

TOP SECRET

EXHIBIT F

INVESTIGATION BY LT. COLONEL HENRY C. CLAUSEN, JAGD, FOR THE SECRETARY OF WAR

SUPPLEMENTARY TO PROCEEDINGS OF THE ARMY PEARL HARBOR BOARD

Memorandum of The Judge Advocate General supplementing and commenting upon certain aspects of his previous memorandum to the Secretary of War, dated 25 November 1944, in the light of my investigation.

The previous memorandum mentioned is attached at the end of Exhibit "F."

TOP SECRET

[297]

HEADQUARTERS, ARMY SERVICE FORCES,
OFFICE OF THE JUDGE ADVOCATE GENERAL,
Washington 25, 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 [298] 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 Rex 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 [299] 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., Gen. Leonard Gerow). General Smith likewise had 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)

[300] 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, [301] 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" nor 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.)

[302] 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:

[303] "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 believed the Pacific 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. Haley, 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 [304] 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 heresay 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. [305] 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 feel 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 [306] "destroying its codes and burning its 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, who 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 OpNav 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)

[307] 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 [308] 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."

[309] 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)

[310] *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.

[311] 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, be 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:

[312] 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,
MYRON C. CRAMER,
Major General
The Judge Advocate General.

1 Incl

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to S/W, "Top Secret
Report, Army Pearl
Harbor Board."