in-Chief, Pacific Fleet, of certain intercepted Japanese messages indicating interest in the location of ships in Pearl Harbor. These were more specific than other intercepted messages indicating Japanese interest in the movements of ships to or from other ports.

[126] 36. The Commander-in-Chief, Pacific Fleet, was not fully advised of certain other information obtained from intercepted Japanese messages after the November 27th "war warning," which made further evident the termination in fact of the diplomatic negotiations and the Japanese intention to wage war.

37. On the morning of 7 December 1941, there was brought to the attention of the Chief of Naval Operations an intercepted message in which the Japanese Government instructed its representatives to present to the State Department at 1 p. m. the Japanese Government's final reply terminating the diplomatic negotiations. Mention was made of the fact that 1 p. m. Washington time was about dawn at Honolulu and about the middle of the night in the Far East. No one stated that this indicated an air attack at Pearl Harbor.

38. This so-called "1 p. m. delivery message," which consisted of one sentence, had been intercepted at a naval radio intercept station at Bainbridge Island in the State of Washington and forwarded to the Navy Department by teletype. It was decrypted and available in the Navy Department at about 0700 on December 7th. It was sent to the Army for translation because there was no Japanese translator on duty in the Navy Department at that time. The translation, which could have been done by a qualified translator in a few minutes, was not received from the Army until after 0900.

39. Although he was in possession of this highly significant information several hours before the attack, and there were available means whereby the information could have been transmitted to Admiral Kimmel immediately, including a "scrambler" telephone maintained by the Army, Admiral Stark initially was not disposed to, and did not, send any message to Admiral Kimmel. Instead he relied on the transmission of a message by the War Department to General Short, which was to be furnished also to Admiral Kimmel.

40. Admiral Stark has previously testified that he did not consider it necessary to telephone to Admiral Kimmel on the morning of 7 December and that he had not telephoned at any time previous to the attack, but that one regret which he had was that he had not telephoned a message that morning to Admiral Kimmel or paralleled the Army message on the naval radio system.

41. The message sent by General Marshall on 7 December 1941, which was received after the attack, advised that the Japanese were presenting an ultimatum at 1 p. m., that they were under orders to destroy their code machine, that it was not known just what significance the hour set might have but that the addressees were to be on the alert accordingly, and that the naval authorities were to be informed.

42. The warnings which were sent to the Commander-in-Chief, Pacific Fleet, indicated, as to the possible places of Japanese attack, on November 24th, that "a surprise aggressive movement in any direction, including attack on the Philippines or Guam, is a possi-

bility," and, on November 27th, that "an aggressive movement by the Japanese is expected [127] within the next few days. The number and equipment of Japanese troops and organization of naval task forces indicate an amphibious expedition against either the Philippines, Thai or Kra Peninsula, or possibly Borneo."

43. Although the warnings which were sent by the Chief of Naval Operations to the Commander-in-Chief, Pacific Fleet, drew attention to probable Japanese objectives to the southward and southeastward of Japan, and did not specifically mention Pearl Harbor, both the Chief of Naval Operations and the Commander-in-Chief, Pacific Fleet, were aware of the possibility of a Japanese attack on Pearl Harbor. They did not regard such an attack as probable.

44. The Japanese established several codes in November, 1941, which were to be used in radio transmissions to convey to their representatives information concerning the status of relations between Japan and the United States, and other countries. These were known as the "winds" code and the "hidden word" code. The "winds" code was designed to indicate a break in diplomatic relations, or possibly war, with England or the United States or Russia by the use in weather broadcasts of certain Japanese words signifying wind direction.

45. The interception of a "winds" message relating to the United States during the first week of December, 1941, would not have conveyed any information of significance which the Chief of Naval Operations and the Commander-in-Chief, Pacific Fleet, did not already have.

46. No message in the "winds" code relating to the United States was received by any of the watch officers in the Navy Department to whom such a message would have come had it been received in the Navy Department. No such message was intercepted by the radio intelligence units at Pearl Harbor or in the Philippines, although intensive efforts were made by those organizations to intercept such a message. The evidence indicates further that no such message was intercepted by the British or the Dutch, despite their efforts to intercept such a message. Neither the Fleet Intelligence Officer of the Asiatic Fleet nor the Fleet Intelligence Officer of the Pacific Fleet nor the Intelligence Officer of the Far Eastern Section of the Office of Naval Intelligence, recalled any such message. The Chief of Naval Operations, the Director of Naval Communications, and the Director of Naval Intelligence recalled no such message. Testimony to the effect that a "winds" code message was received prior to the attack was given by Captain Safford, in charge of Op-20-G, a communications security section of the Navy Department, who stated that such a message was received on December 3rd or 4th, that it related to the United States, and that no copy could be found in the Navy or Army files. In his testimony before Admiral Hart, Captain Safford named, in addition to himself, three other officers who, he stated, recalled having seen and read the "winds" message. Each of those officers testified that he had never seen such a message. The only other testimony to the effect that a "winds" message was received was by Captain Kramer, an intelligence officer assigned to Op-20-G, who said that he recalled that there was a message but could not recall whether or not it related to the United States or England or

Russia. It may be noted that until he testified in this [128] investigation, Captain Kramer erroneously thought that a "hidden word" message intercepted on the morning of December 7th had been a "winds" message.

47. On the morning of December 7th, the intercepted "hidden word" code message was translated by Kramer. In his haste, due to the necessity of delivering other messages, including the "1 p. m. delivery message," he overlooked a code word relating to the United States and translated the message as meaning only that "relations between Japan and England are not in accordance with expectations." He testified that he later discovered the error and a few minutes before 1 p. m. on December 7th, he telephoned the correction to his superior officer in the Office of Naval Intelligence and to an officer of Army Military Intelligence.

48. Except for the omission of the United States, the "hidden word" code message was literally translated and did not sufficiently reflect previous diplomatic interceptions which indicated that the message was to convey the idea of a crisis involving the countries in question.

49. The sources of intelligence as to the Japanese which the Commander-in-Chief, Pacific Fleet, had prior to the attack included, in addition to the Chief of Naval Operations, the District Intelligence Officer of the FOURTEENTH Naval District, and the Fleet Intelligence Officer of the Pacific Fleet.

50. Under the supervision of the District Intelligence Officer of the FOURTEENTH Naval District, the telephone lines of the Japanese Consul General and the Japanese Vice Consul at Honolulu were tapped for some months prior to the attack. These were discontinued on 2 December 1941 because the District Intelligence Officer feared that the existence of such taps might be discovered, resulting in undesirable complications. No information of military or naval significance was obtained by means of the telephone taps.

51. On 6 December 1941 the local representative of the Federal Bureau of Investigation at Honolulu delivered to the District Intelligence Officer a transcript of a trans-Pacific radio telephone conversation between a person in Honolulu named "Mori" and a person in Japan. This was examined by the District Intelligence Officer. It was decided that the conversation should be further studied by a Japanese linguist of the District Intelligence Office, who was to listen to the recording of the conversation. This was not done until after the attack. The transcript furnished on December 6th indicated that the person in Japan was interested, among other things, in the daily flights of airplanes from Honolulu and in the number of ships present. During the conversation, references were made to flowers, which, it now appears, may have been code words signifying the presence or absence of ships, and a method of conveying information to the approaching Japanese ships, which presumably would have been listening in on the conversation. Prior investigations indicate that the "Mori conversation" was also brought to the attention of General Short on 6 December 1941.

[129] 52. Under the supervision of the District Intelligence Officer of the FOURTEENTH Naval District, copies of various cable messages from and to the Japanese Consul General at Honolulu, via a commercial communications company, were obtained during the first week of December, 1941. This was the first time that such mes-

sages had been obtained. The messages were in code and efforts were made immediately to decrypt and translate them. Some messages were decrypted before the attack. These contained no information of particular significance.

53. No information secured at Oahu prior to the attack by means of the telephone taps or through the interception of messages of the Japanese Consul General indicated the likelihood of war or of an attack on Pearl Harbor.

54. One of the Japanese Consul General's messages, which was obtained by the District Intelligence Officer and turned over on 5 December 1941 to the Radio Intelligence Unit for decryption and translation, was a message dated December 3rd. This message was in a Japanese code known as the "PA-K2." It was decrypted and translated by the Radio Intelligence Unit at Pearl Harbor after the attack. The message was one in which the Japanese Consul General advised of a change in a method which had been established for communication by visual signals from Oahu, whereby lights in houses on the beach, the use of a sailboat, certain want ads to be broadcast over a local radio station, and bonfires, would convey information as to the presence or absence of various types of warships of the Pacific Fleet. Although the Radio Intelligence Unit at Pearl Harbor was unable to decrypt this message prior to the attack, the message was decrypted and translated in rough form on 6 December 1941 by a civilian translator in Op-20-G of the Navy Department in Washington. That section had received the message from an Army radio intercept station at Fort Hunt, Virginia. Captain Kramer testified he had no specific recollection of having seen this translation prior to the attack, but the evidence indicates that the rough translation was shown to him on the afternoon of December 6th and that due to the pressure of work on other important Japanese diplomatic messages, no action was taken on the translation until 8 December 1941.

55. On 2 December 1941, the Japanese Consul General at Honolulu received a coded message from Tokyo which stated that in view of the existing situation, the presence of the ships in port was of utmost importance, that daily reports were to be submitted, that the reports should advise whether or not there were observation balloons at Pearl Harbor, and whether or not the warships were provided with anti-torpedo nets. This message was intercepted by an Army radio intercept station at Fort Shafter, Hawaii, and apparently was forwarded by mail to the War Department for decryption and translation. The translation supplied by the Army indicates that the message was translated on 30 December 1941.

56. On the afternoon of 6 December 1941, the Japanese Consul General at Honolulu sent two messages in the "PA-K2" code which indicated the likelihood of an air attack. The first reported that there were no signs of barrage balloon equipment at Pearl Harbor, that in all probability there was considerable opportunity left to take advantage for a surprise attack against Pearl Harbor, Hickam, Ford, and Ewa, and that the battleships [130] did not have torpedo nets. The second message reported on the ships at anchor on December 6th, and stated that it appeared that no air reconnaissance was being conducted by the Fleet air arm. These messages were not obtained by Naval Intelligence at Honolulu prior to the attack.

They were, however, both intercepted by an Army intercept station at San Francisco and were forwarded by teletype to the Army. The translations of these messages furnished by the Army indicate that they were translated on December 8th. They could have been decrypted and translated in the Navy Department in about an hour and a half.

57. There were no formal arrangements whereby the Navy communicated to the Army estimates of the location and movements of Japanese naval forces. Officers of the Far Eastern Section of Military Intelligence at Washington had access to charts maintained in the Far Eastern Division of the Office of Naval Intelligence showing such information, and had access to radio intelligence information available in the Navy Department, and the situation was discussed with them. At Pearl Harbor, an intelligence officer of the Hawaiian Air Force received some general information concerning Japanese movements from the Fleet Intelligence Officer.

58. The War Department had information which led that Department to believe that Japanese naval forces were in the Marshalls in November, 1941. This appears from a War Department dispatch of 26 November 1941 to General Short, information to Admiral Kimmel, concerning a special photographic reconnaissance to be flown over Truk and Jaluit, in order to obtain information, among other things, as to the number and location of naval vessels. The reconnaissance was not flown because the special Army planes were not made ready.

59. On 27 November 1941, a Pacific Fleet Intelligence bulletin was distributed by the Commander-in-Chief, Pacific Fleet, to his command. This bulletin set forth the available information concerning the organization of the Japanese Navy. It revised an earlier bulletin on the same subject and pointed out that the principal change was a further increase in the number of fleet commands. This arose from the regrouping of aircraft carriers and seaplane tenders into separate forces. The bulletin stated, among other things, that the Japanese Carrier Fleet consisted of ten carriers which were organized into five divisions, each having two carriers.

60. Current information, derived from traffic analyses, concerning the location and movements of Japanese naval forces was obtained by the Commander-in-Chief, Pacific Fleet, from the Fleet Intelligence Officer, who received it primarily from the Radio Intelligence Unit at Pearl Harbor. Such information also was contained in dispatches from the Radio Intelligence Unit in the Philippines and from the Far Eastern Section of Naval Intelligence in Washington, D. C.

61. Fortnightly Intelligence bulletins were issued by the Office of Naval Intelligence and mailed to the Pacific Fleet, among others. These included summaries of the information concerning Japanese naval forces which had been received from the Radio Intelligence Units at Pearl Harbor and at the Philippines.

[131] 62. On November 26th, ComFOURTEEN sent a dispatch to OpNav, information to CincPac, CincAF, and ComSIXTEEN, which summarized the information as to Japanese naval movements obtained by the Radio Intelligence Unit at Pearl Harbor during the preceding month. The dispatch indicated that the Commander Second Fleet had been organizing a task force comprising units of

various fleets. This dispatch stated that there was believed to be a strong concentration of submarines and air groups in the Marshalls, which included at least one carrier division unit (not necessarily a carrier), plus probably one-third of the submarine fleet. The estimate was that a strong force might be preparing to operate in southeastern Asia while component parts might operate from Palao and the Marshalls.

63. The radio intercepts by the radio intelligence unit located in the Philippines were considered by OpNav to be the most reliable because of the location of the unit. On 26 November 1941, the radio intelligence unit in the Philippines, in a dispatch to CincPac, OpNav and others, commented on the above dispatch of ComFOURTEEN and stated that traffic analysis for the past few days had indicated that the Commander-in-Chief, Second Fleet, was directing various fleets units in a loose-knit task force that apparently would be divided into two sections. The first section was expected to operate in the South China area. The second section was expected to operate in the Mandates. It was estimated that the second section included "Car Div 3, RYUJO, and one MARU." This dispatch also stated that the ComSIXTEEN unit could not confirm the supposition that carriers and submarines in force were in the Mandates, and that their best indications were that all known carriers were still in the Sasebo-Kure area. It was stated that this evaluation was considered to be reliable.

64. From time to time after November 27th, there were sighting reports from the Asiatic Fleet and other observers, copies of which were received by Admiral Kimmel, which confirmed the movement of important Japanese naval forces to the southward of Japan. These, however, did not report the movement of carriers.

65. After November 27th, the Radio Intelligence Unit at Pearl Harbor continued the practice of preparing daily summaries of the information received through their traffic analysis of Japanese naval communications, which were submitted to Layton, the Fleet Intelligence Officer, for transmittal to Admiral Kimmel on the following morning. Admiral Kimmel received and initialed these summaries daily on and after 27 November. On December 6th, he initialed the summary dated December 5th, which was the last one he received prior to the attack.

66. On November 28th, Admiral Kimmel received a communication intelligence summary dated November 27th, which stated, among other things, that there was no further information on the presence of a carrier division in the Mandates and that "carriers were still located in home waters." The next day, he received the November 28th summary which indicated, among other things, the view that the Japanese radio intelligence net was [132] operating at full strength upon U. S. Naval communications and "IS GETTING RESULTS." There was no information set forth in the summary as to carriers. On the following day, Admiral Kimmel received the summary dated November 29th, which, among other things, indicated that Carrier Division 3 was under the immediate command of the Commander-in-Chief, Second Fleet. On December 1st, Admiral Kimmel received the previous day's summary which stated as to carriers that the presence of a unit of plane guard destroyers indicated the presence of at least one carrier in the Mandates, although this had not been confirmed.

67. The December 1st summary, which Admiral Kimmel received, stated that all Japanese service radio calls of forces afloat had changed promptly at 0000 on 1 December; that previously service calls had been changed after a period of six months or more and that calls had been last changed on 1 November 1941. This summary stated, and was underscored by Admiral Kimmel, that "The fact that service calls lasted only one month indicates an additional progressive step in preparing for operations on a large scale." It also stated, among other things, that a large number of submarines were believed to be east of Yokosuka-Chichijima and Saipan, and as to carriers that there was "no change."

68. On 2 December 1941, Admiral Kimmel examined a memorandum which Layton had prepared on December 1st at his request. This contained Layton's estimate, on the basis of all available information, of the location of Japanese naval forces. This estimate placed in the Bako-Takao area Carrier Division 4 and Carrier Division 3, which included four carriers, and the "KASUGA MARU" (believed to have been a converted carrier). The estimate placed one carrier "KORYU (?) plus plane guards" in the Marshalls area.

69. Layton's written estimate made no mention of Japanese Carrier Divisions 1 and 2, consisting of four carriers. This omission was deliberate. The reason was that Layton considered that the information as to the location of those carriers was not sufficient to warrant a reliable estimate of their whereabouts.

70. On 2 December 1941, Admiral Kimmel and Layton had the following conversation:

Captain LAYTON. As best I recall it, Admiral Kimmel said, "What! You don't know where Carrier Division 1 and Carrier Division 2 are?" and I replied, "No, sir, I do not. I think they are in home waters, but I do not know where they are. The rest of these units, I feel pretty confident of their location." Then Admiral Kimmel looked at me, as sometimes he would, with somewhat a stern countenance and yet partially with a twinkle in his eye and said, "Do you mean to say that they could be rounding Diamond Head and you wouldn't know it?" or words to that effect. My reply was that, "I hope they would be sighted before now," or words to that effect. * * *

[133] Captain LAYTON. His question was absolutely serious, but when he said, "Where are Cardivs 1 and 2?" and I said, "I do not know precisely, but if I must estimate, I would say that they are probably in the Kure area since we haven't heard from them in a long time and they may be refitting as they finished operations only a month and a half ago," and it was then when he, with a twinkle in his eye, said, "Do you mean to say they could be rounding Diamond Head?" or words to that effect. In other words, he was impressing me on my complete ignorance as to their exact location. * * *

Captain LAYTON. This incident has been impressed on my mind. I do not say that I quote him exactly, but I do know that he made such a statement to me in the way to point out to me that I should know where they are but hadn't so indicated their location.

71. The December 2nd radio intelligence summary, which was delivered to Admiral Kimmel on December 3rd, stated as to carriers:

Almost a complete blank of information on the carriers today. Lack of identification has somewhat promoted this lack of information. However, since over 200 service calls have been partially identified since the change on the first of December and not one carrier call has been recovered, it is evident that carrier traffic is at a low ebb.

72. The radio intelligence summary delivered to Admiral Kimmel on December 4th stated, in part, "No information on submarines or carriers." The summary delivered on December 5th made no mention

of carriers. The summary delivered on December 6th stated, in part, "No traffic from the Commander Carriers or Submarine Force has been seen either."

[134]

IV

RECONNAISSANCE

A. *The Responsibility for Long Distance Reconnaissance.*

1. *The Navy's obligation.* Under the Joint Coastal Frontier Defense Plan (Exhibit 80), which was in effect prior to the attack, the Navy was responsible for long distance reconnaissance.

Annex VII, Section VI, to the Joint Coastal Frontier Defense Plan made provision for joint air action by the Army and Navy for defense against hostile raids or air attacks prior to a declaration of war. Under this agreement, if the naval aircraft were insufficient for long distance patrol and search operations and Army aircraft were made available, the Army aircraft were to be used by the Navy. This plan was implemented by the Naval Base Defense Air Force Plan, under which Admiral Bellinger would command the Navy and Army patrol planes. Annex VII, Section VI, to the Joint Coastal Frontier Defense Plan and the Naval Base Defense Air Force Plan were not operative prior to the attack. An agreement between the Commanding General and ComFOURTEEN that threat of a hostile attack was imminent was a prerequisite to the operation of Annex VII, Section VI. No such agreement was made prior to the attack.

2. *Control of the Pacific Fleet patrol planes.* The Pacific Fleet patrol planes were actually under the control and operating in accordance with the orders of Admiral Kimmel. Thus, on November 22nd he approved the schedules for the employment of those planes, which remained in effect up to the time of the attack. His responsibility for the operations of the patrol planes, which were under the command of Commander, Task Force Nine, of the Pacific Fleet, is further indicated by the fact that he directed search operations by those planes at Midway and Wake.

Admiral Bellinger, who commanded Task Force Nine, which consisted of Patrol Wings One and Two of the Fleet, was under the command of ComFOURTEEN only when the Naval Base Defense Air Force Plan was activated for the purpose of drills.

The responsibility for the employment of the fleet patrol planes was, as Admiral Kimmel testified before the Naval Court, his responsibility and was accepted by him. He testified further that Admiral Bloch had asked for the dispatch of patrol planes for a search if he had felt that it was necessary. In this connection it should be noted that on October 17, 1941, Admiral Bloch had asked for certain Fleet utility planes to be used for inshore patrol and that they were not made available to him (Exhibit 46, Naval Court). It should be noted that ComFOURTEEN had no planes assigned to him.

Admiral Bellinger testified that he was responsible for the operation of the Fleet planes in accordance with the orders of Admiral [135] Kimmel. He said, however, that it was not his responsibility to decide whether or not long range reconnaissance should be conducted. Rear Admiral A. C. Davis, who was the Fleet Air Officer on CincPac's staff in 1941, testified before Admiral Hart that his

duties were primarily, if not almost entirely, concerned with technical training and logistic matters.

3. *Conferences after 27 November 1941 concerning reconnaissance.* There is no evidence that on or after 27 November 1941 the necessity or advisability of long distance reconnaissance was specifically discussed between Admiral Kimmel and any member of his Staff or Task Force Commanders. Admiral McMorris, the War Plans Officer, testified that he thought the subject was discussed, but that he could recall no specific conference dealing with this subject. Admiral Bellinger testified that there was no such conference in which he participated. Admiral Kimmel's testimony before the Naval Court was to the effect that on November 27th he decided not to conduct long range reconnaissance. It is significant that Captain Layton, who was the Fleet Intelligence Officer, stated that he did not tell Admiral Kimmel prior to December 7th that aerial reconnaissance from Oahu would be advisable in view of the available intelligence because he knew that reconnaissance was being conducted by the Fleet patrol planes. He said that he was not familiar with the extent of the reconnaissance, but definitely believed that reconnaissance was being conducted. Neither the Chief of Staff nor the Assistant Chief of Staff and Operations Officer could recall any discussion of the advisability or necessity for long range reconnaissance from Oahu between November 27th and December 7th.

B. *Reconnaissance Conducted from Oahu.*

Although the schedules for the Fleet patrol planes (Exhibit 37) did not provide for any reconnaissance from Oahu, the Fleet Security Letter (Exhibit 8, NC) directed that there be a patrol of the Fleet operating areas. The Fleet operating areas were thirty miles to the south of Oahu.

During the period 30 November to 7 December 1941, certain searches were flown from Wake and Midway. The extent of these searches appears in Exhibit 50A of this investigation. One squadron had been sent to Midway on the 30th of November and searched en route; another squadron had been sent from Midway to Wake on the 1st of December and returned to Pearl Harbor prior to the attack, searching en route (Exhibit 50, 50A).

Prior to 7 December 1941 the last daily long distance reconnaissance flown from Oahu was in the summer of 1941. According to Admiral Bloch's previous testimony, some time during the summer of 1941, on the basis of some intelligence or information which he could not recall, he asked Admiral Kimmel to direct reconnaissance on a sector towards Jaluit and this was done for several days. Admiral Kimmel recalled that such reconnaissance had been flown for a few days on the line from Jaluit to Pearl Harbor and stated that they had in mind that they might catch a submarine on the surface out there and perhaps any other vessel there. Despite thorough examination of the available records of Patwing Two, of the CincPac operation files, of the COMFOURTEEN files, of the CincPac secret dispatches for 1941 and confidential and restricted dispatches for June, July, and August, 1941, no record of this reconnaissance could be found. None of the witnesses examined recalled the reconnaissance or the reasons for it.

[136] C. *Proposed Army Reconnaissance to Jaluit.*

In the Army report it was stated that on November 26th the Army directed General Short to send two B-24's to Jaluit on a reconnaissance mission to look for various things, including ships. However, the Army report does not state whether this reconnaissance actually took place.

Before the Roberts' Committee, General Gerow said that reports had been received of Japanese concentrations in the Mandated Islands and they assumed that every effort was being made to identify any Japanese movements in that direction. He stated that those two B-24's were sent out with an idea of trying to confirm information that had been received from other sources. If no reconnaissance at all were done after the Army's message to General Short which directed such reconnaissance as he deemed necessary, General Gerow said that would have been considered a failure to obey orders.

The status of this reconnaissance has been quite definitely confirmed by Captain Layton's testimony in this investigation. In the latter part of November, 1941, Captain Layton stated, either Admiral Kimmel directed him to establish contact with the Hawaiian Air Force pertaining to this reconnaissance or else his opposite number, Colonel Raley, came to him with the information of the pending reconnaissance and requested his assistance towards delineating the appropriate objectives and to furnish the pilots and crews with intelligence material for briefing. He was also requested to assist in the projected reconnaissance. The reconnaissance unfortunately never materialized, he stated, because only one plane arrived and there were delays due to uncompleted camera installations. He was never informed that one plane had arrived, but later learned that it was destroyed in the attack on Hickam Field. The Navy was extremely anxious that the reconnaissance be made at the earliest possible date, and Admiral Kimmel, upon receipt of Captain Layton's memorandum concerning information he had obtained at the conference, asked him how soon the reconnaissance might be expected. Captain Layton relayed Colonel Raley's answer to the Admiral to the effect that the delay was due to non-installation or non-completion of installation of cameras and the time was still not definitely fixed. A photostatic copy of a memorandum of November 28th from Captain Layton to Admiral Kimmel concerning this reconnaissance appears in the record as Exhibit 28. Furthermore, Captain Layton was questioned as to his knowledge of any discussion concerning the possibility of the use of Navy planes for this reconnaissance. Captain Layton replied that it was not discussed with him, but he thought that PBV "Catalinas" could not be used because their appearance over the Marshalls would have been an overt act, while the Army planes, on the other hand, would have been flying ostensibly from Wake to Port Darwin en route to the Philippines. Captain Layton was particularly anxious that this reconnaissance be carried out to check on his information as to the presence or absence of air strength and carriers and submarines and naval concentrations in the Marshalls area, including Truk. This was an ideal opportunity to establish the reliability of existing intelligence on Japanese naval dispositions and developments in the Mandated Islands.

Admiral Bellinger recalled nothing concerning the proposed Army reconnaissance flight over the Mandated Islands.

[137] D. *The Direction to Execute an Appropriate Defensive Deployment.*

Among the tasks assigned to the Pacific Fleet by the Basic Navy War Plan was to protect the territory of the Associated Powers in the Pacific area by destroying hostile expeditions and by supporting land and air forces in denying the enemy the use of land positions in that hemisphere. It will be recalled that the Pacific Fleet War Plan, which was designed to implement the Navy Basic War Plan, provided, among other things, that in the event of war with the Axis Powers, including or excluding Japan, the patrol planes of the Pacific Fleet were to conduct the maximum reconnaissance possible of the approaches to Oahu. The Pacific Fleet Plan was not ordered to be executed prior to the attack. On the 27th of November, however, in the war warning, which advised that an aggressive move by Japan was expected within a few days, the Chief of Naval Operations had directed Admiral Kimmel to "Execute an appropriate defensive deployment preparatory to carrying out the tasks assigned in WPL-46."

On the following day, the Chief of Naval Operations, in his dispatch which repeated the Army dispatch advising that hostilities were possible at any moment, had directed that Admiral Kimmel was to "Be prepared to carry out the tasks assigned in WPL-46."

Admiral Kimmel testified before the Naval Court that as the result of the "war warning," he continued the security measures already in effect (supra, page 64); carried out the planned movements of carriers to Wake and Midway, with reconnaissance en route; carried out reconnaissance at Midway and Wake; increased security measures in fleet operating areas southward of Oahu; and, on November 28th, issued an order directing extreme vigilance against submarines in operating areas and depth bombing of all contacts, suspected to be hostile, in certain of the operating areas (page 5, Exhibit 70). There is no evidence of any other specific action taken by Admiral Kimmel after 27 November 1941, in order to carry out the direction contained in the war warning or the direction in the message of November 28th. It does appear that so far as the Fleet patrol planes at Oahu were concerned, their training continued along the same lines which had been followed prior to the "war warning."

The testimony by Admiral McMorris, the War Plans Officer, and others in this investigation, is to the effect that the establishment of long distance air reconnaissance from Oahu would have been an "Appropriate defensive deployment preparatory to carrying out the tasks assigned in WPL-46."

It is interesting to note that the memoranda prepared by the War Plans Officer on November 30th and 5 December 1941, setting forth the action to be taken if war developed with Japan in twenty-four or forty-eight hours, contained no provision for the establishment of reconnaissance from Oahu (Exhibit 69A and 69B, Naval Court). As Vice Admiral Smith, Chief of Staff, testified, what they were thinking about in the Pacific was not the defense of Pearl Harbor. They were thinking about the Fleet and the readiness of the Fleet.

E. *The Reconnaissance that Could Have Been Flown.*

A review of past reconnaissance during Admiral Kimmel's tour of duty sheds no light on this problem because he testified that he

had never attempted to cover any large sector by long range reconnaissance and that a patrol out to 300 miles was almost useless unless as a guard against an air raid, although any patrol has some value as far as surface ships are concerned. However, his predecessor, Admiral Richardson, had established a distant patrol, "in view of the fact that constant and repeated warnings were received of the possible outbreak of the war in the immediate future" (p. 1053, Naval Court). This patrol, he said, was designed to cover [138] a given sector adequately and was rotated daily. The sector which was primarily covered more adequately and frequently than any other was from 170° to the westward to about 350°. That to the eastward was not covered.

Admiral Richardson also testified that this patrol would not have been adequate to positively detect an approaching combat force having as its intention the delivery of an attack early in the morning, but that it certainly would have made the attack more difficult. These patrols were discontinued when or shortly before Admiral Kimmel relieved Admiral Richardson.

Admiral Bellinger's testimony on the reconnaissance that could have been flown during the critical period is obviously the most valuable on the subject. He stated that after October 28th, while there were 107 VP assigned to all units of Aircraft Scouting Force, only eighty-one were available. Of these, fifty-four had just arrived and were the PBV-5 type, with limited available spare parts. The number of plane crews did not quite equal the number of planes available. If one could consider eighty-one planes available, and assuming that there would have been none lost because of breakdowns requiring spare parts, it would have been practicable to use one-third, about twenty-seven planes, for daily patrol. Each plane could cover a sector of eight degrees with a radius of 700 miles, totalling approximately 216 degrees daily. This, however, would have been the absolute maximum because of the lack of sufficient crews and spare parts. 144 degrees could have been covered daily based on the use of eighteen planes daily of the fifty-four new PBV-5's. Actually, on 7 December 1941 there were in all only sixty-one planes available at Oahu, one squadron of which had just returned from Midway and Wake and required overhaul. This left forty-nine planes actually available, one-third of which would have been able to cover 128 degrees.

Admiral Bellinger testified that if he had received a directive from Admiral Kimmel during the first week of December, 1941, to conduct 360 degrees reconnaissance with the available Navy planes, it would have been possible to maintain such reconnaissance for not more than four or five days. His estimate of the duration of the daily 128-degree search was that it could have been flown until the failure of planes and the lack of spare parts reduced the planes to such an extent that further reconnaissance was impossible. It appears that such reconnaissance could have been carried on for an indefinite period and Admiral Bellinger's "vague" estimate was that it could have been carried on for several weeks.

Admiral Davis testified before Admiral Hart that: "There were not enough planes and pilots to establish and maintain a long range, 360 degree search indefinitely, or even for more than a limited time. There were, however, enough to approximate this by using relatively

short range planes in the least dangerous sectors, and by obtaining some assistance by available Army aircraft, so that I think it could have been undertaken, had it been considered essential, on the basis that reinforcements could have arrived before personnel and materiel fatigue set in. Unless reinforcements arrived, it could not have been maintained."

[139] *F. The Sectors Which Would Have Been Covered.*

Had partial reconnaissance been flown from Oahu during the first week of December, 1941, it appears that the northern sectors would have been covered. Admiral Bellinger testified that he considered the northern sectors as the most dangerous sectors primarily because of the prevailing winds which would facilitate carrier-based plane operations in that sector. He stated that had the normal plan been carried out after the attack, on December 7th patrol planes would have searched the northern sector, and that some few planes did search that sector. But there had been searches made to the south because of information received from CincPac to the effect that a radio bearing indicated that the attacking force was to the south.

[140]

FINDINGS

73. Other than radio intelligence and sighting reports from other sources, the only practicable way by which the Commander-in-Chief, Pacific Fleet, could have obtained information as to the location or movements of Japanese naval forces from 27 November to 7 December 1941 was by long distance air reconnaissance.

74. Under the Joint Coastal Frontier Defense Plan, the Navy had the obligation, through Com 14, to conduct distance reconnaissance, and under Annex VII, Section VI, to the Joint Coastal Frontier Defense Plan, naval forces were to be supplemented by available Army aircraft if the naval aircraft were insufficient for long distance patrol and search operations. As previously pointed out, the latter plan was not in operation because an agreement between the Commanding General and Com 14 that threat of a hostile attack was imminent was a prerequisite and no such agreement had been made prior to the attack. The Naval Base Defense Air Force Plan, which implemented the agreements for joint Army-Navy air action, similarly was not operative prior to the attack.

75. No patrol planes were under the command of Admiral Bloch. The only Navy planes suitable for long distance reconnaissance were the Pacific Fleet patrol planes.

76. The Pacific Fleet patrol planes were under the control of Admiral Kimmel, and he had the responsibility for their utilization. They were operated after 22 November 1941 in accordance with schedules approved by him at that time, which were not revised prior to the attack. The schedules stressed training operations. They did not provide for distant reconnaissance from Oahu.

77. Admiral Kimmel testified before the Naval Court of Inquiry that he decided on November 27th that there should be no distant reconnaissance.

78. There is no evidence of any specific discussion between Admiral Kimmel and members of his staff on or after the receipt of the "war warning," as to the advisability or practicability of long range recon-

naissance from Oahu. The War Plans Officer thought that the subject must have been discussed, but could recall no specific discussion. The Commander of the Fleet patrol planes, who had not been informed of any of the significant warning messages, testified that Admiral Kimmel had no such discussion with him.

79. The joint estimate by Admiral Bellinger, Commander, Fleet Patrol Planes, and General Martin, Commanding General, Hawaiian Air Force, which was used as a basis for the joint Army-Navy agreements, was prophetic in its estimate that in the event of attack on Hawaii, the most likely and dangerous form of attack would be an air attack to be launched at dawn from carriers about 200 miles from Oahu. This estimate stated that the action open as a countermeasure included daily patrols as far as possible from Oahu, to sectors through 360 degrees, to reduce the possibilities of surface or air surprise. It further stated that such [141] patrols could be effectively maintained with the personnel and materiel available at the time (March, 1941) for a very short period and that such patrols were not practicable unless other intelligence indicated that a surface raid was probable within narrow limits of time. According to Admiral Bellinger, it was realized by the responsible officers of the Pacific Fleet that another course of action which was always open was to fly a patrol of less than 360 degrees, with the available aircraft, covering the more dangerous sectors.

80. A daily search of the Fleet operating areas to the southward of Oahu was being carried out prior to the attack, in accordance with the provisions of the Pacific Fleet letter on security of the Fleet at base and in operating areas.

81. No distant reconnaissance was flown from Oahu during the critical period 27 November to 7 December 1941. The last previous distant reconnaissance flown from Oahu appears to have been for several days during the summer of 1941 on a sector toward Jaluit. This reconnaissance had been directed by Admiral Kimmel at Admiral Bloch's request.

82. Late in November, 1941, the Army planned to conduct a reconnaissance flight from Oahu to Jaluit and Truk, with the Navy assisting by providing intelligence. The reconnaissance was not flown because the Army planes were not made ready prior to the attack.

83. The Navy Basic War Plan assigned to the Pacific Fleet the task of protecting the territory of the Associated Powers in the Pacific area by destroying hostile expeditions and by supporting land and air forces in denying the enemy the use of land positions in that hemisphere. Under the provisions of Pacific Fleet Operating Plan Rainbow Five, when that plan became effective, the Pacific Fleet patrol planes were to maintain maximum patrol plane search against enemy forces in the approaches to the Hawaiian area, having due regard for time required for overhaul and repair of planes and for conservation of personnel.

84. In the war warning of November 27th, which advised that negotiations with Japan had ceased and that an aggressive move by Japan was expected within a few days, the Chief of Naval Operations directed that Admiral Kimmel "execute an appropriate defensive deployment preparatory to carrying out the tasks assigned in WPL-46."

85. The dispatch of November 28th repeated an Army dispatch, which, among other things, advised General Short that Japanese future action was unpredictable but that hostile action was possible at any moment. The Navy dispatch directed that Admiral Kimmel was to undertake no offensive action until Japan had committed an overt act and that he was to "be prepared to carry out tasks assigned in WPL-46 so far as they apply to Japan in case hostilities occur."

86. The establishment of long distance air reconnaissance from Oahu would have been an "appropriate defensive deployment preparatory to carrying out the tasks assigned in WPL-46."

[142] 87. The Fleet patrol planes available at Oahu in the week preceding the attack were not sufficient to have conducted 360 degree reconnaissance daily for more than a few days.

88. Prior to the attack, requests had been made by the Pacific Fleet to the Navy Department to increase the number of patrol planes assigned to the Fleet. Some new replacement planes had been sent to the Fleet during October and November, 1941. Additional planes, as evidenced by the prompt arrival of reinforcements after December 7th, could have been made available by the Navy Department, but at the expense of defenses in other areas. The Navy Department presumably knew that the number of planes available at Oahu were not sufficient to conduct 360 degree reconnaissance daily for more than a few days. The evidence in prior investigations indicates that after November 27th, responsible officers in the Navy Department thought that reconnaissance was being conducted from Oahu to the extent practicable with the planes available there.

89. There were sufficient Fleet patrol planes and crews in fact available at Oahu during the week preceding the attack to have flown, for at least several weeks, a daily reconnaissance covering 128 degrees to a distance of about 700 miles.

90. The sectors north of Oahu were generally recognized as being the most likely sectors from which a Japanese attack would come, if the Japanese were to attack Pearl Harbor.

91. If a daily distant reconnaissance had been flown from Oahu after 27 November 1941, with the available patrol planes, the northern sectors probably would have been searched.

THE ATTACK ON PEARL HARBOR

A. *Prelude: Japanese Submarines on 7 December 1941.*

At 0342, 7 December 1941, the USS CONDOR, a minesweeper, sighted a submarine periscope off the entrance buoys to Pearl Harbor. This was in a defensive sea area where American submarines had been restricted from operating submerged. When sighted, the submarine was proceeding toward the entrance buoys. It was about 100 feet from and on a collision course with the CONDOR, but turned sharply to port. The CONDOR simultaneously turned to starboard.

The CONDOR reported the incident by blinker to the USS WARD between 0350 and 0358. The WARD was a destroyer of the Inshore Patrol then engaged in patrol duty off the entrance to the harbor. The CONDOR then continued on its assigned mission. The message to the WARD read:

Sighted submerged submarine on westerly course, speed 9 knots.

After receiving this visual signal, the WARD made a sonar search for about an hour and a half, without result. It then communicated by radio with the CONDOR, asking:

What was the approximate distance and course of the submarine that you sighted?

At 0520 the CONDOR replied:

The course was about what we were steering at the time 020 magnetic and about 1000 yards from the entrance apparently heading for the entrance.

In response to further inquiries made by the WARD between 0521 and 0536, the CONDOR advised again that the last time it had sighted the submarine was about 0350 and that it was apparently headed for the entrance. On receiving the message giving the submarine's course as about 020 magnetic, the captain of the WARD realized that his search had been in the wrong direction. He then continued searching, but again without result.

The CONDOR made no report of the incident, except to the WARD. The captain considered that the identification at that time was not positive enough to make a report to other than the Senior Officer Present Afloat. The Senior Officer Present Afloat, Lieutenant Commander Outerbridge, who commanded the WARD, made no report to higher authority. The captain of the WARD thought that the CONDOR might have been mistaken in concluding that it had seen a submarine.

The radio conversation between the WARD and CONDOR was overheard and transcribed in the log of the Section Base, Bishop's Point, Oahu, a radio station then under the jurisdiction of the Commander, Inshore Patrol, 14th N. D. (Ex. 18). Since the conversation was solely [144] between the ships and was not addressed to the Section Base and no request was made that it be relayed, the Bishop's Point Radio Station did not relay or report it to higher authority. The loudspeaker watch on the same frequency, which was maintained in the Communications Office, 14th N. D., did not overhear or intercept the WARD-CONDOR conversation.

At the entrance to Pearl Harbor there was stationed a gate-vessel charged with opening and closing the net at the entrance. This anti-torpedo net was, according to Admiral Bloch's previous testimony, 45 feet in depth. The deepest part of the channel was 72 feet. A Japanese submarine subsequently recovered was about 20 feet from keel to conning tower.

The instructions of the Captain of the Yard were that the net should be kept closed from sunset to sunrise and opened only on orders from him, from the Assistant Captain of the Yard, or from the Yard Duty Officer who could be reached via the signal tower (Exhibit 43). The log of the gate-vessel indicates that the net was opened and closed a number of times during the night of December 6-7. At 0458 on the 7th, the gate was opened and the CROSSBILL and the CONDOR stood in. It was not until 0846 that the gate was closed. The Commanding Officer of the CONDOR testified that at 0532, when the CONDOR came in, conditions of visibility were very good and were "approaching daylight conditions."

The log of the signal tower for December 6-7, 1941 records the closing of the gate at 2250 on 6 December, which was followed by

an entry at 0600 that the ANTARES was reported off the harbor (Exhibit 46).

The USS ANTARES, with a 500-ton steel barge in tow, arrived off Pearl Harbor from Canton and Palmyra at about 0605, when it exchanged calls with the WARD. At 0630 the ANTARES sighted a suspicious object, which appeared to be a small submarine, about 1,500 yards on its starboard quarter. The ANTARES notified the WARD and asked it to investigate, and several minutes later, at about 0633, observed a Navy patrol plane circle and drop two smoke pots near the object. (Exhibit 73.)

The WARD complied and at 0640 sighted an unidentified submarine one point off its starboard bow, apparently following the ANTARES into Pearl Harbor. General Quarters were sounded and all engines ordered full ahead, increasing the WARD's speed from five to twenty-five knots. At 0645 she opened fire with guns 1 and 3, firing one shot from each gun. The attack lasted only one or two minutes. The first shot, at a range of approximately 100 yards, passed directly over the conning tower; the second, from No. 3 gun, at fifty yards or less, hit the submarine at the waterline junction of the hull and conning tower. At about this time, the ANTARES, observing the fire of the WARD, also noted that the Navy patrol plane appeared to drop bombs or depth charges at the submarine. The submarine heeled over to the starboard and started to sink. The WARD ceased firing and then dropped depth charges. A large amount of oil appeared on the surface. The submarine went down in 1,200 feet of water. (Exhibit 74.)

[145] At 0651 the WARD sent a radio message to the Commandant, FOURTEENTH Naval District (Exhibit 18):

We have dropped depth charges upon subs operating in defensive sea area.

The captain of the WARD, after reflecting that this message might not be interpreted as showing a surface submarine contact, at 0653 sent the following supplementary message:

We have attacked fired upon and dropped depth charges upon submarine operating in defensive sea area.

This message was received by the Bishop's Point radio station, relayed to the Officer in Charge, Net and Boom Defenses, Inshore Patrol, and delivered by the Communications Watch Officer, FOURTEENTH Naval District, to the ComFOURTEEN Duty Officer. The Duty Officer notified the ComFOURTEEN Chief of Staff at 0712 and, at the latter's direction, the Duty Officer of the Commander-in-Chief, Pacific Fleet, at 0715.

The ComFOURTEEN Chief of Staff informed Admiral Bloch. Because of numerous previous reports of submarine contacts, their reaction was that the WARD had probably been mistaken, but that if it were not a mistake, the WARD and the relief ready duty destroyer MONAGHAN, which was dispatched, could take care of the situation, while the Commander-in-Chief, Pacific Fleet, to whom they had referred the information, had the power to take any other action which might be desired.

The CincPac Staff Duty Officer was given the report at about 0720 by the Assistant Duty Officer. After several attempted phone calls to ascertain whether Admiral Bloch knew of the report, the Staff Duty

Officer received a phone message at 0740 from the duty officer of PatWing 2 that a patrol plane had reported that a submarine had been sunk in the defensive sea area; simultaneously, another phone call from FOURTEENTH Naval District advised the CincPac Staff Duty Officer that Admiral Bloch had been informed of the sinking and had ordered the ready duty destroyer out to assist the WARD and the standby destroyer to get up steam. The Staff Duty Officer then phoned Admiral Kimmel and gave him both messages and the information as to the action taken by Admiral Bloch. About this time, Captain Ramsey, of PatWing 2, phoned again and the Staff Duty Officer suggested he make his search planes available in case the Admiral wanted them.

Admiral Kimmel testified before the Naval Court that between 0730 and 0740 he received a report that a submarine had been attacked off Pearl Harbor. He said that he was waiting for an amplification of this report when the air attack commenced. He also stated that the officer who reported the sinking of the submarine should have broadcast in plain language, but that he had reported in code, which caused delay. Admiral Kimmel also testified that after 27 November 1941, there had been about a half-dozen of such reports, and hence amplification of the report was necessary.

[146] The evidence indicates that the reports by the WARD were in plain language but that a request for verification by the WARD was later sent in code by the ComFOURTEEN Communication Officer at the direction of the ComFOURTEEN Duty Officer. The WARD's reply to that request was also in code and was deciphered at about the time when the air attack commenced.

A Japanese midget submarine entered Pearl Harbor and, after the air attack had commenced, fired both of its torpedoes, one of which exploded on the beach of Ford Island, passing between the RALEIGH and the CURTISS, and the other buried itself, it was believed, in the mud near the berth of the UTAH. This submarine was sunk by the CURTISS and recovered from the harbor some weeks after the attack. It had been so thoroughly destroyed that nothing of intelligence value could be obtained from it. Whether or not this was the submarine which had been sighted by the CONDOR could not be determined. No other submarine was detected in the harbor.

Another Japanese midget submarine was beached off Bellows Field, Oahu, and captured on the next day, along with its commanding officer. Various documents were recovered from this submarine including a chart of Pearl Harbor, on which was laid out a course into the harbor, around Pearl Harbor, and out of the harbor (Exhibits 32A, 33A). On this chart (Ex. 33A) were indicated the positions of various ships in the harbor. The charted positions differed substantially from the actual berthing arrangements on December 7th. This fact led the Army Pearl Harbor Board to conclude that the submarine had been in the harbor for reconnaissance prior to December 7th.

The conclusion of the Army Pearl Harbor Board that the Japanese midget submarines "must have been in the harbor a few days before the attack and evidently were moving into and out of the harbor at will" (Report, Army Pearl Harbor Board, page 155) is

based wholly on the legends appearing on the Japanese maps (Exhibits 32, 32A, 33, 33A) captured in the midget submarine that was sunk off Bellows Field, and on the testimony of Robert L. Shivers, FBI Agent in charge at Honolulu on 7 December 1941, which, in turn, is likewise based solely on the legends appearing on the same maps (Rep. APHB, page 155). At the present time, Mr. Shivers is Collector of the Port at Honolulu, and is in a precarious physical condition due to a serious heart ailment. Mr. Shivers was interviewed in Honolulu during the first week of June, 1945, and he stated, as also appears in the Army Pearl Harbor Board report (page 155), that his conclusion that Japanese submarines had been in Pearl Harbor prior to the attack was based on an examination of the maps in question, and that he had no other information to sustain his conclusion. Mr. Shivers likewise had no further information to supply in respect of the intelligence situation or the intelligence information that was available in Honolulu prior to 7 December 1941, except to say that he was mystified that the ONI tap of the telephone line of the Japanese Consulate at Honolulu was lifted on 2 December 1941, pursuant to an order issued by Captain (now Rear Admiral) Mayfield, the DIO. Since Mr. Shiver's statements were no different from those given by him in his testimony of record before the Army Pearl Harbor Board, and since the basis of his, and the conclusion of the Army Pearl Harbor Board, are shown to be erroneous by a careful study of the legends on the maps in question, on which those conclusions were based, and since his health was so precarious, it was deemed not necessary to call him as a witness.

[147] For the following reasons, it appears that the Japanese midget submarine from which was obtained the chart of Pearl Harbor was not in the harbor on that day, and probably had not been there on any prior occasion:

(a) The following facts lead to the conclusion that the recovered chart was an attack *plan* rather than an actual track and log of events:

(1) The characters marking certain points on the chart (Exhibits 33 and 33A) were in Chinese ideographs which give no indication of tense. For instance, the notation which has been variously translated as "enemy ship sunk" and "Attack and sink enemy ships" could have been the future meaning. Similarly the notation translated as "Fixed position," could mean "Position to be fixed," a natural course of action before entering the channel.

(2) The times marked on the chart were unquestionably Tokyo time (-9). This is confirmed by the computation, on the back of the chart, of the time of dawn and sunrise at Pearl Harbor on December 8 (Tokyo time).

(3) Based on (2), times along the track were all in daylight, commencing at the channel entrance at dawn.

(4) The northwesterly portion of the track, to the northward of Ford Island, passed through an area which was, and had been, occupied by a number of ships moored to buoys, and could not have been followed by a submarine.

(5) The courses and notations were much more neat and meticulous than any that could have been made during the passage of narrow and crowded waters by the navigator of a two-man submarine.

(6) The major Japanese operation plan for the Pearl Harbor attack, as reconstructed by a captured Japanese yeoman, and confirmed generally by captured documents, provided that the midget submarines were to enter the harbor and after the initiation of the air attack were to attack with torpedoes. The times on the chart were in conformity with this, since, converted into Honolulu time, there was a waiting period inside the harbor entrance from 0545 to 0840 and the turning point south of Ford Island was timed 0900.

(b) The submarine had its full allowance of two torpedoes when recovered.

(c) The submarine commander, on interrogation, stated that he had failed in his mission (Exhibit 68).

(d) The information on the chart was of a nature that could more readily be obtained by civilian observers from the area surrounding Pearl Harbor than by dangerous submarine reconnaissance. As has appeared earlier, the Japanese Consul General had been communicating just such intelligence to Tokyo.

(e) Notations on the chart indicate that the submarine commander received intelligence reports as late as December 5th.

[148] Intelligence information recently received indicates that the midget submarines were carried by and launched from mother submarines (Exhibit 69.). They were carried on the main deck abaft the conning tower and secured to the pressure hull by means of heavy clamps. The midgets used in the Pearl Harbor attack were 41 feet in length, had a reported cruising range of 175 to 180 miles at their most economical speed of 4 to 6 knots, did not have a radio transmitter, and carried a crew of two men. They were armed with two torpedoes and apparently carried the same designation number as their mother subs. The exact number with the Japanese task force is not definitely known, but there is substantial proof that there were at least five.

The midget submarine beached off Bellows Field from which the chart was recovered bore the designation of "I-18," apparently that of its "mother." In the recovered chart, at various points along the sides of the entrance channel from Hammer Point to Hospital Point, are notations in faint pencil, "IZ16," "I-20," "-22," "I-18," "I-24." From information received, it is now known that these are the designations of the submarines which carried the five midgets known to have been present. The times on the recovered chart indicate a waiting period in the narrow harbor entrance area from 0115 to 0410 (0445 to 0840, Hawaiian time). It therefore appears to be a logical assumption that the five midget submarines were to lie in wait in the narrow entrance channel, approximately in the positions indicated, with the object of torpedoing ships attempting to sortie, thus blocking the channel; and that after the initial air attack had been completed, they were to proceed around Ford Island and complete the destruction. The midget submarine which was sunk west of Ford Island apparently followed just such a plan. Confirmation of this assumption is found in a captured copy of the Japanese Plan for this operation, wherein the following initial task is assigned to the Sixth Fleet (Submarine Force): "Will observe and attack American Fleet in HAWAII area. Will make a surprise attack on the channel leading into PEARL HARBOR and attempt to close it. If the enemy moves out to fight he will be pursued and attacked."

B. *Suspicious Submarine Contacts Prior to 7 December 1941.*

It was suspected in Washington for some time prior to December 7th that our Fleet based at Pearl Harbor was being kept under observation by Japanese submarines, there having been, over a period of six months, reports by our destroyers of such contacts. The Fleet also received reports that Japanese submarines were reconnoitering the approaches to Pearl Harbor. The number of such reports at Pearl Harbor prior to the attack was placed by one witness at from ten to fifteen, several of which occurred in the immediate vicinity of the entrance to Pearl Harbor. The contacts were on underwater sound contacts, which were not confirmed by sightings.

A search of the files of CincPac has resulted in locating dispatches that refer to three suspicious contacts during the five weeks preceding Pearl Harbor:

(1) On 3 November 1941, an oil slick area in latitude 20-10, longitude 157-41 was observed by a patrol plane, and crossed by Task Force One: an air search of a fifteen mile area by the patrol plane, a sound search of an unspecified area by the USS WORDEN and an investigation by [149] the USS DALE produced negative results (Exhibit 48; dispatches 031920, 032035, 032133, 032300, 040042).

(2) On 28 November 1941, after the Commander-in-Chief, Pacific Fleet, had issued an order requiring extreme vigilance against possible hostile submarines, restricting submerged submarine operations to certain areas, and providing that all submarine contacts in other areas suspected to be hostile were to be depth bombed, the USS HELENA reported that a radar operator, without knowledge of the CincPac alert, was positive that a submarine was in a restricted area (Exhibit 48; dispatch 280835). A search by a task group with three destroyers, of the western border and the northern half of that area, pursued from 281050 to 281845, when abandoned by 290900, produced no contacts (Exhibit 48; dispatches 281050, 281133, 281704, 281845).

(3) During the night of 2 December 1941, the USS GAMBLE reported a clear metallic echo in latitude 20-30, longitude 158-23, which was lost in a change of range, that was evaluated to have been too rapid to indicate the presence of a submarine (Exhibit 48; dispatch 022336). An investigation, order to be made by Desron 4 (Exhibit 48; dispatch 030040), apparently was negative.

C. *Detection of Aircraft by the Army Radar System.*

It appears from the prior investigations that about 0702 on the morning of 7 December 1941, two Army privates on duty at a mobile radar unit on the northern part of Oahu discovered an unusually large response on the radar in a northerly direction and from about 136 miles. This information they reported, at about 0715, to an Army officer on duty at the Army Information Center. The Army officer stated that he had some information to the effect that a flight of Army B-17's was due in that morning, and he thought that the planes detected by the radar were those Army planes. He did not suspect enemy planes and made no effort to report to his superior.

The evidence indicates that neither this information nor any other information as to the direction from which the planes approached or on which they departed was transmitted to the Naval authorities on the day of the attack.

D. *The Air Attack.*

The Japanese air attack on Pearl Harbor, according to most observers, started at 0755. It began with dive bombing and strafing of the Naval Air Station at Ford Island, and at the Army's Hickam Field. This was followed at Pearl Harbor by attacks on major units of the Fleet, launched by torpedo planes and dive bombers, and was accompanied by strafing. Next there occurred two distinct horizontal bombing attacks from high altitudes, the last immediately preceding a final intensive dive bombing attack. Almost simultaneously with the raid on Pearl Harbor, the Japanese attacked [150] the Kaneohe Bay Naval Air Station and Ewa Field at Barber's Point was strafed. Approximately 150 planes took part in the attack on Pearl Harbor. The raid is reported variously to have ended at from 0940 to 1130 and some Japanese planes are known to have been over Oahu after 1200.

The CincPac Staff Duty Officer learned of the inception of the air raid during his second telephone conversation of the morning with Admiral Kimmel, when he was advising of a report by the WARD, after its submarine reports, that it had detained a sampan. He immediately told the Admiral of his receipt from the signal tower of this message:

„Japanese are attacking Pearl Harbor X this is no drill.

[151] E. *Location of Pacific Fleet Units.*

At the time of the attack, the forces of the Pacific Fleet were, according to Admiral Kimmel (Exhibit 73), disposed partly in port and partly at sea as follows:

(1) *In Pearl Harbor:*

(a) Task Force One, Vice Admiral Pye commanding (less one battleship, one light cruiser and one destroyer) comprising five battleships, four light cruisers, seventeen destroyers, two light cruisers, and four mine layers.

(b) Task Force Two (under the command of Vice Admiral Halsey, who was at sea with units thereof constituting a separate task force—Task Force Eight) comprising three battleships, eight destroyers, one light cruiser, and four mine layers.

(c) Task Force Three (less detached units under command of Vice Admiral Brown at sea, and less a separate task force—Task Force Twelve—which was at sea under Rear Admiral Newton's command) comprising two heavy cruisers, and four mine layers which were under overhaul.

(d) Five submarines and the submarines tender PELIAS of Task Force Seven.

(e) The TANGIER, HULBERT, CURTIS, and THORNTON, and Patrol Squadrons VP 11, 12, 14, 22, 23, and 24 (a total of about sixty planes) of Task Force Nine.

(f) Marine Air Squadrons VMSB 232 and VMJ 252 (a total of twenty planes) at Ewa, Oahu.

(g) Two destroyer tenders and the Base Force, consisting of the ARGONNE, plus auxiliaries and repair vessels, and planes of Base Force Aircraft Squadrons VJ-1, VJ-2, and VJ-3, as follows: 19 J2F, 9 JRS, 2 PBY-1, 1 J2V.

(2) *At sea:*

(a) Task Force Eight (Vice Admiral Halsey commanding) consisting of one aircraft carrier (ENTERPRISE), three heavy cruisers and nine destroyers, located 200 miles west of Pearl Harbor, standing to eastward, was returning to Pearl Harbor after landing a Marine Air Squadron at Wake Island.

(b) Task Force Three (Vice Admiral Brown commanding), less units in port, consisting of one heavy cruiser and one mine laying squadron, less two of its divisions, was exercising with landing boats at Johnston Island.

[152] (c) Task Force Twelve (Rear Admiral Newton commanding), ordinarily a component of Task Force Three, consisting of one aircraft carrier (LEXINGTON), three heavy cruisers, and five destroyers, located about 425 miles southeast of Midway, was proceeding on a westerly course to land a Marine Air Squadron on Midway Island.

(d) One heavy cruiser and one mine laying division, ordinarily a part of Task Force Three, were engaged in "normal operations" at sea southwest of Oahu.

(e) Four submarines of Task Force Seven, somewhere at sea en route to Pearl Harbor.

(3) *At other places:*

(a) At Midway Island, two submarines of Task Force Seven and Patrol Squadron VP-21 (consisting of twelve planes) of Task Force Twelve.

(b) At Wake Island, two submarines of Task Force Seven and a Marine Air Squadron.

(c) At Johnston Island (in addition to Task Force Three, undergoing exercise), two Base Force PBV-1 planes.

(d) At Mare Island, five submarines of Task Force Seven.

(e) At San Diego, four submarines of Task Force Seven.

To sum up: At Pearl Harbor, there were eight battleships, two heavy cruisers, four light cruisers, two old light cruisers, one old cruiser mine layer, eight destroyers, five submarines, twelve mine layers, two destroyer tenders, one submarine tender, four aircraft tenders, various auxiliary and repair ships, and 111 aircraft of various types, of which nine were under overhaul. At sea, there were two aircraft carriers, eight heavy cruisers, fourteen destroyers, four submarines, and one mine layer squadron less one division. At other places, there were thirteen submarines, fourteen Navy Patrol planes and one Marine Air Squadron.

Except as to Task Forces Eight and Twelve, which were on special missions to reinforce Wake and Midway Islands, the dispositions of Pacific Fleet Units as noted above were in accordance with a previously worked out fleet employment schedule.

[153] F. *Condition of Readiness.*(1) *The ships in port:*

The testimony in previous investigations showed some confusion as to the condition of readiness which was in effect on ships of the Pacific Fleet in Pearl Harbor at the time of the attack. It appears, however, that whether or not Condition III, as prescribed in the Pacific Fleet

Letter on security of the Fleet, was in effect, the condition aboard the battleships was in excess of that condition. Each of the battleships had two 5-inch anti-aircraft guns ready and two machine guns manned. While the Fleet letter on security fixed responsibility on the senior officer present in each air defense sector for fire control in his sector, no particular damage control organization was prescribed in that letter or functioning on the ships in Pearl Harbor at the time of the attack. The evidence in prior investigations indicates that the anti-aircraft batteries of the ships were quickly manned and, considering the circumstances, were effectively used against the Japanese attackers.

(2) *The aircraft of the Pacific Fleet:*

The condition of readiness in force as to the Fleet aircraft was Baker 5 (50 per cent of the assigned aircraft to be ready on four hours notice) with machine guns and ammunition in all planes not undergoing maintenance work. Three squadrons (one at Midway, one at Pearl Harbor, and one at Kaneohe) were in condition Afirm 5 (100 per cent assigned aircraft to be ready on four hours notice). This was augmented on December 7th by specific duty assignments which required six planes from Patrol Squadron FOURTEEN and from Patrol Squadron TWENTY-FOUR (at Kaneohe) and from Patrol Squadron TWELVE (at Pearl Harbor) to be ready for flight on 30 minutes notice. On the morning of December 7th, three patrol planes of a squadron based at Kaneohe were in the air on morning security patrol armed with depth charges, three were ready for flight on 30 minutes notice, and four on four hours notice; and four planes of a squadron at Pearl Harbor were in the air conducting tactics with submarines and one plane was ready for flight on 30 minutes notice.

G. *Reaction to the Attack.*

The hostile character of the attacking planes was not recognized until the bombs fell, but there followed an immediate and general realization of that fact, and a prompt application of such defensive measures as were then capable of being carried out. General Quarters was sounded in all units ashore and afloat and, as has been pointed out above, anti-aircraft batteries were manned and, considering the damaged condition of the ships, employed to the fullest possible effect. There was, however, an unfortunate lapse of time before damage control measures on the ships in Pearl Harbor could be carried forward, resulting in the suffering of much damage that might otherwise have been prevented or minimized. The damages so quickly suffered included a partial breakdown of the communication system, preventing an accurate interchange of necessary information, including radio direction bearings of the attacking force. The futility of the attempted counter-measures in locating and attacking the Japanese striking force was due, in [154] large part, to a flood of wild and conflicting reports as to the location and strength, and probable intentions, of units of the Japanese force.

The evidence obtained in the previous investigations demonstrates clearly that the officers and men of the Pacific Fleet met the attack, individually and jointly, with great heroism.

[155] H. *Composition and Movements of the Attacking Force.*

The chief source of information concerning the Japanese force which attacked Pearl Harbor is a Japanese prisoner of war who was captured on Saipan during the Marianas Campaign. The POW was a chief yeoman in the Japanese Navy, attached to the staff of the Commander in Chief, Combined Fleet, Admiral Yamamoto. The reconstruction by the POW of the events preceding and leading up to Pearl Harbor has been substantiated and verified by other information, including that contained in a copy of Japanese Combined Fleet Operation Order No. 1, recovered from the Japanese cruiser NACHI that was sunk in Manila Bay. The prisoner's reconstruction of the orders to the striking force is contained in Exhibit 3.

The movements of the striking force were provided for in the Japanese Secret Operation Order No. 1, dated 1 November 1941, which stated that war would be declared on the United States on X-Day, expected to be in the early or middle part of December, and that on or about X-16 Day the carrier task force would depart its base and proceed by way of Tankan Bay (Hotokappu Bay), Etorofu Island and the Kuriles for Pearl Harbor, where it would deliver a surprise attack. Japanese Combined Fleet Secret Operation Order No. 3, dated 10 November 1941, fixed as X-Day, 8 December 1941, E. L. T. (Exhibit 3).

The Japanese striking force actually left Suiki Anchorage near the Bongo Channel some time between November 20 and November 22, 1941, East Longitude Time, and proceeded to Tankan Bay, Etorofu Island. At the latter place it assembled and fueled, and departed on or about 28 November 1941, E. L. T., and headed eastward under heavy front. The force proceeded in an easterly direction heading on course about 085° , to a point in longitude about 170° W; then turned southeast on course about 135 degrees, and proceeded to a point northwest to due north of, and approximately 200 miles from, the island of Oahu, where it arrived early in the morning of 8 December 1941, E. L. T. From that position the Pearl Harbor attack was launched. Following the attack, the striking force retired initially to the northwest, on a heading of about 300° , to a point about longitude 170° E, thence to the southwest, irregularly on varying headings to a point near 140° E, and thence northwest to Kyushu (Exhibit 3, page 16).

The striking force consisted of three of Japan's five carrier divisions, the KAGA and AKAGI (CarDiv 1); HIRYU and SORYU (CarDiv 2); SHOKAKU and ZUIKAKU (sometimes referred to as CarDiv 3, sometimes as CarDiv 4 and sometimes as CarDiv 5); the HIYEI and KIRISHIMA (two of the battleships of BatDiv 3); the TONE and CHIKUMA (CruDiv 8), and of various destroyers and submarines.

Cooperating with the foregoing striking force was a large part of the Japanese Sixth (Submarine) Fleet. That fleet left the Japanese Inland Sea about 18 November 1941, E. L. T. At the time of the attack, many Japanese submarines were concentrated at the mouth of Pearl Harbor for the purpose of making torpedo attacks on any United States ships that attempted to escape from the air attack in the harbor. As previously pointed out, the evidence indicates that only one midget submarine succeeded in entering the harbor.

[156] I. *The Casualties and Damage.*

The facts as to the casualties and damage appear fully in the record of the Naval Pearl Harbor Court of Inquiry:

(1) An examination of reports in the Bureau of Personnel showed that there were 3,963 casualties as a result of the Japanese Pearl Harbor attack, of which 896 were wounded and 3,067 were either killed, dead of wounds, or are missing and declared dead.

(2) The damage to fleet units in Pearl Harbor was extensive. The Battleships ARIZONA, CALIFORNIA, OKLAHOMA, and WEST VIRGINIA were sunk and the NEVADA beached to prevent its sinking. The auxiliary vessels UTAH and OGLALA were also sunk. All other battleships in the harbor; PENNSYLVANIA, MARYLAND, and TENNESSEE, the Cruisers HELENA, HONOLULU, and RALEIGH, the destroyers SHAW, CASSIN, and DOWNES, and the auxiliaries CURTIS and VESTAL, were seriously damaged.

(3) The damage to airplanes was as follows:

Type	Number present Dec. 7	Number on hand after raid	Number usable after raid
Patrol.....	69	45	11
Fighters.....	24	15	0
Scout bombers.....	60	29	14
Torpedo bombers.....	2	2	0
Battleship and cruiser planes.....	92	82	11
Utility and transport planes.....	54	48	16
Totals.....	301	221	52

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FINDINGS

92. On the morning of 7 December 1941, shortly before the air attack on Pearl Harbor, there were reports of suspected and actual hostile submarine activity. The second advised of a surface and depth charge attack on a submarine. Only the latter report reached responsible officers. Due to reports on previous days of sound contacts with submarines, confirmation was sought. The action initiated by ComFOURTEEN, in dispatching the ready duty destroyer, was in accord with the provisions of the Fleet security letter.

93. Confirmation of the report of the sinking of a submarine was not received by Admiral Kimmel or by Admiral Bloch prior to the air attack.

94. There is no evidence warranting the conclusion that a Japanese submarine entered Pearl Harbor prior to December 7th. The one midget submarine known to have been in Pearl Harbor on the morning of December 7th was sunk after making an ineffectual attack.

95. Evidence of the approach of a large flight of planes from the northward, obtained by Army enlisted men operating a radar installation for instruction purposes, was not communicated either to the Navy or to responsible Army commanders.

96. The Commander-in-Chief, Pacific Fleet, and ComFOURTEEN had no previous warning of the air attack, which was initiated by the enemy at 0755. The attack was skillfully executed, and resulted in serious losses of life and damage.

97. The battleships each had two 5" anti-aircraft guns ready and two machine guns manned, which was in excess of the requirements of Condition III as prescribed in the Fleet Security Letter. As to Fleet aircraft based at Oahu, seven were in the air (3 on morning security patrol armed with depth charges and 4 engaged in tactics with submarines); ten were on 30 minutes notice; and the balance of forty-four on four hours notice.

98. As a result of adherence to Fleet schedules which had been issued in September, 1941, the Pacific Fleet battleships, with one exception, were all in port and were either sunk or damaged. Due to the fortunate coincidence which resulted in the aircraft carriers being at sea, they were uninjured.

99. It has been learned, since 7 December 1941, that the Japanese task force which attacked Pearl Harbor left Saiki Anchorage, near the Bongo Channel, sometime between 20 and 22 November 1941, East Longitude Time, and proceeded to Takan Bay, Etorofu Island, in the Kuriles. The force then assembled and fueled. It departed on or about 28 November 1941, East Longitude Time, and proceeded in an easterly direction to about 170° West Longitude, then southeast to a point about 200 miles from Oahu.

100. The Japanese striking force included three Carrier Divisions, among which were Carrier Divisions 1 and 2. Five days before the attack, the Fleet Intelligence Officer had advised Admiral Kimmel that he could not reliably estimate the location of Carrier Divisions 1 and 2.

[158] 101. The Japanese carriers launched their planes from a position 200 miles due north of Oahu.

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VI

A. FINDINGS

1. The basic assumption of the Rainbow Five War Plan was that the United States and her Allies would be at war with the Axis Powers, either including or excluding Japan.

2. The Navy Basic War Plan (Rainbow Five) assigned various offensive tasks to the Pacific Fleet, including the capture of positions in the Marshalls and raids on enemy sea communications and positions, and various defensive tasks, including the task of protecting the territory of the Associated Powers in the Pacific area and preventing the extension of enemy military power into the Eastern Hemisphere by destroying hostile expeditions.

3. The Pacific Fleet Operating Plan (Rainbow Five) assigned to the Fleet various initial tasks, including the maintenance of fleet security at the bases, at anchorages, and at sea, the protection of the communications and territory of the Associated Powers by patrolling with light forces and patrol planes, the establishment of defensive submarine patrols at Wake and Midway, and guarding against surprise attack by Japan.

4. The Pacific Fleet Operating Plan (Rainbow Five) and annexes included among the initial tasks to be performed by the patrol planes the maintenance of the maximum patrol plane search practicable in the approaches to the Hawaiian area.

5. The Pacific Fleet Operating Plan was to be put into effect on W-day, which, it was stated, might or might not coincide with the day that hostilities opened with Japan. W-day was not fixed prior to the attack.

6. The Joint Coastal Frontier Defense Plan, Hawaiian Theater, was based on the Joint Army and Navy Basic War Plans. It constituted the basis of subsidiary peace and war projects, joint operating plans, and mobilization plans. The method of coordination under the plan was to be by mutual cooperation until and unless unity of command were invoked.

7. Under the Joint Coastal Frontier Defense Plan the Army's task was to hold Oahu against attacks by sea, land and air forces, and against hostile sympathizers, and to support the naval forces. The Navy's task was to patrol the coastal zone (which included Oahu and such adjacent land and sea areas as were required for the defense of Oahu), and to patrol and protect shipping therein, and to support the Army forces.

8. One of the specific tasks assigned to the Navy in the Joint Coastal Frontier Defense Plan was that the Commandant, FOURTEENTH Naval District, should provide for distant reconnaissance.

9. The Joint Coastal Frontier Defense Plan was placed in effect on 11 April 1941 by the Commanding General, Hawaiian Department, and by the Commandant, FOURTEENTH Naval District.

[160] 10. Annex VII, Section VI, to the Joint Coastal Frontier Defense Plan was an agreement between the Commandant, FOURTEENTH Naval District, and the Commanding General, Hawaiian Department, as to joint defensive measures for the security of the Fleet and for the Pearl Harbor Naval Base against hostile raids or air attacks delivered prior to a declaration of war.

11. Annex VII, Section VI, to the Joint Coastal Frontier Defense Plan provided, among other things, for joint air operations and provided that when naval forces were insufficient for long distance patrol and search operations and Army aircraft were made available, the latter would be under the tactical control of the naval commander directing search operations.

12. Annex VII, Section VI, to the Joint Coastal Frontier Defense Plan also provided that the Army was to expedite the installation of its aircraft warning service, and that prior to the completion of that service, the Navy, through the use of radar and other appropriate means, would endeavor to give such warning of hostile attacks as might be practicable.

13. Annex VII, Section VI, of the Joint Coastal Frontier Defense Plan provided that when the Commanding General and ComFOURTEEN agreed that the threat of a hostile raid or attack was sufficiently imminent to warrant such action, each commander would take steps to make available to the other the air forces at his disposal, in order that joint operations might be conducted in accordance with the plan.

14. The Commanding General and ComFOURTEEN did not effect any agreement prior to the attack that the threat of a hostile raid or attack was sufficiently imminent to warrant placing Annex VII, Section VI, in operation.

15. The Naval Base Defense Force Operation Plan provided, among other things, for a Base Defense Air Force in conjunction with

the Army. One of the assumptions was that it was possible that a declaration of war might be preceded by a surprise air attack on ships in Pearl Harbor, that it was probable that there might be a surprise submarine attack on ships in the base area, and that a combination of both forms of attack was possible.

16. The joint estimate by Admiral Bellinger and General Martin stated, among other things, that the most likely and dangerous form of attack on Oahu would be an air attack that would most likely be launched from carriers which would probably approach inside of three hundred miles. The estimate also stated that any single submarine attack might indicate the presence of considerable undiscovered surface forces, probably composed of fast ships accompanied by a carrier. This Estimate came to the attention of Admiral Kimmel and Admiral Bloch.

17. The Naval Base Defense Air Force Plan was prepared by Admiral Bellinger and approved by Admiral Bloch. This plan, which was designated Annex "Baker" to the Naval Base Defense Force Operation Plan, made specific provision for joint air operations by the Army and Navy. The plan was effective upon receipt. It was to become operative without signal in the event of a surprise attack, or might be made operative by dispatch. In the meantime, conditions of readiness for aircraft were to be as directed by the Commanding General, Hawaiian Department, for Army units, and by [161] ComFOURTEEN, as Naval Base Defense Officer, for Navy units.

18. The Pacific Fleet letter on security of the Fleet at base and in operating areas, which was reissued by Admiral Kimmel in revised form on 14 October 1941, provided that the Fleet's security was predicated on several assumptions, one of which was that a declaration of war might be preceded by a surprise attack on ships in Pearl Harbor, a surprise submarine attack on ships in the operating areas, or a combination of the two. This letter also stated that a single submarine attack might indicate the presence of a considerable surface force probably composed of fast ships accompanied by a carrier.

19. The Pacific Fleet security letter prescribed security measures, including provisions for defense against air attack. It provided, among other things, that ComFOURTEEN, as Naval Base Defense Officer, should exercise with the Army joint supervisory control over the defense against air attack and that he should take other action, including supervisory control over naval short-based aircraft, and arrange through the Commander of Patrol Wing Two for coordination of the joint air effort by the Army and the Navy.

20. Under the Pacific Fleet security letter, the security measures were to include intermittent patrols to consist of a destroyer offshore patrol, and an air patrol. The air patrol was to consist of daily search of fleet operating areas as directed by Aircraft Scouting Force, one covering the entry or sortie of a fleet or task force, and one during the entry or departure of a heavy ship at other times.

21. The only local defense plans in effect and operative prior to the attack of 7 December 1941 were the Joint Coastal Frontier Defense Plan, under which the Navy was obliged to provide distant reconnaissance, and the Pacific Fleet security letter, under which the only aircraft patrol from Oahu was a daily search of fleet operating areas, a search during entry or sortie of a fleet or task force, and during the entry or departure of a heavy ship at other times.

22. The Pacific Fleet Operating Plan (Rainbow Five), approved by the Chief of Naval Operations, in estimating probable enemy (Japanese) action, visualized that one of the enemy defensive efforts would be "destruction of *threatening* naval forces"; that initial action would include "possible raids or stronger attacks on Wake, Midway, and *other outlying United States positions*"; and that the initial Japanese deployment would include "raiding and observation forces *widely distributed in the Pacific*, and that *submarines* in the *Hawaiian area . . .*" [Italics supplied.] The possibility of an attack on Hawaii was, therefore, included but in no way emphasized.

23. Admiral Kimmel was of the opinion, throughout his tenure of command of the Pacific Fleet, that a surprise air attack on Pearl Harbor was a *possibility*. Neither he nor the key members of his staff appear to have considered it as a serious *probability*.

24. The method of command established in the local plans was that of "mutual cooperation." The relations between the responsible commanders were cordial. However, there was not in existence, prior to the attack, any permanent operating setup which could insure the constant and timely exchange of information, decisions, and intended courses of action so essential to the efficient conduct of joint operations, particularly in an emergency. A recent proposal looking to the establishment of a Joint Command Center had been the subject of adverse recommendations by the responsible local commanders, both Army and Navy.

[162] 25. In accordance with "Joint Action," unity of command for the defense of Oahu could have been placed in effect by local agreement between the Commanding General of the Hawaiian Department and the Commandant of the FOURTEENTH Naval District. The latter, however, would naturally not make such an agreement without the approval of his immediate superior, the Commander-in-Chief, Pacific Fleet. The question of unity of command for outlying islands was discussed between Admiral Kimmel and General Short in connection with a proposal for reinforcement of Wake and Midway by Army planes. General Short's position was that if Army forces were involved, the command must be his. Admiral Kimmel maintained that the command of naval bases must remain with the Navy. The islands were reinforced with Marine planes.

26. Japanese espionage at Pearl Harbor was effective and, particularly during the critical period 27 November to 7 December 1941, resulted in the frequent transmission to Japan of information of great importance concerning the Pacific Fleet, the movements and locations of ships, and defense preparations.

27. Certain reports sent by the Japanese Consul General via a commercial communications company at Honolulu in the week preceding the attack indicated the likelihood of an air attack on Pearl Harbor.

28. It will appear subsequently that various coded messages sent by the Japanese Consul General at Honolulu, which did not indicate the likelihood of an air attack on Pearl Harbor, were intercepted by Army and Navy radio intercept stations and were decoded in Washington, D. C. prior to the attack; that others which were obtained at Honolulu by Naval Intelligence prior to the attack were, with the exception of a few unimportant messages, in a code which could not be decrypted there before December 7th; and, that three messages intercepted by

Army radio intercept stations at Hawaii and at San Francisco, which indicated the likelihood of an air attack, were forwarded to the War Department for decryption but were either not received there prior to the attack or were not decrypted prior to the attack. If the United States intelligence services had been able to obtain and to decode and translate promptly all of the espionage reports sent by the Japanese Consul General during the period 27 November to 7 December 1941, the information so obtained would have been of inestimable value.

29. Naval Intelligence was effectively organized to acquire information from coded diplomatic messages between the Japanese Government and its representatives. Through the interception of Japanese diplomatic messages and their decryption and translation in Washington, D. C., prior to the attack, knowledge was obtained of the Japanese Government's actual views concerning the diplomatic situation, of the Japanese Government's intention to wage war, and of the fact that hostilities were impending and imminent.

30. The information acquired in Washington through the interception of Japanese diplomatic messages was adequately and promptly disseminated at Washington by Naval and Military Intelligence to the Chief of Naval Operations, to the Army Chief of Staff, to the State Department, and to the President.

[163] 31. The Commander-in-Chief, Pacific Fleet, had to rely upon the Chief of Naval Operations for information as to the status of the diplomatic negotiations with the Japanese, and had requested to be kept fully informed on this subject.

32. The Japanese diplomatic messages acquired by Naval Intelligence at Washington were not transmitted to the Commander-in-Chief, Pacific Fleet, as such. Reasons advanced for this course of action were that the Japanese might intercept the naval messages and learn of the Navy's success in decrypting Japanese codes; that the volume of intercepted messages was so great that the transmission of them, particularly during the critical period, would have overtaxed the Navy's communications facilities; and, that it was the duty of the Chief of Naval Operations to evaluate such information and to advise CincPac of the important facts learned.

33. Various of the warning messages sent by the Chief of Naval Operations to the Commander-in-Chief, Pacific Fleet, were based on the information obtained from intercepted Japanese messages.

34. The warnings sent to the Commander-in-Chief, Pacific Fleet, during November (particularly the "war warning" of the 27th) and early December, 1941, indicated in unmistakable language that the diplomatic negotiations had ceased, that war with Japan was imminent, and that Japanese attacks might occur at any moment.

35. The Chief of Naval Operations did not advise the Commander-in-Chief, Pacific Fleet, of certain intercepted Japanese messages indicating interest in the location of ships in Pearl Harbor. These were more specific than other intercepted messages indicating Japanese interest in the movements of ships to or from other ports.

36. The Commander-in-Chief, Pacific Fleet, was not fully advised of certain other information obtained from intercepted Japanese messages after the November 27th "war warning," which made further evidence the termination in fact of the diplomatic negotiations and the Japanese intention to wage war.

37. On the morning of 7 December 1941, there was brought to the attention of the Chief of Naval Operations an intercepted message in which the Japanese Government instructed its representatives to present to the State Department at 1 p. m. the Japanese Government's final reply terminating the diplomatic negotiations. Mention was made of the fact that 1 p. m. Washington time was about dawn at Honolulu and about the middle of the night in the Far East. No one stated that this indicated an air attack at Pearl Harbor.

38. This so-called "1 p. m. delivery message," which consisted of one sentence, had been intercepted at a naval radio intercept station at Bainbridge Island in the State of Washington and forwarded to the Navy Department by teletype. It was decrypted and available in the Navy Department at about 0700 on December 7th. It was sent to the Army for translation because there was no Japanese translator on duty in the Navy Department at that time. The translation, which could have been done by a qualified translator in a few minutes, was not received from the Army until after 0900.

[164] 39. Although he was in possession of this highly significant information several hours before the attack, and there were available means whereby the information could have been transmitted to Admiral Kimmel immediately, including a "scrambler" telephone maintained by the Army, Admiral Stark initially was not disposed to, and did not, send any message to Admiral Kimmel. Instead he relied on the transmission of a message by the War Department to General Short, which was to be furnished also to Admiral Kimmel.

40. Admiral Stark has previously testified that he did not consider it necessary to telephone to Admiral Kimmel on the morning of 7 December and that he had not telephoned at any time previous to the attack, but that one regret which he had was that he had not telephoned a message that morning to Admiral Kimmel or paralleled the Army message on the naval radio system.

41. The message sent by General Marshall on 7 December 1941, which was received after the attack, advised that the Japanese were presenting an ultimatum at 1 p. m., that they were under orders to destroy their code machine, that it was not known just what significance the hour set might have but that the addressees were to be on the alert accordingly, and that the naval authorities were to be informed.

42. The warnings which were sent to the Commander-in-Chief, Pacific Fleet, indicated, as to the possible places of Japanese attack, on November 24th, that "a surprise aggressive movement in any direction, including attack on the Philippines or Guam, is a possibility," and, on November 27th, that "an aggressive movement by the Japanese is expected within the next few days. The number and equipment of Japanese troops and organization of naval task forces indicate an amphibious expedition against either the Philippines, Thai or Kra Peninsula, or possibly Borneo."

43. Although the warnings which were sent by the Chief of Naval Operations to the Commander-in-Chief, Pacific Fleet, drew attention to probable Japanese objectives to the southward and southeastward of Japan, and did not specifically mention Pearl Harbor, both the Chief of Naval Operations and the Commander-in-Chief, Pacific

Fleet, were aware of the possibility of a Japanese attack on Pearl Harbor. They did not regard such an attack as probable.

44. The Japanese established several codes in November, 1941, which were to be used in radio transmissions to convey to their representatives information concerning the status of relations between Japan and the United States, and other countries. These were known as the "winds" code and the "hidden word" code. The "winds" code was designed to indicate a break in diplomatic relations, or possibly war, with England or the United States or Russia by the use in weather broadcasts of certain Japanese words signifying wind directions.

45. The interception of a "winds" message relating to the United States during the first week of December, 1941, would not have conveyed any information of significance which the Chief of Naval Operations and the Commander-in-Chief, Pacific Fleet, did not already have.

[165] 46. No message in the "winds" code relating to the United States was received by any of the watch officers in the Navy Department to whom such a message would have come had it been received in the Navy Department. No such message was intercepted by the radio intelligence units at Pearl Harbor or in the Philippines, although intensive efforts were made by those organizations to intercept such a message. The evidence indicates further that no such message was intercepted by the British or the Dutch, despite their efforts to intercept such a message. Neither the Fleet Intelligence Officer of the Asiatic Fleet nor the Fleet Intelligence Officer of the Pacific Fleet nor the Intelligence Officer of the Far Eastern Section of the Office of Naval Intelligence, recalled any such message. The Chief of Naval Operations, the Director of Naval Communications, and the Director of Naval Intelligence recalled no such message. Testimony to the effect that a "winds" code message was received prior to the attack was given by Captain Safford, in charge of Op-20-G, a communications security section at the Navy Department, who stated that such a message was received on December 3rd or 4th, that it related to the United States, and that no copy could be found in the Navy or Army files. In his testimony before Admiral Hart, Captain Safford named, in addition to himself, three other officers who, he stated, recalled having seen and read the "winds" message. Each of those officers testified that he had never seen such a message. The only other testimony to the effect that a "winds" message was received was by Captain Kramer, an intelligence officer assigned to OP-20-G, who said that he recalled that there was a message but that he could not recall whether or not it related to the United States or England or Russia. It may be noted that until he testified in this investigation, Captain Kramer erroneously thought that a "hidden word" message intercepted on the morning of December 7th had been a "winds" message.

47. On the morning of December 7th, the intercepted "hidden word" code message was translated by Kramer. In his haste, due to the necessity of delivering other messages, including the "1 p. m. delivery message," he overlooked a code word relating to the United States and translated the message as meaning only that "relations between Japan and England are not in accordance with expectations." He testified that he later discovered the error and a few

minutes before 1 p. m. on December 7th, he telephoned the correction to his superior officer in the Office of Naval Intelligence and to an officer of Army Military Intelligence.

48. Except for the omission of the United States, the "hidden word" code message was literally translated and did not sufficiently reflect previous diplomatic interceptions which indicated that the message was to convey the idea of a crisis involving the countries in question.

49. The sources of intelligence as to the Japanese which the Commander-in-Chief, Pacific Fleet, had prior to the attack included, in addition to the Chief of Naval Operations, the District Intelligence Officer of the FOURTEENTH Naval District, and the Fleet Intelligence Officer of the Pacific Fleet.

[166] 50. Under the supervision of the District Intelligence Officer of the FOURTEENTH Naval District, the telephone lines of the Japanese Consul General and the Japanese Vice Consul at Honolulu were tapped for some months prior to the attack. These were discontinued on 2 December 1941 because the District Intelligence Officer feared that the existence of such taps might be discovered, resulting in undesirable complications. No information of military or naval significance was obtained by means of the telephone taps.

51. On 6 December 1941 the local representatives of the Federal Bureau of Investigation at Honolulu delivered to the District Intelligence Officer a transcript of a trans-Pacific radio telephone conversation between a person in Honolulu named "Mori" and a person in Japan. This was examined by the District Intelligence Officer. It was decided that the conversation should be further studied by a Japanese linguist of the District Intelligence Office, who was to listen to the recording of the conversation. This was not done until after the attack. The transcript furnished on December 6th indicated that the person in Japan was interested, among other things, in the daily flights of airplanes from Honolulu and in the number of ships present. During the conversation, references were made to flowers, which, it now appears, may have been code words signifying the presence or absence of ships, and a method of conveying information to the approaching Japanese ships, which presumably would have been listening in on the conversation. Prior investigations indicate that the "Mori conversation" was also brought to the attention of General Short on 6 December 1941.

52. Under the supervision of the District Intelligence Officer of the FOURTEENTH Naval District, copies of various cable messages from and to the Japanese Consul General at Honolulu, via a commercial communications company, were obtained during the first week of December, 1941. This was the first time that such messages had been obtained. The messages were in code and efforts were made immediately to decrypt and translate them. Some messages were decrypted before the attack. These contained no information of particular significance.

53. No information secured at Oahu prior to the attack by means of the telephone taps or through the interception of messages of the Japanese Consul General indicated the likelihood of war or of an attack on Pearl Harbor.

54. One of the Japanese Consul General's messages, which was obtained by the District Intelligence Officer and turned over on 5

December 1941 to the Radio Intelligence Unit for decryption and translation, was a message dated December 3rd. This message was in Japanese code known as the "PA-K2." It was decrypted and translated by the Radio Intelligence Unit at Pearl Harbor after the attack. The message was one in which the Japanese Consul General advised of a change in a method which had been established for communication by visual signals from Oahu, whereby lights in houses on the beach, the use of a sailboat, certain want ads to be broadcast over a local radio station, and bonfires, would convey information as to the presence or absence of various types of warships of the Pacific Fleet. Although the Radio Intelligence Unit at Pearl Harbor was unable to decrypt this message prior to the attack, the message was decrypted and translated in rough form on 6 December 1941 by a civilian translator in Op-20-G of the Navy Department in Washington. That section had received the message from an Army radio intercept station at Fort Hunt, Virginia. Captain Kramer testified he had no specific recollection of having seen this translation prior to the [167] attack, but the evidence indicates that the rough translation was shown to him on the afternoon of December 6th and that due to the pressure of work on other important Japanese diplomatic messages, no action was taken on the translation until 8 December 1941.

55. On 2 December 1941, the Japanese Consul General at Honolulu received a coded message from Tokyo which stated that in view of the existing situation, the presence of ships in port was of utmost importance, that daily reports were to be submitted, that the reports should advise whether or not there were observation balloons at Pearl Harbor, and whether or not the warships were provided with anti-torpedo nets. This message was intercepted by an Army radio intercept station at Fort Shafter, Hawaii, and apparently was forwarded by mail to the War Department for decryption and translation. The translation supplied by the Army indicates that the message was translated on 30 December 1941.

56. On the afternoon of 6 December 1941, the Japanese Consul General at Honolulu sent two messages in the "PA-K2" code which indicated the likelihood of an air attack. The first reported that there were no signs of barrage balloon equipment at Pearl Harbor, that in all probability there was considerable opportunity left to take advantage for a surprise attack against Pearl Harbor, Hickam, Ford, and Ewa, and that the battleships did not have torpedo nets. The second message reported on the ships at anchor on December 6th, and stated that it appeared that no air reconnaissance was being conducted by the Fleet air arm. These messages were not obtained by Naval Intelligence at Honolulu prior to the attack. They were, however, both intercepted by an Army intercept station at San Francisco and were forwarded by teletype to the Army. The translations of these messages furnished by the Army indicate that they were translated on December 8th. They could have been decrypted and translated in the Navy Department in about an hour and a half.

57. There were no formal arrangements whereby the Navy communicated to the Army estimates of the location and movements of Japanese naval forces. Officers of the Far Eastern Section of Military Intelligence at Washington had access to charts maintained in the Far Eastern Division of the Office of Naval Intelligence showing

such information, and had access to radio intelligence information available in the Navy Department, and the situation was discussed with them. At Pearl Harbor, an intelligence officer of the Hawaiian Air Force received some general information concerning Japanese movements from the Fleet Intelligence Officer.

58. The War Department had information which led that Department to believe that Japanese naval forces were in the Marshalls in November, 1941. This appears from a War Department dispatch of 26 November 1941 to General Short, information to Admiral Kimmel, concerning a special photographic reconnaissance to be flown over Truk and Jaluit, in order to obtain information, among other things, as to the number and location of naval vessels. The reconnaissance was not flown because the special Army planes were not made ready.

59. On 27 November 1941, a Pacific Fleet Intelligence Bulletin was distributed by the Commander-in-Chief, Pacific Fleet, to his command. [168] This bulletin set forth the available information concerning the composition of the Japanese Navy. It revised an earlier bulletin on the same subject and pointed out that the principal change was a further increase in the number of fleet commands. This arose from the regrouping of aircraft carriers and seaplane tenders into separate forces. The bulletin stated, among other things, that the Japanese Carrier Fleet consisted of ten carriers which were organized into five divisions, each having two carriers.

60. Current information, derived from traffic analyses, concerning the location and movements of Japanese naval forces was obtained by the Commander-in-Chief, Pacific Fleet, from the Fleet Intelligence Officer, who received it primarily from the Radio Intelligence Unit at Pearl Harbor. Such information also was contained in dispatches from the Radio Intelligence Unit in the Philippines and from the Far Eastern Section of Naval Intelligence in Washington, D. C.

61. Fortnightly Intelligence bulletins were issued by the Office of Naval Intelligence and mailed to the Pacific Fleet, among others. These included summaries of the information concerning Japanese naval forces which had been received from the Radio Intelligence Units at Pearl Harbor and at the Philippines.

62. On November 26th, ComFOURTEEN sent a dispatch to OpNav, information to CincPac, CincAF, and ComSIXTEEN, which summarized the information as to Japanese naval movements obtained by the Radio Intelligence Unit at Pearl Harbor during the preceding month. The dispatch indicated that the Commander Second Fleet had been organizing a task force comprising units of various fleets. This dispatch stated that there was believed to be a strong concentration of submarines and air groups in the Marshalls, which included at least one carrier division unit (not necessarily a carrier), plus probably one-third of the submarine fleet. The estimate was that a strong force might be preparing to operate in southeastern Asia while component parts might operate from Paleo and the Marshalls.

63. The radio intercepts by the radio intelligence unit located in the Philippines were considered by OpNav to be the most reliable because of the location of the unit. On 26 November 1941, the radio intelligence unit in the Philippines, in a dispatch to CincPac, OpNav and others, commented on the above dispatch of ComFOURTEEN and stated that traffic analysis for the past few days had indicated that

the Commander-in-Chief, Second Fleet, was directing the various fleet units in a loose-knit task force that apparently would be divided into two sections. The first section was expected to operate in the South China area. The second section was expected to operate in the Mandates. It was estimated that the second section included "CarDiv 3, RYUJO, and one MARU." This dispatch also stated that the COMSIXTEEN unit could not confirm the supposition that carriers and submarines in force were in the Mandates, and that their best indications were that all known carriers were still in the Sasebo-Kure area. It was stated that this evaluation was considered to be reliable.

64. From time to time after November 27th, there were sighting reports from the Asiatic Fleet and other observers, copies of which were received by Admiral Kimmel, which confirmed the movement of important Japanese naval forces to the southward of Japan. These, however, did not report the movement of carriers.

[169] 65. After November 27th, the Radio Intelligence Unit at Pearl Harbor continued the practice of preparing daily summaries of the information received through their traffic analysis of Japanese naval communications, which were submitted to Layton, the Fleet Intelligence Officer, for transmittal to Admiral Kimmel on the following morning. Admiral Kimmel received and initialed these summaries daily on and after 27 November. On December 6th, he initialed the summary dated December 5th, which was the last one he received prior to the attack.

66. On November 28th, Admiral Kimmel received a communication intelligence summary dated November 27th, which stated, among other things, that there was no further information on the presence of a carrier division in the Mandates and that "carriers were still located in home waters." The next day, he received the November 28th summary which indicated, among other things, the view that the Japanese radio intelligence net was operating at full strength upon U. S. Naval communications and "IS GETTING RESULTS." There was no information set forth in the summary as to carriers. On the following day, Admiral Kimmel received the summary dated November 29th, which, among other things, indicated that Carrier Division 3 was under the immediate command of the Commander-in-Chief, Second Fleet. On December 1st, Admiral Kimmel received the previous day's summary which stated as to carriers that the presence of a unit of plane guard destroyers indicated the presence of at least one carrier in the Mandates, although this had not been confirmed.

67. The December 1st summary, which Admiral Kimmel received, stated that all Japanese service radio calls of forces afloat had changed promptly at 0000 on 1 December; that previously service calls had been changed after a period of six months or more and that calls had been last changed on 1 November 1941. This summary stated, and was underscored by Admiral Kimmel, that "The fact that service calls lasted only one month indicates an additional progressive step in preparing for operations on a large scale." It also stated, among other things, that a large number of submarines were believed to be east of Yokosuka-Chichijima and Saipan, and as to carriers that there was "no change."

68. On 2 December 1941, Admiral Kimmel examined a memorandum which Layton had prepared on December 1st at his request.

This contained Layton's estimate, on the basis of all available information, of the location of Japanese naval forces. This estimate placed in the Bako-Takao area Carrier Division 4 and Carrier Division 3, which included four carriers, and the "KASUGA MARU" (believed to have been a converted carrier). The estimate placed one carrier "KORYU (?) plus plane guards" in the Marshalls area.

69. Layton's written estimate made no mention of Japanese Carrier Divisions 1 and 2, consisting of four carriers. This omission was deliberate. The reason was that Layton considered that the information as to the location of those carriers was not sufficient to warrant a reliable estimate of their whereabouts.

70. On 2 December 1941, Admiral Kimmel and Layton had the following conversation:

[170] Captain LAYTON. As best I recall it, Admiral Kimmel said, "What! You don't know where Carrier Division 1 and Carrier Division 2 are?" and I replied, "No, sir, I do not. I think they are in home waters, but I do not know where they are. The rest of these units, I feel pretty confident of their location." Then Admiral Kimmel looked at me, as sometimes he would, with somewhat a stern countenance and yet partially with a twinkle in his eye and said, "Do you mean to say that they could be rounding Diamond Head and you wouldn't know it?" or words to that effect. My reply was that, "I hope they would be sighted before now," or words to that effect. . . .

Captain LAYTON. His question was absolutely serious, but when said, "Where are Cardivs 1 and 2?" and I said, "I do not know precisely, but if I must estimate, I would say that they are probably in the Kure area since we haven't heard from them in a long time and they may be refitting as they finished operations only a month and a half ago," and it was then when he, with a twinkle in his eye, said, "Do you mean to say they could be rounding Diamond Head?" or words to that effect. In other words, he was impressing me on my complete ignorance as to their exact location. . . .

Captain LAYTON. This incident has been impressed on my mind. I do not say that I quote him exactly, but I do know that he made such a statement to me in the way to point out to me that I should know where they are but hadn't so indicated their location.

71. The December 2nd radio intelligence summary, which was delivered to Admiral Kimmel on December 3rd, stated as to carriers:

Almost a complete blank of information on the carriers today. Lack of identification has somewhat promoted this lack of information. However, since over 200 service calls have been partially identified since the change on the 1st of December and not one carrier call has been recovered, it is evident that carrier traffic is at a low ebb.

72. The radio intelligence summary delivered to Admiral Kimmel on December 4th stated, in part, "No information on submarines or carriers." The summary delivered on December 5th made no mention of carriers. The summary delivered on December 6th stated, in part, "No traffic from the Commander Carriers or Submarine Force has been seen either."

73. Other than radio intelligence and sighting reports from other sources, the only practicable way by which the Commander-in-Chief, Pacific Fleet, could have obtained information as to the location or movements of Japanese naval forces from 27 November to 7 December 1941 was by long distance air reconnaissance.

[171] 74. Under the Joint Coastal Frontier Defense Plan, the Navy had the obligation, through ComFOURTEEN, to conduct distant reconnaissance, and under Annex VII, Section VI, to the Joint Coastal Frontier Defense Plan, naval forces were to be supplemented by available Army aircraft if the naval aircraft were insufficient for long distance patrol and search operations. As previously pointed

out, the latter plan was not in operation because an agreement between the Commanding General and ComFOURTEEN that threat of a hostile attack was imminent was a prerequisite and no such agreement had been made prior to the attack. The Naval Base Defense Air Force Plan, which implemented the agreements for joint Army-Navy air action, similarly was not operative prior to the attack.

75. No patrol planes were under the command of Admiral Bloch. The only Navy planes suitable for long distance reconnaissance were the Pacific Fleet patrol planes.

76. The Pacific Fleet patrol planes were under the control of Admiral Kimmel, and he had the responsibility for their utilization. They were operated after 22 November 1941 in accordance with schedules approved by him at that time, which were not revised prior to the attack. The schedules stressed training operations. They did not provide for distant reconnaissance from Oahu.

77. Admiral Kimmel testified before the Naval Court of Inquiry that he decided on November 27th that there should be no distant reconnaissance.

78. There is no evidence of any specific discussion between Admiral Kimmel and members of his staff on or after the receipt of the "war warning," as to the advisability or practicability of long range reconnaissance from Oahu. The War Plans Officer thought that the subject must have been discussed, but could recall no specific discussion. The Commander of the Fleet patrol planes, who had not been informed of any of the significant warning messages, testified that Admiral Kimmel had no such discussion with him.

79. The joint estimate by Admiral Bellinger, Commander, Fleet Patrol Planes, and General Martin, Commanding General, Hawaiian Air Force, which was used as a basis for the joint Army-Navy agreements, was prophetic in its estimate that in the event of attack on Hawaii, the most likely and dangerous form of attack would be an air attack to be launched at dawn from carriers about 200 miles from Oahu. This estimate stated that the action open as a counter-measure included daily patrols as far as possible from Oahu, to sectors through 360 degrees, to reduce the possibilities of surface or air surprise. It further stated that such patrols could be effectively maintained with the personnel and materiel available at the time (March, 1941) for a very short period and that such patrols were not practicable unless other intelligence indicated that surface raid was probable within narrow limits of time. According to Admiral Bellinger, it was realized by the responsible officers of the Pacific Fleet that another course of action which was always open was to fly a patrol of less than 360 degrees, with the available aircraft, covering the more dangerous sectors.

[172] 80. A daily search of the Fleet operating areas to the southward of Oahu was being carried out prior to the attack, in accordance with the provisions of the Pacific Fleet letter on security of the Fleet at base and in operating areas.

81. No distant reconnaissance was flown from Oahu during the critical period 27 November to 7 December 1941. The last previous distant reconnaissance flown from Oahu appears to have been for several days during the summer of 1941 on a sector toward Jaluit. This reconnaissance had been directed by Admiral Kimmel at Admiral Bloch's request.

82. Late in November, 1941, the Army planned to conduct a reconnaissance flight from Oahu to Jaluit and Truk, with the Navy assisting by providing intelligence. The reconnaissance was not flown because the Army planes were not made ready prior to the attack.

83. The Navy Basic War Plan assigned to the Pacific Fleet the task of protecting the territory of the Associated Powers in the Pacific area by destroying hostile expeditions and by supporting land and air forces in denying the enemy the use of land positions in that hemisphere. Under the provisions of Pacific Fleet Operating Plan Rainbow Five, when that plan became effective, the Pacific Fleet patrol planes were to maintain maximum patrol plane search against enemy forces in the approaches to the Hawaiian area, having due regard for time required for overhaul and repair of planes and for conservation of personnel.

84. In the war warning of November 27th, which advised that negotiations with Japan had ceased and that an aggressive move by Japan was expected within a few days, the Chief of Naval Operations directed that Admiral Kimmel "execute an appropriate defensive deployment preparatory to carrying out the tasks assigned in WPL-46."

85. The dispatch of November 28th repeated an Army dispatch, which, among other things, advised General Short that Japanese future action was unpredictable but that hostile action was possible at any moment. The Navy dispatch directed that Admiral Kimmel was to undertake no offensive action until Japan had committed an overt act and that he was to "be prepared to carry out tasks assigned in WPL-46 so far as they apply to Japan in case hostilities occur."

86. The establishment of long distance air reconnaissance from Oahu would have been an "appropriate defensive deployment preparatory to carrying out the tasks assigned in WPL-46."

87. The Fleet patrol planes available at Oahu in the week preceding the attack were not sufficient to have conducted 360 degree reconnaissance daily for more than a few days.

88. Prior to the attack, requests had been made by the Pacific Fleet to the Navy Department to increase the number of patrol planes assigned to the Fleet. Some new replacement planes had been sent to the Fleet during October and November, 1941. Additional planes, as evidenced by the prompt arrival of reinforcements after December 7th, could have been made available by the Navy Department, but at the expense of defenses in other areas. The [173] Navy Department presumably knew that the number of planes available at Oahu were not sufficient to conduct 360 degree reconnaissance daily for more than a few days. The evidence in prior investigations indicates that after November 27th, responsible officers in the Navy Department thought that reconnaissance was being conducted from Oahu to the extent practicable with the planes available there.

89. There were sufficient Fleet patrol planes and crews in fact available at Oahu during the week preceding the attack to have flown, for at least several weeks, a daily reconnaissance covering 128 degrees to a distance of about 700 miles.

90. The sectors north of Oahu were generally recognized as being the most likely sectors from which a Japanese attack would come, if the Japanese were to attack Pearl Harbor.

91. If a daily distant reconnaissance had been flown from Oahu after 27 November 1941, with the available patrol planes, the northern sectors probably would have been searched.

92. On the morning of 7 December 1941, shortly before the air attack on Pearl Harbor, there were reports of suspected and actual hostile submarine activity. The second advised of a surface and depth charge attack on a submarine. Only the latter report reached responsible officers. Due to reports on previous days of sound contacts with submarines, confirmation was sought. The action initiated by ComFOURTEEN in dispatching the ready duty destroyer, was in accord with the provisions of the Fleet security letter.

93. Confirmation of the report of the sinking of a submarine was not received by Admiral Kimmel or by Admiral Bloch prior to the air attack.

94. There is no evidence warranting the conclusion that a Japanese submarine entered Pearl Harbor prior to December 7th. The one midget submarine known to have been in Pearl Harbor on the morning of December 7th was sunk after making an ineffectual attack.

95. Evidence of the approach of a large flight of planes from the northward, obtained by Army enlisted men operating a radar installation for instruction purposes, was not communicated either to the Navy or to responsible Army commanders.

96. The Commander-in-Chief, Pacific Fleet, and ComFOURTEEN had no previous warning of the air attack, which was initiated by the enemy at 0755. The attack was skillfully executed, and resulted in serious losses of life and damage.

97. The battleships each had two 5" anti-aircraft guns ready and two machine guns manned, which was in excess of the requirements of Condition III as prescribed in the Fleet Security Letter. As to Fleet aircraft based at Oahu, seven were in the air (3 on morning security patrol armed with depth charged and 4 engaged in tactics with submarines); ten were on 30 minutes notice; and the balance of forty-four on four hours notice.

[174] 98. As a result of adherence to Fleet schedules which had been issued in September, 1941, the Pacific Fleet battleships, with one exception, were all in port and were either sunk or damaged. Due to the fortunate coincidence which resulted in the aircraft carriers being at sea, they were uninjured.

99. It has been learned, since 7 December 1941, that the Japanese task force which attacked Pearl Harbor left Saiki Anchorage, near the Bongo Channel, sometime between 20 and 22 November 1941, East Longitude Time, and proceeded to Takan Bay, Etorofu Island, in the Kuriles. The force then assembled and fueled. It departed on or about 28 November 1941, East Longitude Time, and proceeded in an easterly direction to about 170° West Longitude, then southeast to a point about 200 miles from Oahu.

100. The Japanese striking force included three Carrier Divisions, among which were Carrier Divisions 1 and 2. Five days before the attack, the Fleet Intelligence Officer had advised Admiral Kimmel that he could not reliably estimate the location of Carrier Divisions 1 and 2.

101. The Japanese carriers launched their planes from a position 200 miles due north of Oahu.

[175]

B. CONCLUSIONS

1. The basic war plans and the local defense plans were sound and were designed to meet, with the available means, various types of attack, including an attack such as the one which was delivered. The basic war plans and the local air defense plans were not operative in time to meet that attack. The Rainbow Five war plans presupposed the existence of a state of war. The local air defense plans presupposed agreement between the local commanders that an attack was imminent. Neither of these was the case prior to the attack.

2. The system of command in effect in the Hawaiian area was that of mutual cooperation and not unity of command. Cooperation between the local Army and Navy commanders required agreement as to the imminence of attack, which presupposed the possession and exchange of information concerning Japanese intentions and movements of Japanese naval forces.

3. A full exchange of information is necessary to the effective exercise of Joint Command. While there was a considerable exchange of information between various Army and Navy intelligence agencies there was no organized system to ensure such exchange.

4. Current and detailed information which was obtained by the Japanese as to the location and movements of American naval forces and as to the preparations being made for defense against an attack on Pearl Harbor contributed to the success of their attack.

5. Information was promptly and efficiently obtained by the United States Navy and Army intelligence organizations in Washington, concerning the Japanese Government's actual views as to the diplomatic negotiations and its intentions to wage war, by means of interception, decryption, and translation of Japanese diplomatic messages.

6. The information which was obtained in Washington by the War and Navy Departments from Japanese diplomatic messages was fully exchanged. The information which was obtained by the Navy Department as to Japanese naval movements was available to intelligence officers of the War Department in Washington. The War Department had information which led that Department to believe that Japanese naval forces were in the Marshalls in November, 1941. This appears from a War Department dispatch of 26 November 1941 to General Short, information to Admiral Kimmel, concerning a special photographic reconnaissance to be flown over Truk and Jaluit, in order to obtain information, among other things, as to the number and location of naval vessels. The reconnaissance was not flown because the special Army planes were not made ready.

7. Although the Japanese Government established in their diplomatic messages a code, known as the "winds" code, to be used in radio broadcasts in order to convey information to its representatives as to the status of relations between Japan and other countries, no message was intercepted prior to the attack which used the code words relating to the United States.

[176] 8. The information obtained by the Navy Department from intercepted Japanese diplomatic messages was adequately disseminated within the Navy Department.

9. Although Admiral Kimmel some months before had made requests that he be kept fully informed on subjects of interest to the Fleet and as to all important developments, the Chief of Naval Op-

erations did not communicate to him important information which would have aided him materially in fully evaluating the seriousness of the situation. In particular, the failure to transmit the State Department message of November 26th and to send, by telephone or other expeditious means, information of the "1. p. m." message and its possible import, were unfortunate.

10. Admiral Kimmel, nevertheless, did have sufficient information in his possession to indicate that the situation was unusually serious, and that important developments with respect to the outbreak of war were imminent. This included the "war warning" message and similar important messages which were sent by the Chief of Naval Operations.

11. The available information in the possession of the Commander-in-Chief, Pacific Fleet, as to the existing situation, particularly the "war warning" message, was not disseminated to all of his important subordinate commanders whose cognizance thereof was desirable. Thus Admiral Bellinger, who commanded the patrol planes, and Admiral Newton, who was at sea with a carrier and other units, were not informed of this and other important messages.

12. Despite the fact that prior to the attack the telephone lines of the Japanese Consul General at Honolulu were tapped and that various of his cable messages were secured at Honolulu, no information was obtained prior to December 7th which indicated the likelihood of a Japanese attack. The legal restrictions which denied access to such cable messages were a definite handicap to the intelligence agencies in the Hawaiian area.

13. Although various messages of the Japanese Consul General at Honolulu, which indicated Japanese interest in specific locations of ships in Pearl Harbor, were intercepted by radio intercept stations of the Army and Navy and decrypted prior to the attack, this information was not transmitted by the Navy Department to Admiral Kimmel. Certain other messages which were intercepted by the Army prior to 7 December 1941, indicated the likelihood of attack on Pearl Harbor but were not decrypted or brought to the attention of the Navy prior to the attack, apparently because the Army did not have sufficient personnel for such work.

14. The only practicable sources from which Admiral Kimmel could have secured information, after the receipt of the "war warning," as to the approach of the attacking force, were the aircraft warning service, traffic analyses of Japanese naval communications, and distant air reconnaissance from Oahu.

[177] 15. The aircraft warning system was being operated by the Army during certain periods of the day primarily for training purposes, and, although not fully developed, could have served to give some warning of the approach of Japanese aircraft.

16. The principal basis for estimates of the location of Japanese naval forces was the intelligence obtained by the Navy from traffic analysis of Japanese naval communications.

17. A carrier attack could not, with certainty, have been prevented, for the following reasons:

(a) Certain prevention of such an attack requires interception and destruction of the carriers before attack planes can be launched.

(b) The forces necessary to insure such interception and destruction, anywhere in the vast area which would have had to be covered, were not available, and could not have been expected to be available.

(c) If the Japanese task force had been detected at nightfall, the probability of its successful interception and destruction prior to the following dawn would have been small.

18. Prior warning of an impending air attack, even as little as one half hour, would have served considerably to reduce the effectiveness of the attack, for the following reasons:

(a) Ships' anti-aircraft batteries would have been fully manned and ready. It is to be noted that the anti-aircraft fire was more effective against the subsequent attacks than the initial air attack.

(b) Enemy character of the approaching planes would have been immediately appreciated and they would have been engaged at once.

(c) The maximum condition of damage control readiness would have been set, thus facilitating the isolation of damage received.

(d) Many planes could have been in the air, in readiness.

(e) Ground dispersal of planes could have been improved.

19. The only adequate means of assuring detection of an approaching carrier attack was by 360 degree distant air search from Oahu. Sufficient planes were not available to carry out an all-around distant air reconnaissance daily for more than a few days.

[178] 20. A thorough appreciation of the danger, the capabilities of the available planes, and the importance of the defense of Pearl Harbor might have justified the allotment by the Chief of Naval Operations of additional patrol planes to the Pacific Fleet. Although the additional planes, if assigned, would not have been sufficient for a 360 degree daily search, they would have increased the area which could have been effectively covered and might have acted as an inducement to such employment. Admittedly, in making over-all plane assignments, it was necessary for the Chief of Naval Operations to weigh the prospective needs of the Pacific and the Atlantic, where hostilities with Axis submarines were already in progress.

21. Partial air reconnaissance, covering a sector of some 120 degrees, could have been maintained daily from Oahu for a considerable period of time with the Fleet patrol planes controlled by Admiral Kimmel and could have been designed to cover the most probable approach bearings from which an attack might have been expected. Such reconnaissance would have had a reasonable chance of success.

22. Neither the Chief of Naval Operations, the Commander-in-Chief, Pacific Fleet, nor the key members of the latter's staff, seem to have given serious consideration after 27 November 1941 to the possibility or probability of an air attack on Pearl Harbor or of its possible effect.

23. The information as to Japanese naval forces which was available to the Commander-in-Chief, Pacific Fleet, emphasizing the movement of forces to the southward, tended to concentrate his attention on the probability of Japanese attacks on the Philippines and Malaysia. The information which was received by Admiral Kimmel during the first week of December 1941 indicated, however, that on December 1st there was an unusual change in Japanese radio call signs; that, on the basis of all information up to December 2nd, no

reliable estimate could be made of the whereabouts of four of Japan's ten carriers, and that there was no information as to any of the carriers thereafter. The absence of positive information as to the location of the Japanese carriers, a study of the movement which was possible to them, under radio silence, through the unguarded areas of the Pacific, and a due appreciation of the possible effects of an air attack should have induced Admiral Kimmel to take all practicable precautions to reduce the effectiveness of such an attack. The measures which reasonably were open to him were:

(a) Establishment of long distance air reconnaissance, covering the most probable approach sectors to the extent possible, on a reasonably permanent basis, with available planes and crews.

(b) Establishment of a higher condition of anti-aircraft readiness, at least during the dangerous dawn hours.

(c) Establishment of a higher degree of damage control readiness by ships in port, particularly during the dangerous dawn hours.

(d) Installation of anti-torpedo nets to protect the larger vessels in port.

[179] (e) Maintenance of a striking force at sea in readiness to intercept possible attack forces.

(f) Maintenance of the maximum force of the Fleet at sea, with entry into port at irregular intervals.

(g) Checking with Army as to readiness of anti-aircraft defense and aircraft warning installations.

24. Admiral Kimmel's estimate as to the probability of submarine attack in the Hawaiian area was justified by subsequent events.

25. Throughout his incumbency as Commander-in-Chief, Pacific Fleet, Admiral Kimmel was energetic, indefatigable, resourceful, and positive in his efforts to prepare the Fleet for war. In considering the action which he could have taken, it should be noted that:

(a) Establishment of the maximum plane reconnaissance would have meant the stoppage of aircraft training which was of great importance to the naval expansion program, and might have resulted in wear and tear on planes and crews which would have reduced their later effectiveness.

(b) Higher conditions of readiness would have interfered with the rest and relaxation desirable in port for the maintenance of personnel efficiency.

(c) Failure to install anti-torpedo nets was influenced (i) by information from CNO which made it appear that effective drops of aircraft torpedoes with the depths of water and length of run available in Pearl Harbor were not probable; (ii) the interference such nets would have caused in harbor operations due to crowded conditions.

(d) The presence of two carrier task forces at sea at the time on necessary ferry trips did, in a way, provide striking forces and some reconnaissance.

(e) In view of the submarine menace and the concentration of anti-aircraft batteries, it was questionable whether ships were safer in port or at sea.

26. The attempt to obtain confirmation of the reported submarine attack off Pearl Harbor was proper, although it should have been effected in plain language. Adequate naval action was taken in sending out the ready destroyer. This information was of no immediate

interest to the Army unless it is fact indicated imminency of an air attack, an assumption which was not necessarily logical. In any event, confirmation was not received until the air attack had commenced.

[180] 27. More effective action would have been taken both before and after the attack on Pearl Harbor had there been in existence in the Hawaiian area a suitable operating agency for the adequate exercise of joint command functions. This omission was the fault of no one person, but of the existing system.

28. War experience has shown that:

(a) The responsibility for final major decisions must devolve on one person; that is, there must be "unity of command."

(b) In planning and executing joint operations, responsible commanders of the different services, who are to act jointly, and the principal members of their staffs, must be in close physical touch, and not entirely dependent on telephonic, radio, or similar communications. In no other way can a full exchange of information and ideas be assured nor the possibility of misunderstanding be prevented.

(c) Command organizations which are to function effectively in an emergency must be in active operation prior to such emergency.

29. Based on the foregoing, military command of outlying stations, such as Hawaii, should, even in peacetime, be established under the principle of "Unity of Command." The commander exercising such joint command should be assisted by a joint staff, capable of advising him in the functions of both services concerned.

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