

6. You are hereby detailed to make a study of the enclosures and then to conduct such further investigation, including the examination of any additional persons who may have knowledge of the facts pertinent to the said Japanese attack, and to re-examine any such person who has been previously examined, as may appear to be necessary, and to record the testimony given thereby. You are authorized to obtain such documents relating to said attack as may be required for inclusion in the record.

7. Under the authority of Title 5, Section 551, of the U. S. Code, you are authorized and directed to administer an oath to any witness called by you to testify or depose in the course of this examination into the subject-matter matter. Except that the testimony you take should be taken under oath so as to be on equal status in this respect with the testimony previously taken, you will conduct your examination in an informal manner and without regard to legal or formal requirements. Upon completion of your examination you will submit the record direct to the Secretary of the Navy.

8. You are being ordered to report to the Secretary of the Navy for temporary duty for this purpose, and will request such additional orders from him as you find necessary.

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### HEWITT INQUIRY EXHIBIT No. 1A

Office of the Secretary

DEPARTMENT OF THE NAVY

WASHINGTON 25, D. C.

Confidential

From: The Secretary of the Navy

To: Admiral H. Kent Hewitt, USN

Subject: Further investigation of facts pertinent to the Japanese attack on Pearl Harbor, Territory of Hawaii, on 7 December 1941.

Enclosure:

- (A) Report of Commission appointed by Executive Order dated 18 December 1941, to investigate the attack made by Japanese armed forces upon the Territory of Hawaii, 7 December 1941.
- (B) Copy of Examination of Witnesses, ordered by the Secretary of the Navy, 12 February 1944.
- (C) Copy of record of proceedings of Court of Inquiry, convened by order of the Secretary of the Navy, 13 July 1944.

1. 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. Prior to the enactment of said law, the attack made by Japanese armed forces upon the Territory of Hawaii on 7 December 1941 had been investigated by a Commission appointed by Executive Order, dated 18 December 1941, and by Admiral Thomas C. Hart, USN (Retired), pursuant to precept of the Secretary of the Navy, dated 12 February 1944. The report of the Commission is Enclosure (A). The record of Admiral Hart's examination of witnesses is Enclosure (B).

2. 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 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 3 July 1944, and submitted the record of its proceedings on 20 October 1944.

Enclosure (C) is the record of proceedings of the Court of Inquiry, which contains the Court's findings and opinion.

3. After examination of the record of proceedings and the findings of fact and opinion of the Pearl Harbor Naval Court of Inquiry, as reviewed by Judge Advocate General of the Navy, and by the Commander-in-Chief, U. S. Fleet and Chief of Naval Operations, the Secretary of the Navy has found that the evidence obtained by the Court does not warrant and will not support the trial by general court martial of any person or persons in the Naval Service.

4. Upon the evidence before the Court of Inquiry and all the other proceedings in the matter to date, the Secretary has found that there were errors of judgment on the part of certain officers in the Naval Service, both at Pearl Harbor and at Washington.

5. The Secretary has further found that the previous investigations have not exhausted all possible evidence. Accordingly, he has decided that the investigation directed by Public Law No. 339 of the 78th Congress should be further continued until the testimony of every witness in possession of material facts can be obtained and all possible evidence exhausted.

6. The Secretary's present decision will be reviewed when the investigation has been finally completed, in the light of all the evidence then at hand.

7. You are hereby detailed to make a study of the enclosures and then to conduct such further investigation, including the examination of any additional persons who may have knowledge of the facts pertinent to the said Japanese attack, and to re-examine any such person who has been previously examined, as may appear to be necessary, and to record the testimony given thereby. You are required for inclusion in the record.

8. Under the authority of Title 5, Section 93, of the U. S. Code, you are authorized and directed to administer an oath to any witness called by you to testify or depose in the course of this examination into the subject-named matter. Except that the testimony you take should be taken under oath so as to be on equal status in this respect with the testimony previously taken, you will conduct your examination in an informal manner and without regard to legal or formal requirements. Upon completion of your examination you will submit the record direct to the Secretary of the Navy.

9. You are being ordered to report to the Secretary-in-Chief, United States Fleet, for temporary duty for this purpose, and will request such additional orders from him as you find necessary.

## HEWITT INQUIRY REPORT No. 2

### NARRATIVE STATEMENT OF RECORD OF PEARL HARBOR COURT OF INQUIRY

With Cross-References to Admiral Hart's Investigation Together With Addendum Thereto (Admiral Hewitt's Findings and Conclusions)

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