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PEARL HARBOR ATTACK

HEARINGS

BEFORE THE

(JOINT COMMITTEE) ON THE INVESTIGATION
OF THE PEARL HARBOR ATTACK

(U.S.) 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 32

PROCEEDINGS OF NAVY COURT OF INQUIRY

Printed for the use of the
Joint Committee on the Investigation of the Pearl Harbor Attack



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UNITED STATES
GOVERNMENT PRINTING OFFICE
WASHINGTON : 1946

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Pt. 32

JOINT COMMITTEE ON THE INVESTIGATION OF THE PEARL
HARBOR ATTACK

ALBEN W. BARKLEY, Senator from Kentucky, *Chairman*

JERE COOPER, Representative from Tennessee, *Vice Chairman*

WALTER F. GEORGE, Senator from Georgia	JOHN W. MURPHY, Representative from Pennsylvania
SCOTT W. LUCAS, Senator from Illinois	BERTRAND W. GEARHART, Representative from California
OWEN BREWSTER, Senator from Maine	FRANK B. KEEFE, Representative from Wisconsin
HOMER FERGUSON, Senator from Michigan	
J. BAYARD CLARK, Representative from North Carolina	

COUNSEL

(Through January 14, 1946)

WILLIAM D. MITCHELL, *General Counsel*
GERHARD A. GESELL, *Chief Assistant Counsel*
JULE M. HANNAFORD, *Assistant Counsel*
JOHN E. MASTEN, *Assistant Counsel*

(After January 14, 1946)

SETH W. RICHARDSON, *General Counsel*
SAMUEL H. KAUFMAN, *Associate General Counsel*
JOHN E. MASTEN, *Assistant Counsel*
EDWARD P. MORGAN, *Assistant Counsel*
LOGAN J. LANE, *Assistant Counsel*

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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.,
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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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¹ Pages referred to relate to sworn answers submitted by the witness to written interrogatories.

² Sworn statement presented to committee.

NAMES OF WITNESSES IN ALL PROCEEDINGS REGARDING THE PEARL HARBOR ATTACK—Continued

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JOINT COMMITTEE EXHIBIT NO. 146

[SECRET]

RECORD OF PROCEEDINGS OF A COURT OF INQUIRY
 CONVENED AT THE NAVY DEPARTMENT, WASHINGTON, D. C., BY ORDER OF THE SECRETARY OF THE NAVY

TO INQUIRE INTO THE ATTACK MADE BY JAPANESE ARMED FORCES ON PEARL HARBOR, TERRITORY OF HAWAII, ON 7 DECEMBER 1941

24 July 1944

[1] COURT OF INQUIRY

To inquire into the attack made by Japanese armed forces on Pearl Harbor, Territory of Hawaii, on 7 December 1941, convened at Navy Department, Washington, D. C., 24 July 1944, pursuant to precept of the Secretary of the Navy, dated 13 July 1944.

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William S. Pye, Vice Admiral, USN (Ret).	417	431, 445	434	-----
Kermit A. Tyler, Lt. Col., USAAF.	446, 460	453, 459, 460	457, 460	-----
William A. Heard, Captain, USN.	461	464	468	-----
Joseph John Rochefort, Commander, USN.	470	474	474	-----
Walter C. Phillips, Colonel, USA.	477	490	491	-----
Walter S. DeLany, Rear Admiral, USN.	495	500, 509	504	-----
Willard A. Kitts, III, Rear Admiral, USN.	511	517, 521, 526	521	-----
William W. Smith, Rear Admiral, USN.	528, 567, 569	541, 551	556, 568, 569	-----
Logan C. Ramsey, Captain, USN.	575, 602	589, 599, 603	594, 604	-----
William E. G. Taylor, Commander, USNR.	609, 617	614	615	-----
Joseph L. Locard, 1st Lt., AUS	623, 642	636, 643	638, 643	-----
George E. Elliott, Sergeant, AUS	644, 658	651	653	-----
P. N. L. Bellinger, Vice Admiral, USN.	660	674, 687	680, 687	-----
[III]				
George W. Lynn, Lt. Comdr., USNR.	734	738	739	-----
L. F. Safford, Captain, USN	744	754, 761	757	-----
Stanley K. Hornbeck (Civilian)	763	771	771	-----
Alfred V. Pering, Lt. Comdr., USNR.	812	813	814	-----
Royal E. Ingersoll, Admiral, USN.	816	831, 843	840, 847	-----
George C. Marshall, General, USA.	852	874	882	-----
C. H. McMorris, Rear Admiral, USN.	886	893, 901	898	-----
Edwin T. Layton, Captain, USN.	904, 916	907, 911, 917	909, 912, 917	-----
F. M. Brotherhood, Lt. Comdr., USNR.	919-A, 926, 930	923	927	-----
W. L. Calhoun, Vice Admiral, USN.	931, 943	937	-----	-----
C. W. Nimitz, Admiral, USN	947	947	947	-----
A. D. Kramer, Comdr., USN	950, 966, 967	971	966, 967, 976	-----
R. K. Turner, Vice Admiral, USN.	988	999, 1000, 1005, 1006, 1007.	1002, 1005, 1006, 1018.	-----
Leigh Noyes, Rear Admiral, USN.	1026, 1050	1039, 1048, 1049	1043, 1048	-----
James O. Richardson, Admiral, USN.	1052	-----	1054	-----
Joseph Clark Grew (Ambassador).	1062	1066	-----	-----
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Maxwell M. Hamilton, (Civilian).	1070	-----	1072	-----
H. H. Smith-Hutton, Captain, USN.	1077	1080	-----	-----
Thomas Withers, Rear Admiral, USN.	1083, 1089	1088	1083, 1089	-----
Joseph R. Redman, Rear Admiral, USN.	1091, 1108	1102	1106, 1108	-----

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[A (1)]

DEPARTMENT OF THE NAVY,
Washington 25, D. C., 13 July 1944.

From: The Secretary of the Navy.

To: Admiral Orin G. Murfin, U. S. Navy, Retired.

Subj: Court of Inquiry to inquire into the attack made by Japanese armed forces on Pearl Harbor, Territory of Hawaii, on 7 December 1941.

Encls:

(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.

1. A court of inquiry, consisting of yourself as president and of Admiral Edward C. Kalbfus, U. S. Navy, Retired, and Vice Admiral Adolphus Andrews, U. S. Navy, Retired, as additional members, and of Commander Harold Biesemeier, U. S. Navy, as judge advocate, is hereby ordered to convene at the Navy Department, Washington, D. C., at 10 a. m., 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 armed forces on Pearl Harbor, Territory of Hawaii, on 7 December 1941.

2. The attention of the court is particularly invited to sections 734 and 735, Naval Courts and Boards. The judge advocate is authorized

to summon such witnesses believed to have knowledge of facts pertinent to the subject matter and whose attendance can be had without interruption to or interference with the war effort, and to obtain all document relating to the said attack that may be required for introduction into evidence.

3. Orders for travel of witnesses must be approved by the convening authority prior to the issuance thereof.

4. The court will thoroughly inquire into the matter hereby submitted to it and will include in its findings a full statement of the facts it may deem to be established. The court will further 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, will specifically recommend what further proceedings should be had.

[A (2)] 5. The court will be held with closed doors.

6. The Chief of Naval Personnel is hereby directed to furnish the necessary clerical assistance for the purpose of assisting the judge advocate in recording the proceedings of this court of inquiry.

FORRESTAL.

[B]

DEPARTMENT OF THE NAVY,
Washington, D. C., 24 July 1944.

To: Lieutenant Commander Robert D. Powers, U. S. N. R.

Sub: Orders as counsel to assist judge advocate.

Ref: (a) Court of Inquiry to inquire into the attack made by Japanese armed forces on Pearl Harbor, Territory of Hawaii, on 7 December 1941, convened by SecNav, 13 July 1944.

1. You are hereby directed to report to the president of the court of inquiry, ordered to convene at the Navy Department, as counsel to assist the judge advocate during the inquiry set forth in reference (a).

FORRESTAL.

NAVY DEPARTMENT,
Washington, D. C., 24 July 1944.

First Endorsement

From: President, Court of Inquiry.

To: Lieutenant Commander Robert D. Powers, USNR.

1. Reported.

Orin G. Murfin,
ORIN G. MURFIN,
Admiral, USN (Ret).

[C]

DEPARTMENT OF THE NAVY,
Washington, D. C., July 15, 1944.

To: Lieutenant William M. Whittington, Jr., U. S. N. R.

Subj: Orders as counsel to assist judge advocate.

Ref: (a) Court of Inquiry to inquire into the attack made by Japanese armed forces on Pearl Harbor, Territory of Hawaii, on 7 December 1941, convened by SecNav, 13 July 1944.

1. You are hereby directed to report to the president of the court of inquiry ordered to convene at the Navy Department, as counsel to assist the judge advocate, during the inquiry set forth in reference (a).

RALPH A. BARD,
Acting Secretary of the Navy.

First Endorsement

15 July 1944

To: Lieutenant William M. Whittington, Jr., USNR.

1. Reported this date.

ORIN G. MURFIN,
Orin G. Murfin,
Admiral, USN (Ret),
President Court of Inquiry.

[D]

THE SECRETARY OF THE NAVY,
Washington, 22 September, 1944.

From: Secretary of the Navy.

To: Captain Harold Biesemeier, U. S. Navy, Judge Advocate of Court of Inquiry to inquire into attack made by Japanese armed forces on Pearl Harbor, T. H., 7 December 1941.

Sub: Request for Attendance of Witnesses before Court of Inquiry Convened by SecNav Precept 13 July 1944.

Ref: (a) Ltr. from Judge Advocate, Court of Inquiry, dtd. 21 September 1944.

1. The Secretary of the Navy has determined that the attendance of the following officers as witnesses before the Court of Inquiry convened by my precept of 13 July 1944, cannot now be made available for attendance on the Court without interruption to or interference with the war effort.

Rear Admiral T. S. WILKINSON, USN.

Captain A. H. McCOLLUM, USN.

FORRESTAL.

[E]

NAVY DEPARTMENT,
Washington 25, D. C., 30 August 1944.Pers-3215-amf
Jacket No.
16977

To: Captain Harold Bieseimeier, U. S. Navy.

Via: Admiral Orin G. Murfin, USN, Retired, President, Court of
Inquiry.

Subject: Appointment for temporary service.

Reference:

(a) Act of Congress approved July 24, 1941 (U. S. Code (Supp.
1), Title 34, Secs. 350-350j).(b) Section 5, Act of Congress approved June 30, 1942 (Public
No. 639—77th Congress).1. Pursuant to the provisions of reference (a), the President of
the United States hereby appoints you a

Captain

In the Navy for temporary service, to rank from the 10th day of
June, 1943.2. By reference (b), this appointment, unless expressly declined,
is regarded for all purposes as having been accepted on the date of
this letter, without formal acceptance or oath of office. The date of
rank stated in this appointment is for the purpose only of establishing
your order of precedence.

3. Acknowledgement of receipt is requested.

For the President:

S/ JAMES FORRESTAL,
Secretary of the Navy.

Registered No. 13. The lowest number of same date takes rank

S/ F. J. SCHUYLER,
*Registrar.*NAVY DEPARTMENT,
Washington 25, D. C., 2 September 1944.*First Endorsement*From: Admiral Orin G. Murfin, USN, Retired, President, Court of
Inquiry.

To: Captain Harold Bieseimeier, U. S. Navy.

1. Delivered, with congratulations.

S/ ORIN G. MURFIN.

A True Copy. Attest:

HAROLD BIESEMEIER,
Captain, U. S. Navy.

PROCEEDINGS OF NAVY COURT OF INQUIRY

MONDAY, JULY 24, 1944.

[1]

FIRST DAY

NAVY DEPARTMENT,
Washington, D. C.

The court met at 10:10 a. m.

Present:

Admiral Orin G. Murfin, U. S. Navy, (Ret), President.

Admiral Edward C. Kalbfus, U. S. Navy, (Ret), Member.

Vice Admiral Adolphus Andrews, U. S. Navy, (Ret), Member.

Commander Harold Biesemeier, U. S. Navy, Judge Advocate.

The judge advocate read orders from the convening authority, originals prefixed marked "B" and "C" detailing Lieutenant Commander Robert D. Powers, Junior, U. S. Naval Reserve, and Lieutenant William M. Whittington, Junior, U. S. Naval Reserve, to act as counsel to assist the judge advocate. Lieutenant Commander Powers and Lieutenant Whittington took seat as such.

The judge advocate introduced Frank M. Sickles, yeoman first class, U. S. Naval Reserve; Frank L. Middleton, yeoman second class, U. S. Naval Reserve; and Charles O. Manahan, yeoman third class, U. S. Naval Reserve, as reporters.

The court was cleared and the judge advocate read the precept, original prefixed hereto, marked "A".

All matters preliminary to the inquiry having been determined and the court having declared that pursuant to the instructions contained in the precept it would sit with closed doors, the court was opened.

Each member, the judge advocate, and the reporters were duly sworn.

No witnesses not otherwise connected with the inquiry were present.

The court was cleared.

The court was opened.

The court then, at 11:45 a. m., adjourned subject to the call of the president.

PROCEEDINGS OF NAVY COURT OF INQUIRY

MONDAY, JULY 31, 1944.

[2]

Second Day

NAVY DEPARTMENT,
Washington, D. C.

The court met at 10:00 a. m.

Present:

Admiral Orin G. Murfin, U. S. Navy, (Ret), President.

Admiral Edward C. Kalbfus, U. S. Navy, (Ret), Member.

Admiral Edward C. Kalbfus, U. S. Navy, (Ret), Member.

Commander Harold Bieseimeier, U. S. Navy, Judge Advocate, and his counsel.

Frank Murrell Sickles, yeoman first class, U. S. Naval Reserve, and Frank L. Middleton, yeoman second class, U. S. Naval Reserve, reporters.

The judge advocate introduced Frederick T. Lachat, yeoman first class, U. S. Naval Reserve, as reporter. Frederick T. Lachat, yeoman first class, U. S. Naval Reserve, was duly sworn as reporter. Frank L. Middleton, yeoman second class, U. S. Naval Reserve, and Frederick T. Lachat, yeoman first class, U. S. Naval Reserve, reporters, withdrew.

The record of proceedings of the first day of the inquiry was read and approved.

No witnesses not otherwise connected with the inquiry were present.

A witness called by the judge advocate entered, was duly sworn, and was informed of the subject matter of the inquiry.

Examined by the judge advocate:

1. Q. Will you state your name, rank, and present station?

A. Harold R. Stark, Admiral, U. S. Navy, Commanding U. S. Naval Forces, European waters.

2. Q. What duties of major importance have been assigned to you since attaining flag rank?

A. Chief of Bureau of Ordnance; Commander of Division of Cruisers, Battle Force; Commander Cruisers, Battle Force; Chief of Naval Operations; and present duty.

3. Q. During what period of time was your tenure of office as Chief of Naval Operations?

A. 1 August 1939 to March 25, 1942. I will check that. That's right.

[3] 4. Q. On 7 December 1941, what was the echelon of the strategical, tactical, and administrative command, between the Navy Department and the 14th Naval District?

A. Strategically, I would say there was none. Administratively, it was largely direct between the Department and the 14th Naval District. Tactically, any relations we had were through the Commander-in-Chief, U. S. Fleet, who was also Commander-in-Chief, U. S. Pacific Fleet, and through him to the District Commandant.

5. Q. Then am I to understand that the chain of tactical command was the Chief of Naval Operations, the Commander-in-Chief of the U. S. Fleet, the Commander-in-Chief of the U. S. Pacific Fleet, and the Commandant of the 14th Naval District; is that correct?

A. Yes, sir, theoretically. Practically, I would say it would be very largely between the Commander-in-Chief of the Pacific Fleet and the Commandant of the District. I have not been able to check any bearing of that with War Plans, but that, I believe, would be generally accepted.

6. Q. Admiral, you have stated that you were Chief of Naval Operations during the period from August 1, 1939, to March 25, 1942. What is the name of the officer who was in command of the U. S. Fleet on 7 December 1941?

A. Admiral Kimmel.

7. Q. What is the name of the officer who had command of the U. S. Pacific Fleet on 7 December 1941?

A. Admiral Kimmel.

8. Q. Could you tell us the full name of Admiral Kimmel?

A. Admiral Husband E. Kimmel. I don't know what the "E" stands for.

9. Q. That is sufficient. Can you tell the court the name of the officer who was assigned the duties of commandant, 14th Naval District, on 7 December 1941?

A. Admiral Claude Bloch.

10. Q. Did any event of national importance occur on 7 December 1941?

A. Yes, sir.

11. Q. Without elaborating your answer, please state what this event was.

A. A surprise attack by the Japanese on Pearl Harbor.

12. Q. At the time of this event was the United States in a state of war with any other nation?

A. No.

13. Q. When had the United States last been in a state of war?

A. 1918.

[4] The judge advocate stated that he did not desire further to examine this witness at this time. The court not desiring further to examine this witness at this time, the judge advocate requested that the court be cleared.

The court was cleared. The court was opened and all parties to the inquiry entered.

Admiral Harold R. Stark, U. S. Navy; Admiral Claude C. Bloch, U. S. Navy (Ret); and Rear Admiral Husband E. Kimmel, U. S. Navy (Ret), were called before the court.

The court stated as follows:

The judge advocate of the court has made a request that Admiral Harold R. Stark, U. S. Navy; Admiral Claude C. Bloch, U. S. Navy (Ret); and Rear Admiral Husband E. Kimmel, U. S. Navy (Ret), be named as interested parties in this inquiry for the reason that the scope of the inquiry would appear to cover an extensive field; there would also appear to be many complicated details of evidence; much time at this critical period of the war effort could be saved if it does not become necessary to read long extracts of testimony already before

the court and to recall witnesses for cross-examination who may have returned to their duties in combat areas and other important war work; that the evidence before the court is that Admiral Harold R. Stark, U. S. Navy, Admiral Claude C. Bloch, U. S. Navy (Ret), and Rear Admiral Husband E. Kimmel, U. S. Navy (Ret), were in the key positions of the echelon of naval command between the Navy Department and the 14th Naval District at the time, the Japanese made an armed attack on Pearl Harbor on 7 December 1941 and therefore have a direct interest in the proceedings of this court.

The court informed Admiral Harold R. Stark, U. S. Navy; Admiral Claude C. Bloch, U. S. Navy (Ret); and Rear Admiral Husband E. Kimmel, U. S. Navy (Ret), that they had been named as interested parties.

The court informed each of the interested parties of his rights.

Each of the interested parties examined the precept and stated that he did not object to any member of the court.

The interested party, Rear Admiral Husband E. Kimmel, U. S. Navy (Ret), with the permission of the court, introduced Charles B. Rugg, Esquire, civilian; Captain Robert A. Lavender, U. S. Navy (Ret); and Lieutenant (junior grade) Edward B. Hanify, U. S. Naval Reserve, as his counsel, and stated that he would also have as counsel Admiral Harry A. Yarnell, U. S. Navy (Ret), and Commander W. C. Chambliss, U. S. Naval Reserve, neither of whom was in attendance at this session.

The interested party, Admiral Harold R. Stark, U. S. Navy, with the permission of the court, introduced Admiral Thomas C. Hart, U. S. Navy (Ret), and Admiral Royal E. Ingersoll, U. S. Navy, as his counsel.

The interested party, Admiral Claude C. Bloch, U. S. Navy (Ret), with the permission of the court, introduced Rear Admiral C. J. Rowcliff, U. S. Navy, and Captain Fred A. Ironside, Junior, U. S. Naval Reserve, as his counsel.

The interested party, Admiral Claude C. Bloch, U. S. Navy (Ret), with the permission of the court, made the following statement (reading:)

The fact that I have been named an interested party comes as a surprise, particularly in view of the published findings of an investigation made on the spot, within a few weeks of December 7, 1941.

I am much concerned because of the baneful implications and presumptions which may be attached to the term "interested party".

I have had no reason to suppose that it was incumbent upon me to preserve evidence or to keep unimpaired my recollection of the details and circumstances surrounding and prior to December 7th. Nor have I had reason over this intervening time, even if I could, to keep those details and circumstances precisely separated from what they subconsciously may appear to have been, in order to be able to recapture and reconstruct them as they were.

I desire to be helpful to the court and to expedite its business, but I feel sure that you appreciate the difficulties which now confront me as an "interested party."

I have been informed only very recently that I would be an "interested party" and I have had scant time to prepare myself, if indeed, reconstruction of the facts, full and uncolored, is possible of human accomplishment at this time.

While I have no desire to burden the court with legal technicalities, I feel confident that the court does not expect me to waive any rights that I have.

So that the record may be clear in this respect, I wish it understood and I understand that I am not waiving any of my rights, whatever they are or may be.

The witness who was on the stand prior to the clearing and opening of the court, resumed his seat as witness.

[6] Cross-examined by the interested party, Admiral Claude C. Bloch, U. S. Navy (Ret.):

14. Q. Admiral Stark, you have testified as to the chain of the administrative, tactical, and strategical command which is between the Navy Department and the Commandant of the 14th Naval District. Do I understand strategical and tactical are different from military command?

A. No, I would say not.

15. Q. Then in substance your answer was that the chain of military command was from the Navy Department to the Commander-in-Chief of Pacific Fleet and thence to the Commandant, 14th Naval District?

A. Yes.

16. Q. And the chain of administrative command—may I inquire exactly what you mean by that?

A. I was thinking largely of the civilian employees and the bearing of furnishing the 14th Naval District its personnel, and so forth.

17. Q. Mr. President, I have here General Order 142, date January 10, 1941, which is a statement of the status of the 5th, 10th, 13th, 14th, and 15th Naval Districts. I merely want to state that in General Order 142, January 10, 1941, which was in effect on 7 December 1941, that the status of the Commandant of the 14th Naval District is clearly defined; and I wonder if I might ask Admiral Stark to read this order and ask him if this wasn't the chain of Command he is endeavoring to establish by the questions propounded.

With the court's permission, the question was withdrawn.

The interested party, Admiral Claude Charles Bloch, U. S. Navy, made the following motion: "Inasmuch as it appears that the chain of command and responsibilities are fixed in documents, I move to strike out that testimony on the ground that the documents themselves are the best evidence of what that authority is. Number two, on the further ground that the questions put by the judge advocate themselves presuppose an answer to the very question at issue here as to what the command was. I mean, they were conclusions in themselves, and I think it would make for time to strike out that testimony and stick with the documents—and I make such a motion."

The court was cleared. The court was opened and all parties to the inquiry entered. The court announced that the motion was not sustained.

18. Q. Admiral Stark, there is in existence General Order Number 142, Navy Department, dated 10 January 1941, defining [7] the status of the Commandants of the 5th, 10th, 13th, 14th, and 15th Naval Districts. This order was in effect on December 7, 1941, and prior thereto. Are you familiar with this order?

A. Generally, but I have had no time to go into the details. If it is the same order that was in existence, generally, yes. I would like to refreshen on the order if I may be cross-examined.

19. Q. According to this Order, and I read: "The Commandants of the Tenth, Fourteenth, and Fifteenth Naval Districts, the Commandant of the Fifth Naval District in so far as pertains to the United States naval reservations and naval activities in the Islands of Ber-

muda, and the Commandant of the Thirteenth Naval District in so far as pertains to Alaska and the Aleutian Islands, are hereby assigned a dual status as follows: (a) As Commandants of their respective Naval Districts, operating under the orders of the Navy Department. (b) As officers of one of the Fleets, operating under the orders of the Commander-in-Chief thereof, (1) with duties corresponding to those of a Senior Officer Afloat, when their relative rank makes them such, and (2) in command of task groups of the Fleet in question when and as directed by its Commander-in-Chief." Is this the command relation that you described in the previous questions propounded by the judge advocate of the court of inquiry?

A. It is.

20. Q. Admiral Stark, I have in my hand U. S. Navy Regulations 1920, corrected in so far as I am able to ascertain, to date. Articles 1480 and following, and including 1486—these I interpret to be the regulations governing the business of the naval districts as prescribed in the first part of the General Order, just referred to in paragraph (2), which says that the Commandants of their respective naval districts operate under the orders of the Navy Department. Are these regulations, governing the naval districts, given in the articles of the Navy Regulations above quoted, the orders of the Navy Department in regard to the duties of the Commandant?

A. They are.

Frank L. Middleton, yeoman second class, U. S. Naval Reserve, reporter, entered. Frank M. Sickles, yeoman first class, U. S. Naval Reserve, reporter, withdrew.

Cross-examined by the interested party, Admiral Harold E. Stark, U. S. Navy:

21. Q. Admiral, referring to your answer to the judge advocate's questions which have been read and which have been subject to cross-examination by Admiral Bloch: Did you feel that you fully understood the language of the judge advocate's questions in which he brought in the words in the official orders and regulations such as "strategic", "tactical", and so on?

A. The question was no too clear and I gave the best general answer to it that I could. The regulations and general orders are specific and I think the best answer to the judge advocate's question.

[8] Cross-examined by the interested party, Rear Admiral Husband E. Kimmel, U. S. Navy (Ret):

22. Q. In the provisions of General Order No. 142 and the Navy Regulations that have been cited, the only instructions dealing with the chain of command and the responsibilities of the command of the 14th Naval District, were there not certain directives in the war plans issued by the Chief of Naval Operations, and in the joint action of the Army and the Navy?

A. In answering the original question, I stated that they might be affected by the war plans and that I have not had an opportunity to look over them to answer your question. My recollection is that they may have been somewhat modified by war plans or special letters and which I would like an opportunity to check up on to answer your question.

23. Q. As a matter of fact, might not the provisions of these publications have vitally changed the provisions of General Order 142 in the Navy Regulations?

A. If you mean, would it have been possible to have issued such instructions, it would. Whether or not anything that was issued did, I would like an opportunity to check up.

24. Q. Well, then, you cannot give a complete answer to this question until you have further refreshed your memory?

A. That is correct.

None of the parties to the inquiry desired further to examine this witness.

The court informed the witness that he was privileged to make any further statement covering anything relating to the subject matter of the inquiry which he thought should be a matter of record in connection therewith, which had not been fully brought out by his previous questioning.

The witness made the following statement: If I may state, I have been pretty busy on the other side. I was not told why I was called to Washington, did not know definitely until I arrived what I was coming here for, obtained counsel only this morning, have had no chance to refresh on testimony which has been given and other documents which have been made available to other interested parties, and I should like time to check up and prepare myself to answer the questions which I feel will probably be asked me.

The witness resumed his seat as an interested party.

The judge advocate requested the court to take judicial notice of General Order 142, 143, and 170, and stated that they would be maintained in the custody of the judge advocate and would be available for ready reference by the interested parties or the court if and when required, and the court stated that it would take judicial notice thereof.

[9] General Orders Nos. 142, 143, and 170 were submitted to the interested parties and to the court, and by the judge advocate offered in evidence.

There being no objection, they were received in evidence and marked "EXHIBITS 1, 2 and 3," respectively, copy appended.

One of counsel for the judge advocate was called as a witness by the judge advocate, was informed of the subject matter of the inquiry, and was duly sworn.

Examined by the judge advocate:

1. Q. State your name, rank, and present station?

A. Robert D. Powers, Jr., Lieutenant Commander, United States Naval Reserve, counsel for the judge advocate of this court.

2. Q. Are you the legal custodian of an official copy of Navy Basic War Plan, Rainbow Number 5, also known as WPL-46? If so, produce it.

A. I am; here it is.

The official copy of Navy Basic War Plan, Rainbow Number 5, also known as WPL-46, was submitted to the interested parties and to the court, and by the judge advocate offered in evidence for the purpose only of hereafter reading into the record such extracts therefrom as may be pertinent to the inquiry before the court.

The interested party, Admiral Claude C. Bloch, U. S. Navy, requested the judge advocate to state whether these documents were being offered in evidence, or were being offered for identification only.

The judge advocate replied that they were being offered for identification only for the purpose of hereafter reading into the record such extracts therefrom that might become pertinent to the inquiry before the court.

There being no objection, it was so received and marked "EXHIBIT 4," for reference.

3. Q. Are you the legal custodian of an official copy of U. S. Pacific Fleet Operating Plan, Rainbow 5, Navy Plan O-1, Rainbow Five, also known as WP Pacific 46? If so, will you produce it?

A. I am; here it is.

The official copy of U. S. Pacific Fleet Operating Plan, Rainbow 5, Navy Plan O-1, Rainbow Five, also known as WP Pac-46 was submitted to the interested parties and to the court, and by the judge advocate offered in evidence for the purpose only of hereafter reading into the record such extracts therefrom as may be pertinent to the inquiry before the court.

[10] There being no objection, it was so received and marked "EXHIBIT 5", for reference.

4. Q. Are you the legal custodian of an official copy of Joint Action of the Army and Navy, 1935, document number FTP155? If so, please produce it.

A. I am; here it is.

The official copy of Joint Action of the Army and Navy, 1935, document number FTP155, was submitted to the interested parties and to the court, and by the judge advocate offered in evidence for the purpose only of hereafter reading into the record such extracts, therefrom as may be pertinent to the inquiry before the court.

There being no objection, it was so received and marked "EXHIBIT 6", for reference.

The interested party, Admiral Claude C. Bloch, U. S. Navy, requested information as to whether FTP155 was corrected up to December 7, 1941, or as of what date.

5. Q. Will you answer the question?

A. The copy shows that all changes have been made up to and including 26 July, 1944.

The interested party, Admiral Claude C. Bloch, U. S. Navy, stated that that leaves the document in a condition that it can't be identified as it was on the 7th of December, 1941, because there have been numerous pages taken out and new pages put in.

The witness requested permission to correct his last answer. The witness stated as follows: The answer which I gave to the last question was incorrect. This document is corrected up to and including July 14, 1941; the date of July 26, 1944, which I gave, being the date upon which it was corrected. In other words, that is the entry of the man who made the correction, that he made it on July 26, 1944.

Examined by the court:

6. Q. Is the judge advocate prepared to submit a copy of that publication in effect on December 7, 1941?

A. I have been assured by the registrar of this document that it stands corrected as in effect on December 7, 1941, as I have handed it to the judge advocate.

Examined by the judge advocate:

7. Q. Are you the legal custodian of an official copy of the 14th Naval District Plan O-4, called the Joint Coastal Frontier Defense Plan, Hawaiian Theater, also sometimes known as JCD-42? If so, please produce it.

A. I am; here it is.

[17] 8. Q. Is this the plan that was in effect on 7 December, 1941?

A. It is.

The official copy of 14th Naval District Plan O-4, called the Joint Coastal Frontier Defense Plan, Hawaiian Theater, also known as JCD-42, was submitted to the interested parties and to the court, and by the judge advocate offered in evidence for the purpose only of reading into the record such extracts therefrom as may be pertinent to the inquiry before the court.

There being no objection, it was so received and marked "EXHIBIT 7", for reference.

9. Q. Are you the legal custodian of an official copy of Pacific Fleet Confidential Letter Number 2CL-41 (Revised), subject, Security of Fleet at Base and in Operating Areas?

A. I am; here it is.

The official copy of Pacific Fleet Confidential Letter Number 2CL-41 (Revised), subject, Security of Fleet at Base and in Operating Areas, was submitted to the interested parties and to the court, and by the judge advocate offered in evidence for the purpose only of hereafter reading into the record such extracts therefrom as may be pertinent to the inquiry before the court.

There being no objection, it was so received and marked "EXHIBIT 8", for reference.

Cross-examined by the interested party, Admiral Claude C. Block, U. S. Navy:

10. Q. As assistant to the judge advocate, will you certify that all the documents which have just been listed will lie as they were in effect on 7 December, 1941?

A. I do, sir.

The interested parties, Admiral Harold R. Stark, U. S. Navy, and Rear Admiral Husband E. Kimmel, U. S. Navy (Ret), did not desire to cross-examine this witness.

None of the parties to the inquiry desired further to examine this witness.

The court informed the witness that he was privileged to make any further statement covering anything relating to the subject matter of the inquiry which he thought should be a matter of record in connection therewith, which had not been fully brought out by his previous questioning.

The witness stated that he had nothing further to say.

The witness resumed his seat as counsel for the judge advocate.

The court then, at 11:45 a. m., took a recess until 2 p. m., at which time it reconvened.

[12] Present :

All the members, the judge advocate and his counsel, the parties to the inquiry, and their counsel.

The interested party, Admiral Harold R. Stark, U. S. Navy, stated that he was not ready to proceed and requested a continuance in order to familiarize himself with the subject matter of the inquiry.

The interested parties, Rear Admiral Husband E. Kimmel, U. S. Navy (Ret.), and Admiral Claude C. Bloch, U. S. Navy (Ret.), joined in the request for continuance.

The judge advocate stated that he was ready to proceed but that he considered the request for continuance reasonable and did not object thereto.

The court announced that the request of the interested parties for a continuance would be granted and that the next meeting of the court would be held at 10 a. m., August 7, 1944.

With the permission of the court, Rear Admirad Husband E. Kimmel, U. S. Navy (Ret.), made the following statement: I should like to have what I am about to say put on the record, if it is pertinent to put it on. I have been branded throughout this country as the one responsible for the Pearl Harbor disaster. I feel that this investigation should go far enough to disclose all the facts in connection with the matter and that witnesses from the Army, from the State Department, or from any other federal department ought to be called before this court in order to establish the facts that are necessary. It will be a long time before I am afforded any other opportunity to refute the statements made in the report of the Roberts Commission. People may die who can make statements before this court sufficient to establish the facts and to refute the utterly false and misleading statements made throughout the Roberts Commission.

The court stated: The court assures you that we will make every effort to obtain any witness that you may care to call for the primary purpose of establishing all the facts as demanded by the precept.

The court then, at 2:20 p. m., adjourned until 10 a. m. August 7, 1944.

PROCEEDINGS OF NAVY COURT OF INQUIRY

MONDAY, AUGUST 7, 1944.

[13]

THIRD DAY

NAVY DEPARTMENT.
Washington, D. C.

The court met at 10:00 a. m.

Present:

Admiral Orin G. Murfin, U. S. Navy (Ret), President.

Admiral Edward C. Kalbfus, U. S. Navy (Ret), Member.

Vice Admiral Adolphus Andrews, U. S. Navy (Ret), Member.

Commander Harold Biesemeier, U. S. Navy, Judge Advocate,
and his counsel.Frank Murrell Sickles, yeoman first class, U. S. Naval Reserve,
reporter.Admiral Harold R. Stark, U. S. Navy, interested party, and
his counsel.Rear Admiral Husband E. Kimmel, U. S. Navy (Ret), inter-
ested party, and his counsel.Admiral Claude C. Bloch, U. S. Navy (Ret), interested party,
and his counsel.The record of the proceedings of the second day of the inquiry was
read and approved.

No witnesses not otherwise connected with the inquiry were present.

With the permission of the court, Admiral Harold R. Stark, U. S.
Navy, introduced Lieutenant D. W. Richmond, U. S. Naval Reserve,
and Lieutenant R. L. Tedrow, U. S. Naval Reserve, as additional
counsel for himself as interested party.The interested party, Rear Admiral Husband E. Kimmel, U. S.
Navy (Ret.), stated that it was his understanding that the judge ad-
vocate had requested access to certain secret files in the Navy Depart-
ment, to which he also would like to have access, and that as yet the
matter had not been acted upon.The judge advocate replied that he had written the Secretary of
the Navy, setting forth the request of Rear Admiral Husband E. Kim-
mel, U. S. Navy (Ret) that he have access to said documents, but
that up to a half hour before the court convened it had not been acted
upon by the Secretary of the Navy. The judge advocate further
stated that he did not consider the said documents immediately neces-
sary to the proceedings of the court.[14] Admiral Harold R. Stark, U. S. Navy, a witness for the
judge advocate, was recalled and warned that the oath previously
taken was still binding.Admiral Harold R. Stark, U. S. Navy, interested party, with the
permission of the court, made the following statement prior to his

examination: Before my examination begins, before my further examination proceeds, I wish to state that although there has been a week's adjournment, I have not been able to devote all of it to preparation. Considerable of my intervening time has been necessarily employed on the duties of my present station. It is difficult to throw back over two and one-half years and testify about many things. I have not been able to study over the full field which may be opened. I can testify as to broad matters of policy and plans, though I may have to ask for further time to refresh my memory. I suggest where evidence as to matters of lesser degree is sought, it can be better obtained from those of my subordinates who were in OpNav in 1941 and consequently more familiar with detail, or from custodians of records and documents in the department's files. I also wish to say that I am appearing as the first witness before this court, having been declared to be an interested party before any other testimony was taken. I make no particular point of that unusual sequence and shall strive to answer questions so far as my memory serves, fully and without reserve.

Examined by the judge advocate:

1. Q. During the period of two or three months preceding December 7, 1941, who were your principal advisers, assistants, or aides in the Navy Department?

A. My assistants and advisers at that time were the Assistant Chief of Naval Operations; Head of War Plans; Head of Office of Naval Intelligence; the Districts; Central Division; Ship Movements; Ship Maintenance; Fleet Training; Commander Wellborn, my Flag Secretary. Those are the principal ones that I recall at the moment.

2. Q. What is the name of the Assistant Chief of Naval Operations?

A. Admiral Royal E. Ingersoll.

3. Q. Will you state in general the principal duties of this officer?

A. Admiral Ingersoll's principal duties as Assistant Chief of Naval Operations were to advise me in a general way, and for me to keep him in touch with all matters of general importance. He took off my shoulders many matters of detail which he settled himself. Matters of major importance, matters regarding policy, matters regarding talks and so forth with other departments of the government were considered by me, though he was largely acquainted with them, and I accepted such letters. Many dispatches which we sent [15] over together he released after I had cleared them. In general, he was a very close assistant.

4. Q. Did the major problems arising in the Pacific Fleet in the 14th Naval District come within his view?

A. They did.

5. Q. Who was your Chief of War Plans?

A. Admiral Kelly Turner.

6. Q. Will you tell the court in general what the principal duties of Admiral Turner were?

A. Admiral Turner, as head of the War Plans Division, was charged with the drawing up of plans for the use of the Fleet in war. He worked very closely with Army War Plans. He kept in very close touch with the dispositions made in connection with War Plans. I think that may cover the broad outline of it.

7. Q. Did you ordinarily call Admiral Turner in for conferences on your principal military problems?

A. I think there is no exaggeration to state that we were in what might be called constant conference on important military problems. I saw him not only daily—frequently a number of times daily.

8. Q. Did he have anything to do with making estimates of the situations as matters progressed?

A. Yes, a great deal to do, because of his position.

9. Q. Would you say that he was familiar with the military problems and policies in the Pacific Area, so far as the Chief of Naval Operations had anything to do with these plans and was concerned?

A. I would say he was thoroughly familiar with them. We discussed them together with all their aspects, and it was a matter of his constant concern and that of his Division.

10. Q. What is the name of the officer who was in charge of the General Division?

A. Captain Schuirmann.

11. Q. What were the principal duties that he performed in relation to your office as Chief of Naval Operations?

A. Captain Schuirmann was the officer particularly charged with the liaison with the State Department. Central Division handled matters of outlying possessions, but one of his principal duties, if not the most important duty, was his connection with the State Department.

12. Q. Did you consider him as an adviser or a liaison officer, or an aide—or exactly in what capacity would you [16] state he performed his duties?

A. He was certainly a liaison officer with the State Department. Many matters I asked him to take up with the State Department. He obtained information on many matters from the State Department, and naturally I asked his opinions to that extent, and to that extent his advice on problems where it was required.

13. Q. What were the names of some of your principal aides?

A. Commander Wellborn was my Flag Secretary. My Flag Lieutenant was Lieutenant Smedberg.

14. Q. Will you tell the court whether they acted in an advisory, administrative, or in what capacity?

A. Lieutenant Smedberg acted largely in the capacity of regular Flag Lieutenant's duties; Commander Wellborn as Flag Secretary. Most matters concerning the Department which come to the Chief of Naval Operations Office or Assistant Chief of Naval Operations Office, go over his desk. He was probably as familiar as anyone with correspondence which I handled and which Admiral Ingersoll handled. He brought me mail to sign, and he frequently was responsible for diverting mail for Admiral Ingersoll's signature, which Admiral Ingersoll of course would sign or send back to me, as he saw fit; but his liaison with me was very close.

15. Q. Do you know a Captain John L. McCrae?

A. Yes, John L. McCrae to all intention and purposes also served as an aide.

16. Q. Did you ever have him appointed in any special capacity?

A. Yes. I felt the need for a capable officer to follow up matters for me which I did not have the time to follow up, but which I more or less continuously checked. For example, a letter might come in affecting several bureaus. I would have McCrae follow up the action of the bureaus, and he was check-up and follow-up officer. In addi-

tion, he sat in on a great many conferences which I had, to keep him generally familiar with a good many matters.

17. Q. Adverting to problems that may have arisen in the Pacific area, did he ever perform any special duties in connection therewith?

A. He did. I sent Captain McCrae—I do not recall just the date, sometime in 1941—with two sets of War Plans, which I was anxious for more personal touch with the Commanders-in-Chief of the Pacific than I could get by simply mailing them. He first went to the Hawaiian Islands, left a copy of these with the Commander-in-Chief of the Pacific, with the request that while he was on his way to the Asiatic and back, Commander-in-Chief would have opportunity to study these plans, and [17] McCrae could pick up any suggestions or comments and bring them back to me. In the Asiatic he delivered the plans to Commander-in-Chief of the Asiatic, remained there in consultation with the Commander-in-Chief of the Asiatic on these plans, and brought back to me his reaction. Likewise, the Commander-in-Chief of the Pacific, when he stopped on his return. I might add that Captain McCrae, of course, was made familiar with these plans before he left, in order that he might perform his duty more effectively.

18. Q. Who was your Director or Naval Intelligence?

A. I had three directors of Naval Intelligence.

19. Q. I would like the one for the period of three or four months preceding December 7?

A. At that time Captain Wilkinson was Director of Naval Intelligence.

20. Q. What were his principal duties as related to the function of Chief of Naval Operations?

A. His principal duty was collecting and dissemination of information, and of course keeping me informed of what was regarded as important and pertinent.

21. Q. What was the general nature of information that he furnished you?

A. Well, it was broad in scope. For example, such matters as he became cognizant of in connection with the war in Europe, not only with regard to what he might obtain from his attachés in operational matters, but a great deal also in technical matters.

22. Q. Were you kept currently informed?

A. Yes, I feel that I was.

23. Q. What method did he employ in transmitting this information to you?

A. Usually by word of mouth. Sometimes by memorandum.

24. Q. What was your estimate of the efficiency of the Office of Naval Intelligence in keeping you informed of international and military developments in the Pacific area for the three months preceding Pearl Harbor?

A. My estimate was that he gave me the best obtainable. I might say in that regard, if you refer to what we knew as to what military measures, particularly construction and so forth, were going on in Japan, the data could not be considered accurate. It had to be surmised. Someone once remarked, "The accurate information stopped outside the three-mile limit." I may add also that the British had no more information in regard to that than we did.

25. Q. I refer principally, Admiral, to information on political developments in the Orient, and military information [18] on disposition of possible enemy ships and matters of that nature.

A. In regard to the political situation they made estimates from time to time from what they had. I think they were reasonably good at the time. As far as disposition of the enemy forces, I would have to go back to the records to check their accuracy. The dispositions were supplemented by information received from the Commander-in-Chief in the Pacific, Commander-in-Chief in the Asiatic. The political developments, I would also have to check back my memorandum to really check their accuracy. I couldn't recall accurately at the moment how much they corroborated with other information that we had.

26. Q. I only wanted a general statement, Admiral, and I am satisfied with what you have given. Did you have any direct dealings with the State Department?

A. Yes, I did.

27. Q. Will you state to the court the details as to the manner in which you may have conducted any business of the Navy Department with the State Department?

A. My direct dealings with the State Department were on meetings which took place approximately weekly with the Under-Secretary of State. I had many conferences with Mr. Hull, in addition. Mr. Hull frequently called me by telephone, and in the latter part of '41, while negotiations were going on, he was particularly anxious that we were kept fully informed. It was not unusual for him to call me up about 6:00 o'clock in the evening and report any matters of the day's developments which he thought might be of interest to the Navy Department.

28. Q. Did you have any dealings with the War Department?

A. Yes.

29. Q. With what officers did you ordinarily transact your business?

A. Well, primarily with General Marshall, but I saw the War Plans Division of the War Department occasionally. I saw the Secretary of War occasionally, particularly where matters of priorities and so forth were concerned.

30. Q. Did you consult with him as to military matters in the Pacific area, also?

A. With General Marshall?

31. With General Marshall.

A. Yes.

32. Q. Could you give the court any idea of the frequency of these conferences? In other words, were they a weekly affair, monthly, or—?

A. The Joint Board met weekly, but in addition to that, [19] I was in very frequent communication with General Marshall. We worked very closely together, by telephone, or when the matter was too secret for telephone, by running over to his office, and he to mine.

33. Q. Did your duties as Chief of Naval Operations require any consultations with the Commander-in-Chief of the Army and Navy?

A. They did.

34. Q. Were these consultations daily, weekly, monthly, or how would you characterize them?

A. I would certainly characterize them as frequent, not only by personal visits, which were very frequent, but also by telephone, sometimes maybe two or three times in a day, frequently on matters of informatory interest, of great length, at the end of the day.

35. Q. Was the subject of our military problems in the Pacific a part of these discussions?

A. Very decidedly so.

36. Q. I show you, sir, a document which has been marked for identification "EXHIBIT 4." Do you recognize this document?

A. I do, as Navy Basic War Plan Rainbow Number 5, U. S. Navy, WPL-46.

37. Q. Was the document in effect on December 7, 1941?

A. The document had been promulgated. I might say that it was in effect, but had not been executed.

38. Q. On what date had it been promulgated?

A. 26 May 1941.

Navy Basic War Plan Rainbow Number 5, U. S. Navy, WPL-46, was submitted to the interested parties and to the court, and by the judge advocate offered in evidence for the purpose only of reading into the record such extracts therefrom as may be pertinent to the inquiry.

There being no objection, it was so received.

39. Q. Please refer to this document and read to the court such portions as show how it was to be put in effect.

A. (Reading:)

Upon receipt of the following ALNAV despatch, the Naval Establishment will proceed with this plan in its entirety, including acts of war:

"EXECUTE NAVY BASIC WAR PLAN RAINBOW NO. 5"

40. Q. When might mobilization be directed?

A. (Reading:)

The date of the above despatch will be M-day unless it has been otherwise designated.

[20] 41. Q. What provision was made for executing the plan in part?

A. (Reading:)

Mobilization may be directed prior to directing the execution of this plan or any part thereof. The order to mobilize does not authorize acts of war. This plan may be executed in part by a despatch indicating the nation that is to be considered the enemy, the tasks to be executed or accepted, and the preliminary measures to be taken in preparation for the execution of the entire plan, or additional tasks thereof.

42. Q. Was the major task of the Pacific Fleet assigned in this War Plan?

A. (Reading:)

The U. S. PACIFIC FLEET (Chapter III, Appendix II), will be organized into task forces as follows:

- a. Task forces as directed by the Commander in Chief, U. S. PACIFIC FLEET;
- b. NAVAL STATION, SAMOA;
- c. NAVAL STATION, GUAM.

The U. S. PACIFIC FLEET is assigned the following tasks within the PACIFIC AREA.

a. TASK.

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. TASK.

Prepare to capture and establish control over the Caroline and Marshall Island area, and to establish an advanced fleet base in Truk:

c. TASK.

Destroy Axis sea communications by capturing or destroying vessels trading directly or indirectly with the enemy:

d. TASK.

Support British naval forces in the area south of the equator as far west as longitude 155° east:

[21] e. TASK.

Defend Samoa in category "D";

f. TASK.

Defend Guam in category "F";

g. TASK.

Protect the sea communications of the associated powers by escorting, covering, and patrolling as required by circumstances, and by destroying enemy raiding forces (See Part III, Chapter V, Section 1);

h. TASK.

Protect the territory of the associated powers in the Pacific area and prevent the extension of enemy military power into the western hemisphere by destroying hostile expeditions and by supporting land and air forces in denying the enemy the use of land positions in that hemisphere;

i. TASK.

Cover the operations of the naval coastal frontier forces;

j. TASK.

Establish fleet control zones, defining their limits from time to time as circumstances require.

k. TASK.

Route shipping of associated powers within the fleet control zones.

43. Q. Had a copy of this War Plan been issued the Commander-in-Chief of the Pacific Fleet?

A. It had.

44. Q. Had this War Plan, "EXHIBIT 4", been placed in effect, either in full or in part prior to December 7, 1941?

A. It had not been executed.

45. Q. When did Admiral Kimmel assume command of the Pacific Fleet?

A. In February, '41. I do not recall the exact date.

[22] 46. Q. What was the theater of operations of the Pacific Fleet during the year 1941?

A. Central Pacific.

47. Q. Where did the fleet normally base?

A. The fleet normally bases in West Coast ports. Generally speaking I would say, in answer to your question, Southern California.

48. Q. Do you recall if a directive had been issued basing the Pacific Fleet in the Hawaiian area?

A. I do not recall a specific directive. In 1939, shortly after I became Chief of Naval Operations, I established what might be termed a Cruiser Force in the Hawaiian Islands. After the spring maneuvers in 1940, the fleet was based in the Hawaiian Islands.

49. Q. Will you tell the court what were the broad underlying considerations for basing the Pacific Fleet in the Hawaiian Islands?

A. If the court will permit me, I should like to read from a letter which I wrote Admiral Richardson, a reply to a question of his which in effect was, "Why am I here?" That reply, which is well-backed and which I gave as a considered answer, I think, would be the best thing I could give for the record.

There being no objection, with the court's permission, the witness continued: This letter is dated 27 May 1941. The second paragraph states: (Reading:)

Why are you in the Hawaiian Area?

The next paragraph starts:

Answer. You are there because of the deterrent effect which it is thought your presence may have on the Japs going into the East Indies. In previous letters I have hooked this up with the Italians going into the war. The connection is that with Italy in, it is thought that the Japs might feel just that much freer to take independent action. We believe both the Germans and the Italians have told the Japs that so far as they are concerned, she (Japan) has a free hand in the Dutch East Indies.

That paragraph is on page one. Now going over to page two, I again quote:

I had hoped your time in the Hawaiian area would have some indirect or incidental result, regardless, such as solving the logistics problems involved, including not only supplies from the United States, but their [23] handling and storage at Pearl Harbor.

Training, as you might do under war conditions.

c. Familiarity of task forces with the Midway, Aleutian, Palmyra, Johnston, Samoa, general area, in so far as practicable.

d. Closer liaison with the Army in the common defense of the Hawaiian Area than has ever previously been exhibited between the Army and Navy.

e. Solving of communication problems involved by joint action between Army and Navy and particularly stressing the air communications.

f. Security of the Fleet at anchor.

g. Accenting the realization that the Hawaiian group consists of considerably more than just Oahu.

You were not detained in Hawaii to develop the area as a peacetime operating base, but that will naturally flow to a considerable extent from what you are up against.

50. Q. Do you remember if there ever had been any official protest made by anyone in the naval service to you regarding basing the Pacific Fleet in that area?

A. I recall no what might be called official protest. I do have letters from Admiral Richardson in which he—personal letters—in which he advised a return of the Fleet to the Pacific Coast; and I am perfectly willing, if the court so desires, to place these letters on the record.

51. Q. Could you tell the court, Admiral, in very general terms, about how many units of each of the following types there were with the Pacific Fleet when Admiral Kimmel took over command in February, 1941? The categories are, first, battleships.

A. That is a matter of detail. It can be taken accurately from the records.

52. Q. I am asking generally.

A. And I would prefer it be from the record. I made out a memorandum on it, the accuracy of which I would not vouch for, and it should be checked with the record, but if the court would like to have it, I will give it. I think the record for matters of that sort is the best evidence.

53. Q. About how many patrol planes were assigned to the Hawaiian Area at that time, in February 1941?

A. I would have to check that from the record.

[24] 54. Q. During the year 1941, were any naval units detached from the Pacific Fleet?

A. There were. That also is a matter of record. There was a detachment sent to the Atlantic.

55. Q. Do you remember the reasons for the detachment of this unit?

A. The movement conformed in general to dispositions required by WPL-46. Now there is a matter which I would like to give the court off the record. I strongly question the advisability of putting it in the record, but I have no objection to Admiral Kimmel and Admiral Bloch and all hands having it. I would like to make it off the record and then get your opinion.

The judge advocate requested that the statement be made by the witness, and that the court direct that it not be included as a permanent part of the record, but be made in the form of an exhibit which could be placed in the secret files of the Navy Department for reference to by any person with authority to look at the record.

The interested party, Admiral Husband E. Kimmel, U. S. Navy (Ret), stated that he objected to such procedure with regard to the statement which might be made by the witness, and that he preferred that the entire proceedings be made a matter of record.

The judge advocate replied.

The witness added these words to his answer: "I may add that I think making this matter public would be detrimental to the best interests of the United States."

The interested party, Admiral Husband E. Kimmel, U. S. Navy (Ret), replied.

[25] Frank L. Middleton, yeoman second class, U. S. Naval Reserve, reporter, entered. Frank M. Sickles, yeoman first class, U. S. Naval Reserve, reporter, withdrew.

The court was cleared.

The court was opened and all parties to the inquiry entered. The court announced that it would hear the answer to the question and then make its decision.

56. Q. Will you answer the question, please, Admiral?

A. My first answer—my answer in part, to the question, was that the movement was in general conformance with WPL-46. My second part of the answer involves a matter of timing. The movement was directed by the Chief of Naval Operations at that particular time because I was given orders for an amphibious operation in the Atlantic which, in my opinion, and in that of my advisers, required this force to be in the Atlantic to insure its success.

The court announced that the answer would go in the record.

57. Q. What, in your opinion, was the adequacy of the Pacific Fleet during the period October to December, 1941, to carry out WPL-46?

A. In general, it was considered adequate for the tasks outlined. Obviously—I will let the answer stand; that is, it was considered generally adequate for the tasks outlined. The disposition was drawn up to be realistic.

58. Q. Does that complete your answer, sir?

A. Yes.

59. Q. I show you, sir, a copy of a letter duly authenticated under official seal of the Secretary of the Navy to the Secretary of War dated January 24, 1941. Can you identify this?

A. Yes. I identify this as a letter signed by Col. Knox of January 24, 1941, then Secretary of the Navy, to Col. Stimson, then Secretary of War.

The copy of a letter dated January 24, 1941, from the Secretary of the Navy to the Secretary of War, was submitted to the interested parties and to the court, and by the judge advocate offered in evidence.

There being no objection, it was so received, copy appended, marked "EXHIBIT 9".

60. Q. Will you read the letter, please?

A. This is a letter dated January 24, 1941, from the Secretary of the Navy to the Secretary of War.

The witness read Exhibit 9.

[26] 61. Q. Admiral, do you know who prepared this letter for the Secretary of the Navy's signature?

A. The original draft was prepared in War Plans. We worked on it several days. When I say "we", I mean Admiral Turner (then Captain Turner), Admiral Ingersoll, and myself. We finally rounded it up in the form in which it has just been read.

62. Q. Did this letter represent the view of the Chief of Naval Operations on the question of military defenses of the Pearl Harbor Naval Base on the date of the letter, January 24, 1941?

A. It did. It didn't go into complete details but it covered, in our opinion, the main points which were in our minds which we believed were generally accepted main points and we decided to put them before the Army.

63. Q. Admiral, in order to make this whole letter more clear to the court, I will ask you to refer to Exhibit 9 and state what dangers were envisaged, in the order of their importance, as set out in this letter.

A. The order of importance as set out is: (1) Air bombing attack; (2) Air torpedo plane attack; (3) Sabotage; (4) Submarine attack; (5) Mining; (6) Bombardment by gun fire.

64. Q. What views did the Navy Department express as regards the then existing defense of the Pearl Harbor Naval Base against the forms of attack set out in Paragraphs 1 and 2?

A. With regard to 1 and 2, the solution of which the letter stated was considered to be of primary importance, the following paragraphs particularly apply. Both types of air attack are possible. They may be carried out successively, simultaneously, or in combination with any of the other operations enumerated. The maximum probable enemy effort may be put at twelve aircraft squadrons, and a minimum at two. Attacks may be launched from a striking force of carriers and

their supporting vessels. The countermeasures to be considered are: (A) Location and engagement of enemy carriers and supporting vessels before air attack can be launched; (B) Location and engagement of enemy aircraft before they reach their objectives; (C) Repulse of enemy aircraft by anti-aircraft fire; (D) Concealment of vital installations by artificial smoke; (E) Protection of vital installations by balloon barrage. The operations set forth in (A), namely, location and engagement of enemy carriers and supporting vessels before air attack can be launched, are largely functions of the Fleet but quite possibly might not be carried out in case of an air attack initiated without warning prior to a declaration of war. Is that part of your question?

[27] 65. Q. Yes. On Page 3 of the letter contained in Exhibit 9, please read into the record the proposals of the Secretary of the Navy to remedy the problems as set out in this letter.

A. The Secretary of the Navy offered the following proposals: (1) 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; that the Army give consideration to the questions of balloon barrage, the employment of smoke, and other special devices for improving the defense of Pearl Harbor; that local joint plans be drawn for effective cooperation of naval and military aircraft operations and ship and shore anti-aircraft gunfire against surprise aircraft raids; that the Army and Navy forces in Oahu agree to the appropriate degrees of joint readiness for immediate action in defense against surprise aircraft raids against Pearl Harbor; 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 continues to exist. He requested that concurrence in these proposals and the rapid implementation of the measures to be taken by the Army, which are of the highest importance to the security of the Fleet, be met by the highest cooperation from the War Department.

66. Q. Admiral, I show you an official document entitled "Joint Action of the Army and the Navy, 1935", which has been marked "EXHIBIT 6" for identification. If you recognize this document, state as what you identify it?

A. I identify it as Joint Action of the Army and the Navy, 1935, sometimes referred to as FTP155. It is a confidential document.

The document entitled "Joint Action of the Army and the Navy, 1935", was submitted to the interested parties and to the court, and by the judge advocate offered in evidence for the purpose only of hereafter reading into the record such extracts therefrom as may be pertinent to the inquiry before the court.

There being no objection, it was so received.

67. Q. On Page 5, for the record will you read to the court Paragraphs 8 and 9?

A. (Reading:)

8. Methods of coordination.—

Operations of Army and Navy forces will be coordinated by one of the following methods:

a. Mutual cooperation.

b. The exercise of unity of command.

9. Determination of the method of coordination.

a. Operations of Army and Navy forces will normally be coordinated by mutual cooperation.

b. Operations of Army and Navy forces will be coordinated by the exercise of unity of command in the following cases:

[28] (1) When ordered by the President; or

(2) When provided for in joint agreements between the Secretary of War and the Secretary of the Navy; or

(3) When commanders of Army and Navy forces agree that the situation requires the exercise of unity of command and further agree as to the service that shall exercise such command.

68. Q. What method of coordination was in effect in the 14th Naval District on December 7, 1941?

A. The method of coordination in effect at that time was one of mutual coordination, except that I would say the method for coordination of the air effort was one of, if not outright unity of command, that it very closely approached it, and one which I thought was so splendid that I sent it to the commanders-in-chief of our principal fleets and to all district commandants. It was the best thing I had seen and I highly concurred in it. If the court would like to have the two principal paragraphs of that document I would be glad to insert them in the record at this time.

69. Q. Is that from this book?

A. No, I took them out of a paper. Shall I go ahead with them?

70. Q. Yes.

A. (Reading:)

"The agreement entered into betwixt the Commanding General, Hawaiian Department, and the Commandant, 14th Naval District, in regard to joint action of the Army and Navy Air Corps in Hawaii provides"—I am reading from a document which gives me two paragraphs sent to me by Admiral Kimmel, which paragraphs are taken out of an agreement which was previously arrived at in the Hawaiian Islands. The date of this memorandum of Admiral Kimmel to me is 4 June, 1941. The date of the document from which these extracts are quoted, as I recall, is sometime in March, 1941. I quote:

(a) That in activities in the defense of Oahu and the other islands against enemy bombing attacks the command shall be vested in the Army Air Corps, assisted by Navy fighters which may be available.

(b) That in a mission which involves bombing of enemy ships the command shall be vested in the Navy Air Commander in charge of the base. Briefly, when an alarm is sounded, the Navy patrol planes take off to locate the enemy ships, and when located the Navy directs the efforts of the Army and Navy bombers in the offensive action which they take against the enemy ships.

The interested party, Admiral Claude C. Bloch, U. S. Navy, Retired, requested that the document from which the witness was reading be better identified.

The memorandum dated 4 June 1941, from Admiral Kimmel to Admiral Stark, was submitted to each of the interested parties and to the court, and by the judge advocate offered in evidence for the purpose only of reading into the record such extracts therefrom as may be pertinent to the inquiry [29] before the court.

There being no objection, it was so received and marked "EXHIBIT 10", for reference, description appended.

The judge advocate stated that the documents to which the memorandum referred would be later offered in evidence.

71. Q. Will you read the rest of the memorandum, Admiral?

A. The third paragraph is: (Reading) "The liaison betwixt the Army and Navy Air Corps in Hawaii is very satisfactory and weekly drills in air raid alarms with the two services acting in unison are

held. These drills have developed many weaknesses but the conditions are steadily improving and it is felt that they are in much better shape now than they were a few months ago. The conditions will continue to be unsatisfactory until certain equipment has been supplied and the personnel drilled in its use. There are about 140 light Army planes (fighter and light bombers) and 21 heavy bombing airplanes now—"now" being as of 4 June 1941—"in the Islands. These are in addition to some obsolescent bombers and fighters. It is believed that the number of Army bombers in the Islands should be at least four times the number that they have there now and it is felt that these planes should be sent out as soon as it is practicable to do so. There are not now a sufficient number of Army pilots to man all the Army planes in the Islands." Signed, "H. E. Kimmel." Copies of this were sent to General Marshall, Admiral King, and Admiral Towers—Admiral King then being in the Atlantic and Admiral Towers being Chief of the Bureau of Aeronautics, Navy Department.

72. Q. Had this method of coordination of aircraft actually been put in effect?

A. It was put in effect in March, 1941. As I noted, correspondence or papers from which this extract was made were forwarded to the commanders-in-chief of the three principal fleets—the Atlantic, Pacific, and Asiatic—and to the commandants, as I recall, of all districts.

73. Q. Did you, prior to December 7, 1941, give any thought to putting in effect the exercise of unity of command for the whole Hawaiian area?

A. Much thought had been given to the proposition of unity of command. We had not arrived at a satisfactory solution or decision to put it into effect so far as the Navy Department was concerned at that time.

74. Q. Am I to infer that you had discussions with the Army chief of staff, or other higher authorities, in this study?

A. You are to infer that. It had been the subject of many conversations with the chief of staff of the Army. I may state with reference to the amphibious operation which was referred to in the testimony a little while back, that operations of that nature which we were considering, we anticipated having unity of command for them.

[30] 75. Q. Will you read into the record, Article 25 on Page 27 of Exhibit 6?

A. Article 25, Page 27, FTP155, reads as follows (reading):

25. Purpose of coastal frontier defense.

a. The purpose of a joint organization and measures for coastal frontier defense is to provide more effectively for our national defense.

b. Specifically, the measures and operations in coastal frontier defense are for the purpose of:

- (1) Protecting shipping in the coastal zones;
- (2) Protecting our military and civil installations and facilities;
- (3) Preventing invasion of United States territory from overseas;
- (4) Insuring the security of those portions of our coastal frontiers which are vital to military, industrial, and commercial operations.

76. Q. Will you read into the record Article 26 on Page 28, paragraphs a. to e., both inclusive?

A. I quote (reading):

a. A coastal frontier is a geographical division of our coastal area established for organization and command purposes, in order to insure the effective coordination of Army and Navy forces employed in coastal frontier defense. The coastal frontier of a group of islands shall completely surround such group or shall include that part of the group which can be organized for defense and command purposes. Within each coastal frontier an Army officer and a naval officer will exercise command over all Army forces and Navy forces, respectively, assigned for the defense of these divisions. Coastal frontiers are subdivided for command purposes into sectors and subsectors.

b. Coastal frontier defense is the organization of the forces and matériel of the Army and the Navy assigned to provide security for the coastal frontiers of continental United States and its overseas possessions.

c. The naval district is a military and administrative command ashore established for the purpose of decentralizing the Navy Department's functions with respect to the control of shipping in the coastal zones and the shore activities outside the Navy Department proper, and for the further purpose of centralizing under one command within the district and the waters thereof:

(1) For military coordination, all naval activities; and

(2) For administrative coordination, all naval activities with specific exceptions. The primary purpose in view is to provide for naval mobilization and logistic support of the Fleet and to utilize the district naval forces in the joint organization to provide security for the coast and for shipping in the coastal zones. The limits of the naval districts are laid down in the Navy Regulations. These limits extend to seaward so as to include the coastwise sea lanes. Each naval district is commanded by a designated commandant who is the direct [31] representative of the Navy Department, including its bureaus and offices, in all matters affecting district activity.

d. Naval local defense forces consist of naval forces, including Coast Guard and Lighthouse Service, afloat and ashore, attached to a naval district and under the command of the commandant of the district. These forces are not a part of the Fleet.

e. A naval base is a center from which men-of-war can operate and be maintained.

77. Q. On Page 31, will you read into the record Paragraphs o. to v., both inclusive?

A. I quote (reading):

o. The outer harbor area is the war area which extends to seaward from the outer exits of the entrance channels to a fortified harbor and lies within the range of the harbor defense batteries.

p. The harbor channel area is the water area which lies between the outer harbor area and the inner harbor area, and which comprises all the entrance channels to the harbor.

q. The inner harbor area is the entire water area of a fortified harbor inside the inner entrance of all the entrance channels to the harbor.

r. An inshore patrol is a part of the naval local defense forces operating generally within a defensive coastal area and controlling shipping within a defensive sea area.

s. An offshore patrol is a part of the naval local defense forces operating and patrolling the coastal zone outside of those areas assigned to the inshore patrol.

t. An escort force is a part of the naval local defense forces charged with the duty of protecting convoys within the naval district waters.

u. A coastal force is a naval force which may be organized to operate within the coastal zone to meet a specific situation in which naval local defense forces are inadequate to carry out the Navy's functions in coastal frontier defense.

v. A harbor defense is an administrative and tactical Army command, comprising the armament and accessories, including anti-aircraft armament, controlled mines and supporting aircraft, with the personnel for manning, provided for the defense of a harbor or other water area. Harbor defenses exist to provide on the outbreak of war an effective seaward defense of important strategic points, such as large centers of population, important commercial centers, navy yards, coaling or fueling stations, locks and dams; to deny the

enemy entrance to or occupation of a harbor or other waters which might serve as a base for land or naval operations, or both; and to keep the enemy at such distance from the entrance to a waterway that our naval forces may debouch therefrom and take up a battle formation with the least hostile interference.

[32] Frederick T. Lachat, yeoman first class, U. S. Naval Reserve, reporter, entered. Frank L. Middleton, yeoman second class, U. S. Naval Reserve, reporter, withdrew.

78. Q. Will you read into the record paragraph "z" on page 32 of Exhibit 6?

A. [Reading:]

The aircraft warning service is a communication and an intelligence service which forms part of the communication and intelligence service of the frontier defense. Its purpose is to warn centers of population, industrial plants, public utilities, and military and naval establishments of the approach of hostile aircraft and to alert Air Corps units and Antiaircraft artillery units. It consists essentially of observers of information centers for plotting the courses and distributing information of approaching hostile planes and of the necessary communications.

79. Q. I ask you to turn to page 13 and read Article 19, paragraphs a, b, and c.

A. [Reading:]

a. Attacks against our coastal frontiers may be classified as follows: (1) Major operations, i. e., those executed for the purpose of invasion; and (2) Minor operations, i. e., raids against shipping or shore objectives.

b. The general function of the Army in coastal frontier defense is to conduct military operations in direct defense of United States territory.

c. The specific functions of the Army in coastal frontier defense are: (1) To provide and operate the mobile land and air forces required for the direct defense of the coast. (2) To provide, maintain, and operate essential harbor defenses.

80. Q. What, in general, comprised the Hawaiian coastal frontier?
A. It is shown in chart WPL 46. Subject to the correction of my testimony, in general, it comprises a zone around the Hawaiian Islands, including Midway, Palmyra, Johnson, and Kingston reef, and, to the best of my recollection, Wake. The boundary, as I recall, is some 500 miles outside the Hawaiian Islands group.

81. Q. Will you turn to page 14 and read Article 19-d in its entirety?

A. (Reading:)

In carrying out these functions, the Army will provide and operate or maintain—

(1) Guns on land, both fixed and mobile, with necessary searchlights and fire-control installations.

[33] (2) Aircraft operating in support of harbor defenses; in general coastal frontier defense; in support of or in lieu of naval forces.

(3) 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.

(4) Controlled mines and their appurtenances, including the vessels necessary for their installation and maintenance.

(5) A system of underwater listening posts.

(6) Beach defense, together with vessels necessary for its installation, maintenance, and patrol.

(7) Fixed underwater obstructions in connection with controlled mine barges.

(8) Additional mobile forces required in accordance with the situation.

82. Q. Adverting to paragraph 1, which you have just read, Admiral, which states that the Army will provide and operate or maintain

"guns on land, both fixed and mobile, with necessary searchlights and fire-control installations." Do you know whether the Army had lived up, in general, to its commitments in a reasonable manner prior to December 7, 1941?

A. The Army had the defenses mentioned installed. I would not care to say that they were sufficient. In a general way, I knew and had been told by the Chief of Staff of the Army that subject to a complete breakdown in training, he was sending what he could to the Hawaiian Islands. That does not mean that "what he could" was sufficient, and without reference to the record, I could not state what was there, and there are those whose testimony would be much more direct than mine on that point; but I did know from frequent conversation with Marshall that he stated he was doing the best he could. He was up against it, to a considerable degree.

83. Q. Adverting to paragraph d (2), which you read a few moments ago and which states that the Army will provide and operate or maintain "aircraft operating in support of harbor defenses; in general coastal frontier defense; in support of or in lieu of naval forces." Do you know, in a general way, whether the Army had lived up to its commitments in a reasonable manner prior to December 7, 1941?

A. I know, in a general way, that the Army had increased their air units out there to a considerable degree. This also was a matter of frequent conversation between General Marshall and me, and as I recall—and my recollection may be faulty—the Army had something over 200 planes in Hawaii at that time. Just how many of them were fighters and what were bombers and so forth I could not state.

[34] 84. Q. Adverting to paragraph d (3), which you have just read and which states that the Army will provide and operate or maintain "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." Do you know whether the Army had lived up to its commitments in a reasonable manner prior to December 7, 1941?

A. I knew that the Army—again from conversations with General Marshall, some of which I recollect with great clarity, because of an amusing incident not necessary to put on the record—was making great endeavor to get a warning system for the island of Oahu, and thought it was such that when installed and properly manned it should have been a very effective system—at least, so far as we could make it with the equipment developed up to that time. As regards getting the information from that warning system properly distributed to those to whom it was essential to make proper use of the information, that will have to come from people out there. I could look up and read what there was available, but I do not recollect clearly, after a lapse of time, just what this was.

85. Q. Adverting to paragraph d (4), which you have just read and which states that the Army will provide and operate or maintain "controlled mines and their appurtenances, including the vessels necessary for their installation and maintenance," do you know whether the Army had lived up to its commitments in a reasonable manner prior to December 7, 1941?

A. I did not concern myself so much with the mining situation as I did with the material in your immediately preceding questions, be-

cause of the fact that, in general, the Hawaiian area hasn't good mineable waters, and the details of that I do not have.

86. Q. Adverting to paragraph d (5), which states that the Army will provide and operate or maintain "a system of underwater listening posts," do you know whether, in a general way, the Army had lived up to its commitment in a reasonable manner prior to December 7, 1941?

A. Again my previous answer would largely apply. I considered it more of a local affair and do not recall anything particular with respect thereto.

87. Q. Adverting to paragraph d (6), which states that the Army will provide and operate or maintain "beach defense, together with vessels necessary for its installation, maintenance, and patrol," do you know whether, in a general way, the Army had lived up to its commitments prior to December 7, 1941?

A. Again my general answer applies. Beach defenses are something with which I am very familiar, so far as German installations are concerned, which are largely local affairs, and there again I do not have any recollection.

[35] 88. Q. Paragraph d (7) states that the Army will provide and operate or maintain "fixed underwater obstructions in connection with controlled mine barrages." Do you know whether, in a general way, the Army lived up to its commitments prior to December 7, 1941?

A. My previous answer applies.

89. Q. Paragraph d (8) states that the Army will provide and operate or maintain "additional mobile forces required in accordance with the situation." Do you know, in a general way, whether the Army had lived up to this commitment prior to December 7, 1941?

A. Can you tell me just what was intended by that question?

90. Q. Other than that set out in "Joint Action of the Army and the Navy", I don't know.

A. Well, I don't either.

91. Q. Adverting to paragraph g, which I shall read: "In carrying out these functions the Navy will: (1) provide and operate— (a) A system of offshore scouting and patrol to give timely warning of an attack, and, in addition, forces to operate against enemy forces in the vicinity of the coast. Do you know, in a general way, whether the Navy had lived up to its commitment in a reasonable manner prior to December 7, 1941?"

A. If by that question is meant that the Commander-in-Chief of the Pacific, or, if you would like to put it, the District Commander, had the patrol planes which I would like to have had him have for the business in question, he did not. I had made a distribution from what was available to me and which I considered the best I could do and, as I recall, based on the provisions of WPL 46. I would like to reserve the right to correct that statement if my memory is faulty. I might add I was moving Heaven and earth for increasing our patrol planes, not only for the Pacific but for problems which I envisaged elsewhere, particularly also in the Atlantic.

92. Q. I quote from paragraph g (b): "The Navy will provide and operate a communication and intelligence system among the elements of the sea defense, with provisions for the prompt ex-

change of information or instructions with the Army." Can you state whether or not, in your estimation, the Navy had lived up to its commitment in a reasonable manner prior to December 7, 1941?

A. There again I feel I am not competent to give any detailed information. I had absolute confidence in our people in the Hawaiian Islands. I still have confidence in them. I knew they were drilling and working on these subjects, and I left it to them. I consider that the conditions existing with regard to your question could be much better testified to by them.

[36] 93. Q. In order to save time, Admiral, with respect to the provisions of paragraph g (d), would your answer be the same as to inshore patrols for the protection of mine fields and underwater obstructions other than beach defenses?

A. Generally, yes. In regard to mines and going back to when I was Chief of the Bureau of Ordnance, I made mines one of my particular subjects of study with regard to outlying possessions, the Hawaiian groups and the Philippines; and my recollection is that they all had more mines than they could use. I cannot, however, state that those mines were 100%, nor do I know just what their condition was. That testimony can be obtained from more competent witnesses or from the record of the department.

94. Q. Adverting to paragraph g (e), which states that the Navy will provide and operate "underwater listening posts for naval use where this service cannot be obtained from Army listening posts." Have you any knowledge whether the Navy adequately lived up to this commitment prior to December 7, 1941?

A. That, too, I put in the local class, and I think better testimony could be had from people who were charged with it on the spot. I might add that we were doing all we could to develop this type of listening in the way of buoys and so forth. Just what the situation was in Hawaii I do not recollect.

95. Q. Adverting to paragraph g (f), which states that the Navy will provide and operate "through the Lighthouse Service, when turned over to the Navy, coastal lights, buoys, and aids to navigation, and to change them as necessary." Was this commitment lived up to by the Navy prior to December 7, 1941?

A. We took over the Coast Guard and, along with it, the Lighthouse Service, and as regards to how they lived up to their commitments, in that respect again it is a local affair. I do not know. I assume they lived up to it, and if they had not been doing it, they would have been required to.

96. Q. Adverting to paragraph g (g), which states that the Navy will provide and operate "an information system through the Coast Guard stations when turned over to the Navy, and through lighthouses and light vessels." Do you know whether this commitment was lived up to prior to December 7, 1941?

A. I do not have a clear remembrance on that subject.

97. Q. Adverting to paragraph g (h) which states that the Navy will provide and operate "necessary mine-sweeping vessels." Was this commitment lived up to prior to December 7, 1941?

A. I believe it was.

[37] 98. Q. Paragraph g (2) states that the Navy will provide and maintain "such fixed underwater obstructions as are component

parts of Navy barrages; including the vessels necessary for their installation and maintenance." Was this commitment lived up to prior to December 7, 1941?

A. Again my previous remark applies about Hawaiian waters generally not being subject to mining on a large scale. I do not recall just what was done. I had no apprehension from that standpoint.

99. Q. Paragraph g (3) states that the Navy will "operate gates through nets." Was this commitment lived up to by the Navy prior to December 7, 1941?

A. I believe it was.

100. Q. Paragraph g (4) states that the Navy will "conduct shipping through channels in mine fields or obstructions." Was this commitment lived up to prior to December 7, 1941?

A. To the best of my recollection, it was.

The court then, at 12:25 p. m., took a recess until 2 p. m., at which time it reconvened.

Present:

All the members, the judge advocate and his counsel, the parties to the inquiry and their counsel.

No witnesses not otherwise connected with the inquiry were present.

Harold R. Stark, Admiral, U. S. Navy, the witness under examination when the recess was taken, entered. He was warned that the oath previously taken was still binding, and continued his testimony.

101. Q. Admiral, I refer you to Exhibit 6 before this court, which is "Joint Action of the Army and the Navy 1935", and ask you to read from Section 3, Article 30, sub-paragraph "d".

A. Before reading that, may I refer to my last question? I made a pencil note when I had passed a previous question on the strength of forces and their sufficiency. This question again refers to coastal zones. I would like to state, in answer to a previous question, that in my opinion there were not sufficient forces for the coastal work in the Hawaiian Islands. To remedy this defect and as a compromise, of course, it would be necessary to draw on the Pacific Fleet, and to that extent the Pacific Fleet would be just so much under the original qualification. I wanted to get that into the record. [38] Section 3 refers to the categories of defense and requirements and means to be provided. (Reading) "Category D—Coastal frontiers that may be subject to major attack. Under this category, the coastal defense areas should, in general, be provided with the 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, and a stronger outpost and a more extensive patrol, inshore and offshore, than Category C, will be required. Under this category certain defensive sea areas will be established. In addition, an anti-aircraft gun and machine-gun defense of important areas outside of harbor defenses should be organized; general reserves should be strategically located so as to facilitate prompt reinforcement of the frontiers; and plans should be developed for the defense of specific areas likely to become theaters of operations. Long range air reconnaissance will be provided and plans made for use of the GHQ air force."

102. Q. On December 7, 1941, do you know what category of defense was in effect on the island of Oahu, Territory of Hawaii?

A. The article just read was the article prescribed for Oahu.

103. Q. Do you know when it had been put in effect?

A. Well, it was stated in WPL 46. As I recall that, a category "D" was the category prescribed, which means a category toward which one works. I would say it was in effect at that time.

104. Q. Do you know what plans were in effect on and before December 7, 1941, for the use of the General Headquarters Air Force for long-range reconnaissance in Oahu, Territory of Hawaii?

A. Can you define to me just what you mean by the General Headquarters airplanes?

105. Q. I mean by General Headquarters aircraft, the General Headquarters aircraft that are referred to in Article 31, sub-paragraph "d", which you have just read.

A. I will speak from recollection on that. My remembrance is that the GHQ Air Force is the air force which is handled directly from Washington and which may be sent from one location to another to augment or strengthen a local area, but I'm not sure of this and would have to refresh on it. That is my remembrance. There have been some recent articles about the GHQ, and I am not certain as to just what is meant, but I think it is a mobile force subject to direct orders from the War Department.

106. Q. Admiral, I refer you again to Exhibit 6 and ask you to read from Chapter 2, Article 9.

A. The heading of the article is

DETERMINATION OF THE METHOD OF COORDINATION

a. Operations of Army and Navy forces will normally be coordinated by mutual cooperation.

[39] b. Operations of Army and Navy forces will be coordinated by the exercise of unity of command in the following cases:

- (1) When ordered by the President; or
- (2) When provided for in joint agreements between the Secretary of War and the Secretary of the Navy; or
- (3) When commanders of Army and Navy forces agree that the situation requires the exercise of unity of command and further agree as to the service that shall exercise such command.

107. Q. Could you, as Chief of Naval Operations, with mutual agreement with the Chief of Staff of the Army have placed unity of command in effect in Hawaii?

A. We could arrange for such, and subject to the approval of the Secretary of War and the Secretary of the Navy, put it into effect. Paragraph 2 states, "When provided for in joint agreements between the Secretary of War and the Secretary of the Navy."

108. Q. Adverting to paragraph 9b (3), which states, "When commanders of Army and Navy forces agree that the situation requires the exercise of unity of command and further agree as to the service that shall exercise such command." Could Admiral Kimmel, as Commander-in-Chief of the Pacific Fleet, in mutual agreement with the Commanding General of the 9th Corps Area, have placed unity of command in effect in Oahu, Territory of Hawaii?

A. They could had they agreed to do so.

109. Q. Adverting to this same paragraph, which I have just read, could Admiral Bloch, as Commandant of the 14th Naval District, in mutual agreement with the Commander of the 9th Corps Area, have placed unity of command in effect in Oahu, Territory of Hawaii?

A. I couldn't answer that question 100%.

110. Q. I will correct the last two questions to read, instead of Commander of the 9th Corps Area, Commanding General of the Hawaiian Department?

A. I don't know whether he could have done it independent of Admiral Kimmel's O. K. As I understand it, he was a task force under the Commander-in-Chief of the Pacific Fleet. My guess would be that he could, but I would hesitate to say so, not knowing their relationships with regard to such matters.

111. Q. Admiral, I again refer you to Exhibit 4, which is WPL-46 and has been introduced in evidence before this court for the purpose of reading such extracts as may be pertinent to the record. I ask you to read therefrom a letter from the Chief of Naval Operations, dated July 1, 1941.

A. (Reading:) "Navy Department, Office of the Chief of [40] Naval Operations, Washington. Op-12B-McC/(SC)A16-(R-5) Serial 071912, Secret, July 1, 1941.

From: The Chief of Naval Operations.

To: The Distribution List for WPL 46.

Subject: The establishment of Naval Coastal Frontiers.

Reference: (a) GO No. 142.

(b) GO No. 143.

(c) WPL-46.

1. The Naval Coastal Frontiers prescribed in paragraphs 3122, 3232 and 3312 of WPL-46 are hereby established.

2. The boundaries of the Naval Coastal Frontiers are as prescribed in Annex I, Appendix I, WPL-46.

3. The command relations prescribed in Part III, Chapter I, Section 3, and Part III, Chapter II, Section 4, of WPL-46, are hereby made effective and, in accordance with the provisions of these sections, the conflicting provisions of General Order No. 142 are suspended.

4. For the present, Naval Coastal Frontier Forces as prescribed in General Order No. 143 will not be formed. Vessels assigned to Naval Districts and Naval Stations will continue in these assignments, and, until further orders, new assignments of vessels will be made to Naval Districts or Naval Stations, rather than to Naval Coastal Frontier Forces, Naval Coastal Forces, or Naval Local Defense Forces.

5. The Bureau of Navigation will issue orders assigning officers to additional duties as Commanders, Naval Coastal Frontiers as indicated:

Commandant, 3rd Naval District—Commander, North Atlantic Naval Coastal Frontier;

Commandant, 6th Naval District—Commander, Southern Naval Coastal Frontier;

Commandant, 10th Naval District—Commander, Caribbean Naval Coastal Frontier;

Commandant, 15th Naval District—Commander, Panama Naval Coastal Frontier;

[41] Commandant, 12th Naval District—Commander, Pacific Southern Naval Frontier;

Commandant, 13th Naval District—Commander, Pacific Northern Naval Frontier;

Commandant, 14th Naval District—Commander, Hawaiian Naval Coastal Frontier;

Commandant, 16th Naval District—Commander, Philippine Naval Coastal Frontier.

6. The establishment of the Naval Coastal Frontiers, and the orders to the commanders thereof, is assigned a *RESTRICTED* classification. The limits of the Naval Coastal Frontiers remains in a *SECRET* classification. Correspondence relating to Naval Coastal Frontiers will be classified according to its nature.

7. Transmission of this document by registered mail within the continental limits of the United States is authorized.

/s/ H. R. STARK.

The interested party, Admiral Claude C. Bloch, U. S. Navy (Ret.), made the following statement: May there be read into the record so much of the War Plan as was put in effect? It is this very directive, to wit: Chapter 2, Part 3, Section 4.

112. Q. Admiral, I refer you to Exhibit 4, Part 3, Section 4, and ask you to read into the record Articles 3241, 3242, and 3245, sub-paragraphs "a" and "b".

A. (Reading)

Section 4. Command Relations.

3241. In order to provide for unity of command of task groups of the U. S. PACIFIC FLEET and of the PACIFIC NORTHERN and PACIFIC SOUTHERN NAVAL COASTAL FRONTIERS, in the execution of tasks requiring mutual support, the following provisions shall apply:

a. On M-day, or sooner if directed by the Chief of Naval Operations, the Commanders, PACIFIC NORTHERN NAVAL COASTAL FRONTIER and PACIFIC SOUTHERN NAVAL COASTAL FRONTIER will be assigned a dual status as follows:

[42] 1. As commanders of their respective Naval Coastal Frontier Forces operating under the orders of the Chief of Naval Operations.

2. As officers of the U. S. PACIFIC FLEET operating under the orders of the Commander in Chief, U. S. PACIFIC FLEET, in command of task groups of that fleet when and as directed by the Commander in Chief thereof.

b. The commander in Chief, U. S. PACIFIC FLEET, may thereafter require the Commanders, Naval Coastal Frontiers to place under his command, temporarily and for particular purposes, task groups of their Naval Coastal Frontier Forces. The Commander in Chief, U. S. PACIFIC FLEET, when taking temporary command of such task forces, will have due regard for the tasks assigned in this plan to the Commanders, Naval Coastal Frontiers by the Chief of Naval Operations.

1. The Commander in Chief, U. S. PACIFIC FLEET, will not require task groups of the Naval Coastal Frontier Forces to leave the limits of their respective Coastal Zones, except in emergency, or upon authority of the Chief of Naval Operations.

c. Conflicting provisions of General Order No. 142 are suspended while the provisions of this paragraph are in effect.

3242. The provisions of paragraph 3241 above, apply to the command relations of the Commander in Chief, U. S. PACIFIC FLEET, and the Commander, HAWAIIAN NAVAL COASTAL FRONTIER, except that the circumstances under which its provisions are applicable are not restricted to the execution of tasks requiring mutual support, but apply in all circumstances.

3245a. Commanders of Naval Coastal Frontiers may reassign, temporarily, to the Naval Local Defense Forces under their command, vessels and aircraft assigned by the Chief of Naval Operations to the Naval Coastal Force.

b. Except as provided for in the preceding sub-paragraph, Commanders of Naval Coastal Frontiers will not change the assignment of vessels made by the Chief of Naval Operations to Naval Coastal Forces and Naval Local Defense Forces except in emergency or upon the authority of the Chief of Naval Operations.

[43] 113. Q. Admiral, in addition to official or written or printed instructions, regulations, war plans, joint agreements, and orders which have been introduced as exhibits before this court, had you, as Chief of Naval Operations, issued either orally or by personal letters any instructions to the Commander-in-Chief from time to time during the period of six months preceding December 7, 1941?

A. I carried on with the Commander-in-Chief of the Pacific Fleet personal correspondence, which is a good deal of a Navy custom, but to the best of my recollection, orders were given through official correspondence or dispatch, and my personal correspondence was informatory and for the purpose of background and explanation.

114. Q. The judge advocate understands, then, from your answer that none of these personal letters modified or changed the official written or printed instructions, war plans, directives, orders, or joint agreements?

A. To the best of my belief, they did not modify any official orders. There may have been amplification of official orders—correspondence of mutual interest to both of us—but I do not recall modifying any official order by an unofficial letter.

115. Q. Do you have a record of such letters in case they are required before this court?

A. Yes, I do.

116. Q. Do you remember the approximate date of the executive order freezing Japanese assets in the United States?

A. It was in the early summer, as I recall. I think in July, 1941.

117. Q. Can you recall if the Navy Department had been consulted as to its ability to keep in step with this international move?

A. My remembrance of that event is that while we knew of it, we were not particularly consulted, it being a matter the ramifications of which the department had no organization to study. It was more economic than otherwise, and as I recall, it was put in effect without asking us whether we objected or not. The outstanding thing in my memory as regards my stand so far as the Navy Department is concerned, with reference to pressure on Japan, was in reference to petroleum—was in reference to oil. I made it known to the State Department in no uncertain terms that in my opinion if Japan's oil were shut off, she would go to war. I do not mean necessarily with us, but I mean if her economic life had been choked and throttled by inability to get to oil, she would go somewhere and take it, and I stated if I were a Jap, I would. I did state in that connection that unless we were prepared for war—I do not mean prepared in the sense of complete readiness for war, but unless we were ready to [44] accept a war risk, we should not take measures which would cut oil down to the Japanese below that needed for what might be called their normal peace time needs for their industry and their ships. I never waived one inch on that stand.

118. Q. Do you recall any military or diplomatic action by Japan between the date of the executive order, July 26, 1941, and October 16, 1941, which caused you to believe that war between the United States and Japan was becoming more imminent than it had been as of the time of the freezing of Japanese assets?

A. I note that in your question you used the term "war between the United States and Japan." I would like to invite attention to the fact that in my previous answer I indicated that while Japan might make an aggressive movement under certain circumstances, it need not be confined to the United States or might not even include the United States. The situation in the Far East during that particular period I do not recall. Sometimes it was a little bit brighter, and sometimes it dropped, but on the date you mentioned, October 16, I recall that a cabinet change took place in Japan, which, in my opinion, indicated that relations with the United States were no better and perhaps indicated a more aggressive attitude by Japan. I include as possible objects of this aggressive attitude, the N. E. I., Britain, China, and the United States.

119. Q. Did you write any letters, notes, or memoranda to the Commander-in-Chief, Pacific Fleet, between July 26, 1941, and October 16, 1941, setting forth the views of the Navy Department on the probability of war between the United States and Japan?

A. May I refer to my letters to Admiral Kimmel?

120. Q. I just want to know whether you did, as a general proposition?

A. I am not sure between those dates. I corresponded with Admiral Kimmel whenever I thought it would be helpful to him or helpful to us, but I have to check between those dates. That was when?

121. Q. July 26, 1941, and October 16, 1941?

A. I wrote Admiral Kimmel on August 2, I think. I will be perfectly glad to have Admiral Kimmel check that letter, if he has a copy of it, so as to agree with me that the letter has no particular bearing on the subject under discussion. On August 21 I again wrote Admiral Kimmel, which again, I would say, does not bear on the particular question of our relations with Japan. It is more personnel and material. I wrote again on August 23. This is a long letter—21 pages—the bulk of it being devoted to specific answers to material questions which Admiral Kimmel had asked me. There is some discussion of Russian war matters, but I think of no particular enlightenment on the question. I have [45] no objection to placing this letter in the file if desired. I again wrote on the 29th of August. There are matters of material and ships. There is also a paragraph in that letter regarding a visit to me from Admiral Nomura, the Japanese Ambassador.

[46] Frank Murrell Sickles, yeoman first class, U. S. Naval Reserve, reporter, entered. Frederick T. Lachat, yeoman first class, U. S. Naval Reserve, reporter, withdrew.

A letter dated August 28, 1941, from Admiral Harold R. Stark, U. S. Navy, to Rear Admiral Husband E. Kimmel, U. S. Navy, was submitted to the interested parties and to the court, and by the judge advocate offered in evidence, for the purpose of reading such extracts into the record as might be pertinent to the inquiry.

The interested party, Rear Admiral Husband E. Kimmel, U. S. Navy (Ret), suggested that the entire letter should be entered as an exhibit, rather than reading extracts therefrom.

The judge advocate replied that the entire letter had been offered in evidence, but that only such extracts as he considered pertinent to the inquiry would be read by the witness in response to the questions of the judge advocate.

The letter dated August 28, 1941, from Admiral Harold R. Stark, U. S. Navy, to Rear Admiral Husband E. Kimmel, U. S. Navy, was received in evidence and marked "EXHIBIT 11," for reference, description appended.

122. Q. Please read from Exhibit 11, the matter relating to the visit of Admiral Nomura.

A. I will read from the letter extracts, not confining myself to that one paragraph. (Reading:)

With regard to the general situation in the Pacific, about all I can say is the Japs seem to have arrived at another one of their indecisive periods. I can only intimate to you that some very strong messages have been sent to them, but just what they are going to do, I don't know.

Another paragraph. (Reading:)

I told one of their statesmen this morning I felt another move such as the one in Thailand would go a long way toward destroying for the American public what good will still remains. As you know, I have had some extremely frank talks with them. I have not given up hope of continuing peace in the Pacific, but I wish the thread by which it continues to hang were not so slender. There is much talk of the Japanese barring ships carrying arms to Russia.

123. Q. Do you have something in the letter of August 23, 1941?

A. Yes.

[47] A letter dated August 23, 1941, from Admiral Harold R. Stark, U. S. Navy, to Rear Admiral Husband E. Kimmel, U. S. Navy (Ret), was submitted to the interested parties and to the court, and by the judge advocate offered in evidence for the purpose of reading therefrom such extracts as may be pertinent to the inquiry, to be marked "EXHIBIT 12."

The interested party, Rear Admiral Husband E. Kimmel, U. S. Navy (Ret), stated that he suggested that the entire letter be entered in the record as an exhibit, rather than that extracts therefrom be read.

The judge advocate replied that the entire letter had been offered in evidence, but that he was asking the witness to read only such extracts as were considered by the judge advocate to be pertinent to the inquiry.

The witness stated that he withdrew his answer regarding the letter of August 23, 1941.

The judge advocate, with the permission of the court, withdrew the proposed Exhibit 12, and a letter dated September 23, 1941, from Admiral Harold R. Stark, U. S. Navy, to Rear Admiral Husband E. Kimmel, U. S. Navy (Ret), was submitted to the interested parties and to the court, and by the judge advocate offered in evidence, for the purpose of reading into the record such extracts therefrom as might be pertinent to the inquiry.

There being no objection, it was so received, marked "EXHIBIT 12", for reference, description appended.

124. Q. Will you read from the exhibit extracts which are responsive to the question?

A. (Reading:)

Admiral Nomura came in to see me this morning. We talked about an hour. He usually comes in when he begins to feel near the end of his rope. There is not much to spare at the end now. I have helped before, but whether I can this time or not I do not know. Conversations without results cannot last forever. If they fall through, and it looks like they might, the situation could only grow more tense. I have talked with Mr. Hull and I think he will make one more try. He keeps me pretty well informed, and if there is anything of moment I will, of course, hasten to let you know.

The interested party, Rear Admiral Husband E. Kimmel, U. S. Navy (Ret), stated that he suggested again that the entire letter be read, rather than extracts therefrom.

The interested party, Admiral Harold R. Stark, U. S. Navy, stated that he did not consider it necessary to read the entire letter.

[48] The court announced that only the pertinent extracts of the letters just read by the witness would be read into the record at this time.

The witness continued his answer, as follows: I have covered up until 16 October, I think. I will check these letters more carefully to see if there is anything more in there which throws useful light.

125. Q. Sir, I hand you a photostatic copy, duly authenticated under official seal, of a dispatch from the Chief of Naval Operations to the Commander-in-Chief, of the Pacific Fleet, and other addressees, dated 16 October 1941, date time group 162203. If you recognize this document, please state as what you identify it.

A. I identify it as the dispatch from the Navy Department, from the Chief of Naval Operations, to Commander-in-Chief, Pacific Fleet.

The photostatic copy of the dispatch, duly authenticated under official seal, from the Chief of Naval Operations to the Commander-in-Chief, Pacific Fleet, and other addressees, dated 16 October 1941, date time group 162203, was submitted to the interested parties and to the court, and by the judge advocate offered in evidence.

There being no objection, it was so received, copy appended marked "EXHIBIT 13."

126. Q. Please read this document to the court.

The witness read "EXHIBIT 13" to the court.

127. Q. Attention is invited to the fact that the dispatch was released by Admiral Ingersoll, the Assistant Chief of Naval Operations. Did you authorize the release?

A. I did. That was not an unusual procedure, because we went over these dispatches. Final form might have a number of interlineations in my own handwriting, the note, "HRS O. K." Thereafter they would be turned over, probably to Admiral Ingersoll, by my Flag Secretary, and he would release it, knowing that he had my full approval.

128. Q. In this dispatch there is noted what appear to be interlineations or changes in the original wording of the dispatch. In whose handwriting are those changes made?

A. It looks like—I can't identify it. It is too illegible.

129. Q. What special circumstances prompted your sending this dispatch on 16 October 1941 to your Commanders-in-Chief?

A. The special event prompting it was the event which the dispatch related; namely, the resignation of the Japanese cabinet, which the dispatch states, which did in our opinion create a grave situation.

[49] 130. Q. Was the resignation of the Japanese cabinet then the principal information upon which you sent this dispatch?

A. I would say it precipitated the dispatch. There may have been other things in the back of our heads at that time that made the dispatch advisable. I do not recall just what else we had in mind. The event was the primary reason for the dispatch.

131. Q. Will you read the next to the last sentence of this dispatch?

A. (Reading:)

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.

132. Q. State what deployments were contemplated by the Chief of Naval Operations in this directive?

A. We had general thought on the security, of course, of the ships in port and at sea, and of the Islands; and I may say that Admiral Kimmel, Commander-in-Chief of the Pacific Fleet, reported what he had done, and I placed an O. K. on it. It seemed to us that it was very satisfactory. Whether or not Admiral Kimmel reported what he had done in official correspondence I do not recall. I know that he

did in personal correspondence, and in personal correspondence I O. K.'d it. I have an extract here from that letter—from Admiral Kimmel's letter—which I O. K.'d.

A letter from Rear Admiral Husband E. Kimmel, U. S. Navy (Ret), to Admiral Harold R. Stark, U. S. Navy, dated October 22, 1941, was submitted to the interested parties and to the court, and by the judge advocate offered in evidence for the purpose of reading therefrom such extracts as may be pertinent to the inquiry.

There being no objection, it was so received and marked "EXHIBIT 14" for reference, description appended.

The witness read the following extracts from "EXHIBIT 14":

Am in receipt of your dispatches the change in the Japanese cabinet. We made the following dispositions:

Continued to maintain the patrol of the two submarines at Midway.

Dispatched 12 patrol planes to Midway.

Dispatched two submarines to Wake. They will arrive there on 23 October.

Dispatched the CASTOR and two destroyers to Johnston and Wake with additional marines, ammunition, and stores.

[50] The CURTIS arrives at WAKE on 21 October with gas, lube oil, and bombs.

Prepared to send 6 patrol planes from Midway to Wake, replacing the 6 at Midway from Pearl Harbor.

Dispatched additional marines to Palmyra.

Placed Admiral Pye with the ships making a health cruise on 12 hours' notice after 20 October.

Had submarine prepared to depart for Japan on short notice.

Put additional security measures in effect in the areas outside Pearl Harbor. Delayed the sailing of the WEST VIRGINIA until about 17 November when she is going for an overhaul to Puget Sound, and deferred final decision until that time.

133. Q. I hand you a photostatic copy, duly authenticated under official seal, of a secret dispatch from the Chief of Naval Operations to Commander-in-Chief of Pacific and other addressees, dated 24 November 1941, date time group 242005. If you recognize this, please state as what you identify it.

A. Yes, I recognize this dispatch as dispatch from Chief of Naval Operations to CinCPac, CinCAsiatic, Com11, Com12, Com13, Com15, under date of November 24, 1941.

The copy of the dispatch, secret, duly authenticated under official seal, from the Chief of Naval Operations to Commander-in-Chief, Pacific, and other addressees, dated 24 November 1941, date time group 242005, was submitted to the interested parties and to the court, and by the judge advocate offered in evidence.

There being no objection, it was so received, copy appended, marked "EXHIBIT 15".

134. Q. Please read the document to the court.

The witness read the document, Exhibit 15, to the court.

135. Q. Admiral, did you authorize the release of this dispatch?

A. I did.

136. Q. What special circumstances prompted you sending it?

A. The special circumstances are embodied in the dispatch—primarily, that it looked less and less as though favorable outcome of the negotiations with Japan would be forthcoming. It had been over a month since I had sent war [51] information to the fleet, and in my opinion the situation was deteriorating. In addition, the Japs

were moving forces into Formosa, and to the southward. You will note if you leave out the words in that dispatch "in any direction", that it would read, "a surprise, aggressive movement, including an attack on the Philippines or Guam is a possibility". I remarked that while that phrase "including an attack on the Philippines or Guam is a possibility" did not exclude an attack in another direction, but I thought it ought to be included, and I personally wrote into the dispatch the words "in any direction", which I intended would convey to the recipient that it might come in any direction, and particularly did I have the Hawaiian Islands in thought, and so remarked when I wrote it.

[52] Frank L. Middleton, yeoman second class, U. S. Naval Reserve, reporter, entered. Frank M. Sickles, yeoman first class, U. S. Naval Reserve, reporter, withdrew.

Examined by the court:

137. Q. Why did you specifically mention the Philippines and Guam, and specifically leave out the Hawaiian Islands?

A. Because the weight of evidence, by movements of which we were cognizant at that time, showed a southern movement into Formosa and on to the southern. We knew that; it was definite, and the ~~(dispatch)~~ information came in that way. ~~(Now that, in itself, did not include the Hawaiian Islands; it didn't include them because it was not mentioned, and feeling that we should be on guard of the possibility of an attack coming from any direction, I wrote those words into that dispatch myself. I remember it very distinctly.)~~

[Notation in margin] "See correction page 323."

Examined by the judge advocate:

138. Q. Do you consider that this dispatch, Exhibit 15, conveyed the full import of the international developments as you knew them on November 24, 1941?

A. It was a very condensed picture. I didn't pass, for example, ~~(on mentioning)~~ or mention the details of the movements other than to indicate them because, as I recall, they were known to both the commander-in-chief, Atlantic, Asiatic and the commander-in-chief, Pacific. I thought it was a reasonably accurate picture as I saw it. You will note that I used the word "possibility". I didn't use a stronger term.

139. Q. In order to make clear for the record I shall ask you, what movements of Japanese naval and military forces did you refer to in this dispatch?

A. I would have to refresh from the records on that. They were, as I recall, expeditionary forces, the details of which are a matter of record.

140. Q. You speak of a surprise, aggressive movement in any direction. What did you mean by this term "surprise, aggressive movement"?

A. The Japanese had announced no intention as to where this movement would strike. Obviously, from her past history, what she did was likely to be a surprise. It could hardly be assumed to be other than for aggressive purposes and we assumed that it was to be a surprise, aggressive movement. As I recall, my own thoughts were that its most probable objective was the Kra Peninsula, which subsequently turned out to be one of the objectives.

141. Q. What action did you expect the commander-in-chief of the Pacific Fleet to take on the receipt of this dispatch, Exhibit 15, now before the court?

A. It was largely informatory. He had previously taken measures regarding which testimony has been given, which I considered appropriate. I considered that if in his judgment, with what he had been doing in the course of the month, he thought any additional tightening up as necessary [53] he would do it. I was trying to acquaint him with the picture as I saw it and that there was a possibility of a surprise attack. I left that to his good judgment. And the same way in the Far East; I sent no specific instructions. It was not my general habit to do so.

142. Q. The language of the dispatch is, and I quote: "A surprise, aggressive movement in any direction is a possibility". Was your information at the time such as would have warranted your using language indicating that the aggressive movement was stronger than a possibility?

A. I didn't feel—I wasn't ready to go to an all-out at that time. Admiral Kimmel was confronted with problems, and very difficult problems, of training. He was making a so-called health cruise which I had initiated. As I recall, they were originated with Admiral Richardson and Admiral Kimmel, which I was not yet ready to interrupt. I didn't feel at that time that he ~~was~~ ^{was} ready needed to start using everything he had on a war basis, and the word "possibility" was used advisedly, though I knew the situation was certainly no better, and if anything, deteriorating.

143. Q. Did you have any other information from any source regarding Japan which prompted the sending of this dispatch, Exhibit 15?

A. That is a broad question.

144. Q. That prompted your sending the dispatch, that is.

A. Not that I recall. Certainly the main-spring was the thought that the negotiations were deteriorating. I might state that Mr. Hull sometimes thought they might go through; sometimes he was pessimistic. He didn't give up hope until the last. He was striving as hard as he could. He knew how I felt about it; he knew how General Marshall felt about it; and even though the chances were slender, he held on to whatever chance there was in the hope of arriving at a solution with the Japs which would prevent, or at least delay, war with Japan.

145. Admiral, in both your dispatches of October 16, 1941, and November 24, 1941, you speak of a possible attack on the United States, or territory belonging thereto.

A. Yes.

146. Q. Do you recall whether you felt at the time an attack on Pearl Harbor was a possibility on this later date, November 24, 1941?

A. Yes, I thought it was a possibility. That was the reason that I wrote the words "in any direction". I don't know that they were necessary as regards a possibility. But having used the words "Philippines or Guam", I thought it very desirable to convey, so far as I could, the fact that the possibility was that the Jap would strike anywhere, if he struck.

[54] 147. Q. I note that Exhibit 15 was released by Admiral Ingersoll. Does this bear your authorization?

A. Yes.

148. Q. After directing the release of this dispatch, Exhibit 15, did you amplify it by any letters or notes or memorandum to the commander-in-Chief of the Pacific Fleet?

A. Which one is that? November 24th?

149. Q. That is November 24th, yes.

A. Yes, I did. Yes, I have the letter of the 25th.

A letter dated November 25, 1941, from Admiral Stark to Admiral Kimmel, was submitted to the interested parties and to the court, and by the judge advocate offered in evidence.

There being no objection, it was so received, copy appended, marked "EXHIBIT 16".

150. Q. Will you please read the letter, Exhibit 16?

The witness read the letter, Exhibit 16.

151. Q. Were there any other communications from you to Admiral Kimmel?

A. The letter of the 25th of November is the last copy of a letter to Admiral Kimmel of which I have record and think there was no other letter.

152. Q. Admiral, I hand you a photostatic copy, duly authenticated under official seal, of a dispatch from Chief of Naval Operations to Commander-in-Chief, Pacific Fleet, and other addressees, dated November 27, 1941, date time group 273337. Do you identify this document as such?

A. I recognize it as such.

153. Q. Do you identify it as a dispatch released from your office?

A. Yes.

The certified, photostatic copy of secret dispatch dated November 27, 1941, date time group 273337, was submitted to the interested parties and to the court, and by the judge advocate offered in evidence.

There being no objection, it was so received, copy appended, marked "EXHIBIT 17".

154. Q. Please read the dispatch.

The witness read the dispatch, Exhibit 17.

[55] 155. Q. It is noted that this dispatch, Exhibit 17, bears a date three days later than Exhibit 15, which is your dispatch of November 24, 1941. What additional information had you received between November 24 and November 27, 1941, that prompted your sending Exhibit 17?

A. Negotiations with Japan had come to an impasse; they were stopped. The long months of endeavor to arrive at a solution had brought us nowhere except a complete inability to agree. The situation looked very critical. It looked like a certain break was to occur. If you want me to amplify that, I can.

156. Q. The answer is yours, sir.

A. I have answered it, with the additional information which prompted it. I may say with regard to that dispatch that, as you can readily imagine, I pondered a great deal over the expression "this is a war warning", with my principal advisers, and with Col. Knox. We went into the picture as we saw it, and we thought there was grave danger of Japan striking somewhere and we wanted the outlying

stations to know and we used language which we thought was strong enough to indicate to them that Japan was going to strike.

157. Q. It is noted that in two previous dispatches, namely, the one of October 16, 1941, and the one of November 24, 1941, the dispatch expresses Japanese aggressive actions being a possibility. In this dispatch of November 27, 1941, you characterize the Japanese aggressive action as being expected. Was this a deliberate choice of words?

A. It was. As I have previously testified, we had not gone stronger than "possibility" in previous dispatches. This is the first dispatch where I definitely indicated war as likely to take place at any time, and as I stated, we pondered almost an entire forenoon on that phrase, whether it was strong enough, whether it would convey what we felt, whether it was too strong. We felt that we must be prepared.

158. Q. Did you consider war between the Japanese and the United States more imminent on the 27th of November than you did on the 24th of November, 1941?

A. Yes.

159. Q. I note that the dispatch of November 27, 1941, fails to mention Guam as a possible objective of the Japanese attack, as did the dispatch of November 24, 1941. Did you intentionally omit Guam from this dispatch of November 27, 1941, as a possible objective?

A. Not as I recall. We expected Guam to be attacked and fall almost immediately. I do not recall just why it wasn't included. I attach no serious importance to the omission.

[56] 160. Q. Your dispatch of November 24, 1941, indicated the possibility of a Japanese aggressive movement in any direction. It is noted in the dispatch of November 27, 1941, that certain Japanese possible actions are indicated but you omitted the words "in any direction" from your dispatch of November 27, 1941. Was this done advisedly?

A. I do not recall. We had previously stated "in any direction", and there was nothing to indicate that that still did not hold. I reiterated what seemed to us as the most probable objectives in this dispatch from the definite information we had, where the blow might come. We couldn't forecast. Previously having put in "in any direction", I think it still held.

161. Q. What was your information of a favorable outcome of negotiations with Japan on November 27, 1941, as contrasted with your information on November 24, 1941?

A. They were still under way on November 24th. As long as we could keep them going, there was some hope. I might add, we were struggling to keep them going. On November 27th, they ceased.

162. Q. In your dispatch of October 16, 1941, you directed the commander-in-chief of the Pacific Fleet to take due precautions, including such preparatory deployments that will not constitute provocative action. In your dispatch of November 27, 1941, you directed addressees to execute an appropriate defense deployment preparatory to carrying out the tasks assigned in WPL-46. Now, what additional dispositions of the forces assigned the commander-in-chief of the Pacific Fleet were intended by this last directive that were different from the deployments that you had ordered in your dispatch of October 16, 1941, which was more than a month previous?

A. Keeping in mind the words "war warning", you asked me what I anticipated as a result of the dispatch. I would assume full security measures, not only for ships in port but for ships at sea; measures regarding the safety of Pearl Harbor; anti-submarine measures; distant reconnaissance; and that the Army would do its utmost to carry out its obligations to protect Pearl Harbor, certainly including a condition of readiness of its aircraft and the full manning of such devices as it had for locating trouble coming in from the sea, with watches to insure any information they got would be sent to those who needed to have it; and that they should be fully alive to the possibility of war, and that watches would be placed on such a basis.

163. Q. In your dispatch of November 27, 1941, you set out as a possible objective of the Japanese, the Philippines. I do not see any other reference to United States territory or objectives. Did you intentionally omit any reference to any other United States territorial objectives?

A. I mentioned the Philippines because of the primary objectives, other than Guam perhaps, I considered the Philippines one of their most likely objectives for the [57] reason that if Japan were going to make an attack to the southern—and to which the evidence all pointed—the Philippines lay squarely on her flank and called for a major attack on her part to take them, in my opinion. Whether she would or not, I could not tell, but with our continually increasing our strength on the Philippines, with our continuing our support of China, with our employing continued increasing economic pressure against her, our relations were not good and we stood, in a measure, so far as her work to the southern, as a thorn in her side continually getting stronger. Roughly and briefly, those are some of the reasons, plus the material evidence at hand which was available to both the commander-in-chief, Pacific, and the commander-in-chief, Asiatic, which indicated that the Philippines was a probable and logical point of attack and surprise.

164. Q. The point I am trying to make, Admiral, is that in previous dispatches, namely those of October 16, 1941, and November 24, 1941, other objectives of United States territory were mentioned, and in the one of November 27, 1941, you have omitted them all with the exception of the Philippines. Had you considered that this might confuse an addressee of other messages as to possible Japanese objectives?

A. Did you go back to 24 November?

With the court's permission, the judge advocate withdrew the question.

The court then, at 4:05 p. m., adjourned until 9:30 a. m., August 8, 1944.

PROCEEDINGS OF NAVY COURT OF INQUIRY

TUESDAY, AUGUST 8, 1944.

[58]

FOURTH DAY

NAVY DEPARTMENT,
Washington, D. C.

The court met at 9:30 a. m.

Present:

Admiral Orin G. Murfin, U. S. Navy (Ret.), President.

Admiral Edward C. Kalbfus, U. S. Navy (Ret.), Member.

Vice Admiral Adolphus Andrews, U. S. Navy (Ret.), Member.

Commander Harold Bieseimer, U. S. Navy, Judge Advocate, and his counsel.

Frank Murrell Sickles, yeoman first class, U. S. Naval Reserve, reporter.

Admiral Harold R. Stark, U. S. Navy, interested party, and his counsel.

Admiral Claude C. Bloch, U. S. Navy (Ret.), interested party, and his counsel.

Rear Admiral Husband E. Kimmel, U. S. Navy (Ret.), interested party, and his counsel.

The record of the proceedings of the third day of the inquiry was read and approved.

No witnesses not otherwise connected with the inquiry were present.

The proceedings following directly hereafter, Page 58-A, have, by direction of the court, been extracted from the record and deposited with the Secretary of the Navy. This action was taken in the interest of national security and the successful prosecution of the war.

[59] The court was cleared.

The court was opened and all parties to the inquiry entered. The court announced that it would hear the statement of the interested party, Rear Admiral Husband E. Kimmel, U. S. Navy (Ret).

The interested party, Rear Admiral Husband E. Kimmel, U. S. Navy (Ret), continued his statement as follows: On 28 July representation was made to the judge advocate of the Court of Inquiry that the dispatches which were the basis of this testimony should be introduced before the court. On August 1, my counsel, with a copy of the letter of the Secretary of the Navy dated December 7, 1943, called on the Director of Naval Communications with the judge advocate of the Court of Inquiry and requested permission to see the confidential files. This permission was refused on the ground that the Director of Naval Communications would not release them without a statement as to individual numbers and contents, which was impossible to supply; whereupon my counsel called on the Director of Naval Intelligence and went with the Director of Naval Intelligence to the

Vice Chief of Naval Operations. Admiral Horne, who stated that a letter should be addressed to the Secretary of the Navy requesting the release of these dispatches. A letter was written by the judge advocate of the Court of Inquiry on 1 August, and delivered to the Judge Advocate General of the Navy, who was designated by Admiral Horne as the proper officer to process the request. On Friday, 4 August, upon inquiry of the Judge Advocate General, informal information was given that the letter had been misplaced in the office of the Secretary of the Navy. On 8 August, yesterday, the judge advocate of the Court of Inquiry informed me that the letter had been returned to him with the request that the classification be changed from SECRET to TOP SECRET. Both the judge advocate and my counsel have done all within their power to have this information available to the court. My counsel feel it imperative that this information be available before the conclusion of the cross-examination of Admiral Stark.

The interested party, Rear Admiral Husband E. Kimmel, U. S. Navy (Ret), requested permission of the court to add other data which he had obtained from the testimony given before Admiral Hart.

The court announced that such permission was not granted.

The judge advocate made the following reply: The factual situation with regard to requests for permission to examine the records of the Navy Department are correct—that in compliance with Admiral Kimmel's request, the judge advocate did submit on 1 August an official letter to the Secretary of the Navy in which he requested that the information desired by Admiral Kimmel be made available to the judge [60] advocate. This was done for the reason that the Acting Director of Naval Communications declined to permit access to the files of the Director of Naval Communications without first being informed specifically of the dispatches or correspondence that was desired. The judge advocate has checked up daily since that time with the office of the Judge Advocate General, who was designated by the Chief of Naval Operations to process his request for this information, and it was not until this morning at about 0900 that the letter came back from the Secretary of the Navy. The judge advocate immediately sat down and wrote a letter to the Chief of Naval Operations in which he requested, in conformance with the Secretary's directive, that the files of the Director of Naval Communications be made available to Captain R. A. Lavender, U. S. Navy, for the purpose of obtaining the information which the interested party, Admiral Kimmel, requested. I sent Lieutenant (junior grade) Spavor, of my office, to the Chief of Naval Operations office with that letter just before entering the court this morning.

Admiral Harold R. Stark, U. S. Navy, the witness under examination when the adjournment was taken on Monday, August 7, 1941, resumed his seat as witness and was warned that the oath previously taken was still binding.

With the permission of the court, the witness made the following statement prior to his further examination:

I request to lay before the court some considerations concerning my personal letters.

I corresponded with several officers in high places and the general purpose was informatory—keeping in touch. I myself wrote frankly and since the letters were confidentially personal I paid little attention to discretion.

I don't desire to hold back from those personal letters anything whatever which is really pertinent to this Inquiry. There is contained in them, however, some passages which certainly should not be disclosed. There are passages concerning foreign nations, other than Japan, and perhaps foreign officials, which are not pertinent to this Inquiry. On the other hand, certain disclosures could easily become very inimical to the country's future interest.

It is of course for the court to judge how those letters are to be used. If they are to become a part of the court's records, I can't too strongly urge that those passages be deleted. In fact, I must go farther and ask that I myself be absolved from all responsibility if those deletions are not made. I am responsible for having written them, representing what I thought at the time, but I can't share the responsibility for their disclosure.

One thing more: The letters contain a few criticisms [61] of individuals and of non-naval organizations which, also, are not pertinent to this Inquiry. I request, as a matter of personal privilege, that those passages also be deleted from any letters which may be made a part of the court's records.

I request a ruling at the court's earliest convenience.

(The foregoing statement was read by the witness.)

The judge advocate stated that the method suggested in the statement of the witness was in accordance with the policy of the judge advocate to introduce only such parts of letters as might pertain to the subject matter of the Inquiry.

The court made the following statement: If the letters referred to are introduced in accordance with the statement of the judge advocate, that is, only pertinent parts are read into the record—pertinent to this investigation—then if any other parts are desired by anybody, then the court will at that time decide whether or not they will be allowed in the record.

The interested party, Admiral Harold R. Stark, U. S. Navy, inquired of the court as to whether or not the complete letters would in any way be attached to the record.

The court announced that this question would be decided as it came before the court in the instances involved.

Examined by the judge advocate:

165. Q. At the time of releasing the dispatch of 27 November 1941, which is "EXHIBIT 17" before this court, had you considered any further action, such as mobilization?

A. I considered the Navy at that time practically mobilized. As I recall, we had not a ship left on the Navy's list which could be useful which had not been placed in commission. To all intents and purposes, I believe we were fully mobilized.

166. Q. Did you consider any further action such as affecting unity of command in the Hawaiian area?

A. I don't recall whether or not at that particular time we went over the question of unity of command in the Hawaiian area. I have already testified to that subject in general terms.

167. Q. Were you familiar with the information that was being made public, in the newspapers and radio broadcasts about 27 November 1941, relative to the progress of negotiations with the Japanese diplomatic officers then in Washington?

A. Generally—

168. Q. What was this information?

A. Generally, I did not listen to all the broadcasts [62] nor read all the papers—and on your next question, "What was the information?"—I don't recall and would have to refreshen on reading the

papers at that time, of those dates. I would say the best evidence would be to introduce the papers. I was relying primarily on information which I had from sources available to me, and which I considered responsible information.

169. Q. Do I understand that it is your desire to state to the court now that you have no present recollection of what information was being given to the public by newspapers and broadcasts on the subject of the progress of negotiations with the Japanese diplomatic representatives in Washington?

A. After going on three years, I certainly would hesitate to state categorically what was then being written and said in the newspapers.

170. Q. In your dispatch of 27 November 1941, you employed the words, "Negotiations looking toward stabilization of conditions in the Pacific have stopped." Did these words express the factual situation as you knew it at that time?

A. They did.

171. Q. Can you state what action you expected the Commander-in-Chief of the Pacific Fleet to take on the receipt of your dispatch of 27 November 1941?

A. Very briefly, I expected fully readiness measures ashore and afloat, distant reconnaissance and anti-submarine measures. I assumed that all measures with the Army, particularly those which had been previously agreed upon for emergency, would be implemented, and which are a matter of record. I think those could be recited without reference to hindsight.

172. Q. Did you require the Commander-in-Chief of the Pacific Fleet to make any report to you of the action that he had taken in response to your dispatch of 27 November 1941?

A. I did not. He was on the spot and had detail beyond what was available to me. I had every confidence in him, and I left the matter entirely to him, after giving him a war warning, and informing him that an aggressive move by Japan was expected in the next few days.

173. Q. Admiral, I show you a photostatic copy, duly authenticated under official seal, of a dispatch from the Chief of Naval Operations to the Commander-in-Chief Pacific, dated 26 November 1941, date time group 270038. If you recognize this dispatch, please state as what you identify it.

A. Yes, I identify it as a dispatch from the Chief of Naval Operations to Commander-in-Chief of the Pacific Fleet.

The photostatic copy of the dispatch, duly authenticated under official seal, from the Chief of Naval Operations to Commander-in-Chief of the Pacific Fleet, dated November 26, [63] 1941, date time group 270038, was submitted to the interested parties and to the court, and by the judge advocate offered in evidence.

There being no objection, it was so received, copy appended marked "EXHIBIT 18."

174. Q. Please read the dispatch.

The witness read the dispatch, "EXHIBIT 18."

175. Q. Adverting to "EXHIBIT 18" which has just been read, in executing the directive to station twenty-five pursuit planes at Wake, what means of transporting these planes to that area was indicated in the dispatch?

A. The dispatch was not a directive of execution. It distinctly puts up a proposition and states, "Provided you consider it feasible

and desirable." And furthermore, it requests that after conference with the Commanding General, the Department be advised.

176. Q. What surface units would you estimate would be required to escort the carrier on such a mission, if she were sent under the conditions as you knew them at that time?

A. I should say cruisers and destroyers.

177. Q. What prompted the directive to transfer these pursuit plants to Wake at this time?

A. This was one of many subjects under constant study with a view to strengthening our position in the Central Pacific, covering forces in those areas, strengthening Hawaii. It had been in the mill, as I recall, some days, and it was more or less of a routine procedure which was going on.

178. Q. In your dispatch of 24 November 1941, you stated in substance, "The situation indicates a Japanese surprise aggressive movement in any direction." Did you at the time of releasing this dispatch of 26 November 1941, consider that the carrier and escorting force were running any hazards to themselves in carrying out a movement to deliver planes to Wake?

A. Again I would point out that the movement was not directed. We were asking CinCPac's advice. Were it to be made, the usual hazards of war would be accepted, if war were suddenly to arrive. As regards the dispatch of the 24th, I again invite attention to the fact that we said such a movement was a possibility.

179. Q. Does that complete your answer?

A. Yes.

[64] 180. Q. At the time of releasing this dispatch of 26 November, 1941, had it occurred to you that this action of the Commander-in-Chief in sending a carrier to Wake might or might not influence his views of the imminence of an outbreak of war?

A. May I ask if you mean by that, the mere fact that I brought it up might indicate that it would influence previous messages in which I had indicated an outbreak of war? I don't just understand the question. I repeat, he was not directed to do it. The arrangement which could be made was made known to him, in an area which, of course, was vital to him. We told him what could be done. We asked his advice as to whether or not it should be done, after conference with his Army opposite.

181. Q. I shall rephrase the question. At the time of releasing this dispatch of 26 November 1941, had it occurred to you that the suggestion in your dispatch of 26 November 1941, relative to sending a carrier to Wake, might or might not influence the Commander-in-Chief of the Pacific's estimate of the imminence of an outbreak of war?

A. To the best of my recollection that did not cross my mind.

182. Q. In your dispatch of 24 November 1941, you stated in substance, "The situation indicates, in our opinion, a surprise aggressive movement in any direction." I ask you with relation to your dispatch of 26 November 1941, in which you suggested sending a carrier to Wake with her escort, would this carrier and her escort, under the circumstances as you knew them, be running any extraordinary hazard?

A. I wouldn't say so. The task force would have been a fast one, ostensibly on guard against surprise, and then and ever since then there are matters besides safety to be considered. We figured that if

anything these movements were more or less in conformance with strengthening against the danger threatening in that area.

183. Q. In your directive of 26— in your suggestion of 26 November 1941, relative to sending these planes to Wake, it is noted that no limitation of time is prescribed for delivering the planes. What were your intentions with regard to the urgency of the delivery at this time?

A. I again—I would invite attention to the fact that there was not a directive to send these planes to Wake.

At the direction of the judge advocate, the question was repeated by the reporter.

A. We were endeavoring to strengthen covering forces in the area. I do not recall just what time element we had in mind, if any was, except that we were ready to go ahead if the Commander-in-Chief in the Pacific advised us to that effect, which advice we requested of him.

[65] 184. Q. Had you formed any estimate of the time that would be required for the carrier to execute the task of delivering planes to Wake and the task force returning within supporting distance of the United States Pacific Fleet, if and when your suggestions were executed?

A. I do not recall the estimate. One may have been made. I simply do not recall that feature of it.

185. Q. Did you ever cancel or modify the suggestion to send planes to Wake?

A. I do not recall that we did. A search of the files might disclose something, but the cancellation of this particular message I do not recall. I also do not recall receiving a reply regarding the message.

186. Q. Can you remember whether the suggested task was ever carried out?

A. To the best of my recollection the task was not carried out, so far as Wake is concerned.

187. Q. I will ask you again, Admiral, remembering your suggestion in the dispatch of 26 November, 1941, to send a carrier with planes to Wake as still being something to be done, and that on the next day, 27 November 1941, you dispatched the message which contained the phrase, "This is a war warning"—did you consider this situation as you set out in your dispatch of 27 November as having any weight on the Commander-in-Chief Pacific Fleet's evaluation of the information of the imminence of a surprise attack on the Pacific Fleet?

A. I do not recall feeling that the message asking for his advice about sending this increase to Wake would influence any interpretation of my message of the 27th.

188. Q. I show you a photostatic copy, duly authenticated under official seal, of a dispatch from Chief of Naval Operations to Commander-in-Chief of Pacific Fleet, dated November 28, 1941, date time group 290110. If you recognize this, please state as what you identify it.

A. Yes, I recognize the dispatch as one from the Chief of Naval Operations to Pacific Naval Northern Coastal Frontier, to the Pacific Southern Naval Coastal Frontier, and info to the Commander-in-Chief of the Pacific, and ComPanama Naval Coastal Area.

[66] Frank L. Middleton, yeoman second class, U. S. Naval Reserve, reporter, entered. Frank Murrell Sickles, yeoman first class, U. S. Naval Reserve, reporter, withdrew.

The photostatic copy, duly authenticated under official seal, of a dispatch from Chief of Naval Operations to Commander-in-Chief of Pacific Fleet, dated 28 November, 1941, date time group 290110, was submitted to the interested parties and to the court, and by the judge advocate offered in evidence.

There being no objection, it was so received and marked "Exhibit 19," copy appended.

189. Q. Please read the dispatch.

The witness read the dispatch, Exhibit 19.

190. Q. Did this dispatch relate entirely to matters coming under the cognizance of the War Department?

A. Well, it is a directive from the War Department to their people, but in directing them to take reconnaissance and other measures, it obviously affects our operations and this message was repeated to our people in order that they might know what the Army had sent, and what they directed.

191. Q. This dispatch, Exhibit 19, contains the following words: "To all practical purposes negotiations with Japan appear to be terminated with only barest possibilities that Japanese government might come back and offer to continue." Did you intend these words to convey to the Commander-in-Chief of the Pacific Fleet any information about the progress of diplomatic negotiations with the Japanese at that time?

A. I was merely repeating a dispatch to him for information which had been sent by the Army. I did not intend to convey that. I gave them the Army's thought and I think the statement in the dispatch that hostile action was possible at any moment would convey, certainly, imminence of such. However, I repeat, I sent it as a matter of information to C-in-C, Pacific, telling him what the Army had sent out.

192. Q. What is the time group on this dispatch, Exhibit 19?

A. 290110.

193. Q. What is the time group on the dispatch of 27 November, 1941, Exhibit 17?

A. 272337.

194. Q. Approximately how much difference in time is there between sending the dispatch of 29 November, and the one of 27 November, 1941?

A. About 26 hours.

[67] 195. Q. In your message of November 24, 1941, you used the words "chance of favorable outcome of negotiations with Japan very doubtful." In your dispatch of November 27, 1941, you stated, "Negotiations with Japan looking towards stabilization of conditions in the Pacific have stopped." In this message of November 28, 1941, which you have characterized as being of an informatory nature, you quote the War Department's dispatch, "To all practical purposes, negotiations with Japan appear to be terminated with only barest possibilities that Japanese government might come back and offer to continue." Do you consider this last information, which appears to be the War Department's estimate as to the possibility of continuing negotiations with Japan, to be more, or less optimistic than your own where you used the words in your message of November 27, 1941, "Negotiations have stopped"?

A. I would consider the terms "barest possibilities" as being barest optimistic portent over the message that I had sent that "negotiations have stopped". But that message did not modify my message, nor did I modify my message. I sent it for information of CinCPac, and I also sent to the addressees the information which you have quoted, along with the direction which it contains to undertake such reconnaissance and other measures as they deemed necessary, et cetera. I didn't consider it modified my message. To the best of my recollection, that did not enter my head.

196. Q. I show you, sir, a photostatic copy, duly authenticated under official seal, of a message dated December 3, 1941, from OpNav to Commander-in-Chief, Asiatic Forces; Commander-in-Chief, Pacific; and other addressees, date time group 031850. If you recognize this document, please state as what you identify it.

A. I identify it as a message from OpNav to Commander-in-Chief, Asiatic, Pacific, Com14 and Com16.

The photostatic copy, duly authenticated under official seal, of a message dated December 3, 1941, from OpNav to Cominch, Asiatic, Pacific, and other addressees, date time group 031850, was submitted to the interested parties and to the court, and by the judge advocate offered in evidence.

There being no objection, it was so received and marked "EXHIBIT 20", copy appended.

197. Q. Please read this dispatch.

The witness read the dispatch, Exhibit 20.

The interested party, Rear Admiral Husband E. Kimmel, U. S. Navy, (Ret.), suggested that the dispatch be read as it appears and not as it was sent; that a portion of the message was crossed out which appears on the formal exhibit.

[68] The interested party, Admiral Harold R. Stark, U. S. Navy, stated that this was a matter for cross-examination.

The judge advocate replied that the exhibit as introduced in evidence is a certified copy of a dispatch that was transmitted from the Chief of Naval Operations to certain addressees; it has been certified as such by the acting director of Naval Communications, and that the dispatch was being offered as it stands.

The court announced that it would accept the dispatch, Exhibit 20, in evidence as it was read, for the time being.

198. Q. It is noted that the officer releasing this dispatch is T. S. Wilkinson. Did he do so by your authority?

A. I do not recall.

199. Q. It is noted that the last sentence as it appears in the photostatic copy has a line run through it. Can you state of your own knowledge whether or not this line was omitted from the dispatch as it was released?

A. No, I cannot from my own personal knowledge.

200. Q. Did you have any information as to whether the directive in this dispatch applied to all codes and ciphers, or only to certain ones?

A. No, I do not recall that. The message is broad, but I do not recall.

201. Q. What was the usual disposition of outdated or compromised codes and ciphers?

A. Destruction; and usually by burning.

202. Q. From the information you had were there any circumstances that led you to believe that this particular directive for code and cipher destruction might not be a routine matter?

A. Coupling the incident with other information at hand, I considered that their destruction of codes and secret documents at that time was one of the most telling and confirmatory things that had happened; supporting our previous dispatches. It made a very deep impression on me when I learned of it.

203. Q. Did the information which you sent to the Commander-in-Chief between October 16, 1941 and December 6, 1941, express your estimate of the progress of United States-Japanese negotiations as you interpreted them based on all the information you had at the time?

A. Yes.

204. Q. Did the information which you sent to the Commander-in-Chief between October 16, 1941 and December 6, 1941, express your estimate of the probable objectives of a Japanese attack as you evaluated the information you had at the time?

A. Yes, very briefly.

[69] 205. Q. I show you, sir, a photostatic copy of a dispatch from OpNav to Naval Station, Guam, with information copies to CinCAF, CinCPac, Com14, Com16, date time group 042017. If you recognize this document, please state as what you identify it.

A. I recognize it as a dispatch from OpNav to Naval Station, Guam, info, C-in-C, Pacific; C-in-C, Asiatic, Com14 and Com16, released by Admiral Ingersoll.

The photostatic copy of dispatch from OpNav to Naval Station, Guam, with information copies to CinCAF, CinCPac, Com14 and Com16, date time group 042017, was submitted to the interested parties and to the court, and by the judge advocate offered in evidence.

There being no objection, it was so received and marked "EXHIBIT 21", copy appended.

206. Q. Please read this dispatch.

The witness read the dispatch, Exhibit 21.

207. Q. It is noted that this dispatch is released by Admiral Ingersoll. Was that done with your authority?

A. Yes.

208. Q. Adverting to your dispatch of December 3, 1941, which is Exhibit 20 before this court, had you received any new information that warranted your sending this dispatch of December, 1941, to Guam, with a directive for the disposal of secret and confidential matter?

A. Not that I recall.

209. Q. Can you recall whether or not your estimate of the situation at this time included an attack on Guam as a possibility?

A. Yes, we always considered a nattack on Guam a possibility. Also, in Guam there was danger of sabotage. The position was outlying and exposed.

210. Q. It is noted that the commandant of the 14th Naval District is not made an action addressee on this dispatch of 4 December 1941, to the Naval Station, Guam. Was there any reason for omitting the Commandant, 14th Naval District, as an action addressee?

A. We thought it unnecessary to send such a message to Com14. We thought it would be left to his discretion. We felt that he was in no such dangerous situation as was Guam.

211. Q. I show you, sir, a photostatic copy, duly authenticated under official seal, of a dispatch dated December 6, 1941, from OpNav to Commander-in-Chief, Pacific Fleet, date time group 061743. If you recognize this, please state as what you identify it.

A. It is a message from OpNav to C-in-C, Pacific; info C-in-C, Asiatic.

[70] The photostatic copy of dispatch from OpNav to Commander-in-Chief, Pacific Fleet, dated December 6, 1941, date time group 061743, was submitted to the interested parties and to the court, and by the judge advocate offered in evidence.

There being no objection, it was so received and marked "EXHIBIT 22", copy appended.

212. Q. Please read the dispatch.

The witness read the dispatch, Exhibit 22.

213. Q. It is noted that Exhibit 22 has been released by Admiral Ingersoll. Was this done with your authority?

A. To the best of my recollection, it was.

214. Q. At the time you released this dispatch, Exhibit 22, did you have any additional information on the imminence of an attack by the Japanese that you did not have on December 4, 1941, at the time of sending the dispatch to Guam?

A. Not that I recall.

215. Q. By "the outlying Pacific Islands" in Exhibit 22, what places did the you mean to be included?

A. Generally those under CinCPac's cognizance outside the immediate Hawaiian group.

216. Q. Was the Philippine area intended in the words "Outlying Pacific Islands"?

A. No.

217. Q. Why did you not issue a directive for the destruction of the codes and ciphers in the outlying islands at the same time you sent your dispatch to Guam to do this on December 4, 1941?

A. I do not recall just the reason. I could make a supposition in my answer. So far as my direct memory as to just why we didn't do it at exactly the same time, I don't recall.

The court then, at 11:20 a. m., took a recess until 11:30 a. m., at which time it reconvened.

Present: All the members, the judge advocate, the reporter, the interested parties and their counsel.

No witnesses not otherwise connected with the inquiry were present.

Admiral Harold R. Stark, U. S. Navy, the witness under examination when the recess was taken, resumed his seat as a witness, and was warned that the oath previously taken was still binding.

[71] Examined by the judge advocate (Continued):

218. Q. Adverting to Exhibit 20, which is the dispatch from the Chief of Naval Operations dated December 3, 1941, from which you have testified that the message was released by T. S. Wilkinson. Do you desire to correct that statement?

A. The message bears Admiral Ingersoll's initials showing his release.

219. Q. Is that then to be considered a release by you?

A. It is a release by Admiral Ingersoll.

220. Q. On either the 6th or 7th of December, 1941, did you receive any further information than you have testified to on diplomatic developments with the Japanese government?

A. On Sunday forenoon, the 7th, there was information to the effect that the Japanese Ambassador was to call on the Secretary of State at exactly 1300. I was talking over this information with Captain Schuirman when General Marshall called me asking me if I had it. I told him "yes," and he asked me what I thought about sending it on to the Hawaiian Islands. To the best of my memory, my first answer to him was that we had sent them so much already and of such a character that I rather questioned sending this information. I hung up the 'phone and I think within a minute, if not within 30 seconds, I called him back, stating that there might be some peculiar significance to the Japanese Ambassador calling on Mr. Hull at exactly 1300, and that I would go along with his hunch that it might be a good thing to send that information to the Pacific. I asked him if his communications were such that he could get it out in the very minimum of time because I knew our communications were efficient and rapid when we wanted to push them very quickly. He replied that he felt that he could get it out just as quickly as I could. I told him to go ahead and be sure and embody in his dispatch to inform our people, that is, the Army's naval opposite.

221. Q. 1300 Washington time is what time in Honolulu?

A. 0730.

222. Q. At the time of receiving this information from both General Marshall and the sources in the Navy Department, did you form any personal estimate of the significance of the hour 1300?

A. We didn't know. We thought that there might be something, and in view of this "might," that we ought not to take the chance and that it would be better to send the message than not to send it. That was the reason it was sent.

[72] Frederick T. Lachat, yeoman first class, U. S. Naval Reserve, reporter, entered. Frank L. Middleton, yeoman second class, U. S. Naval Reserve, reporter, withdrew.

223. Q. Do you recall if there was any other information that you received other than the fact that the Japanese were presenting certain information at 1:00 p. m.?

A. I recall no other information.

224. Q. During the period from October 16, 1941, to December 7, 1941, what was your estimate at that time of the reliability of the information being furnished you concerning Japanese diplomatic and military matters?

A. The information was quite reliable.

225. Q. Do you know who was the Commander-in-Chief of the Japanese Fleet on December 7, 1941?

A. Admiral Yamamoto, as I recall.

226. Q. Did you have any knowledge of his military characteristics?

A. I would be guessing if I were to testify on that at this time. I do not recall any particular thoughts that influenced me in anything I did by the characteristics of Yamamoto.

227. Q. I refer to Exhibit 15, which is the dispatch from OpNav dated 24 November 1941, and which states in substance that "in our opinion a surprise, aggressive movement in any direction, including an attack on the Philippines or Guam, is a possibility." Did you estimate at this time that an attack on Pearl Harbor was one of these possibilities?

A. Yes.

228. Q. Did you form any estimate of the manner in which this attack might be made?

A. We wrote down our estimate of that form in the letter which Secretary Knox signed in January, and we had had no reason to alter the form expressed therein by the intervening time.

229. Q. Adverting to Exhibit 9, which is the letter from the Secretary of the Navy to the Secretary of War dated January 24, 1941, will you read therefrom the dangers envisaged in the order of their importance?

A. (Reading)

"(1) air bombing attack; (2) air torpedo plane attack; (3) sabotage; (4) submarine attack; (5) mining; (6) bombardment by gun fire."

[73] 230. Q. When and by what means did you first learn of the Japanese attack on Pearl Harbor?

A. To the best of my remembrance, by a dispatch received from Pearl Harbor on the 7th.

231. Q. Adverting again to Exhibit 9, which is the letter of the Secretary of the Navy, dated January 24, 1941, did the Secretary of War reply to this letter?

A. He did.

232. Q. In this letter of January 24, 1941, an air torpedo plane attack was placed No. 2 in the list of dangers envisaged. Assuming that an air torpedo attack was imminent, what do you consider the relative merits of the safety of the U. S. Fleet in Pearl Harbor as contrasted with a similar attack on the Fleet at sea?

A. I would consider that the danger to the Fleet in Pearl Harbor would be greater than it would be against the Fleet at sea.

233. Q. Can you remember if there was any information during the period from November 27, 1941, to December 7, 1941, on the geographical location of the major units of the Japanese Fleet? I mean by major units, battleships and carriers.

A. I recall that there was conflicting information regarding the presence of the units which you mention. Our naval people in Pearl Harbor had made one diagnosis. Our people at Manila had made another. They didn't agree. Each knew the conclusions the other had reached. As I recall, the information from one indicated strength in the Mandates and the information from the other did not. As I further recall, the information which indicated strength in the Mandates came from the Pearl Harbor estimate. I may ask to correct my testimony on that later, but that is the best of my remembrance.

234. Q. Do you remember what the estimate of the Chief of Naval Operations was on these same matters?

A. We had both estimates, and I do not recall to which one, if either, we gave the greater weight. CNO, CincPac, and CincAsiatic all had the same information, as I recall.

235. Q. During the year 1941 did you know whether or not the Bureau of Ordnance had expressed any opinion on the practicability of launching torpedoes from aircraft on water of the depth to be found in Pearl Harbor?

A. Yes, the Bureau did express an opinion on that subject and later modified the opinion, which opinions can be obtained from the Bureau's letters if desired.

236. Q. Do you know whether or not the Commander-in-Chief of the Pacific Fleet or the Commandant of the 14th Naval District was supplied this information?

A. Yes, as I recall, we sent those letters to CincPac.

[74] 237. Q. Can you recall, Admiral, whether on December 7, 1941, there was a protected Fleet anchorage outside of Pearl Harbor?

A. To the best of my remembrance, there was not, if you are referring to the immediate Hawaiian area.

238. Q. Assuming that schedule operations provided for ships to be at the island of Oahu, in your opinion, would these ships be safer inside Pearl Harbor or safer anchored outside Pearl Harbor?

A. I would say if they were anchored or, in other words, immobile, they would be safer inside than outside.

239. Q. Since you were Chief of Naval Operations, I am assuming that during the period immediately preceding December 7, 1941, you had some information on the attitude of the people of the United States toward a war with Japan, had you not?

A. Yes, very conflicting views, I would say.

240. Q. Would you like to state briefly and in general what your information was on this subject?

A. No, I would not.

241. Q. Prior to December 7, 1941, had you, as Chief of Naval Operations, made any estimate of what might be the reactions of the people of the United States to a Japanese attack on the Netherlands East Indies or on Thailand?

A. That, too, would have been very difficult. It would have certainly created some reactions in certain quarters very different from those in others. I would not forecast what, if any, wave of opinion such an attack might have caused.

242. Q. Independently of the information upon which you based your dispatches to the Commander-in-Chief of the Pacific Fleet as to matters concerning impending Japanese action between October 16, 1941, and December 7 of the same year, what was your own estimate in regard to Japanese intentions to attack the United States?

A. My own estimate in the later period was that we had irreconcilable differences which sooner or later were bound to lead to war. I might add that opinion had been smouldering over a considerable period of time.

243. Q. What was your own estimate of Japanese intentions to attack the United States at the time you sent your last message concerning the destruction of codes on or about December 6, 1941?

A. I thought the probability was very strong that she would strike.

[75] 244. Q. Did you make an estimate of the locality in which she would most probably strike?

A. Yes, I thought she was more likely to strike in the Philippines than elsewhere, so far as United States territory is concerned. I also

felt that Guam would probably fall shortly after hostilities commenced.

245. Q. As contrasted with mere intention, what was your estimate of Japan's capacity to make a surprise attack on the Pearl Harbor Naval Base at the time she did?

A. We always recognized a surprise attack as a possibility. Do you mean by that, actually make a surprise attack or to attempt it?

246. Q. Her capacity to make the attack.

A. We knew, of course, that they had the force to attempt such an attack. We had often envisaged such an attempt and means to repel it. I also assumed that there was certainly some chance, if not a good chance, of getting some advance warning of such an attack by alerting measures available to minimize the surprise or to intercept such an attack or to reduce its effectiveness or even to break it up. I am referring particularly to air attack.

247. Q. Admiral, we have asked you the duties of all your principal aides as Chief of Naval Operations, but I have neglected to ask you what your assigned duties were at the time you held that office.

A. Chief of Naval Operations?

248. Q. Yes, office of Chief of Naval Operations. Will you enumerate, to the best of your ability, what those duties are?

A. They are in the regulations, and the principal part of them is summed up in the very first sentences on that. If you have a copy of the regulations, they could be introduced into the record.

249. Q. The court may take judicial notice of Navy Regulations. Anything else besides Navy Regulations?

A. I think that covers it.

250. Q. Is there anything in statute law which you remember, describing the duties of Chief of Naval Operations other than those incorporated in Navy Regulations?

A. There may be. I will have to check that.

251. Q. Between November 25, 1941, which is also the date of Exhibit 16, a letter addressed by you to Admiral Kimmel, and December 7, 1941, did you send any further letters, dispatches, or memoranda to the Commander-in-Chief of the Pacific Fleet, giving him any information on diplomatic or [76] military developments with the Japanese Government?

A. What is the date of my last letter?

252. Q. November 25.

A. I don't recall any. I have none on file. ~~Admiral Kimmel might supplement my memory upon that.~~

[Notation in margin:] See correction page 324.

253. Q. Admiral, I will ask you to look back to the attack on Pearl Harbor (and consider therewith the attitude of the people of the United States resulting from this attack. How would you characterize the decision of the Japanese Government in this action?

A. I thought the Japanese Government made the greatest mistake they possibly could have made when they attacked Pearl Harbor, ~~and I may add that I told Admiral Nomura, the Japanese Ambassador, that if they did, we would break them before we got through, regardless of how long it took.~~

[Notation in margin:] See correction page 324.

At the request of the judge advocate, the court was cleared.

The court was opened, and all parties to the inquiry entered.

254. Q. Admiral, in response to a previous question of the judge advocate in which he asked you to enumerate your duties as Chief of Naval Operations, your reply, in substance, was that they were set forth generally in Navy Regulations. The court has taken judicial notice of Navy Regulations. I therefore shall ask you to read the duties of the Chief of Naval Operations, as set out in Article 392.

A. (Reading):

(1) The Chief of Naval Operations is appointed by the President by and with the advice and consent of the Senate from among officers of the Line of the Navy, not below the grade of captain, for a period of four years. He is charged, under the direction of the Secretary of the Navy, with the operations of the fleet, with the preparation and readiness of plans for its use in war, and with the coordination of the functions of the Naval Establishment afloat, together with the determination of priorities relating to repair and overhaul of ships in commission or about to be commissioned.

(2) The Chief of Naval Operations, while so serving, has the rank and title of admiral, takes rank next after the Admiral of the Navy, and receives pay and allowances as specifically provided in the Act of 10 June 1922. All orders issued by the Chief of Naval Operations in performing the duties assigned him are performed under the authority of the Secretary of the Navy, and his orders are considered as emanating from the Secretary and have full force and effect as such. [77] To assist the Chief of Naval Operations in performing the duties of his office there are authorized by law for this exclusive duty not less than fifteen officers of and above the rank of lieutenant commander of the Navy or major of the Marine Corps. Should an officer, while serving as Chief of Naval Operations, be retired from active service, he may, in the discretion of the President, be retired with the rank, pay, and allowances authorized by law for the highest grade or rank held by him as such Chief of Naval Operations.

(3) During the temporary absence of the Secretary, the Under Secretary when serving, and the Assistant Secretaries of the Navy, the Chief of Naval Operations is next in succession to act as Secretary of the Navy.

The court announced that it would take a recess until 2:00 p. m. The interested party, Admiral H. R. Stark, U. S. N., requested that the court adjourn until 2:00 p. m., August 9, 1944, in order that he might have additional time to review his files dealing with the subject matter of the inquiry, so that he might be prepared to answer questions propounded in cross-examination. This interested party further stated that he had been recalled from foreign duty recently and that as the events which are the subject of the inquiry occurred almost three years ago, he desired an opportunity to fully refresh his memory. The court announced that it would adjourn until 10 a. m. August 9, 1944.

The court then, at 12:30 p. m., adjourned until 10 a. m. August 9, 1944.

PROCEEDINGS OF NAVY COURT OF INQUIRY

WEDNESDAY, AUGUST 9, 1944.

[78]

FIFTH DAY

NAVY DEPARTMENT,
Washington, D. C.

The court met at 10:00 a. m.

Present:

Admiral Orin G. Murfin, U. S. Navy (Ret), President.

Admiral Edward C. Kalbfus, U. S. Navy (Ret), Member.

Vice Admiral Adolphus Andrews, U. S. Navy (Ret), Member.

Commander Harold Bieseimer, U. S. Navy, Judge Advocate, and his counsel.

Frank Murrell Sickles, yeoman first class, U. S. Naval Reserve, reporter.

Admiral Harold R. Stark, U. S. Navy, interested party, and his counsel.

Admiral Claude C. Bloch, U. S. Navy (Ret), interested party, and his counsel.

Rear Admiral Husband E. Kimmel, U. S. Navy (Ret), interested party, and his counsel.

The record of the proceedings of the fourth day of the inquiry was read and approved.

No witnesses not otherwise connected with the inquiry were present.

Admiral Harold R. Stark, U. S. Navy, the witness under examination when the adjournment was taken on Tuesday, August 8, 1944, resumed his seat as witness and was warned that the oath previously taken was still binding.

Cross-examined by the interested party, Admiral Harold R. Stark, U. S. Navy:

255. Q. Admiral Stark, I hand you Exhibit 4, which is Navy Basic War Plan Rainbow Number 5, for the purpose of reading certain articles into the record. Will you please read articles 0101, 0102, and 0104?

(A. (Reading:)

This Navy Basic War Plan—Rainbow No. 5 was prepared under the direction of the Chief of Naval Operations.

It is based upon the Report of the United States-British Staff Conversations (Short Title ABC-1), the [79] Joint Canada-United States Defense Plan (Short Title ABC-22), and the Joint Army and Navy Basic War Plan—Rainbow No. 5.

This plan provides for the initial organization, a composition of forces, and tasks for the Naval Establishments in a Rainbow No. 5 War.

256. Q. Article 0102, which you have just read, states that this plan was based upon the report of the U. S.-British Staff conversations and gives the short title ABC-1. What is ABC-1?

A. ABC-1 was American, British, Canadian conversations and the results thereof.

257. Q. Who approved the Joint Army and Navy Basic War Plan Rainbow 5?

A. It was approved by the Secretary of War, the Secretary of the Navy, and the President.

258. Q. Will you please read the concept of war as laid down in the Joint Basic War Plan Rainbow 5, which you will find in appendix 1, section 4, and it is necessary to read only articles 10 and 13, subparagraphs a, d, and e, on page 5, appendix 1?

A. (Reading:)

12. The Concept of the War as set forth in paragraphs 10, 11, 12, and 13 of ABC-1 is quoted below, except that paragraphs 13(h) is quoted as modified by the Chief of Naval Operations' and the Chief of Staff's secret letter Serial 039412 of April 5, 1941.

10. The broad strategic objectives of the Associated Powers will be the defeat of Germany and her Allies.

11. The principles of United States and British national strategic defense policies of which the Military forces of the Associated Powers must take account are:

(a) Since Germany is the predominant member of the Axis Powers, the Atlantic and European area is considered to be the decisive theatre. The principal United States Military effort will be exerted in that theatre, and operations of United States forces in other theatres will be conducted in such a manner as to facilitate that effort.

(d) 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 [80] 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 so to 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.

(e) The details of the deployment of the forces of the Associated Powers at any one time will be decided with regard to the Military situation in all theaters.

259. Q. From what you read then, Admiral Stark, the decisive theater was considered to be in the Atlantic and the European area, and the principal United States military effort was to be exerted in that area, and the operation of other forces would be cut in such manner as to facilitate that effort; is that correct?

A. It is.

260. Q. Will you read that part of Joint Plan, Rainbow 5, pertaining to the Navy tasks in the Far East and in the Pacific area? That is section VII of the Appendix, Articles 35 and 36 only.

A. (Reading:)

35. *Navy tasks.*

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. Destroy Axis sea communications by capturing or destroying vessels trading directly or indirectly with the enemy.

c. Protect the sea communications of the Associated Powers within the Pacific Area.

d. Support British naval forces in the area south of the equator, as far west as Longitude 155° East.

e. Protect the territory of the Associated Powers within the Pacific area, and prevent the extension of enemy military power into the Western Hemisphere, by destroying hostile expeditions and [81] by supporting land and air forces in denying the enemy the use of land positions in that Hemisphere.

f. Prepare to capture and establish control over the Caroline and Marshall Island area.

g. Defend Midway, Johnston, Palmyra, Samoa, and Guam.

h. In cooperation with the Army defend Coastal Frontiers and specified localities in categories of defense prescribed in paragraph 47.

i. Route shipping in the Pacific Area.

261. Q. 36?

A. (Reading:)

36. Navy Forces.

a. The Pacific Fleet, less detachments.

b. Naval Coastal Frontier Forces.

262. Q. Admiral Stark, since the Joint Army and Navy Basic Rainbow 5 was, as you have stated, approved by the Secretaries of War and Navy and by the President, was that plan then the binding directive on you in the preparation of Navy Basic War Plan Rainbow 5?

A. It was.

263. Q. You have previously testified regarding the tasks assigned to the Pacific Fleet in that Navy Basic Plan. Were the tasks which you assigned in that Plan, and those in the Joint Army and Navy Plan, consistent?

A. They were. They were practically identical.

264. Q. I show you a letter. Can you identify it?

A. Yes.

265. Q. Will you state what it is, please?

A. I identify it as a letter from the Commandant of the 14th Naval District to Chief of Naval Operations, dated 1 May 1941, Subject, Air Defense of Pearl Harbor.

The letter, file number S-A16-3/A7-3(3) ND14 (0410), dated May 1, 1941, Subject, Air Defense of Pearl Harbor, from the Commandant, 14th Naval District, to Chief of Naval Operations, was submitted to the judge advocate and to the interested parties, and to the court, and by the interested party, Admiral Harold R. Stark, U. S. Navy, offered in evidence for the purpose of reading into the record such extracts therefrom as may be pertinent to the inquiry.

There being no objection, it was so received, marked "EXHIBIT 23," for reference, description appended.

[82] 266. Q. Will you identify Enclosure (C) of this letter?

A. Enclosure (C) of this letter is an enclosure dated 31 March 1941, is an addendum to Naval Base Defense Air Force, Operation Plan Number A-1-41, on 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, and is signed by Rear Admiral P. N. L. Bellinger, Commander Naval Air Base, Defense Air Force, Commander Patrol Two, and Major General F. L. Martin, U. S. Army, Commanding Hawaiian Air Defense Force.

267. Q. Admiral, will you read from that, Appendix C, Article 3, sub-paragraphs a. and b?

A. (Reading:)

Article 3. Possible enemy action.

a. A declaration of war might be proceeded by;

(1) A surprise submarine attack on ships in the operating area.

(2) A surprise attack on Oahu, including ships and installations in Pearl Harbor.

(3) A combination of these two.

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.

268. Q. Do you recall having read what you have just quoted, or, in fact, the entire estimate at any time during the spring or early summer of 1941?

A. I could not say definitely that I read this particular letter. I am under the impression that I did, or that I knew about it. It is contained in that file, which was forwarded by the Commandant of the 14th Naval District. It contains the paragraph to which I have previously testified, and which the Commander-in-Chief of the Pacific Fleet showed me in his memorandum of June 4, and after which I sent a considerable portion of this file out to the Commander-in-Chief of the Atlantic, Commander-in-Chief of the Pacific, Commander-in-Chief of the Asiatic, and to all Naval Districts. It is approximately three years since then, and to state whether I read the particular enclosure I could not definitely state.

269. Q. In connection with the difficulty in remembering, do you recall it from the standpoint of having had any reaction as regards it in measures which you had previously taken?

A. The reaction I got on this file was one of considerable satisfaction, because it is along the line of the letter signed by the Secretary of the Navy of January 24.

[83] Examined by the court:

270. Q. What year?

A. '41.

Cross-examination by the interested party, Admiral Harold R. Stark, U. S. Navy (continued):

271. Q. Admiral, I show you a letter. Can you identify it?

A. Yes, this is a letter dated 7 February 1941, on the subject of Air Defense of Pearl Harbor, Hawaii, by the Secretary of War, Henry L. Stimson, in reply to the Secretary of the Navy's letter of 24 January 1941.

The letter from the Secretary of War, Henry L. Stimson, to the Secretary of the Navy, dated February 7, 1941, was submitted to the judge advocate, to the interested parties, and to the court, and by the interested party, Admiral Harold R. Stark, U. S. Navy, offered in evidence.

There being no objection, it was so received, copy appended, marked "EXHIBIT 24".

272. Q. Please read the letter.

The witness read the letter, Exhibit 24.

273. Q. Admiral, do you recall any other urging of the War Department, formal or otherwise, between the date of that letter and 7 December 1941, on that point?

A. The matter of anti-aircraft defense and of planes to Hawaii for defense was a subject of frequent conversations between myself and General Marshall, and my offers were to transport them whenever and as quickly as they could be made ready. There might have been some particular time when we couldn't have transported, but in general we stood ready to get out to the Hawaiian Islands anything which the Army could make available in that connection.

274. Q. When you sent your war warning dispatch of 27 November, 1941, which is Exhibit 17, did you know that the Chief of Staff, Army, had sent a similar dispatch to Commanding General Hawaiian Department?

A. I did, and the dispatch so states.

275. Q. What steps did you expect the Hawaiian Department to take upon their receipt of this dispatch from the Chief of Staff?

A. I expected the Army to utilize its warning system to the utmost, with all accessories thereof, in the way of communications. I expected them to make ready a maximum [84] number of planes possible. I expected them to man their anti-aircraft defense, both fixed—I expected them to man their batteries, both fixed and mobile. I expected them to implement arrangements which they had with the Navy in joint agreements. I expected them to take some sabotage measures. In other words, I expected them to assume a maximum state of readiness in defense of Pearl Harbor. The defense of the Naval Base at Pearl Harbor was an Army responsibility. That base was vital to the prosecution of a war in the Pacific. That was common knowledge, also that we were rushing as fast as possible everything we could to make that base more useful. It made no difference, so far as the Army's responsibility for the defense of that base was concerned, whether the Fleet was all at sea, or all in harbor, or any part thereof. It made no difference whether the Commander-in-Chief of that Fleet was in Pearl Harbor or whether he was at sea. In particular, I would have expected the Army to have ready their pursuit planes, some of them certainly in instant readiness, and full alertness with regard to others, to man these pursuit planes in the earliest possible time in emergency. These were the principal or certainly the primary weapon of defense against an air attack coming in from the sea.

276. Q. Admiral, were the measures by which the Battle of Britain was won and the repeated German attempts to win the war by means of bombing defeated—matters of technical and general knowledge—known to the Navy Department, and, in so far as you know, to the War Department, in early 1941?

A. To a very considerable extent they were to the Navy Department, and I am not familiar with how many observers, operational, technical, and otherwise, the Army employed in this connection.

277. Q. Admiral, in your testimony of yesterday you stated that, in answer to a question, that you considered that there was greater danger to the ships in the Pacific Fleet in the Hawaiian area while in port than at sea. When you said that, did you envisage the conditions that were found to actually obtain on 7 December, or those which you have stated you expected to obtain?

A. I was thinking of the conditions which did obtain.

278. Q. Admiral, your dispatch of 28 November, which is Exhibit 19, and was sent to the Commanders of the Pacific Coastal Frontiers—what was your purpose in fully quoting an Army dispatch?

A. I quoted the Army's dispatch to our people that they might know the information and the instructions their Army opposites in their area had.

[85] 279. Q. What else did your dispatch contain?

A. It also contained a directive to our people to be prepared to carry out the tasks assigned in WPL-46 so far as they applied to Japan and in case of hostilities. The entire dispatch, therefore, was mostly informatory and contained a directive.

280. Q. On what basis was CinCPac an informatory addressee?

A. He was made an informatory addressee that he might know that this information and this directive had been given to the Pacific Coastal Frontiers, which automatically came under him in case of hostilities with Japan.

281. Q. Admiral, the extract from WPL-46 which you have read this morning mentioned tasks or commitments in connection with the defense of Guam. What, in late November 1941, was the actual situation as regard to the possibility of holding Guam, and what was really expected in case Japan went to war with us?

A. We had little or no hope of holding Guam in case of war with Japan, at that time.

282. Q. In your testimony of yesterday you stated you thought the information which had been placed before you concerning Japan, in the period 16 October to 7 December was quite reliable. What variety of information were you referring to?

A. I was referring to political information.

Cross-examined by the interested party, Rear Admiral Husband E. Kimmel, U. S. Navy (Ret.):

283. Q. When Admiral Kimmel was appointed Commander-in-Chief of the U. S. Fleet and Pacific Fleet about 1 February, 1941, did you have and express any opinion about his selection?

A. I strongly recommended his appointment. He was my choice, my recommendation. I do not mean by that, that he was not recommended by others. He was.

284. Q. After 7 December '41, did you cause a note to be inserted in Admiral Kimmel's fitness report?

A. Yes.

[86] Frank L. Middleton, yeoman second class, U. S. Naval Reserve, reporter, entered. Frank Murrell Sickles, yeoman first class, U. S. Naval Reserve, reporter, withdrew.

285. Q. I show you a document. Can you identify it?

A. I identify this as a report of fitness on Rear Admiral Husband E. Kimmel, Commander-in-Chief, United States Fleet, from the period 1 October 1941 to 17 December 1941.

The fitness report on Rear Admiral Husband E. Kimmel from the period 1 October 1941 to 17 December 1941, was submitted to each of the other interested parties, to the judge advocate, and to the court, and by the interested party Rear Admiral Husband E. Kimmel, U. S. Navy (Ret) offered in evidence for the purpose only of hereafter reading into the record such extracts therefrom as may be pertinent to the inquiry before the court.

There being no objection, the document was so received and marked "EXHIBIT 25", for reference, description appended.

286. Q. Please read the answer to Question No. 9, Admiral Stark?

A. (Reading:)

No. 9: Has the work of this officer been reported on either in a commendatory way or adversely during the period of this report? The answer: (Reading) Has been reported on adversely by the Commission appointed by the President to investigate the attack made by Japanese armed forces upon the Territory of Hawaii, December 7, 1941. (Copy of report attached.)

287. Q. Please read the answer to Question No. 14?

288. A. (Reading:)

No. 14. Is this officer professionally qualified to perform ALL the duties of his grade? The answer: (reading) I have always considered Admiral Kimmel an outstanding officer in ability, integrity, and character. I still do.

288. Q. Admiral J. O. Richardson was Commander-in-Chief of the United States Fleet from approximately one year prior to Admiral Kimmel's appointment, was he not?

A. He was.

289. Q. And during Admiral Richardson's command, the Fleet sailed from the West Coast to Pearl Harbor for maneuvers in March or April of 1940, did it not?

A. That is right.

290. When the Fleet went to Pearl Harbor from the West Coast on that occasion, did you have any thought or plan that the Fleet would stay at Pearl Harbor longer than was necessary to carry out the maneuvers that were immediately planned for it?

A. Just when that thought developed, I would hesitate to say. I couldn't answer specifically "yes".

[87] The witness requested permission to refresh his memory from documents he had in his possession.

The court granted the permission.

291. Q. When the Fleet sailed from the West Coast to Hawaiian waters in the spring of 1940, Admiral Stark, did you have any thought or plan that it would continue in Hawaiian waters longer than for the execution of the maneuvers currently planned?

A. The question is very broad as to whether or not I had any thought on the subject. To the best of my recollection no decision had been reached at that time but I do not recall; and I do not recall of any particular discussion at that time.

292. Q. Do I understand that it is your present recollection that when the Fleet sailed from the West Coast, probably in March of 1940, for Hawaiian waters, that the Navy Department as personified by the Chief of Naval Operations, had concluded the intention of keeping the Fleet based at Pearl Harbor for an indefinite time?

A. To the best of my recollection, we had not come to such a conclusion when the Fleet sailed.

293. Q. Had Admiral Richardson been advised of the possibility of his remaining indefinitely at Pearl Harbor when he sailed?

A. Not that I recall, and I would have to search any correspondence I may have to see if that answer should be changed.

294. Q. When was the decision made to keep the Fleet at Pearl Harbor after the conclusion of the spring maneuvers of 1940?

A. The decision was made in early May to retain it there for the time being.

295. Q. What do you mean by "the time being", Admiral?

A. Well, to continue it there. To the best of my remembrance, there was no decision made at that time, for example, to keep it there for the period which it was kept there.

296. Q. Well, is it fair to say that the immediate return was postponed with no definite conclusion reached as to when, if ever, it should return?

A. The decision was reached at that time to keep it there for a short period.

297. Q. And what do you mean by "a short period"?

A. I mean a couple of weeks.

298. Q. And at the conclusion of that couple of weeks, what decision was reached?

[88] The witness requested permission to refresh his memory from documents he had in his possession.

The court granted the permission.

A. The decision was reached to continue the Fleet in Hawaii again for the time being. To the best of my recollection we didn't then, and for some time afterwards, decide that the Fleet was going to remain there continuously. The question came up from time to time with the result that the Fleet was kept there.

299. Q. At some time was there a definitive decision reached that the Pacific Fleet should be kept more or less permanently based at Pearl Harbor?

A. Well, in effect, it was kept there. When we state "permanently", which would mean regardless of all else, I could not say "yes" to that. Under the conditions which then existed we did keep it there. Had they been considerably altered, we might have changed our decision.

300. Q. At some time during the late summer or fall of 1940, did Admiral Richardson make either one or two official visits to Washington?

A. He did.

301. Q. And during one or both of those visits, did you have conversations with him relative to continuing the Pacific Fleet at Pearl Harbor?

A. That question was undoubtedly one which we talked about.

302. Q. And do you recall that Admiral Richardson protested with strength and vigor the continued maintenance of the Pacific Fleet at Pearl Harbor under the then existing conditions?

A. I recall his desire to bring the Fleet back to the Coast.

303. Q. Did he advance any reasons to you for that desire?

A. Yes, he supported them with reasons.

304. Q. Do you recall what the reasons were, as stated to you?

The witness requested permission to refresh his memory from documents he had in his possession.

The court granted the permission.

A. I can give you some of the reasons.

305. Q. Can you state generally your present recollection?

A. I recall one reason which Admiral Richardson gave which was in connection with morale, namely, that the fleet [89] on the Pacific Coast would have better opportunity for recreation, visits with

their families. I am not sure, but as I recall the question of re-enlistments was brought up in that same connection, but as to any material reason which he might have given, I do not recall specifically at the moment.

The interested party, Admiral Harold R. Stark, U. S. Navy, suggested that this line of questioning is based upon events that are a long distance back and requested that the documents be introduced in evidence.

306. Q. You understood, Admiral Stark, that in these questions I have been referring to basing the whole Pacific Fleet, rather than any particular section of it, at Pearl Harbor?

A. Yes, I understand that.

307. Q. Do you recall whether Admiral Richardson based his protest on the fact that he considered the Fleet was not secure at Pearl Harbor?

A. I do not recall that, no, nor any official communication to that effect.

308. Q. Do you recall whether one of the factors behind Admiral Richardson's protest was that strategically and logistically, war operations could not be conducted, either actually or in training, from Pearl Harbor because of inadequate train then attached to the Fleet?

A. I remember a discussion of inadequate train came up and we were endeavoring to meet the needs of the Fleet to make Pearl Harbor suitable for some of these purposes, if not all of them.

309. Q. Yesterday you read from a letter dated, I think, in May of 1940, to Admiral Richardson, in which you discussed some of the factors for maintaining the entire Pacific Fleet at Pearl Harbor.

A. Right.

310. Q. I show you a document. Can you identify it?

A. I identify it as a copy of a letter from me to Admiral Richardson dated 27 May, 1940.

The letter from Admiral Harold R. Stark, to Admiral J. O. Richardson, U. S. Navy, dated May 27, 1940, was submitted to the judge advocate, each of the other interested parties, and to the court, and by the interested party, Rear Admiral Husband E. Kimmel, U. S. Navy (Ret), offered in evidence for the purpose only of hereafter reading into the record such extracts therefrom as may be pertinent to the inquiry before the court.

There being no objection, it was so received and marked "EXHIBIT 26", for reference, description appended.

[90] Q. I should like to read two of the paragraphs, Admiral Stark (reading) :

Along the same line as the first question presented, you would naturally ask, "Suppose the Japs do go into the East Indies? What are we going to do about it?" My answer to that is, "I don't know", and I think there is no one on God's green earth that can tell. I do know my own arguments with regard to this, both in the White House and in the State Department, are in line with the thoughts contained in your recent letter. I would point out one thing, and that is that even if the decision here were for the United States to take no decisive action, if the Japs should decide to go into the Dutch East Indies, we must not breathe it to a soul as by so doing we would completely nullify the reason for your presence in the Hawaiian area. Just remember that the Japs don't know what we are going to do and so long as they don't know, they may hesitate or be deterred. The above, I think, will answer the question "why you are there". It does not answer the question as to how long you will probably stay. Rest

assured that the minute I get this information I will communicate it to you. Nobody can answer it just now. Like you, I have been asked the question, and also like you, I have been unable to get the answer.

There is stated in that letter, in substance, that one of the reasons for maintaining the entire Pacific Fleet at Pearl Harbor was because of the deterrent effect on the Japanese, or the anticipated deterrent effect on the Japanese from going into the Netherlands East Indies; is that correct?

A. Yes.

312. Q. At that time, as Chief of Naval Operations, was it your opinion that the Pacific Fleet was strong enough and adequately equipped with train and repair facilities to be a genuine and realistic threat to the Japanese on that basis?

A. Well, they certainly were a threat.

313. Q. A genuine and realistic threat, I said, Admiral.

A. Asking that from the standpoint of the Japanese, I certainly would say that it would have been taken into consideration very seriously. It was a considerable fleet and if the question means whether it would have stopped them going down as a surprise, if they intended to do so, I would say the chances are it wouldn't. But it did have the chance of serving as a deterrent by its presence.

314. Q. Was it your decision to keep the Fleet based at Pearl Harbor?

A. Major movements and major dispositions of the Fleet were taken up with the Commander-in-Chief, who made the final decision.

[91] 315. Q. Was it your decision to keep the Fleet based at Pearl Harbor?

A. I have answered the question that the decision to keep it there, which was effected, was that of the Commander-in-Chief.

Examined by the court:

316. Q. Commander-in-Chief of what?

A. Commander-in-Chief of the Army and Navy.

Cross-examination by the interested party, Rear Admiral Husband E. Kimmel, (Ret.) (continued):

317. Q. To a non-military man, that means the President of the United States?

A. Yes; I mean by that the President of the United States:

318. Q. Do you recall any other factors in addition to those stated in Exhibit 26, the letter of 27 May, 1941, that influenced the decision to keep the entire Pacific Fleet based at Pearl Harbor?

The witness requested permission to refresh his memory from documents he had in his possession.

The court granted the permission.

The court then, at 11:40 a. m., took a recess until 11:50 a. m., at which time it reconvened.

Present: All the members, the judge advocate and his counsel, the reporter, the interested parties and their counsel.

No witnesses not otherwise connected with the inquiry were present.

Admiral Harold R. Stark, U. S. Navy, the witness under examination when the recess was taken, resumed his seat as a witness, and was warned that the oath previously taken was still binding.

Cross-examination by the interested party, Rear Admiral Husband E. Kimmel (Ret.) (continued):

319. Q. Admiral Richardson did not agree with your estimate of the readiness of the Pacific Fleet as stated in your letter of 27 May 1941, Exhibit 26, did he, Admiral Stark?

A. Did not agree with what?

320. Q. Your estimate and evaluation of the readiness of the Fleet to accomplish some of the purposes which were among the factors for basing the Fleet at Pearl Harbor.

A. I would say that Admiral Richardson could testify to that better than I could.

[92] 321. Q. I ask you if you can identify the document which I now hand you, Admiral Stark?

A. This letter is a letter from the Commander-in-Chief, U. S. Fleet, to the Chief of Naval Operations, dated 22 October 1940, Subject, War Plans, status and readiness of in view of current international situation.

322. Q. You received that letter as Chief of Naval Operations?

A. I haven't read it. I certainly assume that I did.

The letter from the Commander-in-Chief, U. S. Fleet, to the Chief of Naval Operations, dated 22 October 1940, was submitted to the judge advocate, each of the interested parties, and to the court, and by the interested party, Rear Admiral Husband E. Kimmel, U. S. Navy, (Ret), offered in evidence.

There being no objection, it was so received, copy appended, marked "EXHIBIT 27".

Frederick T. Lachat, yeoman first class, U. S. Naval Reserve, reporter, entered. Frank L. Middleton, yeoman second class, U. S. Naval Reserve, reporter, withdrew.

323. Q. Will you read the letter, Admiral Stark?

The witness read the letter, Exhibit 27.

The court then, at 12: 15 p. m., took a recess until 2: 15 p. m., at which time it reconvened.

[93] Present:

All the members, the judge advocate and his counsel, the parties to the inquiry and their counsel.

No witnesses not otherwise connected with the inquiry were present.

Harold R. Stark, Admiral, U. S. Navy, the witness under cross-examination when the recess was taken, entered. He was warned that the oath previously taken was still binding.

Cross-examination by the interested party, Rear Admiral Husband E. Kimmel, (Ret.) (Continued):

324. Q. Admiral Stark, would you like to make any comments on Exhibit 27, which was read just before adjournment?

A. Yes, I would be glad to say that I think it a very good letter. I was delighted to receive it. I was in accord with most of what it had to say, particularly with regard to war plans, and the very reasons which he gave in his criticism of the situation at that time were some of the causes of the development of Rainbow 5. For example, I would like to read Admiral Richardson's paragraph 10, in which he says:

The foregoing is briefly summarized as follows:

(a) Unsuitability of ORANGE Plan in present situation and present development of Naval Establishment;

(b) Inapplicability of other Plans available to the Commander-in-Chief, U. S. Fleet (Rainbow Nos. I and II);

(c) Vital necessity for (1) new directive (possibly Rainbow No. III) based on present realities, national objectives and commitments as far as these are known or can be predicted at the present time; (2) coordination of plans developed with National Policy and steps to be taken to implement that policy;

(d) In the light of information now available to him, the Commander-in-Chief is of the conviction that the elements of a realistic plan should embody:

(1) Security and defense measures of the Western Hemisphere;

(2) Long-range interdiction of enemy commerce;

[94] (3) Threats and raids against the enemy;

(4) Extension of operations as the relative strength of the Naval Establishment (may be influenced by allied strength and freedom of action) is built up to support them.

I should also like to read from page 19, Appendix 1, of Exhibit 4, the Navy Basic War Plan—Rainbow No. 5. Recalling the four provisions which Admiral Richardson recommended, the following are what Rainbow 5 prescribes:

(Reading:)

a. Reducing Axis economic power to wage war, by blockade, raids, and a sustained air offensive;

b. Destroying Axis military power by raids and an eventual land, naval, and air offensive;

c. Protecting the sea communications of the Associated Powers;

d. Preventing the extension in the Western Hemisphere of European or Asiatic military power; and by

e. Protecting outlying Military base areas and islands of strategic importance against land, air, or sea-borne attack.

In another part of Admiral Richardson's letter appears this paragraph: "It is the firm belief of the Commander-in-Chief, U. S. Fleet that even if energetic, single-purpose steps toward the first objective (BASE ONE) of the Plan were initiated promptly, a period of some six months to one year would be required for its accomplishment."

Navy Basic War Plan—Rainbow No. 5, to which I have just referred, among its tasks requires the Commander-in-Chief of the Pacific Fleet to prepare the following plans: "A plan for the execution of Task B of paragraph 3212, assuming the availability of approximately 30,000 armed troops, in addition to forces of the U. S. Pacific Fleet, and assuming that the task will be executed under 180 M, which is six months.

325. Q. Was one of the other factors supporting the retention of the Pacific Fleet at Pearl Harbor in the fall of 1940 a proposed plan to stop all trade between Japan and the Americas by means of the maintenance of a patrol line west from Honolulu to the Philippines and south from Samoa to Singapore?

A. Not that I recall at that time.

[95] 326. Q. Was there under discussion a program to maintain a life force line in those directions for the purpose of controlling commercial traffic to Japan?

A. Not at that time that I recall.

326a. Q. Was there at any time?

A. The war plan which has been put in evidence speaks about interrupting Japan's commerce.

327. Q. Do you recall a discussion with Admiral Richardson when he was in Washington in the fall of 1940 relative to such a patrol line?

A. No, I don't recall it.

328. Q. You recall no discussions with Admiral Richardson about that subject matter?

A. Not about establishing a line at that time to stop Japan's—

329. Q. To stop or control?

A. To stop or control Japan's traffic. We may have discussed matters of the future in connection with war plans as to what we would do and how we would do it, but I don't recall the conversations at this time.

330. Q. I will ask you to read a letter from Admiral Richardson, Commander-in-Chief, U. S. Fleet, to the Commander-in-Chief of the Asiatic Fleet and see if your memory is refreshed.

A. I had forgotten this particular paper and don't particularly recall it at this time.

331. Q. Do I understand you have no recollection of a discussion with Admiral Richardson over the proposition I outlined in my earlier question?

A. I would say that I have forgotten that completely.

332. Q. After reading the letter, you say that your memory is not adequately refreshed to testify concerning that?

A. That's correct.

333. Q. I show you a document and ask you if you can identify it, Admiral Stark?

A. Yes, I can identify this document as a letter from the Commander-in-Chief, U. S. Fleet to the Chief of Naval Operations, dated 7 January 1941, on the subject of the situation concerning the security of the Fleet and the present ability of the local defense forces to meet a surprise attack.

[96] The letter was submitted to the judge advocate, to the interested parties, and to the court, and by the interested party, Rear Admiral Husband E. Kimmel, U. S. Navy (Ret), offered in evidence for the purpose of reading into the record such extracts therefrom as may be considered pertinent to the inquiry.

There being no objection, it was received in evidence and marked "EXHIBIT 28", copy appended.

334. Q. Was this letter, Exhibit 28, the basis and initiating thought in the preparation of the letter of the Secretary of the Navy to the Secretary of War, previously introduced in evidence, dated January 24, 1941?

A. I couldn't say whether it was the basis, but it is in some respects along the same line. It may have been. I don't recall. Where I said, "It may have been," it may have influenced; I don't remember.

335. Q. I ask you if you can identify this as a photostatic copy of a letter which you wrote Admiral Kimmel under date of 10 February 1941?

A. Yes, I can identify this as a letter from me to Admiral Kimmel, dated 10 February 1941.

The letter was submitted to the judge advocate, to the interested parties, and to the court, and by the interested party, Rear Admiral Husband E. Kimmel, U. S. Navy, (Ret), offered in evidence for the purpose of reading into the record such extracts therefrom as may be considered pertinent to the inquiry.

There being no objection, it was received in evidence and marked "EXHIBIT 29", copy appended.

336. Q. I ask you if you can identify this as a photostatic copy of a letter written by Admiral Kimmel to you dated 18 February 1941?

A. I recognize this letter as one from Admiral Kimmel to me, dated 18 February 1941.

The letter was submitted to the judge advocate, to the interested parties, and to the court, and by the interested party, Rear Admiral Husband E. Kimmel, U. S. Navy, (Ret), offered in evidence for the purpose of reading into the record such extracts therefrom as may be considered pertinent to the inquiry.

There being no objection, it was received in evidence and marked "EXHIBIT 30", copy appended.

[97] 337. Q. After the receipt of this letter from Admiral Kimmel did you make an effort to ascertain who was responsible for the transmission of secret information? It was between O. N. I. and Operations.

A. I unquestionably did. I don't recall just the action taken.

338. Q. Did you understand from this postscript which I have just read that the Commander-in-Chief requested to be currently and promptly advised as to information of a secret character?

A. Which would be of use to him, yes.

339. Q. What did you understand was included in information of a secret character, as used in the letter?

A. Well, I would understand that technical matters, which would be of assistance to the Pacific Fleet, should be sent; also operational matters or other matters which would be of use and of interest to him. When I say "technical", if we received word of some particular method of mine-sweeping or of some particular mines that ought to be used, that information certainly might be of some future use to him. When I say "operational", we had many observers in England sending in data as to how they operated, and if I found something that might be of use to him, I would consider that it ought to go to him. There are many subjects of which these two are just samples.

340. Q. Did you understand it to include all information relative to diplomatic and international developments affecting the Pacific Area?

A. I would not say all matters. We aimed to keep the Commander-in-Chief in the Pacific acquainted with these subjects, so far as we thought he would have a vital interest, but to have sent him a mass of everything that came in without evaluation, which we were more or less prepared to do, it might have been more of a hindrance than help to him.

341. Q. The only reason you would not send him information in that category was that you felt it too trivial to be worthy of his attention?

A. Well, I wouldn't send him that which I thought to be trivial of his attention.

342. Q. Did you send him anything which you did not consider trivial affecting international and political developments in the Pacific area?

A. It was my aim to keep Admiral Kimmel abreast of worthwhile developments.

[98] 343. Q. I ask you if you can identify what I now hand you as a photostatic copy of a letter which you wrote Admiral Kimmel under date of 25 February 1941, enclosing copies of two memoranda

to the President, one dated 11 February 1941 and the other February 5, 1941. I shall call attention only to the first memorandum to the President.

A. I identify this as a letter to Admiral Kimmel from me dated 25 February 1941.

The letter was submitted to the judge advocate, to the interested parties, and to the court, and by the interested party, Rear Admiral Husband E. Kimmel, U. S. Navy, (Ret.), offered in evidence for the purpose of reading into the record such extracts therefrom as may be considered pertinent to the inquiry.

There being no objection, it was received in evidence and marked "EXHIBIT 31", copy appended.

344. Q. When you said, Admiral, in that memorandum to the President that the Pacific Fleet is now weaker in tonnage and aircraft, did you mean the entire U. S. Fleet in the Pacific, minus the Asiatic, or only that portion of it which was based at Pearl Harbor?

A. My recollection is that I was referring to that which was under command of Admiral Kimmel, but I may have taken the other into consideration. I don't recall.

345. Q. At that time how much weaker was the U. S. Pacific Fleet under Admiral Kimmel than the Japanese Fleet?

A. That can be obtained from the record.

346. Q. Have you any general knowledge on it?

A. I had general knowledge of it, but numbers, tonnages, etc., are a matter of record.

347. Q. At that time had any portion of the Pacific Fleet which was based at Pearl Harbor, when Admiral Richardson took it to Pearl Harbor in March, 1940, been diverted to the Atlantic?

A. I would have to check the record on that. The record can be checked on that.

Frank M. Sickles, yeoman first class, U. S. Naval Reserve, reporter, entered. Frederick T. Lachat, yeoman first class, U. S. Naval Reserve, reporter, withdrew.

[99] 348. Q. Would that be tedious for you to do before tomorrow or would it be practicable?

A. The answer to the question is that the CINCINNATI and MILWAUKEE were transferred between the dates you mentioned.

349. Q. And those were the only diversions from the Pacific Fleet from March of 1940 until 11 February '41?

A. Those are the only diversions of which I have access to the record here at this time, and I think they are accurate.

350. Q. Isn't it a matter of fact that up to 11 February 1941, there had been no substantial change in the strength of the Pacific Fleet from the time that it went to Pearl Harbor under Admiral Richardson in the spring of 1940?

A. I think that is correct.

351. Q. And yet, with no substantial change, you considered in February 1940 that the Pacific Fleet was weaker than the Japanese Fleet?

A. That's right.

352. Q. In February '41?

A. Yes.

353. Q. You say that it remains a constant, serious, and real threat to the Japanese Fleet in the memorandum?

A. That's right.

354. Q. Did you mean by that that the strength of the U. S. Pacific Fleet was such that it was only a threat and that it did not possess the power to initiate a frontal offensive against the Japanese Fleet in February of 1941?

A. Yes.

355. Q. In May of 1941, there was diverted under your orders, from the Pacific Fleet, a substantial quota of vessels, was there not?

A. In May, 1941?

356. Q. Yes. That would have been in connection with the amphibious operation to which you made reference yesterday, in the Atlantic.

A. I would have to refer to the record as to just when it was made. The information that I have shows transit through the Canal in June. I think your statement is probably correct.

357. Q. What was the strength of that diversion in June of 1941?

A. To the best of my recollection, three battleships, four cruisers, the YORKTOWN, at approximately that date.

[100] 358. Q. That is a carrier?

A. Carrier. And a squadron of destroyers.

359. Q. Now how many destroyers would be in a squadron?

A. I think there were nine in that squadron. I would have to check the record.

360. Q. How much did that diversion to the Atlantic reduce the striking force or the fighting value of the Pacific Fleet as compared with what it was before that diversion?

A. It reduced it by just so much as was detached.

361. Q. Were there any transports diverted at about that time?

A. My answer is that it is not sufficiently clear in my memory to give an answer.

362. Q. Now you say the diversion of this force of three battleships, four cruisers, and a carrier and squadron of destroyers reduced the striking force or the fighting value by—what was the phrase you used?

A. By just so much as was detached or transferred.

363. Q. What is the square rule about fighting forces or striking power of a fleet?

A. What is that, may I ask you?

The question was repeated.

A. Well, the greater the strength, the greater its striking power, but it should be borne in mind in connection with these transfers that they were laid down in accordance with plans which had been approved and which had been promulgated, and that it left the Fleet with forces which were in these plans to accomplish certain tasks. The forces transferred were in accordance with the previous directive, Rainbow. V.

364. Q. Was the comparative number of vessels diverted in June of 1941, consisting of three battleships, four cruisers, and accompanying escorts, approximately a quarter of the forces of the Pacific Fleet originally there at Pearl Harbor?

A. Well, we had twelve battleships. A quarter of twelve would be three: we had nine left. So far as the battleships were concerned, that would be true. As I recall, we had four carriers. We took one. That would be a quarter. As far as the destroyers, speaking from recollection, we had approximately fifty, according to my recollection. If we took nine, it would be approximately 20%.

365. Q. And four cruisers?

A. As I recall, we had about fourteen cruisers out [101] there. That is recollection, and if we took four, it would be approximately 25%, maybe a little over.

366. Q. This is it fair to say that this diversion of three battleships, four cruisers, nine destroyers, and one carrier, constituted approximately 25% of the Pacific Fleet as it originally moved to Hawaii under Admiral Richardson?

A. No, I wouldn't say that. That statement, according to my recollection, is true except as regards destroyers and submarines.

367. Q. It was 20% of the destroyers instead of 25?

A. Approximately.

368. Q. Slightly more than 25% of the cruisers?

A. Yes.

369. Q. I kind of balanced those differences.

A. Yes.

370. Q. No submarines were diverted to the Atlantic?

A. Not that I recollect.

371. Q. At any time?

A. I don't want to guess on that question and I don't recall clearly.

372. Q. Admiral Kimmel advises that no submarines were transferred to the Atlantic.

A. Yes.

373. Q. Now how would you evaluate by fractions the force which you have described as passing through the Canal in June in relation to the force moving out to Pearl Harbor under Admiral Richardson? I suggested a quarter. You felt that I was a little extravagant in my estimate.

A. You mean would I evaluate it as a 20% reduction?

374. Q. Yes, or a 25% reduction.

A. I think the figures in the record speak for themselves.

375. Q. They speak for themselves except for the submarine factor. No submarines were moved. How do you evaluate the submarine force in the Pacific as part of the whole?

A. You mean as part of the whole Pacific Fleet?

376. Q. That's right.

A. I never evaluate in that way.

377. Q. What I am getting at is, what fraction of the [102] Pacific Fleet was diverted in June of 1941 to the Atlantic?

A. The composition of the Fleet, I believe, is in the record in previous testimony. The detachments are, approximately, in the record. The figures as to what remained are in the record. If one started to evaluate, you can't evaluate by numbers alone. You have got to evaluate by types.

378. Q. With exception of the submarines, it was practically 25%?

A. With reference to number alone?

379. Q. Yes.

A. To the best of my recollection that would be a fair estimate.

380. Q. Now would you explain what is the application of the square rule to the diversion of a fraction of a fleet, in its fighting force?

A. I don't know what you mean.

381. Q. That means nothing—that phrase?

A. No, it doesn't to me, sorry.

382. Q. Is there any section or paragraph of WPL-46, Admiral Stark, where the term "War Warning" is used?

A. Not that I recall.

383. Q. Has the term any more significance in naval parlance than in ordinary speech?

A. Well, to me it was a very glaring phrase—to me and to those of us who went over that dispatch.

384. Q. Has it any more significance than it has in ordinary speech?

A. I would say used as it was, that it did.

385. Q. The phrase "mobilize" does have a very definite meaning under WPL-46, does it not?

A. Yes.

386. Q. Is it not accurate to say that there is a regularly established procedure for putting the Navy on a war basis under Rainbow 5, and that that procedure is to issue orders to mobilize or to execute WPL-46 in whole or in part?

A. It is so far as directing execution in total or in part. I don't recall for the moment with regard to the mobilization, but I may state, and I think it is repetition, that we were practically mobilized at that time. I had nothing else left to mobilize, as I recall.

387. Q. You never at any time prior to December 7 sent out any orders to mobilize under WPL-46?

A. No.

388. Q. Did you ever keep any record of your conversations [103] with the President, during the year 1941?

A. No, I did not.

389. Q. In your dispatch of November 27, 1941, you omitted the phrase, "in any direction", which you used to characterize a surprise aggressive move by Japan in the dispatch of November 24, did you not?

A. Yes. Let me check that. I will make sure. Yes, I did omit it. I did not put it in.

390. Q. In your dispatch of November 27, you particularized the description of objectives of a Japanese amphibious expedition as the Philippines, the Kra Peninsula, and possibly Borneo, did you not?

A. I stated in that dispatch that the number and the equipment of Japanese troops and the organization of the naval task forces indicated—repeat "indicated"—an amphibious expedition against either the Philippines or the Kra Peninsula, or possibly Borneo.

391. Q. In this respect, then, your dispatch of November 27 restricted the geographical area from "any direction" to specific areas, did it not?

A. I do not consider that it restricted it to the areas mentioned. I stated that the organization of the Naval task forces indicated certain objectives, but the fact that I didn't mention others does not

necessarily exclude them, particularly in view of the preceding dispatch to which you have referred. I make mention in that connection, if I may, with reference to the previous dispatch to which you referred, in which the phrase, "in any direction", was used, that that message, in addition to being sent to CinCAF and CinCPac was also sent to Com11, Com12, Com13, and Com15. I meant to invite attention to it at the time we were talking about it, but it slipped my mind. In other words, I not only wanted, as I then mentioned, to put forth the thought that Hawaii might be an objective, but that the attack might come anywhere, on the Canal, or the whole coast.

392. Q. Well, will you agree, Admiral Stark, that the addressee of such dispatches as those of November 24 and November 27 could reasonably conclude that your last-stated expectation of the direction of the Japanese movement, in your dispatch of November 27, was designed to be more precise than the directions indicated in your dispatch of November 24?

A. The dispatch of the 24th mentioned the Philippines or Guam as a possibility, and stated that it might be in any direction. The dispatch of the 27th stated that the information we had indicated an amphibious expedition to the southward, including the Philippines, and it was confirmatory. It was not intended to limit the previous notice of the addressees in the November 24 dispatch—that they were immune. It simply showed the information that we had.

Frank L. Middleston, yeoman second class, U. S. Naval Reserve, reporter, entered. Frank M. Sickles, yeoman first class, U. S. Naval Reserve, reporter, withdrew.

[104] 393. Q. The question was, whether you did not agree that the addressee of these two dispatches could, and probably did, reasonably conclude that the last dispatch was much more precise in the direction indicated than the earlier message.

A. I am perfectly willing, and have tried to answer the question as to what the dispatch meant to me, namely, as to what information we had indicating where it might fall, but it was far from my mind as to making that exclusive. We had data indicating these points; lack of data regarding other points didn't necessarily mean that they could not be attacked. And in the previous dispatch, the words "in any direction" were put in there to show that while we were giving what we had, that we did consider that it might come anywhere, even so far to the eastward as the United States.

394. Q. And in your mind the message of the 27th did not limit or change the breadth or the scope indicated in the message of the 24th?

A. No, it did not.

395. Q. At the time of your dispatch of November 24th, you testified in your direct testimony, Admiral Stark, that the words "in any direction" expressed your thought that an attack on Pearl Harbor was a possibility.

A. That is right. And to broaden that, I have just brought up the question showing where that dispatch was addressed.

396. Q. Now, if you thought that Pearl Harbor was a possibility as a point of attack, there was no reason why, in your dispatch to Admiral Kimmel, you couldn't have said so explicitly, was there?

A. No, there was no reason why I could not have.

397. Q. As a matter of fact, didn't you consider an attack on Pearl Harbor as no more than a possibility, even on November 27th?

A. I considered it as a possibility.

398. Q. But a rather remote possibility?

A. Well, I went between "remote possibility" and "probability". It is a little difficult to differentiate. I considered it a possibility.

399. Q. You did not consider it a probability?

A. No, I didn't consider it a probability? If I had thought it was a probability I might have mentioned it. I thought it a possibility.

400. Q. If you had thought that Pearl Harbor was a probability on November 27th, you would have doubtless included that in the specific mention of the Philippines, the Kra Peninsula, and possibly Borneo?

A. No, I don't know that I would have. We were giving a war warning that Japan might strike. We gave the best [105] information we had indicating points which might be struck. We didn't exclude anything else, and the fact that other places were possibilities was intended to stand.

401. Q. My question was, If you had conceived Pearl Harbor to be a probable point of attack, you would have included it specifically in your message of November 27?

A. If I had had information that indicated that Pearl Harbor was a point of attack, I certainly should have included it.

402. Q. I think you testified in your direct examination, Admiral Stark, that after the dispatch of November 24th, you did not intend Admiral Kimmel to interrupt his training or discontinue his health cruises for all-out security measures?

A. I think it was with reference to the dispatch of October 16th that I mentioned that.

The court then, at 4:05 p. m., took a recess until 4:10 p. m., at which time it reconvened.

Present: All the members, the judge advocate, the reporter, the interested parties and their counsel.

No witnesses not otherwise connected with the inquiry were present.

Admiral Harold R. Stark, U. S. Navy, the witness under examination when the recess was taken, resumed his seat as a witness, and was warned that the oath previously taken was still binding.

Cross-examination by the interested party, Rear Admiral Husband E. Kimmel, (Ret) (Continued):

403. Q. I refer you to Page 52 of the record of Monday, August 7, 1944, question No. 141, which reads:

141. Q. What action did you expect the commander-in-chief of the Pacific Fleet to take on the receipt of this dispatch, Exhibit 15, now before the court?

A. It was largely informatory. He had previously taken measures regarding which testimony has been given, which I considered appropriate. I considered that if in his judgment, with what he had been doing in the course of the month, he thought any additional tightening up was necessary he would do it. I was trying to acquaint him with the picture as I saw it and that there was a possibility of a surprise attack. I left that to his good judgment. And the same way in the Far East; I sent no specific instructions. It was not my general habit to do so.

[106] 142. Q. The language of the dispatch is, and I quote: "A surprise, aggressive movement in any direction is a possibility." Was your information at the time such as would have warranted your using language indicating that the aggressive movement was stronger than a possibility?

A. I didn't feel—I wasn't ready to go to an all-out at that time. Admiral Kimmel was confronted with problems, and very difficult problems, of training. He was making a so-called health cruise which I had initiated. As I recall, they were originated with Admiral Richardson and Admiral Kimmel, which I was not yet ready to interrupt. I didn't feel at that time that he was ready needed to start using everything we had on a war basis, and the word "possibility" was used advisedly, though I knew the situation was certainly no better, and if anything, deteriorating.

A. You are referring to the dispatch of November 24th, now?

404. Q. I will repeat my question. After November 24th, you have already testified, have you not, that you did not intend Admiral Kimmel to interrupt his training or discontinue health cruises for all-out security measures?

A. I wrote Admiral Kimmel after the dispatch of October 14th—

405. Q. No, no; November 24th.

A. I was thinking of the dispatch of October 17 with reference to your question, but I am willing to let it stand for the 24th.

406. Q. And yet, after the dispatch of November 27th, you have testified you expected Admiral Kimmel to institute full security measures?

A. That is right.

407. Q. At the time you sent both dispatches, however, in your own mind an attack on the Hawaiian area was a possibility and not a probability; is that correct?

A. Yes, except that the war warning message certainly gave a picture of very much more gravity than anything else, anything previous which had been sent.

408. Q. But you considered an attack on Pearl Harbor a possibility at the time you sent the message on November 24?

A. Yes, that is right.

409. Q. And you considered it only a possibility when you sent your message of November 27th?

A. I considered war far more probable on the sending of the message of the 27th, and to that extent was more likely to happen.

[107] 410. Q. But you have been very definite, Admiral, that on the 27th you considered an attack on Pearl Harbor only a possibility as distinguished from a probability.

A. Yes.

411. Q. You so testified before the Roberts Commission.

A. Yes. I don't recall about the Roberts Commission but I say "yes" to that.

412. Q. And you so testify now?

A. Yes.

413. Q. After the dispatch of November 24th, did you have a conference with the President and Mr. Hull, the Secretary of State?

A. After November 24th? I did.

414. Q. That is referred to in the postscript of your letter of November 25th, which was introduced as an exhibit yesterday, or the day before.

A. Yes; that is right.

415. Q. Do you recall when that conference was?

A. No, I don't. I think it was shortly after—it was probably the 25th, or very close to it, as I recall. The postscript is not dated.

416. Q. In Exhibit 16, this letter of November 25th, you state in

the postscript, "I held this up pending a meeting with the President and Mr. Hull today." Now, the letter is dated the 25th. Do you recall whether you held it more than one day?

A. No, I do not recall. I think it was just about the time the letter was written, but I don't recall. It may have been the next morning; it may have been that afternoon. I don't remember. I have no means of remembering.

417. Q. That postscript represented your very recent and probably extremely accurate impression of the conference, did it not?

A. Yes.

418. Q. Did your estimate of the situation, namely, that an attack on Pearl Harbor was a possibility and not a probability, remain the same after the conference as it had been when you sent the dispatch of November 24th?

A. I don't recall that I changed my opinion any. I stated in the— that is in the record, isn't it, that postscript?

419. Q. Yes, that was read in the record before.

A. I gave the thought of the President and Mr. Hull in it, and I gave the thought with regard to Russia in it.

[108] 420. Q. But your own mental reaction with respect to the over-all situation did undergo some change prior to the 27th of November?

A. Yes. On the 27th of November when negotiations ceased, that made, in my opinion, quite a difference in the whole set-up. It brought it to a head.

421. Q. As I understand it, the basic factor of your personally having a more alarming view in the interval between November 24 and November 27, was the fact that negotiations between our Secretary of State and Admiral Nomura had ceased?

A. That is right.

422. Q. You knew, did you not, that on November 26th the United States had given Japan a note which stated certain basic proposals for Japanese-American relations? That note is now printed on Page 768 of Volume 2 of Foreign Relations, 1931-1941?

A. I don't know whether I did or not, but if you will read the note it may refresh my memory.

The witness requested permission to refresh his memory from Volume 2 of Foreign Relations, 1931-1941.

The court granted the permission.

423. Q. My inquiry was, Did you know if such was a fact?

A. I don't recall ever having seen that note.

424. Q. The question is whether or not you knew, on November 26th, that the United States had given Japan a note which stated certain basic proposals for Japanese-American relations. I am not asking whether you knew the precise contents of it.

A. No, I don't remember that note. I do recollect a conference in the White House at which were present, Mr. Hull, the Japanese Ambassador, and myself, when certain items were discussed looking toward peace. I do not recall the date of that meeting.

425. Q. I think that was quite a bit earlier.

A. But I remember rather distinctly some of the President's proposals. But this document which you have given me, I do not recall ever having seen that.

426. Q. That wasn't the question. Did you know that a document, a message, a note, was handed by the Secretary of State to the Japanese Ambassador on the 26th of November?

A. I do not recall such, no.

427. Q. Where did you get your information that diplomatic relations had broken off? Bear in mind that a note looking forward to peaceful relations had been handed by the Secretary of State to the Japanese Ambassador on the day before you sent your message of November 27th.

A. Yes. Where did I get the information that negotiations had been broken off?

[109] 428. Q. Yes.

A. To the best of my recollection and belief, I got it from Mr. Hull.

429. Q. At that time did Mr. Hull tell you that he had handed a note the day before, on the 26th, to the Japanese Ambassador?

A. Not that I recollect.

430. Q. You learned nothing from the State Department to indicate that any proposal that might have been made on November 27 was not intended in good faith by the Secretary of State and that it at least was not possible of acceptance?

A. On the 26th?

431. Q. Yes.

A. I don't recall the note which you asked me to read, of having seen it or having heard anything about it. As to whether or not it was made in good faith, you would have to ask the State Department. Sometimes things are made for the record in the hopes that they will get through as a last hope.

432. Q. As I understand it, you leave it that although on November 27 you were advised by the Secretary of State that negotiations had broken off, you never were advised that on the 26th a note had been handed by the Secretary of State to the Japanese Ambassador?

A. I do not recall it, and I have so stated. I haven't the slightest recollection of that note.

The court then, at 4:32 p. m., adjourned until 10 a. m., August 10, 1944.

PROCEEDINGS OF NAVY COURT OF INQUIRY

THURSDAY, AUGUST 10, 1944.

[110]

SIXTH DAY

NAVY DEPARTMENT,
Washington, D. C.

The court met at 10:00 a. m.

Present:

Admiral Orin G. Murfin, U. S. Navy (Ret), President.

Admiral Edward C. Kalbfus, U. S. Navy (Ret), Member.

Vice Admiral Adolphus Andrews, U. S. Navy (Ret), Member.

Commander Harold Bieseimer, U. S. Navy, Judge Advocate, and his counsel.

Frank Murrell Sickles, yeoman, first class, U. S. Naval Reserve, reporter.

Admiral Harold R. Stark, U. S. Navy, interested party, and his counsel.

Admiral Claude C. Bloch, U. S. Navy (Ret), interested party, and his counsel.

Counsel for Rear Admiral Husband E. Kimmel, U. S. Navy (Ret), interested party.

The record of the proceedings of the fifth day of the inquiry was read and approved.

No witnesses not otherwise connected with the inquiry were present.

The judge advocate stated that during the proceedings of the fourth day of the inquiry he had requested the court to take judicial notice of Navy Regulations and particularly called attention to Article 392, regarding the Chief of Naval Operations. The judge advocate further stated that at this time he desired to call the court's attention further to Article 433 of Navy Regulations, which more particularly sets forth the duties of the Chief of Naval Operations.

Admiral Harold R. Stark, U. S. Navy, the witness under examination when the adjournment was taken on Wednesday, August 9, 1944, resumed his seat as witness and was warned that the oath previously taken was still binding.

Cross-examination by the interested party, Rear Admiral Husband E. Kimmel, U. S. Navy (Ret) (continued:)

433. Q. I show you a document, Admiral Stark, apparently a [111] photostatic copy of a letter that you wrote Admiral Kimmel under date of 22 March 1941, and ask you if you may identify it?

A. I do, as a letter to Admiral Kimmel, from me, dated 22 March.

A letter dated March 22, 1941, from Admiral Harold R. Stark, U. S. Navy, to Rear Admiral Husband E. Kimmel, U. S. Navy (Ret), was submitted to the judge advocate and to the interested parties, and to the court, and by the interested party, Rear Admiral Husband E. Kim-

mel, U. S. Navy (Ret), offered in evidence for the purpose of reading into the record such extracts therefrom as may be pertinent to the inquiry.

There being no objection, it was so received, marked "EXHIBIT 32," for reference, description appended.

434. Q. Will you read the last paragraph on page five?

A. (Reading:)

With reference to your postscript on the subject of Japanese trade routes and responsibility for the furnishing of secret information to CINCUS, Kirk informs me that ONI is fully aware of its responsibility in keeping you adequately informed concerning foreign nations, activities of these nations and disloyal elements within the United States. He further says that information concerning the location of all Japanese merchant vessels is forwarded by airmail weekly to you and that, if you wish, this information can be issued more frequently, or sent to despatch. As you know, ONI 49 contains a section devoted to Japanese trade routes, the commodities which move over these trade routes, and the volume of shipping which moves over each route.

435. Q. I show you a letter from Commander-in-Chief of the Pacific Fleet, to the Chief of Naval Operations, dated 26 May 1941, and ask you if you can identify it. I propose to offer it for the purpose of reading portions thereof.

A. I recognize it as a letter from the Commander-in-Chief, Pacific Fleet, dated 26 May, to the Chief of Naval Operations, signed by Admiral Kimmel.

A letter dated May 26, 1941, from the Commander-in-Chief, U. S. Pacific Fleet, to the Chief of Naval Operations, signed by Rear Admiral Husband E. Kimmel, U. S. Navy (Ret), was submitted to the judge advocate, to the interested parties, and to the court, and by the interested party, Rear Admiral Husband E. Kimmel, U. S. Navy (Ret), offered in evidence for the purpose of reading into the record such extracts therefrom as may be pertinent to the inquiry.

There being no objection, it was so received, marked "EXHIBIT 33," for reference, description appended.

[112] 436. Q. Will you read, Admiral Stark, paragraphs seven and eight of Exhibit 33?

A. (Reading:)

7. INFORMATION.

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 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

ing 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.

S. PUBLIC OPINION.

As preparation for war, the current mental and moral preparation of our people, as reflected in the [113] newspapers and magazines, is utterly wrong. To back into a war, unsupported, or only half-heartedly supported by public opinion, is to court losing it. A left-handed, vacillating approach to a very serious decision is totally destructive of that determination and firmness of national character without which we cannot succeed. The situation demands that our people be fully informed of the issues involved, the means necessary and available, and the consequences of success or failure. When we go in, we must go with ships, planes, guns, men and material, to the full extent of our resources. To tell our people anything else is to perpetrate a base deception which can only be reflected in lackadaisical and half-hearted prosecution.

The interested party, Rear Admiral Husband E. Kimmel, U. S. Navy (Ret), stated that he reserved the right to read further from Exhibit 33 at such time as he, Rear Admiral Husband E. Kimmel, U. S. Navy (Ret), might be a witness before the court of inquiry.

437. Q. Admiral Kimmel brought this letter with him when he visited Washington officially in June of 1941, did he not, Admiral Stark?

A. Yes, that's right. Whether he sent it on before that, I don't recall, but I do recall our having gone over it during his visit.

438. Q. And the subject matter of the important paragraphs were discussed between you and him?

A. Yes.

439. Q. June of 1941, here in Washington?

A. That's right.

440. Q. And those were official discussions?

A. Yes, discussions on that letter between him and me.

441. Q. Now, do you recall what the discussion was relative to paragraph 7, which was the first of the two paragraphs that you read?

A. Which was about—do you wish me to comment on that paragraph?

442. Q. Yes, will you state to the court what that discussion was?

A. The discussion covered many things as regard policy. There are some definite questions which Admiral Kimmel would like to have answered, which I would like to have answered—which were never answered until war was declared. For example, [114] and I think these specific things were asked: What would we do if Japan attacked Russia? What would we do if Japan attacked the N. E. I.? What would we do if Japan attacked Britain? What would we do if she attacked any combination of these? He asked those questions, and as I recall, in one letter I stated to Admiral Kimmel that so far as I knew, nobody on God's green earth could answer them. It was impossible to get an answer. In fact, I don't think anybody knew. Those were definite guides which he simply would like to have had. They simply were not available. Now as regards current events, I kept Admiral Kimmel acquainted with them as I knew them, generally speaking by personal letter. It may have been official letters

at times, but it certainly was my aim to give him the picture pretty much as I had it. This paragraph states that he was "not even sure of what force would be available to him and has little voice in matters radically affecting his ability to carry out his assigned tasks." My recollection is that I wrote Admiral Kimmel at one period that I did not intend to detach any further forces from his command and that his command would stand practically as outlined in Rainbow 5, which was definite, and which was based on a world estimate. Admiral Kimmel did not have all the forces he would like to have had for an open Pacific campaign, but for what was assigned we gave him what we thought he needed. I might call attention to the fact that there just were not enough forces available to the Associated Powers to wage war all-out in all oceans. We simply didn't have it. Bearing this in mind, and of the tasks possibly ahead, we gave to him what we thought would meet his task he was assigned to do. He said, "This lack of information is disturbing and tends to create uncertainty." It was disturbing to us. Nobody knew what was going to happen. He states that it created "a 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." I only reply to that, that we gave him a directive, we gave him forces which we thought, with all the other problems we were confronted with, were the best suited to the situation.

443. Q. What do you mean by "gave him a directive"?

A. In WPL-46.

444. Q. On the part that you have commented on, Admiral Stark, did you have a discussion with Admiral Kimmel in June of 1941 relative to the withdrawal from the Pacific Fleet of another battleship division?

A. (Yes), we discussed every question which was facing them.

445. Q. There was then imminent the question of a withdrawal of an additional battleship division from the Pacific Fleet, [115] was there not?

A. I don't recall anything but one division.

446. Q. Do you recall any discussion concerning the withdrawal of an additional division at that time?

A. There may have been. I don't recall it. I do recall, whether it was then or later, telling him that I didn't expect to withdraw anything further.

447. Q. Do you recall telling Admiral Kimmel in June of 1941 that at that time, approximately, within a day or two previous to the conversation, that you had been told by the Secretary of the Navy that the President had directed the withdrawal of another battleship division with accompanying support, from the Pacific Fleet to the Atlantic Fleet?

A. No, I do not.

448. Q. Do you recall telling Admiral Kimmel, in connection with the possible discussion of that character, that you had protested to Colonel Knox, the Secretary of the Navy, to such a movement, and the matter had been held over for a day or two; and that during that interval you met Colonel Stimson, Secretary of War, on the street, and he had asked you in peremptory tones whether you had already started the movement of that division of battleships from the Pacific to the Atlantic?

A. I recall talking about Colonel Stimson, either then or later, in relation to some movement. I think it was with reference to the movement which we talked about yesterday, the movement to the Philippines. At the moment I do not recall specifically another battleship division under discussion. There may have been talk of further withdrawals. They were not made; and I remember telling him in my opinion they wouldn't be made.

449. Q. Would it refresh your recollection to have recalled to you the fact that Admiral Kimmel later told you that he had taken the matter up with the President and that he had been able to persuade the President that it was an unwise move?

A. No, I just don't remember the incident. I know that we didn't send anything. There were many things that came up in the course of conversation—the whole world over—but I do not recall the particular incident to which you refer.

450. Q. Now will you continue your comment on paragraph numbered 7?

A. Admiral Kimmel states, in the first sentence of the following paragraph, that "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." As regards that, I would say that I did the best I could.

[116] 451. Q. Did you inaugurate any different or better method after and as a result of that letter from Admiral Kimmel, and conversation about it?

A. Only to keep him informed as well as I could. As with regard to the O. N. I. information, I might say the O. N. I. papers have, usually in the margin, notations as to whom the information has been sent. I believe it was Admiral Ingersoll's custom to look at that. Commander Wellborn's papers were brought to me. I invariably checked it. I still do, to see whether those who should have the information received it, and if not, to see that they got it; and as regards what I knew myself, I kept him, as I say, acquainted the best I could. I wrote him frequently. He goes on to state that, "This is particularly applicable to the current Pacific situation, where the necessities for an 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." If there is one thing which I have been immune from, it has been the issuance of categorical instructions—and leaving to those, particularly at a distance, what to do after I give them such information as I have.

452. Q. Have you any comments on the last sentence of the last paragraph of 7?

A. About being guided by broad policy and objectives rather than by categorical instructions? I just covered that. You mean the next paragraph?

The interested party, Rear Admiral Husband E. Kimmel, U. S. Navy (Ret.), entered.

453. Q. Yes.

A. (Reading:)

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.

I was in complete concurrence with him on that, and that was one of my objectives.

454. Q. You agreed with Admiral Kimmel then that Commander-in-Chief of Pacific Fleet should be, in so far as you were able, immediately informed of all important developments as they occurred, and by the quickest secure means available?

A. Yes. The other paragraph which has been referred to is, "The current mental and moral preparation of our people, as reflected in the newspapers and magazines, is utterly wrong. [117] To back into a war, unsupported, or only half-heartedly supported by public opinion, is to court losing it. A lefthanded, vacillating approach to a very serious decision is totally destructive of that determination and firmness of national character without which we cannot succeed. The situation demands that our people be fully informed of the issues involved, the means necessary and available, and the consequences of success or failure. When we go in, we must go with ships, planes, guns, men and material, to the full extent of our resources. To tell our people anything else is to perpetrate a base deception which can only be reflected in lackadaisical and half-hearted prosecution." I was told that I was the first person in the United States to take this tack in talking with responsible bodies and over the radio. I could elaborate a good deal on that as to what I said and when I said it, but world preparedness was a thing that stressed completely—not just getting appropriations and money and slapping our hands and say, "Well, let somebody else do it." As for telling our people what the conditions were we were in, I became Chief of Naval Operations in the Fall of 1939, late summer. Congress met in 1940, in January. I went up, I think, almost the day they met. I was on the stand with the House Naval Committee, as I recall, nine consecutive days. I was told by many people in Congress that no man ever took such a grilling. Those were morning and afternoon sessions. I laid out our whole picture with regard to the Pacific. It got much publicity and hit headlines. That was not what I was seeking. I was asking for a 25% increase in the strength of the Navy, pointing out our weaknesses in every respect. It was a searching analysis of our condition. I thought the request would carry through because of its modesty, although it involved a considerable sum of money. It was based, not only on our needs, but on the capacity of our yards, as they then existed, to take up this construction. I got 11½%, which started the program. I may say that I went back in June and asked for what is generally known as a 70% increase. It was about a 73% increase, involving a great deal of money. I may say that Congress was then scared. France had fallen. What I had striven hours and hours for in the earlier meetings, I got almost in a matter of minutes, by telling them that it was impossible to confront the situation which we might face with what we had. Now, as regard to personnel, which has been mentioned here frequently, I

went before the Congressional Committees, and I was told, particularly by the House Naval Appropriations Committee, that no man had ever talked to them as I did. I portrayed what I considered a very critical situation. The Fleet was 85% manned. I said it should be a minimum of 115%, particularly with the increases that were coming. They cut what I asked for. Struggling for personnel was one of the toughest things I had. Admiral Kimmel, I think, may recall some of those matters, as he was a budget officer at that time. When they said that they had never had [118] the personnel situation jammed down their throats as I jammed it down, I invited their attention to the remarks of some previous chiefs of the Bureau of Navigation, showing how much of it was on the record, if I recall, Andrews being one of them.

455. Q. Did you agree with Admiral Kimmel's statement of policy set forth in paragraph 8, Exhibit 33?

A. Yes, I did.

456. Q. One other question about the last paragraph, preceding paragraph 8: after you had agreed with Admiral Kimmel that you would immediately inform him of all important developments as they occurred and by the quickest secure means available, did you do so between then and 7 December '41?

A. To the best of my conscience I did, perhaps not always by the quickest means but what I considered sufficiently quick means, sometimes by personal letter, sometimes when I thought it was critical, by dispatch.

457. Q. You are now conscious of no important development of which Admiral Kimmel was not advised as it occurred by the quickest secure means then available?

A. I have searched my brain, my conscience, my heart, and everything I have got, since Pearl Harbor started, to see wherein I was derelict or wherein I might have omitted something. There is only one thought—that doesn't mean that I am right—in my mind there is only one thought that I regretted. What the effect would have been, I don't know—and that was the dispatch which was sent by the Army on the morning of December 7, that I had not paralleled it with my own system, or that I had not telephoned it. I may be reminded, before this investigation is over, of other things where I may realize that there was something more I could have done, but that is the one conscious realization I remember and regret, that I have had.

458. Q. You considered the letter, Exhibit 33, so good, did you not, Admiral Stark, that you caused it to be reproduced and distributed in a restricted area upon its receipt, among important officers in the Navy Department?

A. Yes, it was our general custom to do that, and I mimeographed this, sent it to all hands who were concerned, followed it up, and as I recall, assembled all concerned for Admiral Kimmel to talk to himself in my office.

459. Q. There was no written and specific, categorical reply to that letter, Exhibit 33?

A. No, when Admiral Kimmel left I asked him, as I recall, in view of all our conversations and what I had made [119] available to him, the picture as I saw it and the disposition of ships and personnel, if he had been sitting where I was, would he give us a fairly clean

bill of health. As I recall, he smiled and said he would, which was a matter of great satisfaction to me.

460. Q. I ask you whether you can identify this document, which I now hand you, as a letter written by Admiral Kimmel to you under date of 26 July 1941, for the purpose of reading portions therefrom into the record.

A. Yes, I do identify it as a letter from Admiral Kimmel to me, dated 26 July 1941?

A letter dated July 26, 1941, from Rear Admiral Husband E. Kimmel, U. S. Navy (Ret), to Admiral Harold R. Stark, U. S. Navy, was submitted to the judge advocate, to the interested parties, and to the court, and by the interested party, Rear Admiral Husband E. Kimmel, U. S. Navy (Ret), offered in evidence for the purpose of reading into the record such extracts therefrom as may be considered pertinent to the inquiry.

There being no objection it was so received and marked "EXHIBIT 34" for reference, description appended.

[120] Frank L. Middleton, yeoman second class, U. S. Naval Reserve, reporter, entered. Frank Murrell Sickles, yeoman first class, U. S. Naval Reserve, reporter, withdrew.

461. Q. I will read, Admiral Stark, certain portions of this letter, Exhibit 34: (Reading:)

(1) The importance of keeping the Commander-in-Chief advised of Department policies and decisions and the changes in policies and decisions to meet changes in the international situation.

(a) We have as yet received no official information as to the U. S. attitude towards Russian participation in the war, particularly as to the degree of cooperation, if any, in the Pacific, between the U. S. and Russia if and when we become active participants. Present plans do not include Russia and do not provide for coordinated action, joint use of bases, joint communication systems and the like. The new situation opens up possibilities for us which should be fully explored and full advantage taken of any opportunities for mutual support. Pertinent questions are:—

(1) Will England declare war on Japan if Japanese attack Maritime Provinces?

(2) If answer to (1) is in the affirmative, will we actively assist, as tentatively provided in case of attack on N. E. I. or Singapore?

(3) If answer to (2) is in the affirmative, are plans being prepared for joint action, mutual support, etc.?

(4) If answer to (1) is negative, what will England's attitude be? What will ours be?

(5) If England declares war on Japan, but we do not, what is attitude in regard Japanese shipping, patrol of Pacific waters, commerce raiders, etc?

(b) Depending upon the progress of hostilities, the Russian situation appears to offer an opportunity for the strengthening of our Far Eastern defenses, particularly Guam and the Philippines. Certainly, no matter how the fighting goes, Japan's attention will be partially diverted from the China and Southern adventures by either (1) diversion of forces for attack on Russia or (2) necessity for providing for Russian attack on her. It is conceivable that the greater the German success on the Eastern front, the more Russia will be pushed toward Asia, with consequent increased danger to Japan's "New Order" for that area. In my opinion we should push our development of Guam and accelerate our bolstering of the Philippines. The Russo-Axis [121] war may give us more time.

That portion of the letter that I have just read, Admiral Stark, indicated to you, did it not, that Admiral Kimmel was keenly alert as to not only the military, but also the international developments, and was implementing the over-all general request in his letter of 26 May, Exhibit 33, to keep himself fully advised as to developments in that field?

A. Yes.

462. Q. I ask you if you can identify what I now hand you as a letter from yourself to Admiral Kimmel dated 22 August, 1941, enclosing a long draft of a letter dated 19 August 1941?

A. Yes. I recognize this as a letter from me to Admiral Kimmel, 22 August 1941. I recognize the enclosure.

The letter from Admiral Harold R. Stark, U. S. Navy, to Admiral Husband E. Kimmel, dated 22 August, 1941, was submitted to the judge advocate, each of the other interested parties, and to the court, and by the interested party Rear Admiral Husband E. Kimmel, U. S. Navy (Ret), offered in evidence for the purpose only of hereafter reading into the record such extracts therefrom as may be pertinent to the inquiry before the court.

There being no objection it was so received and marked "Exhibit 35" for reference, description appended.

The interested party, Admiral Harold R. Stark, suggested that the entire letter be used in the interest of saving time in the future.

The interested party, Claude C. Bloch, U. S. Navy, (Ret) requested information as to whether all the exhibits introduced before the court would be appended to the record in their entirety.

The judge advocate requested a recess.

The court then, at 11:05 a. m., took a recess until 11:35 a. m., at which time it reconvened.

Present: All the members, the judge advocate, the reporter, the interested parties and their counsel.

No witnesses not otherwise connected with the inquiry were present.

Admiral Harold R. Stark, U. S. Navy, the witness under examination when the recess was taken, resumed his seat as a witness, and was warned that the oath previously taken was still binding.

[122] The judge advocate made the following statement: There appears to be some confusion in the minds of the interested parties, and also in the minds of the court, as to the exact procedure the judge advocate proposes to follow in writing up this record of proceedings in its final form. This question arises out of certain letters which are considered by interested parties to be their own private property. Initially, I would like to point out that when these documents are offered in evidence they are required to be offered in evidence as a whole. At such time, having been offered in evidence as a whole, these documents become the property of the convening authority. The next point that I would like to make is the system that the judge advocate proposes to follow in appending these exhibits to the actual record of proceedings itself. For example, we will take Exhibit 34, which has been offered in evidence before the court. Only certain extracts have been read to the court. The judge advocate proposes in such cases to append to the record the extracts as read, or set them out in the record as they were read, which ever seems to be the more appropriate. But in the event that the matter is appended to the record and not copied into the record the extracts as read will be the appended matter and will bear the exhibit number, and a full description of the document from which the extracts were made will be attached as a description, and the place where the complete document is filed for future reference will also be set out. In the event that the extracts are copied directly into the record in response to a

question put, obviously it is not necessary to again attach the same matter as an exhibit, but a description of the exhibit will be appended marked with the same number as a description, and its disposition put on this page in a manner similar to that which I have just described.

The court made the following statement: The court, in brief, would like to ask if its understanding, which is as follows, is correct: The procedure in Courts and Boards shows in places the introduction of such things as a ship's log. Extracts from the log are read and then the record will show that that extract is appended to the record with an exhibit number. Your method is practically the same thing with the exception that where counsel has it read directly into the record it will, of course, not be necessary to again copy it and attach it as an exhibit, but that the letter from which the reading was made will be described so that it can be perfectly identified so that we will know where it is filed, and that will then become the exhibit number which you have previously given.

The judge advocate replied that that was correct.

[123] The interested party, Admiral Claude C. Bloch, U. S. Navy (Ret) requested information as to whether or not at the time a document is marked as an exhibit, at that point of time the entire document becomes beholden to the court for all purposes and whether the court becomes the final repository for each such document in toto.

The judge advocate replied that he would follow in all cases the procedure as he had just outlined it.

The interested party, Admiral Harold R. Stark, U. S. Navy, requested information as to how that affected the proposition that certain passages in his personal letters not be made a matter of record.

The court replied that a letter which Admiral Stark may have written to Admiral Kimmel was also the property of Admiral Kimmel and could be introduced by Admiral Kimmel as a part of the record.

The interested party, Admiral Harold R. Stark, U. S. Navy, stated as follows: It was not our intention to advance such a proposition, but what we asked was that by agreement, those parts which we considered to be inimical to the public interests, if they were disclosed, would be left out of the record. We are not asking the court to rule, as a matter of law, in opposition to Admiral Kimmel's position if he wishes to introduce them. What we wished to make plain was that we consider some small parts of those letters inimical to the public interests and it was not our intention to take the responsibility for their disclosure. If someone else wishes to take that responsibility that is up to them. But if we could agree at this time that those letters simply be copied again, leaving out these rather important sentences, which are small in number, and use those exhibits as re-copied, that would be the proposition to be put.

The court replied that it could not agree to have a letter rewritten with parts left out, and attached to the record; that the only thing that could be done would be to describe the letter in the exhibit and state that they are secret papers and should not be available to anybody but the convening authority.

The interested party, Admiral Harold R. Stark, U. S. Navy, requested clarification as to whether the record was clear that he (Admiral Stark) refused to take the responsibility for having any of these passages made public.

The court replied that it was entirely up to the convening authority; that if it is so described in the record and specified to that effect, the convening authority was then the one responsible.

[124] The interested party, Admiral Harold R. Stark, U. S. Navy, requested that when any of these letters are considered inimical to the public interest, he simply make a statement to that effect to be noted in the record and noted on the description of the exhibit.

The court made the following statement: I shall direct the judge advocate now, that when that point is raised, when any of those letters comes up where secrecy is involved, that he will specify on the exhibit so that the convening authority thoroughly understands that it is a secret document and involves state secrets that should not be made public.

The judge advocate replied that he would do it not only on the record but on the exhibit itself when it is placed in the file.

Frederick T. Lachat, yeoman first class, U. S. Naval Reserve, reporter, entered. Frank L. Middleton, yeoman second class, U. S. Naval Reserve, reporter, withdrew.

Cross-examination by the interested party, Rear Admiral Husband E. Kimmel, U. S. Navy (Ret.) (continued):

463. Q. Admiral will you please read pages 1 to 11 of Exhibit 35?

The witness read pages 1 to 11, both inclusive, of Exhibit 35, copy appended, marked "EXHIBIT 35-A".

The court then, at 12:30 p. m., took a recess until 2:30 p. m., at which time it reconvened.

[125] Present:

All the members, the judge advocate and his counsel, the parties to the inquiry and their counsel.

No witnesses not otherwise connected with the inquiry were present.

Harold R. Stark, Admiral, U. S. Navy, the witness under cross-examination when the recess was taken, entered. He was warned that the oath previously taken was still binding.

Cross-examination by the interested party, Rear Admiral Husband E. Kimmel, (Ret.) (continued):

With the permission of the court, Rear Admiral Husband E. Kimmel, U. S. Navy, (Ret.), made the following statement: I have today been informed that certain vital, pertinent data physically available now in the office of the Chief of Naval Operations are to be denied this court. These data are among that which the judge advocate of this court has endeavored to obtain at my request. Their availability was approved by the Secretary of the Navy. They are now being denied this court by order of the Acting Secretary of the Navy. Without these data it is impossible for this court to develop the full story of the disaster at Pearl Harbor. What the motives are prompting the denial of these data to the court, guarded as it is by the security of its secret proceedings, I can only surmise, but I can state unequivocally that the result of this denial is to render impotent this court in its effort to find the truth of the matter, which constitutes the burden of its precept. Without a full and fair disclosure of all known and available evidence, this inquiry is futile. Against such evasion of the clear mandate of Congress and the demands of simple justice, I most solemnly protest.

The judge advocate stated: The judge advocate has proceeded diligently through the proper channels of the Navy Department to secure

the documents requested by the interested party, Rear Admiral Kimmel. His request for that information is still in the hands of the Secretary of the Navy (I believe the Director of Naval Communications). To date, he has had no answer to that letter. He therefore cannot tell the court whether or not the request has been acceded to or denied until he receives a reply to that letter.

The interested party, Rear Admiral Husband E. Kimmel, U. S. Navy, (Ret.) stated: The information I have given the court was supplied to me by Admiral King this forenoon.

[126] The court stated: The court has nothing to do with the collection of evidence. That is in the judge advocate's hands.

The interested party, Rear Admiral Husband E. Kimmel, U. S. Navy, (Ret.) stated: I suggest most respectfully that it might be appropriate for the court to take up this matter with the convening authority to determine whether this development permits it to comply with its precept. The situation I have described affects very materially the adequate cross-examination of the witness now testifying, Admiral Stark.

The court then, at 2:35 p. m., took a recess until 2:40 p. m., at which time it reconvened.

Present: All the members, the judge advocate and his counsel, the interested parties and their counsel. Frederick T. Lachat, yeoman first class, U. S. Naval Reserve, reporter.

No witnesses not otherwise connected with the inquiry were present.

Admiral Harold R. Stark, U. S. Navy, the witness under examination when the recess was taken, resumed his seat as a witness, and was warned that the oath previously taken was still binding.

The court stated (addressing the interested party, Rear Admiral Husband E. Kimmel, U. S. Navy (Ret.)): On what do you base your assumption that the request has been refused?

The interested party, Rear Admiral Husband E. Kimmel, U. S. Navy, (Ret.) stated: I base my assumption that it has been refused on a conversation I had with Admiral King, who stated that he would recommend that it be not made available, and he was sure that the Acting Secretary would approve it. May I make a further statement? These data are vital to me and my counsel for the examination of the witness now on the stand. We have been waiting since the 1st of August, when this request was submitted by the judge advocate of this court at my request, attempting to get this data. One of my counsel, Captain Lavender, inspected this data by permission of the Secretary of the Navy and designated the parts that he wished to have produced before this court. My information is that it will now be denied. If the court deems it necessary to have further evidence than that which I have given, I suggest that Admiral King be called before this court to testify on this point. It is a point which can be readily established; it should be established now.

The court stated: The court will await the action of the Secretary of the Navy on the official request for those papers. If it is denied, then, we will be better able to act. In the meantime, the judge advocate should make every effort to obtain a reply to that letter.

[127] The interested party, Rear Admiral Husband E. Kimmel, U. S. Navy, (Ret.), stated: I fear that there will be further delays. The witness has stated to the court as an apparently approved statement that he expects to leave for London the latter part of this week

or early next week. That is the primary reason for my insistence on an answer in regard to these data at this time.

The interested party, Admiral Harold R. Stark, U. S. Navy, stated: If I may say so, I do not recall having stated that I was going to leave at the end of this week. I hope to finish, if possible, with what Admiral Kimmel wants of me, but I do not think I can stay much beyond this week.

The court stated (addressing Admiral Harold R. Stark, U. S. Navy): The interested party, it is assumed, understands that he will remain an interested party whether or not he is here and that his interest will continue if he leaves.

The interested party, Admiral Harold R. Stark, U. S. Navy, stated: I do understand that. That is why it was rather a surprise to me when I was brought over here, in the first place. I had no knowledge of it. I was told to come here for a short time and get back. My interest will be left in the hands of counsel.

The interested party, Rear Admiral Husband E. Kimmel, U. S. Navy, (Ret.), stated: May I give the basis of my statement that I understand Admiral Stark is returning to London? In a letter signed by Admiral King, dated 29 July 1944, there is a memorandum for the Chief of Naval Personnel, which was supplied to me by the Chief of Naval Personnel: (Reading) "Admiral Stark and Admiral Ingersoll are being made available immediately for witnesses. It is assumed that their presence will be required only for a limited period. Neither of these two admirals, or any other officer on active service on important duty, can be brought to Washington for an indefinite period without interfering with the war effort.

The court stated: We will proceed with the testimony of this witness.

464. Q. When you wrote Exhibit 35, Admiral Stark, on the date of 22 August 1941, you had just returned to Washington from a so-called Atlantic Charter conference in the North Atlantic, had you not?

A. That is right.

465. Q. There were present at that conference, among others, the President and Mr. Churchill?

A. Yes.

[128] 466. Q. You stated in your letter: "Thank God we should have things in full swing before long and with plans fairly complete. It has changed so many times, but now I think we at last have something fairly definite—maybe." Did you tell Admiral Kimmel what "something fairly definite" was?

A. In the rest of my letter I gave him such information of that conference. I did not state what was in full swing in the Atlantic, as I recall. The letter covers some of the points of that conference.

467. Q. Did some of the fairly definite things have reference to the Pacific?

A. The discussion was broad. It may have included the Pacific, but as I recall, not a great deal. Russia was mentioned, I believe, with regard to some aid, but so far as any commitment of what we might do in case Japan attacked Russia or the British or the N. E. I., I do not recall.

468. Q. By that do you mean that no such commitments were made or that currently you have no memory of them?

A. To the best of my belief, and so far as I know, no commitments were made.

469. Q. Did you think that you did know of any commitments which were made at that Atlantic conference?

A. Up to the moment of your question, I thought I did, but there were conversations at which I was not present, where I have no idea of what might have been said. I was given no understanding of any commitments made regarding what I have just testified to.

470. Q. On the 27th of January, 1942, Mr. Churchill made a speech in the House of Commons, which I quote: "On the other hand, the probability since the Atlantic Conference, at which I discussed these matters with Mr. Roosevelt, that the United States, even if not herself attacked, would come into a war in the Far East and thus make final victory sure, seemed to allay some of these anxieties. That expectation has not been fulfilled by the events. It fortified our British decision to use our limited resources on the actual fighting front."

The court stated: From what are you reading?

The interested party, Rear Admiral Husband E. Kimmel, U. S. Navy, (Ret.) stated: The speech of Mr. Churchill to the House of Commons.

This question was objected to by the judge advocate and by the interested party, Admiral Harold R. Stark, U. S. Navy, on the ground that it was incompetent, irrelevant, and immaterial.

[129] The interested party, Rear Admiral Husband E. Kimmel, U. S. Navy, (Ret.), replied.

The court announced that the objection was sustained.

471. Q. At any time between the date of the Atlantic Conference and December 7 were you advised of any commitments made by the United States to Britain in the eventuality of war breaking out in the Pacific between Japan and Britain?

A. Absolutely none.

472. Q. Do you recall receiving a dispatch, probably on 7 December 1941, from Admiral Hart bearing a Greenwich time date of December 7, which I am advised by those more familiar with astronomical time than I, means December 6 in Manila, the substance of which was, "Cinc-Asiatic reports to OpNav that he has learned from Singapore that the United States had assured Britain armed support under several eventualities. I have received no corresponding instructions from you," copy of that dispatch having been sent to Admiral Kimmel for information?

A. Yes, I have some remembrance of that dispatch.

473. Q. At that that time did you know of any assurances that Britain would receive armed support from the United States under any eventuality?

A. No.

474. Q. Did you understand at any time prior to the receipt of that message that the United States had given Britain assurance that it would come to its armed support if Japan attacked Britain in the Pacific?

A. I did not, nor did I understand it after receipt of the dispatch.

475. Q. If any such commitment had been made by a higher authority than you, you had no information concerning it?

A. None whatsoever.

476. Q. I ask if you can identify this, Admiral, as a letter written by Admiral Kimmel to you under date of 12 September 1941, which I

would like to offer in evidence for the purpose of reading portions into the record.

A. Yes. I note it is unsigned, but I recall it.

The letter of 12 September 1941 from Rear Admiral Husband E. Kimmel, U. S. Navy, to Admiral Harold R. Stark, U. S. Navy, was submitted to the judge advocate, to the interested parties, and to the court, and by the interested party, Rear Admiral Husband E. Kimmel, U. S. Navy, (Ret.), offered in evidence for the purpose of reading into the record such extracts therefrom as may be considered pertinent to the inquiry.

[130] There being no objection, it was so received and marked "EXHIBIT 36" or reference, description appended.

477. Q. Will you read from it?

A. (Reading:)

Dear "Betty",

We all listened to the President's speech with great interest. With that and King's operation orders, of which we have copies, the situation in the Atlantic is fairly clear. But what about the Pacific?

I noticed that Bidwell's Southeast Pacific Force has shooting orders for *surface* raiders east of 100° West, which seems to clear that up as far as raiders are concerned, but just how significant was the restriction, limiting offensive action to "surface raiders"? Of course I know that the possibility of German or Italian submarines in that area is slight and Japanese improbable, but the question arises as to just how much we can discount the threat of Japanese action. This uncertainty, coupled with current rumors of U. S.-Japanese rapprochement and the absence of any specific reference to the Pacific in the President's speech, leaves me in some doubt as to just what my situation out here is. Specific questions that arise are:

(a) What orders to shoot should be issued for areas other than Atlantic and Southeast Pacific sub-areas? This is particularly pertinent to our present escorts for ships proceeding to the Far East. So far, my orders to them have been to protect their convoy from interference; to avoid use of force if possible, but to use it if necessary. These orders, at least by implication, preclude taking the offensive. Shouldn't I now change them to direct offensive measures against German and Italian raiders? In view of the delicate nature of our present Pacific relations, with particular reference to their fluidity, I feel that you are the only one who can answer this question.

(b) Along the same lines, but more specifically related to the Japanese situation, is what to do about submarine contacts off Pearl Harbor and the vicinity. As you know, our present orders are to trail all contacts, but not to bomb unless they are in the defensive sea area. Should we now bomb contacts, without waiting to be attacked?

478. Q. That will be enough of that letter. Did you write Admiral Kimmel under date of 23 September 1941 in response to the letter which you just read, Exhibit 36?

A. Yes.

[131] 479. Q. The document I show you is the letter which you wrote to him under that date?

A. Yes, it is a letter to Kimmel from me, dated 23 September 1941.

The letter of 23 September 1941 from Admiral Harold R. Stark, U. S. Navy, to Rear Admiral Husband E. Kimmel, U. S. Navy, was submitted to the judge advocate, to the interested parties, and to the court, and by the interested party, Rear Admiral Husband E. Kimmel, U. S. Navy, (Ret.), offered in evidence.

There being no objection, it was so received, copy appended marked "EXHIBIT 37".

480. Q. Will you please read this exhibit?

The witness read the letter, Exhibit 37.

481. Q. You intended by the second postscript, which you have just read, Admiral, to indicate to Admiral Kimmel that you would keep him fully and promptly informed as to all diplomatic developments which you learned, at least from the Secretary of State?

A. That's right.

482. Q. Can you identify the document I now hand you as a letter you wrote Admiral Kimmel under date of 17 October 1941?

A. Yes, I recognize it as a letter from me to Admiral Kimmel, dated 17 October 1941.

The letter of 17 October 1941 from Admiral Harold R. Stark, U. S. Navy, to Rear Admiral Husband E. Kimmel, U. S. Navy, was submitted to the judge advocate, to the interested parties, and to the court, and by the interested party, Rear Admiral Husband E. Kimmel, U. S. Navy, (Ret.), offered in evidence for the purpose of reading into the record such extracts therefrom as may be considered pertinent to the inquiry.

There being no objection, it was so received and marked "EXHIBIT 38" for reference, description appended.

483. Q. Will you read the first three paragraphs of that letter?

A. (Reading:)

Dear Kimmel: Things have been popping here for the last twenty-four hours but from our despatches you know about all that we do.

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 to me considerably. Perhaps I am wrong, but I hope not. In any case after long pow-wows in the White House it was felt we should be on guard, at least until something indicates the trend.

If I recall correctly I wrote you or Tommie Hart a forecast of the fall of the Japanese Cabinet a couple of weeks ago after my long conference with Nomura and gave the dope as I saw it.

484. Q. Enclosed with that letter was a copy of a memorandum under the date of 17 October 1941, signed by R. E. Schuirmann, and addressed to C.N.O. Will you read the last paragraph in the enclosed paragraph?

A. (Reading:)

Present reports are that the new cabinet to be formed will be no better and no worse than the one which has just fallen. Japan may attack Russia, or may move southward, but in the final analysis this will be determined by the military on the basis of opportunity, and what they can get away with, not by what cabinet is in power.

485. Q. In your dispatch of 16 October you stated:

* In either case, hostilities between Japan and Russia are a strong possibility. Since the United States and Britain are held responsible by Japan for her present desperate situation, there is a possibility that Japan may attack these two powers.

In Exhibit 15, your dispatch of November 24, you state:

The situation, coupled with statements of the Japanese Government and movements of their naval and military forces, indicates, in our opinion, a surprise aggressive movement in any direction, including an attack on the Philippines or Guam as a possibility.

A. That is November 24?

486. Q. Yes. Did you use the word "possibility" in your message of November 24 in the same sense in which you used it in your message of October 16, as interpreted in your letter of October 17?

A. What you are asking me, as I understand it, is if the letter which I wrote following the dispatch of October 16 qualified the dispatch of November 24? I would say the correspondence and the dispatch of October 16 and the letter of October 17 stand as an entity.

487. Q. When you used the word "possibility" in your dispatch of October 16, you wrote Admiral Kimmel that you personally did not believe that the Japs were going to sail into us?

A. I did.

488. Q. When you used the word "possibility" in your dispatch of November 24, did you use it in the same connotation?

A. I still was not convinced that it was more than a possibility, and, as I have already testified, after reading [133] the dispatch of October 16, I wanted to make sure that Admiral Kimmel, so far as I was concerned, was not to read into that dispatch that he was to stop his training or his cruises to the coast.

489. Q. When you used "possibility" in your dispatch of October 16, you told him in your letter that you personally did not mean by that any individual thought that the Japanese were going to sail into us?

A. I stated at that time that I did not believe the Japs were going to sail into us; that is right.

490. Q. Although the word in the dispatch referring to that thought was "possibility"?

A. Yes.

491. Q. When you used the word "possibility" in your dispatch of November 24, did you use it in the same sense in which you used it in the dispatch of October 16, namely, that you did not personally expect a surprise aggressive move or attack on the Philippines or Guam?

A. Well, I stated it as a possibility. I still considered it only a possibility.

492. Q. When you used "possibility" on October 16, you said that although it was a possibility in the sense that anything might be a possibility, you personally did not believe anything would happen?

A. Yes.

493. Q. Did you use the word "possibility" in your dispatch of November 24 with the same connotation?

A. In the message of November 24 I still maintained it was a possibility, and I was not convinced at that time that the Japs were going to sail into us from the evidence I had.

494. Q. That was when?

A. The message of the 24th which you are questioning me about, but there was that possibility. I had thought they might, and in any case, I sent the message, to be on guard. I made it a possibility because I felt that was what it was. If I had felt that it had been a strong probability, I would have stated so.

[134] Frank L. Middleton, yeoman second class, U. S. Naval Reserve, reporter, entered. Frederick T. Lachat, yeoman first class, U. S. Naval Reserve, reporter, withdrew.

495. Q. Do I understand that you used the word "possibility" in the same sense on November 24th as you did on October 16th?

A. Generally speaking. I qualified it in the message of the 16th, and I also wrote regarding the message of the 24th, but it was a possi-

bility. The word "possibility", as far as I am concerned, stands in these dispatches.

496. Q. But when you used "possibility" in October, you frankly stated to Admiral Kimmel that you didn't expect the possibility to eventuate?

A. I said I didn't expect Japan to sail into us at that time. I didn't say that it wouldn't eventuate.

497. Q. The wording of the message was: "Since the U. S. and Britain are held responsible by Japan for her present desperate situation there is a possibility that Japan may attack these two powers", and you wrote and said as you used the word in that message you personally did not believe the Japanese were going to sail into us.

A. At that time; that is right.

498. Q. Now, when you used "possibility" in your dispatch of November 24, did you personally believe that the Japanese were not going to sail into the Philippines and Guam?

A. I thought there was a possibility of it. I don't know how differently to express it.

499. Q. Did you think there was any more possibility of the Japanese sailing into the Philippines and Guam on November 24th than you thought on October 16th there was a possibility of Japan attacking Britain and the United States?

A. Well, we had further evidence about the movements of forces, again indicating that possibility; and the negotiations certainly were getting no better, and in fact, looked less likely of favorable outcome, and the two circumstances combined caused me to reiterate that possibility and keep it in front of Admiral Kimmel.

500. Q. Then do I gather that on November 24th you did feel there was more of a possibility of an attack by Japan on the Philippines and Guam than you felt on October 16th there was a possibility of an attack on the United States and Britain?

A. Well, I thought it sufficient to again warn Admiral Kimmel.

[135] 501. Q. Yes, I understand that, but did you think there was more possibility on November 24th than you did on October 16th?

A. Generally speaking, I would say "yes", that we had more evidence.

502. Q. Then why didn't you use words that would clearly indicate that change of thought on your part, Admiral Stark?

A. I gave him the evidence I had, and I gave him my interpretation of it.

503. Q. In your letter of November 25th, you mean?

A. In the dispatch of 24 November.

504. Q. But you used the same words relative to the possibility of an attack that you used in October when you said that you personally didn't believe that it would happen?

A. Yes, and I added in the dispatch of November 24th, "in any direction", as well as including an attack on the Philippines or Guam.

The judge advocate objected to the line of questioning on the ground that it was hazing the witness.

The court announced that the objection was not sustained.

The interested party, Rear Admiral Husband E. Kimmel, U. S. Navy (Ret.) stated that he would not pursue this line of questioning further.

505. Q. I show you that which appears to be a letter from yourself to Admiral Kimmel dated November 14, 1941, enclosing a memorandum

from yourself and General Marshall to the President. Do you identify that as a letter that you wrote, with the enclosure?

A. I do.

The letter of November 14, 1941 from Admiral Harold R. Stark, U. S. Navy, to Rear Admiral Husband E. Kimmel, U. S. Navy (Ret.) enclosing a memorandum to the President, was submitted to the judge advocate, to the interested parties, and to the court, and by the interested party, Rear Admiral Husband E. Kimmel, U. S. Navy (Ret.), offered in evidence for the purpose of reading into the record such extracts therefrom as may be considered pertinent to the inquiry.

There being no objection it was so received and marked "EXHIBIT 39" for reference, description appended.

[136] 506. Q. Will you read, Admiral Stark, the fourth paragraph of the letter, the letter beginning "Dear Mustapha"?

A. (Reading): "Just what we will do in the Far East remains to be seen. Attached hereto is a copy of our Estimate, which was recently submitted by General Marshall and me to the President. You can see from it our ideas on the subject. Whether or not our advice will be followed remains to be seen.

507. Q. I show you a document which is attached to the letter entitled "Memorandum for the President". Can you identify this document?

A. Yes. This is a Memorandum for the President from the War and Navy Departments, Washington, dated November 5, 1941.

The memorandum from the War and Navy Departments, Washington, dated November 5, 1941, Serial 0130012, was submitted to the judge advocate, to the interested parties, and to the court, and by the interested party, Rear Admiral Husband E. Kimmel, U. S. Navy, (Ret.), offered in evidence.

There being no objection, it was so received, copy appended, marked "EXHIBIT 39 (A)."

508. Q. Will you read the memorandum, Admiral Stark?

The witness read the memorandum, Exhibit 39 (A).

509. Q. In the memorandum of November 5th, you and General Marshall jointly stated to the President that military action against Japan should be undertaken—this is under (b) on Page 4—only in one or more of the following eventualities, No. 1 of which is, "A direct act of war by Japanese armed forces against the territory or mandated territory of the United States, the British Commonwealth, or the Netherlands East Indies". At the time you made that recommendation to the President in conjunction with General Marshall, were you aware of any agreement or understanding between the United States and Britain by which this country had agreed to do that?

A. No.

510. Q. Was this recommendation in the memorandum of November 5th the original initiation of that thought so far as you know?

A. That point had been discussed, as I recall, as to just what its effect would be if concluded at this time. I don't recall it having been set down before.

511. Q. What do you mean by "set down"?

A. I mean that it was formulated into a definite proposition.

[137] 512. Q. How long had that problem been under discussion? You said it had been discussed before November 5th.

A. Well, I couldn't recall that. We discussed that entire Far Eastern situation for a matter of months.

513. Q. Had it been discussed as far back as August of 1941?

A. I couldn't recall.

514. Q. With whom were these discussions to which you have made reference?

A. The War Plans discussed them. I don't remember ever having discussed them with the British.

515. Q. There had been conversations with the British, not only in the North Atlantic in August, but earlier in 1941 in Washington. Was that called the Chiefs-of-Staff conference, of Staff conferences?

A. Yes.

516. Q. On either of those occasions, do you recall any discussion of what the United States would do if Japan attacked either the Netherlands or Britain in the Pacific?

A. Not so far as giving the slightest commitment, and as regards this particular point I do not recall any definite proposition on this until we formulated it here.

517. Q. Do you recall how long the matter had been under discussion between you and General Marshall?

A. No. Mr. Hull's request brought this thing to its present form. I couldn't recall the time of that.

518. Q. What was Mr. Hull's request?

A. Whether we volunteered this to Mr. Hull, or—

519. Q. This memorandum is to the President.

A. I will take that back regarding Mr. Hull.

520. Q. Had there been any discussion with the President about this point prior to the memorandum?

A. Yes. I don't know about this memorandum as it stands but there were many discussions with the President about the Far Eastern situation.

521. Q. I know, but the possibility of your firm recommendation contained in (b) (1) on Page 4—

A. You mean, had there been any discussion on that particular line before this was formed?

522. Q. Yes.

A. I do not recall.

523. Q. This was sent to Admiral Kimmel on the 14th of November, some nine days after it was dated, and at that time you stated that you were not informed whether your advice would be followed or not?

A. Right.

[138] 524. Q. Did you ever get any advice as to that?

A. Not to my recollection.

525. Q. You stated yesterday afternoon that the new information which you got which prompted the dispatch of November 27th, advised that the Japanese-United States negotiations were about to be stopped?

A. I said they had ceased.

526. Q. Had ceased. Do you recall when—and by "when" I mean in the morning or afternoon of November 27th—you got that information?

A. It would be during the working day. I would hesitate to say whether it was morning or afternoon.

527. Q. Well, now, does the symbol on this Exhibit 17 assist you in locating that at all, 272337?

A. Yes. From that it would appear that it might have been in the late afternoon, but I couldn't say that it was. I don't remember just what time of day that message was cleared. It is a priority dispatch.

528. Q. Do these symbols, 272337, refer to Greenwich Mean Time, or Eastern War Time?

A. I think that was GMT. I'm not sure.

529. Q. That fact will be ascertained?

A. Yes, I shall be glad to find that out. May I add that when you asked me what time of day, the question was whether you had intended asking me what time we first considered it, or when we cleared it.

530. Q. What time of day, Admiral, did you learn about the cessation of negotiations?

A. What time of day we decided on it?

531. Q. No, the question was, What time of day you learned about the cessation of negotiations, when the Secretary informed you?

A. Of course, it was prior to the sending of this dispatch, but I don't recall just what time of day it was.

532. Q. Now, do you recall how you learned that; from whom you got the information?

A. No. Whether it came direct from Mr. Hull, or whether it came through Captain Schuirmann, or just how it came, I do not recall.

533. Q. If it came direct from Mr. Hull, would it have come by telephone, or would you have gone up to the State Department?

A. It might have come either way. He frequently telephoned me.

[139] 534. Q. Since yesterday, did you go over the note that was handed by the Secretary of State to the Japanese Ambassador on the 26th of November. We had some conversation about that yesterday afternoon.

A. No, except that I went over it when you handed it to me.

535. Q. I didn't hand it to you.

A. You gave it to me, pointed it out, and asked me if I had seen it.

536. Q. And you still have no memory of either having seen or heard of that note or the fact that a note had been handed to the Japanese Ambassador the day before your message was dispatched on November 27th?

A. No. I have no recollection of that long note.

537. Q. Until I mentioned it yesterday, you had no recollection of it?

A. Correct.

538. Q. Did you attend a conference with the President at the White House with Admiral Nomura between the 27th of November and December 7th?

A. Between what?

539. Q. Between November 27th and December 7th?

A. I don't recall but I might be able to find out if I can find the record of my visits to the White House. If I did it should be in the record which was kept in the CNO office. I recall being in the White House with the President and Mr. Hull and Admiral Nomura, the Japanese Ambassador.

540. Q. Well, you followed the international situation very closely, as indicated by this joint memorandum that you and General Marshall

submitted on the 5th of November, particularly with reference to the Far Eastern situation?

A. Particularly with reference to the Japanese situation, yes.

541. Q. Again, doesn't it appear to you that you must have heard of the substance of this message on November 26th at or about the time it was sent?

A. No, I didn't. The message that I started to tell you about yesterday, and which you interrupted and said that was an earlier message, from which I assumed you had a record of my visits and knew something of what had been discussed.

542. Q. I have no such record.

A. I am sorry. We had a conference in the White House—and I give you this only from recollection; it should not be taken as strictly accurate but I am perfectly [140] willing to give you my recollection of what transpired. And I might mention, the State Department officials could probably give you exact information. There was a proposition made, in effect, to the Japanese Ambassador by which the President, so far as he was possibly able, would see that the Japanese were guaranteed rice from the south—I have forgotten whether it was Indo-China, or not—but that he would undertake to see that she got rice. Whether other raw materials were included, I do not recall at the moment—provided she would stop where she was and, as I recall, send no more troops into Indo-China, and hold the status quo at least for the time being. I rather hesitate to testify to that because it is not clear. The matter was later made a record of to be sent. It was a fair offer showing the President's desire to maintain peace and get Japan to stop further building up in the south, and if she did, he was willing—he couldn't guarantee it, but so far as he was able as President of the United States—to guarantee her certain things. I recall Admiral Nomura stating that one of the things they were going south for was to insure their food supply. That was about this time, I would say.

543. Q. Might it have been the preparation of this very message of November 26 about which I am speaking?

A. Well, the message you showed me goes way, way beyond the subject of the conversation that afternoon; it covered a very large field which was not discussed at that time. It sort of opened up and hashed over the whole subject.

Frank Murrell Sickles, yeoman first class, U. S. Naval Reserve, reporter, entered. Frank L. Middleton, yeoman second class, U. S. Naval Reserve, reporter, withdrew.

[141] 544. Q. Was the information you received relative to the cessation of negotiations, that there would be no more talks between Admiral Nomura or the Japanese?

A. At that time?

545. Q. Yes.

A. Oh, no, we were endeavoring to continue.

546. Q. I am talking about November 27 now.

A. My information as of November 27 was to the effect that the conversations had ceased.

547. Q. There was no more talk?

A. That is what it meant to me.

548. Q. There were no more formal conferences?

A. Yes.

549. Q. Well now you know that there were more conferences; you knew that at the time, didn't you?

A. Well, the official discussions which had been taking place were—at least I was so informed—terminated. They had not been able to agree on a solution.

550. Q. What I am getting at is, just what, in the way of talks, if any, may have occurred after that?

A. Except the one at 1300 on 7 December, I do not recall. I was told that the negotiations had failed, that they were over.

551. Q. Was it the negotiations had failed, or the negotiations had ceased?

A. They had ceased.

552. Q. Well, you knew then that there were further conversations after November 27, and you knew that fact from reading the public press, in addition to what official information you may have had, didn't you?

A. I just don't recall after that what was said and what wasn't said.

553. Q. In Volume II of "Foreign Relations of the United States, 1931-1941," on page 772, there appears a memorandum of conversation on December 1 between the Japanese Ambassador, Mr. Kirusu and the Secretary of the State. State whether or not that refreshes your recollection as to your knowledge at that time, either officially or from the newspapers, that the negotiations between the State Department and the Japanese representatives in this country were continuing after November 27?

A. You give it from the record. I can only assume that it took place. What I am stating is that the thing, so far as we were concerned, spelled failure on the 27th, or at least that we had no hope of a favorable solution.

[142] 554. Q. But the message you sent to Admiral Kimmel said nothing about failure of negotiations. It merely said that negotiations with Japan, looking to a stabilization of conditions in the Pacific, have ceased. Now I am directing your attention, Admiral Stark, to whether you knew that negotiations in fact were continuing, however phantom they may have been.

A. I assume by ceasing, that they had failed. I will stand on the message as it was sent, that the negotiations with Japan, "looking toward stabilization of conditions in the Pacific, have ceased."

555. Q. Well, did you mean when you used that word "ceased" to convey the impression to Admiral Kimmel that there would be no more negotiations in fact, or that in spirit and in theory they had become spent, and nothing more in reality could be accomplished, November 27 had been dissipated somewhat?

A. The message meant to me that all the efforts which had been spent looking toward stabilization had ceased, and the conversations were over, and I stated that an aggressive move was expected. It mean't to me, failure.

556. Q. And if Admiral Kimmel saw in the public press on the days following the receipt of this message that there were continued negotiations, continued conversations, continued meetings between Admiral Nomura and Secretary of State, did you think that he would

have the reasonable impression that the basis of your message of November 27 had been dissipated somewhat?

A. I would have thought that if he was in doubt, after receiving both a war warning—and saying, “an aggressive move by Japan is expected”—that if he was worried by the message as to what it meant, he might have asked me for a clarification.

557. Q. Well, do you agree that there is some doubt in view of possible continuation of negotiations, as to how the message might have been reasonably interpreted by Admiral Kimmel?

A. The message of the 27th?

558. Q. Yes.

A. Well, you are asking me how Admiral Kimmel interpreted it.

559. Q. I am asking you how you might assume that Admiral Kimmel reasonably could have interpreted it?

A. I can tell you what I had in mind when I sent it.

560. Q. Please do.

A. I think I have already testified to it, but anyway, (Reading): “This is a war warning.” To me that was about as strong as I could make it. It was followed by the [11/27] statement that “an aggressive move by Japan is expected.” The words, “war warning,” coupled with the expectation within the next few days of a (war warning) looked to me definite that Japan was going to make an aggressive move and strike somewhere. I further stated, giving him what information we had as to where we thought her set-up, as we knew it, indicated.

561. Q. Well, you now know the true facts to be that on November 26, the United States had made a proposition to Japan which Japan had not rejected on November 27? You know now, do you not, that so far as negotiations were concerned, the status was that on November 26, the United States had made a proposition to Japan which Japan had not rejected, and which had been transmitted to Tokio for deliberation?

A. Yes, from what you have shown me in the book.

562. Q. Did that situation constitute an end of negotiations?

A. You mean the sending of that dispatch?

563. Q. The handing of this message to the Japanese Government; did that situation as I have stated, indicate to you negotiations with Japan had ceased?

A. I am confused.

564. Q. So far as the negotiations with Japan were concerned their status on November 26 and on November 27 was that the United States had made a proposition to Japan, embodied in the note of November 26, which Japan had not rejected and which ostensibly had been submitted to Tokio for deliberations. I now ask you whether that situation constituted a cessation of negotiations as stated in your message of November 27?

A. Well, until the answer was received or rejected—I suppose it might be questioned whether or not it was to be a sign-off or “here is the last thing”—knowing that it couldn’t be accepted. As to that, I don’t know.

565. Q. From your reading of the note yesterday, Admiral, would you term this note of November 26 an ultimatum?

A. Reading that, I would not say that it would be considered an ultimatum.

566. Q. In the sense of which you used "ultimatum" in your memorandum to the President of November 5?

A. No.

The court then, at 4:27 p. m., adjourned until 10 a.m., August 11, 1944.

PROCEEDINGS OF NAVY COURT OF INQUIRY

FRIDAY, AUGUST 11, 1944.

[144]

SEVENTH DAY

NAVY DEPARTMENT,
Washington, D. C.

The court met at 10 a.m.

Present:

Admiral Orin G. Murfin, U. S. Navy (Ret), President.

Admiral Edward C. Kalbfus, U. S. Navy (Ret), Member.

Vice Admiral Adolphus Andrews, U. S. Navy (Ret), Member.

Commander Harold Bieseimer, U. S. Navy, Judge Advocate, and his counsel.

Frank Murrell Sickles, yeoman first class, U. S. Naval Reserve, reporter.

Admiral Harold R. Stark, U. S. Navy, interested party, and his counsel.

Admiral Claude C. Bloch, U. S. Navy (Ret), interested party, and his counsel.

Rear Admiral Husband E. Kimmell, U. S. Navy (Ret), interested party, and his counsel.

The record of the proceedings of the sixth day of the inquiry was read and approved.

No witnesses not otherwise connected with the Inquiry were present.

The judge advocate asked the court to take judicial knowledge of "Communication Instructions 1939", as in effect on December 7, 1941, calling particular attention to paragraph 935 a., and c.

At the direction of the court, paragraph 935 a., and c., of "Communication Instructions 1939", were read by the judge advocate.

With the permission of the court, the interested party, Rear Admiral Husband E. Kimmel, U. S. Navy (Ret.), made the following statement: I have been informed that the judge advocate of this court has received a letter from the Acting Secretary of the Navy, denying to this court, and to the judge advocate, and to me, certain data which is on file in the Navy Department. If it be true that he has received this letter, denying to this court this data, I wish to [145] state that this data is essential to the establishment of the facts in connection with this case, and I am respectfully suggesting to the court that if the data is of such a highly secret nature that it cannot be presented to this court, that full consideration be given by the court to taking steps whereby they, the members of the court, can inspect this data. I also respectfully request the letter received by the judge advocate of the court be made a part of the record of proceedings of this court, the letter on this subject, I mean.

The judge advocate replied: Admiral Kimmel, under date of 1 August 1944, made a request upon the judge advocate that he be supplied with certain documents on file in the Navy Department, relating to a subject matter which the judge advocate does not consider it necessary for him to set out in his reply. The judge advocate on the same day wrote a letter to the Secretary of the Navy, setting out the general subject matter of the dispatches that he had been requested to obtain for the interested party, Admiral Kimmel. The judge advocate was informed by the Secretary of the Navy, under date of 2 August 1944, that "it appears that Admiral Kimmel had not been made available to have copies of certain dispatches which could be construed as warnings of hostilities. The Secretary of the Navy's orders in this matter are set out in enclosure (A), which you will please show to those concerned." Enclosure (A) was a letter from Admiral Kimmel to the Secretary of the Navy, under date of 27 December 1943, in which Admiral Kimmel had requested that the Navy Department make available to him certain documents and letters in its possession. Accordingly, in response to the Secretary of the Navy's directive, the judge advocate prepared two letters under date of 9 August 1944, in which he made a request on the Secretary of the Navy that he be supplied with certain documents, the file numbers of which he set out in these two letters. The Secretary of the Navy replied under date of 10 August 1944, that the material requested "cannot be furnished as it is not in the public interest to introduce this type of material in evidence before the court of inquiry of which you are judge advocate." The file number of this letter is, Secret, serial number 01662416, dated 10 August 1944.

The interested party, Rear Admiral Husband E. Kimmel, U. S. Navy (Ret.), stated: I respectfully request that all of the correspondence on this subject which the judge advocate has just read be made a part of the record of this court.

The court stated: With reference to that last request, it will be pertinent, at such time as you call your own witnesses, to introduce those documents as a part of the record if you wish. It is at present the province of the judge advocate as to whether he wishes to make it a part of the [146] record or not.

The interested party, Rear Admiral Husband E. Kimmel, U. S. Navy (Ret.), stated: I don't wish to be too insistent in this matter, and I don't want to be in any sense disrespectful, but I think I must emphasize the fact that this data which I have requested is essential for proper examination of the witness now on the stand, Admiral Stark, that what I have requested is to show affirmatively in the record that I have exhausted every means at my command to accomplish the introduction of this data at this time.

The court stated: The court might state for all practical purposes the letter is now in the record because the judge advocate just read it. As to whether or not it will be appended is entirely a question as to whether the judge advocate wishes to do it now, or you do it later. The court has taken notice of the statement of the interested party, Admiral Kimmel, and that is now a matter of record. The court will now proceed with such testimony as is available.

The interested party, Rear Admiral Husband E. Kimmel, U. S. Navy (Ret.), stated: Just a suggestion—that the decision made by the

Secretary is now an accomplished fact. It has been decided that this data is denied this court.

The judge advocate stated: Denied you, sir. There wasn't any request for it by the court.

The court stated: It isn't the option of the court to make requests for any documents, except that if the court is not satisfied at the end of the introduction of evidence by the judge advocate and the interested parties—if the court at that time wants any further information—it is up to it to decide at that time.

The interested party, Rear Admiral Husband E. Kimmel, U. S. Navy (Ret.), stated: I most respectfully insist on my wording, "it is denied this court", because it is denied to me, and because it is denied to the judge advocate of the court. Denial to me and to the judge advocate is not nearly as important in my mind as denial to this court, in order to arrive at a proper verdict; and that is the burden of every statement I have made on this subject. I would respectfully like to be informed of the decision of the court as to how they will proceed in this matter. The counsel has called my attention to the paraphrase of the data. The Secretary of the Navy, under August 10, 1944, states that "the material requested, as it is not in the public interest to introduce such material before the court of which you are judge advocate." Before the court.

The judge advocate stated: The judge advocate would like to advise the court, in his capacity as legal adviser [147] to them, that, in response to Admiral Kimmel's request that they view this evidence themselves in the files of the Navy Department, it would be highly irregular and illegal for the reason that it does not permit of usual cross-examination by other interested parties or the judge advocate, and the court would be receiving the information from a source not set forth in the record.

The interested party, Rear Admiral Husband E. Kimmel, U. S. Navy (Ret.), stated: I admit that extraordinary conditions require extraordinary procedures.

The court announced that it would proceed with the Inquiry.

Admiral Harold R. Stark, U. S. Navy, the witness under examination when the adjournment was taken on Thursday, August 10, 1944, resumed his seat as witness and was warned that the oath previously taken was still binding.

The interested party, Rear Admiral Husband E. Kimmel, U. S. Navy (Ret.), asked the court to take judicial notice of the note, so-called, about which there was testimony on the sixth day of the inquiry, dated November 26, 1941, that was handed by the Secretary of State to the accredited representatives of the Japanese Government, which appears in an official printed document, "Foreign Relations of the United States", 1931-1941, Volume 2.

The court announced that it would accede to the request.

Cross-examination by the interested party, Rear Admiral Husband E. Kimmel, U. S. Navy (Ret), (Continued).

567. Q. One consequence of your testimony yesterday, Admiral Stark, relative to your lack of knowledge of the note of November 26, would be, of course, that so far as you know, Admiral Kimmel was not advised of the delivering of that note, at least prior to December 7, 1941?

A. So far as I know, he was not.

568. Q. In your dispatch to Admiral Kimmel of November 27, '41, you state that an aggressive move by Japan is expected within the next few days. What did you mean by the phrase, "next few days"?

A. Well, I meant the next few days. I meant that it might be expected at any time.

569. Q. Well, would twenty days be a few days, the next few days?

A. No, my thought was that it was imminent, and that it might happen in the next few days.

[148] 570. Q. That would be something less than ten days?

A. I would like to stand on the phrase "the next few days." I think to attempt to define it as three days, a week, or ten days, would be very futile.

571. Q. Did you intend to connote imminence of the possibility of action?

A. I did.

572. Q. Have you any recollection, Admiral Stark, whether publicly in the press and on the radio there was carried news, between November 27 and December 7, of the ostensible resumption of negotiations or the continuation of negotiations between the Secretary of State and the Japanese Ambassador in Washington?

A. I do not recall such at this time.

573. Q. Have you no recollection of it one way or the other.

A. No, I simply don't recall that. It is nearly three years ago, and for me to testify as to what the press carried at that time would be difficult. I have testified as to what I knew from official conversations.

574. Q. The primary basis of the message of November 27, as disclosed in the message, was that negotiations, I quote, "negotiations with Japan looking toward stabilization of the conditions in the Pacific have ceased"—was it not?

A. That's right.

575. Q. And you have no recollection whether the public, available information subsequent to the sending of that dispatch indicated that the assumption of the dispatch had ceased to be effective?

A. I have stated that I do not recollect what the press carried at that time. I can't go back on that statement. I think it stands for itself.

576. Q. You have read "Peace and War"?

A. I have read about two paragraphs in "Peace and War". I have not read the document.

577. Q. Are you familiar with that portion of "Peace and War" which indicates that negotiations, genuine or apparent, between the Secretary of State and the Japanese Ambassador, were continued between November 27, 1941, and December 7, 1941?

A. I am familiar with one paragraph in "Peace and War", which I would like to read if it is permissible, and which I think would be very clarifying to the line of questioning.

It was pointed out by the judge advocate that the [149] book, "Peace and War", was a public document issued by the State Department, of which the court had taken judicial notice.

The interested party, Admiral Harold R. Stark, U. S. Navy, stated, with the permission of the court, and for clarification, that "Peace and War" was a condensation of "Foreign Relations of the United States, 1931-1941", of which the court had taken judicial notice.

The witness continued his answer (reading):

On November 25 and on November 28, at meetings of high officials of this Government, Secretary Hull emphasized the critical nature of the relations of this country with Japan. He stated that there was practically no possibility of an agreement being achieved with Japan; that in his opinion the Japanese were likely to break out at any time with new acts of conquests by force; and that the matter of safeguarding our national security was in the hands of the Army and the 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 purposes thereof.

578. Q. In the paragraph beyond the paragraph that you read, Admiral Stark, there appears the sentence, "Secretary Hull conferred with the Japanese Ambassador and Mr. Kurusu on December 1"?

A. That's right.

579. Q. That now at least indicates to you that negotiations were in progress on December 1, 1941?

A. That indicates that he was conferring with them; it does not indicate to me that the extract which I read, and which states, "there was practically no possibility of an 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" had been affected.

580. Q. Of course you did not advise Admiral Kimmel that Secretary Hull had advised you that there was practically no possibility of agreement being achieved with Japan, and I quote from the statement that you read?

A. I gave Admiral Kimmel my message of 27 November, and I stated in it that a similar warning is being sent by the War Department. I repeated that warning of the War Department in which the War Department stated—when I say "repeated" it to Admiral Kimmel, I mean I made him an info addressee—of the message of the 29th which has been before this court: "negotiations with Japan appear to be terminated, to all practical purposes, with only the barest possibility [150] that the Japanese Government might come back and offer to continue. Japanese future action is unpredictable, but hostile action possible at any moment." That was the War Department's independent estimate, so far as their size-up of the negotiations situation.

581. Q. But you did not advise Admiral Kimmel that, "there was practically no possibility of agreement being achieved with Japan"?

A. I stated that, "Negotiations with Japan looking toward stabilization of the conditions in the Pacific have ceased, and an aggressive move by Japan is expected." I think the message is plain, and the forecast made therein was borne out.

582. Q. But you now know that negotiations with Japan in fact continued, either genuinely or in phantom fashion, on December 1?

A. From what you have shown me in official documents from the State Department, I know that conversations took place, but I do not think, after reading these, that it changed the reasons from which my dispatch of November 27 was drawn, namely: "That negotiations with Japan looking toward stabilization of conditions in the Pacific have ceased and that an aggressive move by Japan is expected within the next few days", which, I repeat, is very much in line with the extract I read from "Peace and War", previously referred to.

[151] Frank L. Middleton, yeoman second class, U. S. Naval Reserve, reporter, entered. Frank Murrell Sickles, yeoman first class, U. S. Naval Reserve, reporter, withdrew.

583. Q. On November 27th, had you been furnished with a copy of the message that General Marshall sent General Short?

A. I stated in my message of November 27th that a similar warning is being sent by the War Department. I knew it was being sent. I felt that General Marshall, who had the same facts that I had, was in accord. Whether or not I had seen it at that time I do not recall. I saw it subsequently.

584. Q. You certainly saw it not later than November 29th when the copy was dispatched to—

A. I repeated it for action to certain addressees, and info to Commander-in-Chief, Pacific.

585. Q. Did you inquire of General Marshall subsequent to November 27th whether he had heard from General Short in response to the request in his message, of the action taken by the Army in Hawaii?

A. Not that I recall.

586. Q. General Marshall did not tell you that the alert assumed by the Army was an anti-sabotage alert?

A. I do not recollect that. I have no recollection of it until it was brought to my attention considerably later.

587. Q. Do you identify a document I hand you, Admiral, as a dispatch sent by you to Commander-in-Chief of the Pacific Fleet?

A. I identify it as a document from the Chief of Naval Operations to the Commander-in-Chief of the Pacific Fleet, released by Admiral Ingersoll, bearing time group 270040, November 26, 1941.

The dispatch from the Chief of Naval Operations to the Commander-in-Chief of the Pacific Fleet, released by Admiral Ingersoll, date time group 270040, dated November 26, 1941, was submitted to the judge advocate, to the interested parties, and to the court, and by the interested party, Rear Admiral Husband E. Kimmel, U. S. Navy, (Ret), offered in evidence.

There being no objection, it was so received, copy appended, marked "EXHIBIT 40".

588. Q. Will you read the dispatch, Admiral?

The witness read the dispatch, Exhibit 40.

[152] 589. Q. Now, Admiral, this proposed relief in whole or in part of garrisons at Midway and Wake, did it not?

A. The message reads, "Army has offered to make available some units of infantry for reinforcing defense battalions now on station if you consider this desirable." It goes on to state, "Army also proposes to prepare in Hawaii garrison troops for advanced bases which you may occupy but is unable at this time to provide any anti-aircraft units. Take this into consideration in your plans and advise when practicable number of troops desired and recommended armament." It is offering to make available infantry battalions now on station and looking forward to helping in case of advanced bases which he might occupy.

590. Q. You testified a day or so earlier that among the defensive measures that you anticipated, Admiral Kimmel would inaugurate as a result of your dispatch of November 27, were anti-submarine measures, did you not?

A. I believe I did, yes.

591. Q. Did you ever modify, cancel, or recall the instructions that you gave Admiral Kimmel in your letter of 23 September which was introduced in evidence yesterday, Exhibit 37, which was the answer to Admiral Kimmel's request for authority to bomb submarines?

A. Not that I recall.

592. Q. Then the statement in the letter of September 23rd, and I quote, "The existing orders, that is, not to bomb suspected submarines in defensive sea areas, are appropriate," still stood, unqualified, until December 7th?

A. Considerable has gone over the dam since 23 September when I invited attention to the Navy Regulations regarding instances in the Pacific, and I mentioned what was being done elsewhere. In view of the warning he had just received, I think he could have exercised his own judgment as to what latitude to take.

593. Q. Which communication from you to Kimmel subsequent to September 23rd qualified the injunction relative to not bombing submarines?

A. Well, the war warning, I would say, certainly would give the picture of things, if not the previous warning. And as I recall, Admiral Kimmel had written me, or had notified me that he would bomb under certain circumstances, and I took no exception to it.

594. Q. That was after the first of December?

A. I have forgotten just what the date of that information was.

595. Q. Referring to Exhibit 9, which is a letter from the Secretary of the Navy to the Secretary of War of 24 January, 1941?

A. Yes.

[153] 596. Q. The counter-measures to possible Japanese attack enumerated are (a) Location and engagement of enemy carriers and supporting vessels before air attack can be launched. At any time prior to December 7th, Admiral Stark, did you authorize Admiral Kimmel to engage enemy carriers before an attack could be launched?

A. No.

597. Q. In fact, in the Army message which you incorporated as your own on the 29th of November and sent to Admiral Kimmel for information, it is said, "If hostilities cannot be avoided the United States desires that Japan commit the first overt act." When you sent the Army message to Admiral Kimmel you intended him to be governed by that injunction therein, did you not?

A. He was an info addressee on that dispatch. If your question implies that had carriers appeared in the proximity of Hawaii after his war warning and that he was not to do anything about it, I wouldn't be prepared to go that far; I would have left it to his judgment. I had told him in the dispatch, in my own dispatch, that an attack was expected. The appearance of carriers in position to attack Oahu would, in my opinion, have justified his attacking them and I would have stood back of him if he had. I would have considered such appearance practically an overt act.

598. Q. By the Army message, the action was further restricted by the caution, and I quote, "But these measures"—referring to reconnaissance—"should be carried out so as not to alarm the civil population or disclose intent". You intended Admiral Kimmel to be restricted by that caution and injunction, did you not?

A. No, I wouldn't say that I did. He was not an action addressee. I can sum up the whole thing by saying that with the warning, I left it up to Admiral Kimmel with regard to such matters. There is judgment required there which can't be specifically set out.

599. Q. Well, what effect did you intend this clause in the Army message which you sent Admiral Kimmel to have on him?

A. I repeated it for information, particularly for information, and I particularly sent it as a directive showing that we had given the coastal frontiers this information and directed the commanding officers thereof that in case of hostilities they should be prepared to carry out their tasks, as they came under Admiral Kimmel in case of hostilities.

[154] 600. Q. Well, there can't be any doubt but what the two phrases in the Army message which I have just read had the effect of minimizing an all-out effort on Admiral Kimmel's part, can there?

A. Knowing Admiral Kimmel as I do I would not have expected him to minimize his own judgment in accordance with the directive that the dispatch sent him for action, which I sent him on November 27th. The message you are now referring to, namely, the repeated one from Marshall, was addressed for action to the Pacific Naval Northern Coastal Frontier and the Pacific Southern Naval Coastal Frontier showing them the tenseness of the situation, showing them what their Army opposites had, and directing them to carry out WPL-46 in case of hostilities, and I wanted Admiral Kimmel to know that they had received such direction as they came under him. It was not in any way intended to modify anything I had said on the 27th. I should like to add to that answer, or to invite attention to what has already been brought forth, that when Admiral Kimmel issued orders to bomb submarines and made me an info addressee, I took no exception to it and that wasn't qualified by whether the submarines struck first, or not.

601. Q. I will read to you, Admiral Stark, Paragraph IV of Exhibit 23, sub-paragraph (a): "Run daily patrols as far as possible to seaward through 360 degrees to reduce the probabilities of surface or air surprise. This would be desirable but can only be effectively maintained with present personnel and material for a very short period and as a practicable measure cannot, therefore, be undertaken unless other intelligence indicates that a surface raid is probable within rather narrow time limits." Did you send Admiral Kimmel any intelligence which indicated that a surface raid on Pearl Harbor was probable within rather narrow time limits?

A. No intelligence to that effect.

[155] Frederick T. Lachat, yeoman first class, U. S. Naval Reserve, reporter, entered. Frank L. Middleton, yeoman second class, U. S. Naval Reserve, reporter, withdrew.

602. Q. Both the Office of Naval Intelligence and Naval Communications were under you as Chief of Naval Operations?

A. Yes.

603. Q. The Office of Naval Intelligence collected all the intelligence which the Navy Department had concerning everything, particularly the Japanese and Pacific Ocean situation?

A. Generally speaking, but there were occasional outside sources available to us. I collected some myself, for example, from the State

Department and our so-called Central Division. Generally speaking, they were the central agency for such work.

604. Q. During the fall of 1941 was all important Japanese intelligence brought to your attention?

A. I assume that what was important was brought to my attention. I could not say definitely, but the question of importance might even be decided by subordinates who were responsible for dissemination. Intelligence was responsible for collection and dissemination. It was their job, but certainly if they had something which they deemed of real importance for me to know, it was up to them to bring it to my attention.

605. Q. Had you issued any informal instructions to the Office of Naval Intelligence about advising you personally on Japanese Intelligence during the fall of 1941?

A. I recall no special instructions. That was their job.

606. Q. To whom, other than you, as a routine matter, was intelligence distributed concerning the Japanese situation in the fall of 1941?

A. I would say, generally, to War Plans and to the Assistant Chief of Naval Operations. They worked, of course, closely with Communications. Are you referring to just within the Navy Department?

607. Q. No, to the entire list of agencies.

A. Of course, they disseminated it to people outside the Navy Department like Hawaii, the Far East, and the Commanders-in-Chief not only in the Pacific but in the Atlantic. They sent a great deal to London.

608. Q. Were there any other routine distributees in Washington other than those you enumerated in the Navy Department?

A. It was up to the Officer in Charge of the Central [156] Division to keep the State Department informed of information which would be of use to them. There was an exchange going on there all the time. There was an exchange of information between F. B. I. and Naval Intelligence on certain matters. There would be an exchange between the Treasury if it was pertinent, but on routine matters, I would say, the State Department was the distributee.

609. Q. Were there routine distributions of important intelligence concerning the Japanese situation to the White House?

A. I would not say routine, but we certainly gave the White House any information which we thought was of worthwhile interest. The White House's primary collection of that would be from the State Department, but if either War or Navy or anybody else got vital information, I assume it would go to the White House.

610. Q. That distribution would take effect on important matters without your personal direction in a particular instance?

A. No, I would not say so. If your question means that the White House is marked on information copies as a distributing point, to the best of my recollection it was not. I might say that the White House aide at times attended conferences, but the White House was not a regular distributee.

611. Q. Do I understand that the White House would not receive any particular item of intelligence without your specific direction?

A. No, I would not say that. The Naval Aide to the President

might have picked up something, but, generally, if there was something of interest to the White House, I would note it or Intelligence would note it. We aimed to give them everything of importance, of course.

612. Q. Either the Director of Naval Intelligence or the head of C. N. O. had authority to send to the White House anything they felt was of importance?

A. Yes. There was no denial of any such thing. If they thought anything should go to the White House, they would tell me, and it would probably go.

613. Q. Who was the head of Naval Intelligence during the Fall of 1941?

A. I think at the time you refer to Captain Wilkinson was director of the Office of Naval Intelligence.

614. Q. Was there a section known as the Far Eastern Section?

A. Yes.

[157] 615. Q. Was that the Central Division to which you refer?

A. No, the Central Division is a separate division.

616. Q. Who was the head of the Far Eastern Section of Naval Intelligence in the fall of 1941?

A. I would have to refresh my memory on that. I think it was McCallum, but I'm not certain. If that answer is incorrect, I will change it in the record.

617. Q. You testified, in substance, that the basis of the dispatch to Admiral Kimmel on October 16, 1941, was the fall of the Japanese Cabinet but that there might have been other background factors prompting the sending of that dispatch. Do you recall what those other background factors were?

A. Not specifically. What might be termed deterioration of relations. They were certainly getting no better. My letters show that, some of which have been referred to.

618. Q. Do you recall whether on or about 15 October 1941 you received an unexpected confirmation of Japan's plans and intentions of the conquest of Southeastern Asia?

A. At the moment, I don't recall that.

619. Q. That would have been of important enough character to have been called to your attention, if such intelligence report had been received in the Office of Naval Intelligence, would it not?

A. If Intelligence has a document of sufficient importance, it would have.

620. Q. I am asking you if information of that character was of sufficient importance?

A. It would depend on the value they put on it. They might have regarded it as poor or good information. From the source from which they got it, they might have considered it not worthwhile. I could not say whether they would have sent it.

621. Q. You have no recollection of hearing about that about the 16th of October?

A. I do not recall.

622. Q. Do you recall in the month of October, 1941, receiving intelligence reports that Japanese consuls were directing and advising the evacuation of Japanese nationals from Malay, the Philippines, Hawaii, America, and Europe?

A. I do have some recollection of that.

623. Q. When did that information come, before or after the 15th of October?

A. I could not say.

[158] 624. Q. That was brought to your attention?

A. As I recall, that was. I have some remembrance of that.

625. Q. Was that information forwarded to Admiral Kimmel?

A. I don't recall.

626. Q. You have no recollection?

A. No, it may have been sent out automatically. ~~to you, it should be~~ ^{it is plain} I was not the forwarding agency for Admiral Kimmel. It was the responsibility of the Office of Naval Intelligence. I could not possibly go over everything that was sent out, and many things they undoubtedly sent out which I did not see.

[Notation in margin:] See correction page 324.

627. Q. There were some things that were of such grave importance that you personally saw to their transmission to Admiral Kimmel?

A. Well, I would check anything of grave importance—that I considered of grave importance, and certainly if it were of interest to him, it would have been my first thought to get it to him.

628. Q. Do you recall whether on or about 4 November 1941, you received intelligence information that the internal situation in Japan, both politically and economically, since the American embargo had become so desperate that the Japanese Government had concluded that it was necessary to distract popular attention, either by foreign war or by a diplomatic victory?

A. Yes, I recall that.

629. Q. That was called to your attention?

A. I recall that incident.

630. Q. Do you recall whether that information was forwarded to the White House?

A. I couldn't say definitely that it was. That is all material three years old. I assume the White House had it.

The interested party, Admiral Harold R. Stark, U. S. Navy, objected to the line of questioning on the ground that it was immaterial and that the information could be obtained directly from other people.

The interested party, Rear Admiral Husband E. Kimmel, U. S. Navy, (Ret.), replied.

The court announced that the objection was overruled.

[159] 631. Q. Do you recall any discussions at the White House concerning that information?

A. The discussions in the White House were broad and wide and continuous on the entire Japanese situation.

632. Q. Do you recall whether you yourself forwarded that information to Admiral Kimmel?

A. No, not at the moment.

The proceedings following directly hereafter, pages 159-A through 162, have, by direction of the court, been extracted from the record and deposited with the Secretary of the Navy. This action was taken in the interest of national security and the successful prosecution of the war.

[163] The court then, at 12:40 p. m., took a recess until 2:00 p. m., at which time it reconvened.

Present: All the members, the judge advocate and his counsel, the parties to the inquiry and their counsel.

No witnesses not otherwise connected with the inquiry were present.

Harold R. Stark, Admiral, U. S. Navy, the witness under cross-examination when the recess was taken, entered. He was warned that the oath previously taken was still binding.

Cross-examination by the interested party, Rear Admiral Husband E. Kimmel, (Ret), (Continued):

With the permission of the court, the interested party, Rear Admiral Husband E. Kimmel, U. S. Navy, (Ret.) made the following statement: May it please the court: Admiral Kimmel has stated to the court the necessity of obtaining certain documents now in the possession of the Navy Department which are absolutely essential as evidence if a thorough and impartial investigation of all the facts in the Pearl Harbor affair is to be made. In Paragraph Two of the Precept of the Secretary of the Navy, appointing this court, there is the statement that the judge advocate is authorized "to obtain all documents relating to the said attack that may be required for introduction into evidence. This morning, a letter was read from the Secretary of the Navy to the judge advocate of this court denying the availability of certain evidence on the ground that it was contrary to the public-interest. Obviously, as Admiral Kimmel pointed out, the court will be unable to arrive at any correct conclusions unless these documents are admitted. They are absolutely essential if Admiral Kimmel is to make a full presentation of the evidence in the matter regarding which he is an interested party. For two and one-half years, due to the report of the Roberts Commission, he has been pilloried by the press and the Congress and before the people of this country. It is now time that the true facts in this matter be brought out, and that Admiral Kimmel have a full opportunity to exonerate himself of the unsupported charges that were made against him in the report of the Roberts Commission. May I take the liberty of pointing out to the court the importance, not only to the interested parties but to the Navy and to the people of this nation, that this court make its hearings and findings as full and complete a report of all the circumstances which are within its power to develop. I can imagine the widespread unfavorable repercussions on the Navy if it subsequently develops that this has not been done. It is obvious that in due time the proceedings [164] of this court, and all of the evidence it might have secured will be a matter of open record, available to the public. May I recommend to the court the following procedure: First, that the court itself endeavor to secure from the Secretary of the Navy the documents which have now been denied; second, that the proceedings of this court be considered as of a secrecy that now governs in the case of the documents to which Admiral Kimmel has been denied access. This would enable the Secretary of the Navy to hold the proceedings of this court in the same degree of secrecy as that of the documents. It is inevitable that as soon as the public interests permit the documents which are now being withheld will become public property. When that time comes, I feel that the whole Naval Service will feel the effects of the public disapprobation which will

undoubtedly arise if this court is not furnished all evidence that is now available to arrive at just and proper findings.

The proceedings following directly hereafter, page 164-A, have, by direction of the court, been extracted from the record and deposited with the Secretary of the Navy. This action was taken in the interest of national security and the successful prosecution of the war.

[165] 673. Q. Do you recall any discussion with anyone concerning the sending of additional messages or dispatches to Admiral Kimmel?

A. No, I do not.

674. Q. During the week preceding 7 December, 1941?

A. No, I do not.

675. Q. Do you recall ever having declined to approve the sending of a dispatch concerning intelligence information during that week to Admiral Kimmel?

A. No.

676. And I assume that you have no recollection of any conversation with Admiral Wilkinson to that effect?

A. With whom?

677. Q. Captain Wilkinson.

A. Captain Wilkinson? No, I do not.

678. Q. What was the incident that prompted the sending of the message of December 4th by you to Admiral Kimmel relative to Guam, something to do with the disposition of United States codes on Guam?

A. We considered war to be imminent, as noted in our previous dispatches. We knew that Guam was practically defenseless and we wanted to make certain that confidential publications which might be useful to the enemy did not fall into the enemy's hands in case Guam were captured. Guam was sort of a step-child of the Navy Department. It was under, as I recall, the 14th Naval District for matters of construction that were going on.

679. Q. When the message was sent on 4 December to Guam, or relative to Guam, did you consider war imminent?

A. Yes. We were looking for Japan to strike any day. We didn't know where.

680. Q. Did you consider war imminent, Admiral?

A. Yes.

681. Q. You never advised Admiral Kimmel in so many words that war was imminent?

A. Well, I thought I had; I had intended to.

682. Q. The words "imminence of war" were not included in any of Admiral Kimmel's dispatches, were they?

A. Well, I think the equivalent was. The dispatch stated that this was a war warning and that an aggressive move by Japan was expected within the next few days, and from the best indications we had it would be the Philippines, the Kra Peninsula, or possibly Borneo—that being after a message which indicated she might strike in any direction.

[166] 683. Q. Between 27 November and 4 December, do you recall any intelligence information that you had received changing your conception of the situation as it was on the 27th of November?

A. To me, one of the most telling pieces of information that we had that confirmed our suspicions and that gave me the distinct impression that war was possible, that war was probable, was the information that the Japs here and in London had orders to destroy most of their codes and ciphers at once, and also to burn all other important confidential and secret documents. That message was a beacon light to me at that time and it still is. I considered it extremely important.

684. Q. That message was sent with no priority, Admiral Stark. I refer to Exhibit 21, which is a photostatic copy of the original.

A. There is no priority indicated on this dispatch.

685. Q. That means that it went deferred, or routine?

A. Yes, unless some other personal direction was concerned. By the record it would mean that it was sent routine. I should like to correct my testimony because I was given the wrong dispatch. The dispatch to which I referred is marked "priority".

686. Q. What is the date of that dispatch, Admiral Stark?

A. The date of that dispatch is 031850, and it has a priority rating.

687. Except for the intelligence that you received relative to the destruction of Japanese codes as you have stated, did you receive any other intelligence indicating more probability of war between Japan and the United States between November 27th and December 6th?

A. To the best of my remembrance, I received nothing indicating more probability than the messages to which I have referred.

688. Q. Do you recall two occasions on either the 4th or 5th of December when Captain Wilkinson and Commander McCallum came to your office to confer about intelligence relative to the Pacific and Japanese situation that you considered of such import that you called a conference with Admiral Turner, Admiral Ingersoll, and Admiral Noyes?

A. No, I don't recall.

689. Q. Do you recall the events of Saturday, December 6, 1941?

A. No.

690. Q. Do you recall what time you left the office after the routine day, the time in the afternoon or evening?

A. No, I do not.

[167] 691. Q. Do you recall what you were doing Saturday evening, 6 December?

A. No, I couldn't say what I was doing that evening. My remembrance is—I think I was home but I couldn't say. I don't recall clearly.

692. Do you recall receiving at your home, or wherever you were, between 9 and 10 p. m., Washington time, important intelligence information brought by an officer messenger?

A. No, I haven't the slightest recollection of anything of that sort on that evening.

693. Q. Do you remember whether there was a Lieutenant Commander Kramer stationed in Naval Communications or ONI?

A. Yes, there was.

694. Q. You knew him?

A. Yes; he used to deliver messages in the office.

695. Q. Do you recall whether he delivered a message at your home?

A. I haven't the slightest recollection of any message bearing on this, or any other subject, being given to me between the time I left

the office and the distinct recollection next morning of my talking over with Captain Schuirmann the dispatch to which reference has already been made, namely, the dispatch which the Army sent.

696. Q. Do you recall receiving by telephone any information of intelligence that had been received by the Navy Department on Saturday night?

A. No. I say I don't recall. I don't want to make it stronger than that. My remembrance is that I did not; that I had nothing until that message next morning.

697. Q. Do you recall what time you came to the office on Sunday, 7 December?

A. It was in the forenoon. I don't recall what time. Probably rather late in the forenoon but I do not recall the hour.

698. Q. Were you in your office by 0800 Sunday morning, 7 December?

A. No. I was not, and I don't recall what hour I did get there. I say I was not; I don't recall. I would be very much surprised if I had been there.

699. Q. Do you recall receiving by telephone or officer messenger any intelligence information at your home Sunday morning?

A. No.

[168] 700. Q. Before you came to the Navy Department?

A. No, I do not.

701. Q. Is your recollection rather clear that you did not receive any message at home that Sunday morning?

A. My recollection is that I did not but I couldn't say 100 per cent. I just don't recall having received anything from the time I left Saturday night until the message Sunday morning.

702. Q. Do you recall any telephone conversations on Saturday night with either Secretary Knox or Captain Wilkinson?

A. No. My remembrance is rather distinct that I didn't have, but it is going on three years and I haven't the slightest recollection of any such conversations.

703. Q. But the events of Saturday and Sunday, or at least Sunday, were tremendously important?

A. Yes; the events of Sunday were.

704. Q. What is your best recollection as to the time that you arrived at the Navy Department Sunday morning?

A. I don't know. It may have been around—I don't recollect but it may have been around half past ten, or 11:00. It may have been earlier. I don't recollect the hour but my Sunday morning arrivals were rather late, generally.

705. Q. Will you tell the court in as detailed manner as you can recall all that you did when you arrived at your office on Sunday morning?

A. The one point that I remember about that Sunday morning, and which I have already testified to, is the message which the Army sent.

706. Q. Didn't you have any intelligence information yourself of the Navy Department brought to your attention before you talked to General Marshall?

A. Not that I recall.

[Notation in margin:] See correction p. 324.

707. Q. Did General Marshall call you, or did you call him?

A. He called me.

708. Q. Do you recall what he told you?

A. Yes. He asked me if I had seen the message. I said, "I have it in front of me."

709. Q. What message?

A. He brought up the subject of information which required the Japanese Ambassador to see Mr. Hull at exactly 1300. It stressed the exact time; told him, as I recall, not to be late. The thing that stands out was the [169] exact time. And General Marshall, as I have testified, said there might be something in that and asked me if I didn't think it would be a good thing to send it on. Shall I go on and repeat the testimony?

710. Q. No. Before General Marshall called you, did you have information concerning the events that were to happen at 1300, December 7th?

A. As I recall, I had similar information about that same time. I have forgotten for the moment whether it was in the form of a dispatch, or what it was.

711. Q. What was the substance of the information that you had before General Marshall called?

A. It was the 1300 appointment of the Japanese Ambassador with the Secretary of State.

712. Q. At that time did you have any information as to the nature of the appointment between the Japanese Ambassador and the Secretary of State at 1:00 o'clock?

A. I do not recall that I knew what it was about except that he was to see him exactly at that time.

713. Q. You have no memory as to whether the subject of the discussion between the Japanese Ambassador and Mr. Hull was the subject of the information which you had?

A. No; I don't recall. Of course, this is in the light of hindsight—I may be in error—but I thought it was a reply to Mr. Hull on something. I just don't know. I know that he had this appointment with Mr. Hull at that time. Obviously, it was on something with reference to relations between the two countries.

714. Q. Well, we now all know, and we knew Monday morning, that the Japanese Ambassador delivered a note closing relations between Japan and the United States?

A. That is right.

715. Q. Did you have any information that a note of that character was to be delivered at 1:00 o'clock.

A. No, I did not.

716. Q. Do you recall who gave you the information that you did receive about the 1:00 o'clock appointment; who in your department?

A. No; I don't recall just how that came in.

717. Q. Have you any recollection that anyone in the Navy Department suggested to you that 1:00 o'clock Washington time was approximately sunrise in Pearl Harbor and midnight in Manila?

A. I don't recall about the sunrise in Pearl Harbor. I knew about what time it would be in Pearl Harbor.

[170] 718. Q. Well, do you recall anyone suggesting it to you, either by note or orally?

A. No. Captain Schuirmann and I talked that over and we discussed the time element, and of course it was apparent that we needed speed to get that message through if it could possibly be gotten through in time.

719. Q. Do you recall anyone other than Captain Schuirmann with whom you were talking about that at that time?

A. No; I recall only Captain Schuirmann.

720. Q. Do you have any recollection of the suggestion having been made to you that this looked like a sunrise attack on Pearl Harbor?

A. No, I don't recall that.

721. Q. How long after you had the information in the Navy Department was it before General Marshall telephoned you?

A. There again, I don't recall just what time I got down. I simply recall that when he called I was talking that message over with Captain Schuirmann. It was on my desk at that time. I cannot recall the time.

722. Q. Do you have any recollection when the information about which you were talking with Captain Schuirmann was received in the Navy Department?

A. No.

723. Q. You have no recollection of making any inquiries as to when that was received in the Navy Department?

A. No, I haven't.

724. Q. After you talked with General Marshall, did you telephone anyone else concerning that subject matter?

A. I do not recall telephoning anyone else.

725. Q. Do you recall talking about it with Colonel Knox?

A. I don't recall it.

726. Q. Do you know whether Colonel Knox was in conference with the Secretary of State and Secretary of War at 10:00 o'clock on that morning?

A. No, I do not remember that. Of course, I remember the events very clearly later on, talking with Colonel Knox late that evening. It was my wont to keep him informed of anything of this sort which was important, but whether or not I telephoned, I can't recall. I am rather under the impression that I did, but I couldn't say so.

727. Q. Do you recall talking with Captain Wilkinson and Commander McCallum on that Sunday morning?

A. No, I do not.

[171] 728. Q. Do you recall telephoning the White House after you had had your talk with Captain Schuirmann, or while you were talking with him?

A. No. I have no clear recollection of telephoning anyone.

729. Q. What did you do after you had talked with General Marshall?

A. I went on about my routine work, knowing that the dispatch was on its way.

730. Q. You stayed at the Department, then, through the day?

A. Yes; and most of the night.

731. Q. But you didn't go home after 11:00 or 11:30, whenever you talked to General Marshall, until you had word of the attack?

A. No, I didn't go home.

732. Q. And except for the message that was sent via the Army, you did not communicate with Admiral Kimmel on Saturday or Sunday?

A. You mean prior to 1300?

733. Q. Prior to 1300?

A. No, I did not.

734. Q. Do I understand that General Marshall read the dispatch that he proposed and did send, over the telephone to you?

A. Well, my recollection is that he did. I am not sure. I knew what he was going to send.

735. Q. But you didn't have any copy of it when you were talking to him?

A. No. He wrote it out, as I recall, in his own hand and read it to me. What we were wondering was, if by any chance that particular hour and the clearness with which it was set forth, the preciseness, might possibly mean a strike and, as I have testified, after having said "We have sent so much; I don't know that we could send much more," I thought, well, there might be something to it; let's not take the chance. I called him back, I think within 30 seconds, almost as soon as I hung up the 'phone, and asked him to go ahead and send it, and that I would be glad to put it over our system if he didn't feel that his was just as rapid as could be made.

736. Q. Have you a copy of the dispatch that General Marshall sent?

A. Yes, I have it in front of me.

[172] 737. Q. Would you read that in the record, please?

A. I say I have the dispatch; I have a dispatch which is marked "paraphrased". I would be glad to read it if you would like to have it.

The judge advocate stated that he had made a written request to the Secretary of War for a duly certified copy of this dispatch, but that it had not yet arrived.

738. Q. I should like to have you read it.

A. I would like to add to my previous testimony, if I didn't put it in in the first place, that I asked Marshall to make sure that our people were informed; that had gotten to be more or less a habit of ours.

The interested party, Admiral Harold R. Stark, U. S. Navy, stated that he had no assurance as to the exactness of the paraphrased dispatch but that there was no objection to reading it into the record.

739. Q. Would you read the paraphrased dispatch, please?

A. This message is a paraphrase of a message sent from the War Department to the C. G., Hawaiian Department, 7 December 1941. It starts out with:

5297. 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 machines immediately. Just what significance the hour set may have we do not know but be on alert accordingly. Inform naval authorities of this communication.

740. Q. Well, that would indicate that at least General Marshall had intelligence of something more than the requested appointment at 1:00 o'clock?

A. Yes.

741. Q. Did you have anything additional?

A. I don't recall just what that information we had was. What stands out in my memory clearly is the 1:00 o'clock time.

742. Q. And you have no recollection that the 1:00 o'clock appointment was for the delivery of an ultimatum?

A. Not other than is contained in this dispatch.

The interested party, Rear Admiral Husband E. Kimmel, U. S. Navy (Ret.) stated that he had no further questions of this witness.

Cross-examined by the interested party, Admiral Claude C. Bloch, U. S. Navy (Ret.):

743. Q. Admiral Stark, from January, say, of 1941, down to December 7th, the Chief of Naval Operations did receive certain communications and letters from Pearl Harbor about conditions there; isn't that the fact?

A. Yes.

[173] 744. Q. Now, Exhibit 9 and Exhibit 24 have been introduced and read in full, this being the exchange of correspondence in January between the Secretary of War and the Secretary of the Navy. Prior to that time, Exhibit 28 was received in the Navy Department; is that not correct?

A. Yes.

745. Q. Now, Admiral, may I ask you to read this document, Exhibit 28?

The witness read the document, Exhibit 28, copy appended.

Frank Murrell Sickles, yeoman first class, U. S. Naval Reserve, reporter, entered. Frank L. Middleton, yeoman second class, U. S. Naval Reserve, reporter, withdrew.

[174] 746. Q. By the way, if you know, was consideration given to that letter at the time the letter was written from the Secretary of Navy to the Secretary of War in January?

A. Well, there is a similarity there that would certainly suggest that it was.

747. Q. But you can't recall?

A. No, the subject was one of conversations. This sets forth many needs.

748. Q. So you may have that before you, I desire to ask just a couple of questions about it, sir. Admiral Bloch was a Rear Admiral at the time this letter was written, do you recall?

A. He was.

749. Q. Now Admiral, in paragraph 2 there is the statement that—paragraph 2 of Admiral Bloch's letter—there is a statement about the necessity for large planes. Specifically, the statement: "It is my opinion that neither numbers or types are satisfactory for the purposes indicated." Admiral, were any such plans sent to the Fourteenth Naval District, or caused to be sent to them, prior to December 7, 1941?

A. Yes, plans were sent out there, as I recall. I don't remember as to numbers and types.

750. Q. To the Fourteenth Naval District?

A. No, I am glad you brought that question up because when I read the letter I got the impression that this does not take into account the air forces which we had there, which was under an air officer, not directly under Admiral Bloch.

751. Q. Are you referring to Rear Admiral Bellinger?

A. Yes.

752. Q. My question was only, if you knew, were any planes of this character, to wit: the large planes—sent or caused to be sent to the Fourteenth Naval District prior to December 7?

A. As distinct from the Air Command?

753. Q. Yes.

A. I do not recollect that any were sent directly to be under the Commandant of the Fourteenth Naval District. That was a local arrangement out there.

754. Q. Yes, Admiral. At the foot of that same page there is a discussion of new fighters, and there were 185 projected for Hawaii at that time. Now do you recall whether or not any such planes were sent or caused to be sent to the Fourteenth Naval District prior to December 7?

A. Not to the Fourteenth Naval District.

[175] 755. Q. Yes, sir. On the following page—

A. Those are Army planes.

756. Q. Yes, in connection with the statement that "I am of the opinion that at least 500 guns of adequate size and range will be required for the efficient defense of the Hawaiian Area," I ask you, Admiral, if you know—were these guns sent or caused to be sent prior to December 7, to Hawaii?

A. There were some guns sent to the Hawaiian Area. It being an Army obligation, I have forgotten the number.

757. Q. Would it be anything like 500?

A. I don't recall. My reaction is that it was considerably short of that, but I couldn't say positively.

758. Q. In paragraph 3, Admiral, the statement there is in connection with patrol vessels and aircraft in connection with patrol vessels. Were there sent or caused to be sent to the 14th Naval District any further patrol vessels prior to December 7, if you recall?

A. I'd have to check the record.

759. Q. You have no recollection of it now, sir?

A. My recollection is that some vessels were sent or offered. I know they were short.

760. Q. Well, that would also cover the vessels needed for mine-sweeping, Admiral, too. I take it that they would be short, too, to your recollection, as you recall?

A. To my recollection, all districts were short of what we thought was necessary.

761. Q. Admiral, I'd like to show you this paper and ask you if you recognize it as a communication of 7 May 1941, from the Commandant, 14th Naval District, to the Chief of Naval Operations?

A. Yes, I recognize it as a letter of 7 May from Commandant, 14th Naval District, to Chief of Naval Operations.

The letter from the Commandant, 14th Naval District, to the Chief of Naval Operations, dated May 7, 1941, was submitted to the judge advocate, to the interested parties, and to the court, and by the interested party, Admiral Claude C. Bloch, U. S. Navy (Ret), offered in evidence.

There being no objection, it was so received, copy appended, marked "EXHIBIT 41."

762. Q. Will you please read it.

The witness read the letter, Exhibit 41.

763. Q. Admiral, I hand you a paper and ask you if you [176] recognize it as a letter dated May 20, 1941, from the Commander-in-Chief of the U. S. Pacific Fleet to the Chief of Naval Operations?

A. I do.

The letter from the Commander-in-Chief, U. S. Pacific Fleet, to the Chief of Naval Operations, dated May 20, 1941, was submitted to the judge advocate, to the interested parties, and to the court, and by the interested party, Admiral Claude C. Bloch, U. S. Navy (Ret), offered in evidence.

There being no objection, it was so received, copy appended, marked "EXHIBIT 42."

764. Q. Will you be good enough, Admiral, to read it.

The witness read the letter, Exhibit 42.

765. Q. I hand you a paper, Admiral, and ask you if you recognize it as a letter of June 23, 1941, from the Chief of Naval Operations to the Commander-in-Chief, U. S. Fleet?

A. I do.

The letter from the Chief of Naval Operations to the Commander-in-Chief, U. S. Fleet, dated June 23, 1941, was submitted to the judge advocate, to the interested parties, and to the court, and by the interested party, Admiral Claude C. Bloch, U. S. Navy (Ret), offered in evidence.

There being no objection, it was so received, copy appended, marked "EXHIBIT 43."

766. Q. Please read it, Admiral.

The witness read the letter, Exhibit 43.

767. Q. I will show you a paper, Admiral, and ask you if you recognize it as a report dated August 15, 1941, from the Commander-in-Chief, U. S. Fleet, to the Secretary of the Navy, via the Chief of Naval Operations?

A. I do, 15 August.

The report, dated August 15, 1941, from the Commander-in-Chief, U. S. Fleet, to the Secretary of the Navy, via the Chief of Naval Operations, was submitted to the judge advocate, to the interested parties, and to the court, and by the interested party, Admiral Claude C. Bloch, U. S. Navy, (Ret), offered in evidence for the purpose of reading into the record such extracts therefrom as may be considered pertinent to the inquiry.

There being no objection it was so received and marked "EXHIBIT 44" for reference, description appended.

[177] 768. Q. Please read, Admiral, from page 20 of the report, starting with "remaining deficiencies, on which satisfactory progress is not being made," through to the end of subparagraph (2).

A. (Reading:)

Remaining deficiencies, on which satisfactory progress is not being made, are:

(a) Insufficiency in numbers and types of small craft to adequately service a large fleet, particularly in the supply of oil, gasoline, provisions, water, general stores and ammunition. Provision for augmented means for delivery of fresh water, made necessary by reduced capacity of ship's distilling plants due to contaminated waters of Pearl Harbor, is a present pressing need.

(b) Inadequate local defense forces to provide for the safety of the Fleet in harbor and for the important functions of shipping control and other requirements of the Fourteenth Naval District. Specifically, the situation in regard to such forces is as follows:

- (1) Insufficient patrol craft, particularly anti-submarine types.
- (2) District patrol and observation aircraft, though allocated in the aircraft expansion program.
- (3) Insufficient Army anti-aircraft guns actually available.

769. Q. I hand you a paper, Admiral, and ask you if you recognize it as a communication in August, 1941, from the Chief of Naval Operations to the Commander-in-Chief, U. S. Pacific Fleet?

A. I do.

The communication of August, 1941 (date obscure), from the Chief of Naval Operations to the Commander-in-Chief, U. S. Pacific Fleet, was submitted to the judge advocate, to the interested parties, and to the court, and by the interested party, Admiral C. Bloch, U. S. Navy (Ret.), offered in evidence.

There being no objection, it was so received, copy appended, marked "EXHIBIT 45."

770. Q. Will you please read it.

The witness read the communication, Exhibit 45.

771. Q. I show you a paper, Admiral, and ask you if you recognize it as an endorsement, together with the basic from the Commander-in-Chief, U. S. Pacific Fleet, to the Chief of Naval Operations, the basic being of 17 October 1941?

A. I do.

[178] Basic letter dated October 17, 1941, from the Commander-in-Chief, U. S. Pacific Fleet, to the Chief of Naval Operations, with endorsement thereon, was submitted to the judge advocate, to the interested parties, and to the court, and by the interested party, Admiral Claude C. Bloch, U. S. Navy (Ret.), offered in evidence.

There being no objection, it was so received, copy appended, marked "EXHIBIT 46".

771. (a) Q. Will you read the letter, please?

A. The witness read the letter, Exhibit 46.

[179] Frederick T. Lachat, yeoman first class, U. S. Naval Reserve, reporter, entered. Frank M. Sickles, yeoman first class, U. S. Naval Reserve, reporter, withdraw.

772. Q. I show you a paper dated November 25, 1941, and ask you if you recognize it as being from the Chief of Naval Operations to the Commander-in-Chief, U. S. Pacific Fleet, and the Commandant, Fourteenth Naval District?

A. I do.

The letter of November 25, 1941, from the Chief of Naval Operations to the Commander-in-Chief, U. S. Pacific Fleet and the Commandant, Fourteenth Naval District, was submitted to the judge advocate, to the interested parties, and by the interested party, Admiral Claude C. Bloch, U. S. Navy, (Ret.), offered in evidence for the purpose of reading into the record such extracts therefrom as may be considered pertinent to the inquiry.

There being no objection, it was so received and marked "EXHIBIT 47" for reference, description appended.

773. Q. Will you read paragraphs 1, 2, 3, and 5 of that letter?

A. (Reading:)

1. The request of the Commandant, Fourteenth Naval District, in reference (e), for a number of small anti-submarine craft and at least two squadrons of VSO planes for anti-submarine patrol, and the endorsement thereon by Commander-in-Chief, U. S. Pacific Fleet, reference (f), have been given full consideration by the Chief of Naval Operations.

2. A previous letter of the Commander-in-Chief, U. S. Pacific Fleet, reference (a), pertaining to the same general subject, was replied to in reference (d).

3. The Chief of Naval Operations notes that the Commander-in-Chief, U. S. Pacific Fleet, in his war plan, reference (c), has taken full cognizance of his

responsibilities in connection with his tasks pertaining to the Hawaiian Naval Coastal Frontier. The forces available in the Hawaiian area, both Fleet and Local Defense Forces, and the actual operations of our own and hostile forces, will, of course, indicate the numbers of Fleet vessels or aircraft required to be assigned to local defense tasks.

5. The augmentation of the Local Defense Forces of the Fourteenth Naval District is proceeding as fast as the availability of ships, funds, personnel, material and priorities will permit. The current situation in this regard may be summarized as follows:

[180] (a) The Department now has authority to acquire and convert four small and ten larger types of privately owned vessels for the Naval Local Defense Forces of the Fourteenth Naval District. These are generally of the yacht type and do not have very high speeds. The delivery of underwater detection devices is slow, but every effort will be made to give priority for such gear assigned these vessels.

(b) The completion of the 173-ft. sub-chasers (PC) is progressing slowly, and they will not be turned out in any quantity until about May, 1942. Eight of these, due for completion in May, 1942, are tentatively assigned to the Fourteenth Naval District. The date of completion of the 110-ft. sub-chasers (PC) is indefinite due to the engine situation.

(c) The Commandant now has under his command the Coast Guard of the Fourteenth Naval District. Of the Coast Guard vessels under his command, the following are equipped with depth charges and underwater detection gear: TANEY, RELIANCE, and TIGER.

(d) Ten YMS, expected to have depth charges and sound gear when available, are tentatively assigned to the Fourteenth Naval District. Two of these are due for completion in the third quarter.

(e) The Department has no additional airplanes available for assignment to the Fourteenth Naval District. Allocations of new aircraft squadrons which become available in the near future will be determined by the requirements of the strategic situation as it develops.

774. Q. In connection with WPL-46, the judge advocate and your own counsel have had you read certain portions of it. In some of that reading there was mention made of the Hawaiian Naval Coastal Frontier Forces. Now, is it correct to say that so far as Hawaii was concerned there never did exist any naval coastal forces other than those four old destroyers and four old mine-sweepers up until December 7, 1941?

A. I guess that is right.

775. Q. Of course, they did not have the aircraft?

A. That is right.

776. Q. They did not have any PC vessels or PT boats?

A. No, the PC's were not yet available.

[181] 777. Q. Admiral, in connection with your testimony, about the November 27 message, am I accurate in saying that you considered the Navy to be mobilized at that time?

A. No order had been given for mobilization. I stated that the Navy was practically mobilized. We had put in everything from the oldest submarines and destroyers and tankers—practically everything we had, including even old boats built by Ford in the preceding war—Eagle boats. I had to accept the responsibility for their turning over. We were in a desperate situation for craft in all districts.

778. Q. When you use mobilization that way, you did not mean us to understand mobilization in the very technical and precise military sense, such as "M" day?

A. That is correct; I did not mean that.

779. Q. "M" day carries with it a particular and definitive meaning throughout the naval establishment, isn't that so?

A. Yes.

780. Q. A mobilization or partial mobilization definitely establishes an "M" day, isn't that true?

A. Well, you can establish "M" day or mobilization day any time you would like to.

781. Q. Isn't "M" day the time for execution of certain supporting plans, for instance, frontier defense plans and coast defense plans? They go into effect on "M" day, isn't that correct?

A. There are certain measures to be taken on "M" day.

782. Q. Which you would say go automatically into effect on "M" day?

A. Yes.

783. Q. In WPL-46, which is exhibit 4, I shall direct your attention to these provisions on page 7: (Reading:)

0221. The preliminary period of strained relations of a certain duration is anticipated, during which time certain preliminary steps provided for in this plan may be directed by the Chief of Naval Operations. 0222. Mobilization may be directed prior to directing the execution of this plan or any part thereof. The order to mobilize does not authorize acts of war. 0223. This plan may be executed in part by a dispatch indicating the nations to be considered enemy. The tasks to be executed are accepted, and the preliminary measures to be taken in preparation for the execution of the entire plan or the additional tasks thereof.

Now, those provisions, Admiral, were established for a certain purpose, that is, to establish an "M" day and to prevent surprise under this plan?

A. If it were thought expedient to do so.

[182] 784. Q. Those provisions, of course, came to the eye of every holder of WPL-46 and were to know to all commands that had that document?

A. Yes, sir.

785. Q. Am I correct in this? There isn't any definition in WPL-46, or any of its predecessor plans, going back to Rainbow 1, as to war warning or what was to be done?

A. Not that I recall that it was specifically laid down. I would say it would be regarded as unnecessary.

786. Q. At any rate, it is not in the document?

A. No.

787. Q. That would be true for the phrase "defensive deployment"? That is not used in the document either?

A. No, I do not think it is defined. I think it has a rather definite meaning to an officer who would receive it.

788. Q. As far as the plan is concerned, that is not there, as you recall?

A. No, I think not.

789. Q. Would you say, during the period from October 16 to December 7, that this country had strained relations with Japan?

A. Well, it all depends upon your definition. The relations certainly were not what could be desired.

790. Q. What I am trying to ascertain is whether the conditions which existed between October 16 and November 30 were strained in the sense mentioned in WPL-46?

A. In the sense of ordering mobilization?

791. Q. In the sense that the words were used in WPL-46?

A. Well, it is a matter of degree. I would hesitate to say. We did not mobilize, but conditions certainly were strained toward the finish.

792. Q. Now, Admiral, am I correct that the establishment of mobilization or partial mobilization by the Navy Department under such circumstances as provided in WPL-46 would have been clearly understood by the entire service?

A. I don't know that it would have meant much more than what we were doing, depending on how you would look at it. It would have been rather difficult to order and explain such a set-up. Politically, for us to have mobilized might have precipitated what we were trying to avoid. European nations mobilize frequently, as we know. Sometimes it is a drill; sometimes it is a cover to war. For us to have ordered mobilization at that time would have been a very difficult thing to do, I think.

[183] 793. Q. But, Admiral, would you make the same answer in connection with a partial mobilization, as contemplated by WPL-46?

A. I think it would have been very difficult to have explained it and put into effect. Everything we had was in commission. We had sent messages as to the seriousness of the situation, but to have sent word out to mobilize probably would have meant to the country and to Japan a preliminary declaration of intention to go to war. I think it would have been a very difficult thing to have done.

794. Q. That would also have applied if it were a partial mobilization, contemplated by WPL-46, in your opinion?

A. More or less, yes.

795. Q. Well, in any event that procedure which was provided in WPL-46 for the establishment of the doing of certain things prior to hostile acts was not used in the dispatches of October 16 or November 24 or November 27?

A. No, it was not. Again I repeat, we were practically mobilized. We had a full convoy system going in the Atlantic, so that there would be no rupture. What we had was manned in the Pacific, extremely short as it was and of which I was very consciously cognizant. I do not see where it would have availed us much, and I would say it would have been inadvisable from many standpoints.

796. Q. I believe your counsel identified Exhibit 7, but it has not been offered in evidence, and I should like to ask you whether you recognize this document, Exhibit 7, as being the Joint Coastal Frontier Defense Plan, Hawaiian Coastal Area, effective 11 April 1941?

A. Yes, I recognize it.

797. Q. I want you to read from page 8, paragraph C-2, this being the Joint Coastal Frontier Defense Plan, Hawaiian Coastal Frontier, Hawaiian Department and 14th Naval District.

A. (Reading:)

M-day is the first day of mobilization, and it is the time origin for the execution of this plan. M-day may precede a declaration of war. As a precautionary measure, the War and Navy Departments may initiate or put into effect certain features of their respective plans prior to M-day. 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.

798. Q. The procedure there indicated, Admiral, in JCD-42 was not used in the messages up to November 30?

A. I would say there was nothing whatever to prevent the authorities on the spot from taking any readiness measures [184] which they thought their directives may have given them, but for us to have declared it would very likely have been construed as an overt act—to publicly declare mobilization.

799. Q. I take it that on or before December 7, 1941, the Navy Department did not use any of the established procedures to place in full or partial effect WPL-46 or JCD-42, or any other war plan, nor did they direct full or partial mobilization under either of those plans, isn't that a fact?

A. In the message of November 27 appropriate defensive deployment was ordered to be executed. It stated that it was preparatory to carrying out the tasks assigned in WPL-46, but the answer to your question is that we did not specifically order any mobilization, but we did indicate. I would like to add one thing with reference to the lack of air. The record should show that while the 14th Naval District of itself had no aircraft, the Fleet did have patrol craft under its command stationed in Oahu.

Reexamined by the judge advocate:

800. Q. Do you remember who was the Naval Aide to the President on or about December 1, 1941?

A. Captain John McCrea.

801. Q. In Exhibit 19, which is the Chief of Naval Operations dispatch of 28 November 1941, there appears the sentence, "If hostilities cannot be avoided, the United States desires that Japan commit the first overt act." This is the message which repeated General Marshall's message for information of CincPac. To clear up a situation, do you feel that you are in a position to state what an overt act on the part of the Japanese might be?

A. An attack on us or on any of our craft anywhere.

802. Q. Are you prepared to say that the presence of a Japanese force, consisting of carriers and escorts, within, say, a thousand miles of the Hawaiian Islands would be an overt act?

A. That certainly is one hypothetical question. I think if I were out there and saw them, I would keep them under surveillance and probably tell them to stand off when I thought the time had come.

803. Q. Do you know if the intelligence bulletins which you mentioned in your testimony this morning and which I understand were prepared by the Office of Naval Intelligence were forwarded to the Commander-in-Chief of the Pacific Fleet as a matter of routine?

A. Yes.

The court then, at 4:20 p. m., adjourned until 9:30 a. m. August 12, 1944.

PROCEEDINGS OF NAVY COURT OF INQUIRY

SATURDAY, AUGUST 12, 1944.

[185]

EIGHTH DAY

NAVY DEPARTMENT,
Washington, D. C.

The court met at 9:30 a. m.

Present:

Admiral Orin G. Murfin, U. S. Navy (Ret.), President.

Admiral Edward C. Kalbfus, U. S. Navy (Ret.), Member.

Vice Admiral Adolphus Andrews, U. S. Navy (Ret.), Member.

Commander Harold Bieseimer, U. S. Navy, Judge Advocate, and his counsel.

Frank Murrell Sickles, yeoman first class, U. S. Naval Reserve, reporter.

Admiral Harold R. Stark, U. S. Navy, interested party, and his counsel.

Admiral Claude C. Bloch, U. S. Navy (Ret.), interested party, and his counsel.

Rear Admiral Husband E. Kimmel, U. S. Navy (Ret.), interested party, and his counsel.

The record of the proceedings of the seventh day of the inquiry was read and approved.

No witnesses not otherwise connected with the inquiry were present.

With the permission of the court, the interested party, Admiral Harold R. Stark, U. S. Navy, introduced Commander W. R. Smedberg, U. S. Navy, as additional counsel.

Admiral Harold R. Stark, U. S. Navy, the witness under examination when the adjournment was taken on Friday, August 11, 1944, resumed his seat as witness and was warned that the oath previously taken was still binding.

Recross-examined by the interested party, Admiral Harold R. Stark, U. S. Navy:

804. Q. I hand you Exhibit 7, which is known as JCD-42, and is the Joint Local Defense Plan of the Hawaiian Department and the 14th Naval District. On page 8, paragraph C, (2), what do you find as regards putting that plan in effect by action of local authorities?

A. It may be put in as mutually agreed upon by the local commanders.

805. Q. Admiral, you have given some testimony about the relative strengths of the Pacific Fleet and the Japanese Navy. Other than numerical comparisons, what other factors must enter in order to make any such comparison of forces really useful?

A. Geography was a primary factor—bases. It has been [186] estimated, for example, that to carry the war to the Far East and to

the Japanese homeland, that we should be two to three times as strong as she is, in Navy. I repeat, bases and geography are important factors.

806. Q. I hand you Exhibit 35, which is your personal note to the Commander-in-Chief of Pacific Fleet of 22 August 1941. A portion of that has been read in court. About what percentage of it was read by your own counsel?

A. Approximately half.

807. Q. What was the subject of the rest of the letter?

A. Largely technical, and training.

808. Q. Did the rest of the letter have much to do with materiel deficiencies?

A. It did.

809. Q. What was your purpose, Admiral, in going into such long detail on such subjects in your informal letter to the Commander-in-Chief?

A. The letter was in reply to a letter from the Commander-in-Chief, and I was anxious that he have from me a detailed reply so far as information was available.

810. Q. Admiral, during 1941, did you receive from the Commander-in-Chief Pacific Fleet, or from any other authoritative sources, any expressions of opinion that the effect of the long-continued stay of the Fleet in Pearl Harbor was adverse in any respect?

A. On the contrary, I received word from the Commander-in-Chief that morale was good, that gunnery was better than it had any right to be, and in fact was very good by any standards. Also, I might add that the facilities for supporting the Fleet were becoming increasingly good.

811. Q. Were your official dispatches of 16 October and 24 November—Exhibits 13 and 15, respectively—your own personal drafting, and if they were not, what did they represent as they were actually drafted?

A. They represented a concensus of opinion of myself and my most trusted advisers. As finally drafted they had my O. K., and of course I stood completely responsible for them.

812. Q. Referring to your considerable testimony concerning the phraseology of the several dispatches, those two and also [187] the one of 27 November, which is Exhibit 17, most of all of which testimony that you have given concerning them being properly confined to the Hawaiian area alone—those dispatches had several addressees, did they not?

A. They did.

813. Q. Look at your dispatch of 16 October. To whom was it addressed?

A. CINCLANT, CINCPAC, CINCSIATIC.

814. Q. Look at the one of 24 November, Exhibit 15. To whom was it addressed?

A. CINCAF, CINCPAC, COM11, COM12, COM13, SPENAVO, London, and CINCLANT.

815. Q. Look at your dispatch of 27 November, Exhibit 17. To whom was it addressed?

A. To CINCSIATIC, CINCPAC, info to CINCLANT, and SPENAVO, London.

816. Q. Admiral, at any time, and particularly during the ten days which elapsed between 27 November and 7 December, did you receive from any of those addressees any request whatever for clarification of any of those three dispatches?

A. No.

The judge advocate stated that he did not wish to examine the witness further.

Examined by the court:

817. Q. Admiral, referring to your testimony concerning unity of command in the Hawaiian area, you stated that this was under discussion between the Navy Department and the War Department, and that no decision had been arrived at up to December 7, 1941; is that correct?

A. That is correct.

818. Q. What prevented a decision on this appointment being reached?

A. We were never able to come to a satisfactory agreement. May I make that answer—we had not arrived at a solution.

819. Q. Will you state in general the position of the two departments on this subject during the discussions?

A. The discussions, as I recall, were general in character about unity of command in general. We had not gotten very far with it and had reached no conclusions.

820. Q. What was the stumbling block preventing such conclusion, if any?

A. Well, I think it might be said they may not have been pushed as hard as they might have been. We simply [188] hadn't followed through with it.

821. Q. What was your personal attitude and your recommendation with reference to unity of command in the Hawaiian area?

A. As I stated, the discussion of unity of command, I think, prior to Pearl Harbor, was more of a general nature on unity of command in general. We discussed it specifically on projects which might be take place, such as amphibious operations for example, and arrived at definite conclusions, but with regard to Pearl Harbor, canal, and other places, we had not pushed those discussions. I do not recall anything specific with regard to Pearl Harbor—with regard to the Hawaiian Islands. The discussion was general.

At the direction of the court, the question was repeated.

A. (Continued.) I won't add anything to it. I do not recall specific recommendations with regard to the Hawaiian Islands.

822. Q. Does the court understand that you do not at this time remember your attitude or recommendations that you may have made on this question?

A. My remembrance is that, except for definite operations which we discussed, such as amphibious operations where we had come to definite unity of command, the discussions as regards outlying bases was general in nature and we didn't really get down to business on it.

823. Q. Admiral, your answer is still the same. I am talking about you.

A. I grant the answer is not definite, but as I recall, the conversations were general, and as to my specific recommendation regarding Pearl Harbor, I don't recall making any specific recommendations

regarding the Hawaiian Islands. We were operating, as has been testified, under mutual cooperation.

824. Q. Then the responsibility for the defense of Pearl Harbor Naval Station lay with the Army or with the Navy?

A. It lay with the Army.

825. Q. Was there ever any opinion on the part of either Army or Navy that part or all of this responsibility rested with the Navy?

A. No, not that I ever heard of.

826. Q. Referring to the decision of the Commander-in-Chief of the Army and Navy to base the fleet in the Hawaiian area, did you recommend such action?

A. Originally, and—yes.

827. Q. Referring to your testimony with reference to you [189] and the Commander-in-Chief Pacific Fleet, not having thoroughly information or directives as to action to be taken in case Japan attacked England or Russia, or Dutch East Indies, or a combination of these, who had the responsibility for formulating policies in this respect?

A. Well, in the last analysis it would rest with the White House.

828. A. It has been testified that the assigned mobilization stations of the battleships of the Pacific Fleet were in the several ports of the Pacific Coast—the mobilization stations.

A. Yes.

829. Q. It has also been testified to that one of the reasons for moving these battleships to the Hawaiian area in May, 1940, was that their presence there—of the vessels of the Fleet—would act as a deterrent on Japan. As matters progressed during the autumn of 1941, and particularly at the time of your war warning message, was any consideration given to the return of these battleships to their assigned mobilization stations?

A. Not at that time.

830. Q. When on November 27, 1941, you issued a war warning and stated that the negotiations had ceased, did you still consider that the presence of United States battleships in Hawaiian waters would have a deterrent effect upon Japan?

A. I would consider that withdrawing them might have had the opposite effect.

831. Q. On December 7 and just previous thereto, were the ships of the fleet allocated or based in accordance with your views and recommendations?

A. Yes.

832. Q. With your knowledge of what the Commander-in-Chief Pacific was doing regarding training of the Fleet, and in view of the critical situation existing in November 1941, did you ever give any orders to assume a condition of readiness, even though it meant that this would have curtailed the training?

A. I gave no specific orders, but the dispatches contained all that I gave in that connection.

833. Q. Referring to your testimony that no designation of M Day was made because of the effect it might have on Japan, who was responsible for not designating an M Day?

A. I assumed that responsibility in that I didn't recommend it.

834. Q. On November 27, 1941, was not the situation sufficiently critical to have justified you in conferring with the Commander-in-

Chief of the Pacific by phone, giving him [190] a full picture of the situation and checking up as to what he had done, even at the risk of jeopardizing the security of communications?

A. I didn't consider it. I thought my dispatch gave him the warning which I felt he should have, and briefly, such information as it was based on.

835. Q. Did you make use, during this critical period, of the telephone for communicating to the Hawaiian area?

A. I did not prior to December 7, and then only after Japan had struck.

836. Q. Had any conflict of opinion, or lack of cooperation between Commander-in-Chief Pacific Fleet, and the Army Commander of Hawaii come to your notice prior to 7 December 1941?

A. Not that I recall.

837. Q. Prior to December 7, 1941, did you consider that your contact with the State Department was full and complete, and that you received from them all essential information regarding conditions in the Pacific?

A. I felt that I was receiving, certainly, sufficient to acquaint me with the picture. I could not say I received all.

Frank L. Middleton, yeoman second class, U. S. Naval Reserve, entered, as reporter. Frank M. Sickles, yeoman first class, U. S. Naval Reserve, reporter, withdrew.

[191] 838. Q. From November 27th to December 7th, 1941, did you continue to receive this information?

A. I recall receiving no information which in any way altered what I had sent on November 27th, at which time I stated that negotiations had ceased. I recall nothing which would change the dispatch.

839. Q. Admiral, in comparing the strength of the Pacific Fleet as of the autumn of 1941 with that of the Japanese Navy at the same time, did not the fact that Japan had been engaged in hostilities for some time previously and was therefore presumably war minded and geared for war enter as a factor favorable to Japan?

A. Yes.

840. Q. When, in your opinion, or from your knowledge, was it first conceived that the United States might have to engage in hostilities in both the Atlantic and the Pacific contrary to the existing policy, which policy had existed for some years prior to the outbreak of war in Germany?

A. In 1939, I definitely thought so. On the Hill in 1940, on the record, I stated that in my opinion there was in the making another world conflagration. I told the Senate Committee that there certainly was the possibility of our coming in; that if we came in there certainly was no doubt as to which side we would come in with, and that in my opinion we should be prepared to depend only on ourselves and we should build accordingly. My first letter to the Commander-in-Chief of the Pacific, which I think he has introduced—perhaps not but that is immaterial—gave the thought that we might some day have a surprise attack by Japan. I didn't see how we could avoid it and I endeavored to carry that tone consistently through every action I took. It certainly animated everything that I was doing here in the Department. Much has been said about the small boat program, district craft. It was one of the worst headaches I had. It was difficult

to get through. We were terribly delayed in construction, particularly due to engines after it was started. But I felt certain we were headed for collision and I think I made that certainty of thought known. The Department was animated by it.

841. Q. In the period subsequent to 1939, did you notice from your contacts with the Congress of the United States any change in the attitude which had become fixed to the effect that there was no need for an increase in the Naval strength?

A. Well, I could only judge them by their acts. The real change in the sentiment of Congress came when France fell.

842. Q. That was in 1940, was it not?

A. That was in June, as I recall, 1940.

[192] 843. Q. You stated, Admiral Stark, that originally you recommended that the Pacific Fleet be based on Hawaii. Did you, during the latter part of 1941, or any time prior thereto, recommend a continuance of basing this fleet on Hawaii?

A. Not during the latter part. I originally recommended, when they went out there, not having in mind originally retaining them right through. Once they were there, there was frequent discussion regarding keeping them there. It was a close question and the decision was always the same, to keep them there. Later on we had just settled into it.

844. Q. Was it in accordance with War Plans that in event of a critical situation in the Pacific, vis-a-vis Japan or any other nation, that the battleships of the Pacific Fleet would be based in Hawaii?

A. I do not recall any such provision.

The court announced that it had no further questions of this witness.

Recross-examination by the interested party, Admiral Harold R. Stark, U. S. Navy (continued):

845. Q. Admiral, your war warning dispatch, Exhibit 17: What are the three most essential, vital phrases of that dispatch?

A. I would say, first, that this dispatch is to be considered a war warning; second, that an aggressive move by Japan was expected within the next few days; third, execute an appropriate defensive deployment preparatory of carrying out the tasks in WPL-46.

The interested party, Admiral Harold R. Stark, U. S. Navy, stated that he had no further questions of this witness.

Recross-examined by the interested party, Rear Admiral Husband E. Kimmel, U. S. Navy (Ret.):

846. Q. On Sunday morning, 7 December 1941, did you consider using the telephone for conference with Admiral Kimmel?

A. No. I have already testified that I did not.

The interested party, Rear Admiral Husband E. Kimmel, U. S. Navy (Ret.), stated that he had no further questions of this witness.

None of the parties to the inquiry desired further to examine this witness.

The court informed the witness that he was privileged to make any further statement covering anything relating to the subject matter of the inquiry which he thought should [193] be a matter of record in connection therewith, which had not been fully brought out by the previous questioning.

The witness stated as follows: In the question which I believe was asked as to whether the Army was responsible in part or in whole for the defense of Pearl Harbor, I stated the Army was responsible, and the Army was. There were certain responsibilities which I assume the Navy had of a minor nature in cooperation with the Army, but in my opinion it was the Army's responsibility. I don't want to weaken my answer at all but I assume that certain arrangements were made which it was up to us to carry out when the Army took that responsibility, which was hers.

Questioned by the court:

847. Q. Admiral, the court has a few more questions to ask in order that one of your answers may be cleared up. You have stated that the responsibility for the defense of Pearl Harbor rested with the Army; is that correct?

A. That is correct.

848. Q. Was Pearl Harbor considered a first-class Naval base?

A. Yes, I would say it was.

849. Q. What was the responsibility of the Fleet with reference to the defense of Pearl Harbor?

A. The Fleet primarily was in no way responsible for the defense of Pearl Harbor. It was supposed to be completely foot-free and their presence or absence, in my opinion, neither lessened nor changed in any way the Army's responsibility.

850. Q. In line with that answer, what was the responsibility of the 14th Naval District for the defense of Pearl Harbor, generally?

A. Generally, it was a task force of the Fleet. The responsibilities, I would say, were subsidiary.

851. Q. To what?

A. To the Army's primary responsibility regarding such local arrangements as might be made. This, in my opinion, in no way lessened the Army's responsibility.

None of the parties to the inquiry desired further to examine this witness.

The court informed the witness that he was privileged to make any further statement covering anything relating to the subject matter of the inquiry which he thought should be a matter of record in connection therewith, which had not been fully brought out by the previous questioning.

The witness stated that he had nothing further to say.

[194] The court stated as follows: I think it would be proper if I would restate what I have said before; that the court is finished with you as a witness for the time being; that you will take your seat as an interested party, subject to further call as a witness for such examination or re-examination as may be desired by the court or any parties to the inquiry.

The witness was ~~duly warned~~ and resumed his seat as an interested party.

[Initialed in margin:] H. B.

The interested party, Admiral Harold R. Stark, U. S. Navy, made the following statement: May it please the court: I am under orders to return to my command post without delay, and must do so as soon as I can verify my testimony. I am therefore unable to resume my status as an interested party before this court at this time. My counsel

will remain to represent me as best they may and I assume that they will have all the same rights as though I were actually present. My absence from the court's proceeding is beyond my control. I am obliged to state that I waive no rights whatsoever in consequence thereof.

The court then, at 10:50 a. m., took a recess until 11:00 a. m., at which time it reconvened.

Present: All the members, the judge advocate, the reporter, the interested parties and their counsel.

No witnesses not otherwise connected with the inquiry were present.

A witness called by the judge advocate entered, was duly sworn, and was informed of the subject matter of the inquiry.

Examined by the judge advocate:

1. Q. Will you state your name, rank, and present station?

A. Rear Admiral R. E. Schuirman, Assistant Chief, Combat Intelligence; and additional duties of Director of Naval Intelligence.

2. Q. What duties were you performing during the calendar year 1941?

A. Director of Central Division, Office of Chief of Naval Operations.

3. Q. Will you explain in detail what these duties were?

A. They are a variety of duties, some of which were specified which included Liaison with the State Department, and other duties not under the cognizance of any other division of Naval Operations.

[195] 4. Q. Can you state what duties you performed directly with the Chief of Naval Operations?

A. Directly with the Chief of Naval Operations, the principal duty was liaison with the State Department.

5. Q. In performing those duties that brought you in contact with the State Department, what was the routine for carrying them out?

A. The liaison duties with the State Department were conducted by personal visits with those handling matters of mutual concern in both departments, by telephone and through a so-called liaison committee which was set up while Admiral Leahy was Chief of Naval Operations, which consisted of the Chief of Staff, U. S. Army; Chief of Naval Operations; and Under Secretary of State. I accompanied the Chief of Naval Operations to these meetings in order to make notes so that on my return I could implement any action decided upon.

6. Q. What was the division of the State Department that conducted matters pertaining to Asiatic countries?

A. The Far Eastern Division.

7. Q. What officers in the State Department did you usually contact in the performance of your duties in connection with Far Eastern affairs?

A. Generally Dr. Hornbeck, Mr. Maxwell Hamilton, Mr. Joseph Ballantine, and a number of others; and Secretary Hull, and on occasion, Under Secretary Welles direct.

8. Q. Did you keep any file of conferences with officials of the State Department, either official or private?

A. In regard to the liaison meetings, prior to about the middle of May, 1941, I kept a resume of the meetings which was, I believe, kept by the Liaison Division of the State Department, and after the middle of May a stenographer was present to record these meetings. In addition to the matters on the record, there were certain matters discussed

off the record, and on occasions I did make a memorandum of the proceedings after returning from the State Department. However, I do not believe that there was a complete record of these meetings and I do not know of any complete record of the meetings which were held from time to time with Secretary Hull or a record of the conversations with Dr. Hornbeck, Mr. Hamilton, and others. All records that I know of are in the Central Division of the Navy Department. I have none in my own possession.

9. Q. Adverting to this liaison committee that you speak of: Did I understand you to say that there were probably minutes kept by this committee?

A. Yes. This committee, however, was mainly occupied with matters other than those pertaining to the Far East, although on occasions, especially when Mr. Hull was [196] absent from the city, or incapacitated, matters concerning the Far East were discussed.

10. Q. Could you tell the court where it could probably find the minutes of these meetings?

A. I believe those that are in the Navy Department are in the files of the Central Division.

11. Q. Would you think that there are probably minutes also filed in the State Department?

A. Yes.

12. Q. Do you consider that you were present at most of the conferences in the State Department of major importance when matters dealing with the Navy Department were being discussed?

A. Generally so, yes, but they were high-level conferences which occurred, I believe, between Secretary Stimson, Secretary Knox, Secretary Hull, and probably Admiral Stark and General Marshall, at which I was not present. Undoubtedly there were meetings at the White House on matters concerning the Far East, none of which I attended.

13. Q. Did you have access to intelligence information of the Navy Department?

A. Yes.

14. Q. What was the system of keeping you currently informed on matters of Naval Intelligence?

A. I do not believe there was any set system; none that I can remember. I generally got the information from various people in Naval Intelligence, or picked it up from—

15. Q. What I am trying to find out, Admiral, is whether or not you had to go around and search for this information yourself, or was there some system whereby at stated intervals, or when anything important occurred, persons responsible in the Naval Intelligence Division sought you out and delivered the information to you?

A. I believe that they either telephoned it or somebody dropped in and told me things which were of particular importance. In addition, the Secretary of the Navy had, for some time preceding Pearl Harbor, had a practically daily round up in his office at 9:00 o'clock where the general war situation was presented much the same as it is now presented in Room 3621, where the military situation was discussed and the Japanese troops movements were discussed, et cetera.

16. Q. Do you feel that you attended most of these conferences, or not?

A. The morning conferences?

17. Q. Yes.

A. Yes.

[197] 18. Q. What contact did you have with the Navy War Plans Division?

A. My contact with the Navy War Plans Division was generally to keep them informed of what was going on in the State Department, and on occasions when proposals were under discussion or various courses of action were being considered in the State Department, to inform the War Plans Division and obtain their reactions.

[198] Frederick T. Lachat, yeoman first class, U. S. Naval Reserve; reporter, entered. Frank L. Middleton, yeoman second class, U. S. Naval Reserve, reporter, withdrew.

19. Q. Admiral, that tells what information you gave the War Plans Division. What I would like to know is, did the War Plans Division keep you currently informed on its estimates of the situation, especially with regard to the Japanese situation?

A. There was no regular system. What I learned as to the War Plans estimate situation, I believe I learned at meetings, such as the one described this morning and such meetings as I attended in Admiral Stark's office, which were occasional, at which members of the War Plans Division were present and listening to them express their views.

20. Q. Who was the officer in War Plans Division who generally attended these conferences that you speak of?

A. Generally, Captain Turner was present, and if he were too busy to attend, some alternate was present.

21. Q. Can you recall who his principal alternates were?

A. No.

22. Q. Do you know, from your attending these conferences and hearing the discussions, whether or not the War Plans Division kept a current estimate of the situation, so far as the Japanese situation was concerned?

A. I believe they did.

23. Q. Commencing with the Executive Order which was issued in the latter part of July, 1941, the subject matter of which dealt with freezing Japanese assets in the United States, do you know, from your many contacts, what the repercussions were in Japan as a result of the issuance of this order?

A. None other than there was a bitter press campaign in the Japanese press against the United States.

24. Q. In your capacity as the Director of the Central Division and because of your many contacts with the Chief of Naval Operations in these morning conferences which you have discussed, do you feel that the Chief of Naval Operations was supplied currently with information on developments in Japan about this time?

A. I believe he was.

25. Q. Do you have any knowledge of what the current Navy Department estimate was of the effect of this order on United States-Japanese relations?

A. I know of no specific estimate having been made. There may have been one. Naturally, the Navy Department knew the freezing order was not helpful to United States-Japanese relations.

[199] 26. Q. I show you Exhibit 9, which is a letter from the Secretary of the Navy to the Secretary of War, dated January 24, 1941, which deals with matters of security and defenses in the Pearl Harbor area. I will ask you to glance at this letter and state whether or not you have any recollection that the general subject matter of this letter was brought to the knowledge of the State Department?

A. Insofar as I know, it was never brought to the attention of the State Department, and I did not see the letter until after December 7, 1941.

27. Q. From your liaison duties with the State Department, do you or do you not feel that the State Department was kept reasonably well informed on the Navy Department's estimate of the situation, so far as developments with the Japanese Government were concerned?

A. I think that they were reasonably well informed, yes.

28. Q. And do you have any idea of whether the State Department was informed currently on matters relating to the capacity of the U. S. Navy to cope with the situations as they were developing?

A. It is difficult to answer that question, because when you state the Navy Department, I do not know who was speaking on behalf of the Navy Department. I imagine Secretary Knox would be the one to express the point of view of the Navy Department.

29. Q. As liaison officer, did you transmit any such information to the State Department that you can remember?

A. I cannot remember specifically, but I attempted to keep them informed, naturally, on how we viewed the various steps that were being taken, and on occasions we were asked specifically to obtain the views of other people, including the War Plans Division.

30. Q. I show you Exhibit 13, which is the Chief of Naval Operations dispatch of October 16, 1941. I ask you to look at the dispatch and tell the court if you remember having seen the draft of the dispatch prior to its transmission or prior to its being released by the Chief of Naval Operations?

A. I don't remember having seen it prior to transmission to the Chief of Naval Operations. I may have.

31. Q. Do you have any knowledge of the source of information on which this dispatch was based?

A. No. I imagine it is an estimate of taking into consideration what was known as to the character of the members of the new Japanese cabinet.

32. Q. Do you know in what office of the Chief of Naval Operations this dispatch was prepared?

A. No. I presume it was prepared in the War Plans Division.

[200] 33. Q. Were you present at any discussion of this dispatch before it was released?

A. Not that I remember.

34. Q. From your liaison duties in the State Department, can you recall any expression of opinion by the officials with whom you dealt over there as to what their views on this cabinet shift were?

A. As I remember, there were varying views of the members of the Far Eastern Division of the State Department concerning the exact significance of this shift in the cabinet. I believe the con-

census of opinion was that this shift did not tend to put in power a cabinet which was committed to closer relations with the United States but that it did not necessarily mean that a cabinet was coming into power which was committed to either getting in agreement with the United States or going to war.

35. Q. Would you say, then, Admiral, that the State Department's views were different in that respect from those expressed by the Chief of Naval Operations in his dispatch?

A. I believe that the Navy Department's view of the meaning of the shift in cabinet was that it was an indication of a more serious situation than the State Department viewed.

36. Q. I show you Exhibit 15, which is the Chief of Naval Operations dispatch of November 24, 1941, and ask you to refresh your memory. Do you know if the State Department had any information that this dispatch had been sent?

A. No, I do not know.

37. Q. So far as you can remember, you had nothing to do, in your duties as liaison officer, with acquainting the State Department of the fact that this dispatch had been sent?

A. No.

38. Q. Do you know, from your contacts with officials in the State Department, whether or not they did have information of this dispatch having been sent?

A. I cannot remember, but I believe at this date that this reflected the State Department's views.

39. Q. Adverting to the first sentence of this dispatch, which I read: "Chances of favorable outcome of negotiations with Japan very doubtful." Do you know, from your discussions with officials in the State Department, whether or not they expressed this view or some other?

A. They expressed that view.

40. Q. I show you Exhibit 17, which is a dispatch from the Chief of Naval Operations, dated 27 November 1941. Did you in the performance of your duties as liaison officer acquaint the State Department with the fact that this message had been sent by the Chief of Naval Operations?

A. About the 1st of December I informed Mr. Hull that [201] a war warning had been sent. I did not clear the message with the State Department and did not, so far as I can remember, inform them on the 27th, the 28th, and the 29th of November that this message had been sent. The occasion when I informed the State Department, as I remember, was on the Tuesday, Wednesday, or Thursday preceding Pearl Harbor. Mr. Hull phoned me and stated something to this effect: "I know you Navy fellows are always ahead of me, but I have done everything I can with these Japs, and they are liable to break loose and bite anyone." On this occasion I assured him that a war warning had been sent. I did not see the war warning as worded, although I had knowledge that such message had been sent some time later.

41. Q. In your contacts with officials in the State Department did you obtain any information as to the views of that department on this clause, which I quote: "Negotiations with Japan looking toward stabilization of conditions in the Pacific have ceased"?

A. I can't remember any specific conversation, but I believe that was Mr. Hull's belief that, so far as any effective negotiations or hope of successful outcome of any other negotiations was concerned—that they had ceased.

42. Q.—Did you in your duties as liaison officer communicate any such information as you have just stated to the Chief of Naval Operations?

A. I believe I did.

43. Q. I again quote from Exhibit 17: "An aggressive move by Japan is expected within the next few days." Can you tell me, Admiral, whether or not that estimate of the situation was one held by the State Department?

A. I cannot remember what the view was held by the State Department, but I believe they were informed of Japanese troop movements, etc., and that they held the view that an aggressive move by the Japanese was expected. Whether they believed it was an aggressive move against the United States or not, I cannot say.

44. Q. Do you recall having attended any conferences with relation to the subject matter of this dispatch prior to its release by the Chief of Naval Operations?

A. No.

45. Q. Can you tell the court when you first became acquainted with the fact that this dispatch had been sent?

A. I believe I knew that such a dispatch had been sent on the day of its dispatch, but I did not see the dispatch prior to its release.

[202] 46. Q. With reference to the estimate of the situation which I have just read: "An aggressive move by Japan is expected within the next few days," do you know whether or not that was the estimate of any division of the office of the Chief of Naval Operations?

A. Undoubtedly, the estimates made by the War Plans Division.

47. Q. Do you know, from your attendance at any conferences, whether or not this was the view of the Chief of Naval Operations at that time?

A. I believe it was, yes.

48. Q. Upon what do you base that belief, Admiral?

A. There were numerous conferences, etc., at which the situation was discussed, and, undoubtedly, such a message would not be released without the concurrence of the Chief of Naval Operations.

49. Q. I show you Exhibit 20, which is a dispatch from the Chief of Naval Operations under date of December 3, 1941. Do you have any knowledge of the source of the information contained in this dispatch relative to the instructions that were sent Japanese diplomatic and consular offices with reference to the destruction of their codes and ciphers and the burning of all confidential and secret documents?

A. No, I do not know the source of the information.

50. Q. Do you know whether or not about December 3, 1941, the State Department had been informed of the subject matter of Exhibit 20, which you have just read?

A. I cannot state positively, but I am pretty sure that they were informed of the contents of that message.

51. Q. Can you remember whether or not you had any discussions yourself with the officials in the State Department on the subject matter set out in this dispatch?

A. I cannot remember specifically, but I do remember in the week or ten days preceding Pearl Harbor I was at the State Department, sometimes as often as three times a day, and such a matter would be given to them verbally, and we did make every attempt to keep them fully informed of any such development, so that I am sure they were informed.

52. Q. Did you yourself attach any significance to the directive contained in this dispatch relative to Japanese diplomatic and consular posts, and if you did, what was it?

A. That war was increasingly close.

53. Q. About this time of December 3, 1941, and during these discussions can you recall having heard any officials in the State Department in a responsible position with whom [203] you were dealing express any opinion as to the state of the negotiations between the United States and the Japanese Government, which had been going on for some time previous?

A. Yes, Mr. Hull in the latter part of November and the first few days of December several times expressed himself as believing that the outcome of the negotiations was to be unsuccessful and that the negotiations were nearing an end and deadlock.

54. Q. Can you remember, from any conversations you had with these officials of importance in the State Department at that time, whether they stated their views that negotiations had stopped or ceased entirely?

A. Not that I remember that they had completely ceased, although I believe their general feeling was that any hope of successful negotiations had ceased.

55. Q. Are you trying to state to this court that while there may have been some discussions, it was the view of the State Department that the end must inevitably be that they would not be successful?

A. That is correct.

56. Q. Can you recall if you did or did not keep the Chief of Naval Operations informed on these matters currently as they transpired?

A. I kept him informed currently as the negotiations were going forth, and on return from various meetings from the State Department, I either sent in a memorandum to him as to what occurred or reported favorably to him what had transpired.

57. Q. I show you Exhibit 21, which is a dispatch from the Chief of Naval Operations, dated 4 December 1941. Can you recall whether or not officials in the State Department knew about the direction to the naval station at Guam to destroy all secret and confidential papers and certain other classified matter?

A. I am pretty sure that I would have informed the State Department of the contents of that message. I cannot specifically remember, because there were so many meetings and so many contacts, but I do remember that we tried to keep them informed as to what we were doing.

58. Q. Did you have any knowledge of the subject matter in this dispatch prior to its having been released for transmission?

A. No. I did know that such a message was being sent.

59. Q. Do you know of any special situation which existed on December 4, 1941, that might have caused such a directive to the naval station at Guam to destroy its secret and confidential publications?

A. No, I don't know the exact estimate that was based on, but I presume that about this time Japanese planes were flying over Guam, against which we were protesting, and we had [204] various troop movements, and there may be other information which led the Director of Naval Intelligence to send this message.

60. Q. As you can recall the situation existing between November 27, 1941, and December 6 of the same year, can you state whether or not this information was that imminence of war was more critical on the 6th of December than it had been on the 27th of November?

A. As I remember the situation, the Navy Department believed that a break with Japan—at least, a rupture of relations was drawing increasingly close with the passage of time.

61. Q. Do I interpret your answer correctly, Admiral, by saying that relations between the Japanese and the United States had become worse between November 27 and December 6, 1941?

A. Either that they had become worse, or, at least, the Navy Department and State Department believed that they had become worse.

62. Q. There is evidence before this court that on the morning of December 7, 1941, the Chief of Naval Operations received information concerning a directive to the Japanese Ambassador in Washington that he was to present what amounted to an ultimatum at one o'clock Washington time. Did you have any knowledge of this subject matter on the morning of December 7, 1941?

A. I knew that they were to present a note at one o'clock to the Secretary of State.

63. Q. Did you have information before it was presented as to what might be contained in the note?

The witness stated that he hesitated to answer the question on the ground that it would involve the disclosure of information detrimental to the public interest and that he claimed his privilege against revealing state secrets.

The court directed the witness to answer the question.

A. The general tenor, yes.

64. Q. Can you recall whether or not the tenor of that information was to the effect that the Japanese diplomats would present the matter in the nature of an ultimatum at one o'clock Washington time on December 7, 1941?

A. As subsequently proved by the public note, it was an ultimatum or in the nature of an ultimatum.

65. Q. What I am trying to find out, Admiral, is just exactly what your information was which was contained in this note that the Japanese Ambassador was to deliver at one o'clock?

[205] The witness stated that he hesitated to answer the question on the ground that it would involve the disclosure of information detrimental to the public interest and that he claimed his privilege against revealing state secrets.

The judge advocate replied.

The court stated that the witness's claim for privilege was honored and that he need not answer the question.

66. Q. Can you recall any contact with the Chief of Naval Operations, Admiral Stark, on the morning of December 7, 1941, with relation to any information which was in the Navy Department deal-

ing with negotiations between the Japanese Government and the United States?

A. Yes, I was in Admiral Stark's office on the morning of December 7. I had received information that the Japanese Ambassadors, Kurusu and Nomura, had requested an appointment with the Secretary of State for one o'clock, I believe, at which time they were to present a reply to our note of November 26; and while there General Marshall 'phoned Admiral Stark, and as I remember it, although I did not listen in, but to one end of the conversation, I believe Admiral Stark, after he laid down the 'phone, related the substance of General Marshall's conversation. As I remember it, in substance, it was, "I have a hunch that the Japanese have something timed with the delivery of the note, and I propose to send a message to the forces in the field, stressing the necessity for an alert." The question of the Japanese asking for an appointment for Sunday afternoon was discussed to some degree, as it was quite unusual and out of the known routine of the foreign service.

67. Q. At about what time did this discussion take place which you have just related, Admiral?

A. I cannot accurately place the time, but I would say it was probably about 10:30.

68. Q. Was the Army Chief of Staff, General Marshall, present with Admiral Stark at this conversation?

A. No, he was not present with Admiral Stark. It was a telephone conversation, of which I heard one end, and Admiral Stark, in effect, related the other end after laying down the 'phone.

69. Q. Can you recall what Admiral Stark did about it?

A. Admiral Stark concurred in the dispatch of the other message by General Marshall.

70. Q. In your capacity as liaison officer with the State Department, did you, after overhearing this discussion between Admiral Stark and the Army Chief of Staff, have occasion to tell the State Department the subject thereof?

A. No.

Frank M. Sickles, yeoman first class, U. S. Naval Reserve, reporter, entered. Frederick T. Lachat, yeoman first class, U. S. Naval Reserve, reporter, withdrew.

[206] 71. Do you know whether or not anybody in the Navy Department told the State Department about this matter prior to 1:00 o'clock on 7 December 1941?

A. Well, I certainly did not. I was here in the Department till noon and left and was back around shortly after the messages began to come in that Pearl Harbor was being attacked, and I am sure that the State Department was informed of that conversation.

72. Q. Between Admiral Stark and General Marshall?

A. No, the State Department was not informed of the conversation between General Marshall and Admiral Stark.

73. Q. Now you have stated that there was a conversation between Admiral Stark and General Marshall on the morning of 7 December 1941, during which General Marshall communicated certain information to the Chief of Naval Operations. You have stated that you knew in substance what General Marshall had some communicated, because Admiral Stark had repeated it to you in substance after he

put down the telephone. Now do you know whether or not Admiral Stark had information of a similar nature to that presented by General Marshall at the time of the telephone conversation that you have just related?

A. Admiral Stark knew that the Japanese had requested an appointment with the Secretary of State for 1:00 o'clock, for delivery of a note. Whether or not he had the same hunch that General Marshall had, I do not know.

The court then, at 12:40 p. m., took a recess until 1:45 p. m., at which time it reconvened.

[207] Present:

All the members, the judge advocate and his counsel, the parties to the inquiry and their counsel.

No witnesses not otherwise connected with the inquiry were present.

Frank L. Middleton, yeoman second class, U. S. Naval Reserve, reporter, entered. Frank Murrell Sickles, yeoman first class, U. S. Naval Reserve, reporter, withdrew.

R. E. Schuirmann, Rear Admiral, U. S. Navy, the witness under examination when the recess was taken, entered. He was warned that the oath previously taken was still binding.

Cross-examined by the interested party, Admiral Harold R. Stark, U. S. Navy:

74. Q. Admiral, you testified this morning as to numerous conferences you had with State Department people and as to numerous trips that you made to the State Department, and conversations that took place at that time. Was the seeking out of these conferences and the leg work involved largely yours on behalf of the Navy Department?

A. Yes.

75. Q. It was largely a Navy Department initiative, rather than an initiative of the Department of State?

A. Well, the leg work was done by the Navy Department; I mean, as far as personal contact with Mr. Hull was concerned. Whether he asked me to come over to go over the results of these meetings after they were held—I am now referring to conversations with Kurusu and Nomura—or whether I asked him to come over, I don't know, but there was a general agreement on it. There was no appointment made; it was more or less a custom that grew up.

76. Q. But in order to get the information that you got, you went to the State Department, usually, to get it?

A. Yes. At times, we used the telephone, but somebody had to go to get the information and we never made any issue as to whether I went over there.

77. Q. Did I understand you to say this morning that in connection with the information that was secured from various sources by both the Navy and the State Department, that Secretary Hull commented at one point that the Navy seemed always to be ahead of us?

A. Well, yes, I think that remark of Secretary Hull's was more or less to say, "Well, I apologize for making this suggestion" which he, in effect did. If it was time to send out some message, I took it, and that was just a polite way of apologizing for making a suggestion which he thought primarily was of Navy Department concern.

[208] The interested party, Admiral Harold R. Stark, U. S. Navy, stated that he had no further questions of this witness.

Cross-examined by the interested party, Rear Admiral Husband E. Kimmel, U. S. Navy (Ret) :

78. Q. In your capacity as liaison officer with the State Department, I understood you to testify this morning, Admiral, that you felt during the fall of 1941 you had thorough and complete information as to the Far Eastern situation from Naval Intelligence?

A. Yes.

79. Q. And by that did you mean that you felt that you had, and were told all the intelligence information they had concerning that area?

A. I don't believe that I followed every detailed report that came in on that area because that was too large, but I felt that I was cognizant of their estimate of how they felt about the situation.

80. Q. How did you get that information, Admiral?

A. Well, there was no form of memoranda that were exchanged, but I talked to the directors of Naval Intelligence, or heard them talk, and I talked to McCallum at various times, but there was no set routine whereby I would deliver certain information every time it came in, or the reports.

81. Q. If their information was in written form, did you see the written form in which they had it?

A. No, I don't believe I did see written estimates, although I may have. My memory is not clear on it.

82. Q. I am referring more to the original written sources of their information, rather than estimates or conclusions that they formed from it.

A. No, I didn't follow the original sources from which their information was derived, original reports.

83. Q. Did you have access to those?

A. If I desired them; there was no attempt to bar me from them. I made no particular attempt to look at them.

84. Q. Do you recall learning from the Office of Naval Intelligence on or about the 15th of October of Japan's plans and intentions for the conquest of southeastern Asia?

A. I don't remember that report, no.

[209] 85. Q. Well, do you remember any information at or about that time of that character?

A. Not distinctly. There was lots of information. I think most of the information tended to show that Japan intended to expand to the southward through Indo-China, and perhaps Malaysia.

86. Q. Sometime during the month of October, 1941, did you learn from Naval Intelligence that they had information that Japanese Consuls were directing and advising the evacuation of Japanese nationalists from N. E. I., Malaya, the Philippines, Hawaii, America, and Europe?

A. I don't remember the date but I do remember we had information that the Japanese Nationals had been encouraged to get out of certain areas, and I believe that there were some—I am not exact on this point, but I believe that there was some question of whether an exchange or repatriation ship should go into Panama at the time. Of course, they would require permission from the United States government.

87. Q. Do you recall learning from the Office of Naval Intelligence early in November that the internal situation in Japan, both political and economic, primarily as a result of the American embargo and freezing orders, had become so desperate that the Japanese government had determined to distract popular attention, either by a foreign war or a definite diplomatic victory?

A. I don't recollect it, no.

88. Q. You have no memory of anything of that character?

A. No.

(NOTE: Question No. 89 and the answer thereto, numbered Page 209-A, has, by direction of the court, been extracted from the record and deposited with the Secretary of the Navy. This action was taken in the interest of national security and the successful prosecution of the war.)

90. Were you getting information from any sources other than Naval Intelligence and the State Department concerning the Far Eastern situation? I am not going to ask you what the sources are. Or were there other sources?

A. Yes, there were other sources.

91. Q. Were those other sources within the Navy Department?

A. Yes.

92. Q. Can you tell us the Navy Department division whence that information emanated?

A. From the Communications Division.

[210] 93. Q. Would you get that information, Admiral, through Naval Intelligence, or from some other source directly? Would you get it via Naval Intelligence, or otherwise?

A. I would get it via Naval Intelligence.

94. Q. So that the immediate contacts, as far as you were concerned, were Naval Intelligence?

A. Yes.

95. Q. Well, then, is it correct to say that so far as the Navy Department information is concerned, your source was Naval Intelligence?

A. That is right.

96. Q. Regardless of whence they may have gotten it?

A. Yes.

97. Q. You got it through Naval Intelligence?

A. Yes.

The following pages, Nos. 210-A, 211, 212 and 212-A have, by direction of the court, been extracted from the record and deposited with the Secretary of the Navy. This action was taken in the interest of national security and the successful prosecution of the war.

[213] 108. Q. Coming down to Sunday, December 7th: When did you come to your office?

A. Between 9:00 and 9:30, as I remember.

109. Q. When you reached the office, did you receive the information about which we have been talking with Admiral Stark?

A. With Admiral Stark, yes.

110. Q. It was available to you?

A. I received information that the Japanese were going to present a note, and requested an appointment with the Secretary of State for 1:00 o'clock to deliver a note.

111. Q. And that was available to you immediately upon your arrival at your office, between 9:00 and 9:30?

A. Practically immediately.

112. Q. Do you know when that information was received in the Navy Department?

A. No.

113. Q. Could you ascertain that fact from records now available to you?

A. I do not believe so. If I could, the records which would be available to me to substantiate the fact, I would object to discussing it on the grounds of national security.

114. Q. I am only asking the time of the availability of that in the Department.

A. In the Department? Well, that is correct, I received the message; it was available to me at 9:30. The only records which I know of which would substantiate it would be objectionable on the grounds of national security, to establish the date or the time when that information was first available in the Department.

115. Q. Bear in mind, I am not asking to see the records; I am merely asking if from your examination of the records now you could establish the time when that was available to the Navy Department?

A. I don't know, but probably so.

[214] 116. Q. And would the disclosure to this court of the time of availability in the Navy Department, in your opinion, violate the national security?

A. Yes.

117. Q. Do you recall any conversation on Sunday morning, 7 December, with those with whom you talked, as to when that information had been available in the Navy Department?

The court announced that it would object to any further questions on that subject, on the grounds that the witness has stated that to answer them would be a violation of state secrets; and that the war effort, not as of December 7, 1941 but as of today would be endangered.

The interested party, Rear Admiral Husband E. Kimmel, U. S. Navy (Ret), stated as follows: May I state what I understand to be the court's ruling, and I certainly intend to abide by it: That because of the statement of the witness as to the current national security I am forbidden from asking any more questions concerning the receipt of the message about which he has testified that he had on Sunday morning.

The court announced that that was correct.

118. Q. We will refer to your conversation with Admiral Stark. Please fix as precisely as you can—and I appreciate much allowance has got to be made for the passage of two years and a half—when you first saw Admiral Stark on Sunday morning?

A. I believe it was about 10:00 o'clock.

119. Q. Might it have been later? Might it have been an hour later?

A. I think about 10:00 o'clock as near as I can remember.

120. Q. Do you recall who was with Admiral Stark—strike that. Where did you confer with Admiral Stark?

A. In his office.

121. Q. In his personal office?

A. That is right.

122. Q. Who was with Admiral Stark when you first went into his room?

A. As I remember, I and possibly Commander Wellborn were the only two there, but I'm not sure that there was anybody other than myself there when I first went in.

123. Q. How long did you stay in Admiral Stark's office in conference with him?

A. I think I was there probably upward of an hour, or close to an hour. There were various people coming in and going out.

[215] 124. Q. Can you recall who those other people were coming in and going out?

A. I believe Captain Turner, Captain Wilkinson, Admiral Ingersoll, are the only three I can remember at this time.

125. Q. While you were in there, was additional information brought in to Admiral Stark concerning this Japanese situation?

A. None that I remember, no.

[216] 126. Q. You testified this morning that sometime during that conversation there was a telephone call to or from General Marshall?

A. From General Marshall, yes.

127. Q. That was from General Marshall?

A. Yes.

128. Q. How long after you first went into Admiral Stark's office was the telephone call from General Marshall?

A. I should judge thirty to forty-five minutes.

129. Q. It would be between 10:30 and 11:00?

A. That is correct, 10:30.

130. Q. Did you have any conversation, or did you overhear any conversation between Admiral Stark relative to the sending of the message by the Navy Department to Admiral Kimmel?

A. No.

131. Q. There was no mention of that in your presence?

A. None that I remember.

132. Q. You told us this morning that you left the Navy Department; what time was that?

A. 12:00 o'clock.

133. Q. You went home to dinner?

A. Yes.

134. Q. Do you know Commander McCallum?

A. Yes.

135. Q. What was his position at that time?

A. I believe he was in charge of part of a section of Naval Intelligence.

136. Q. During the week preceding 7 December, did you attend any conferences with Admiral Stark and Commander McCullum?

A. None that I remember, no. I don't remember of any conference at which McCallum was present with Admiral Stark, that I was also present.

137. Q. Do you recall if Admiral Brainard was present Sunday morning at the conference with Admiral Stark?

A. I am not positive, but I believe he was, that he did come in some time that morning.

138. Q. Did you personally talk to Admiral Stark, or were you present when it was discussed with Admiral Stark, any time during the week preceding 7 December, the question of sending any additional messages to Admiral Kimmel—additional to what had been sent?

A. No.

[217] 139. Q. That wouldn't come within the field of your activity?

A. No, it would not.

The interested party, Admiral Claude C. Bloch, U. S. Navy, did not desire to cross-examine this witness.

The court was cleared.

The court was opened and all parties to the inquiry entered.

Examined by the court:

140. Q. Admiral, were negotiations continuing between the Japanese representatives and the State Department between 27 November and 7 December 1941?

A. I think that depends on how you define negotiations.

141. Q. Well, change that—were discussions continuing?

A. Discussions, I believe, were continuing to the extent that there were certain points being cleared up; for instance, what Tojo had said in a speech and various other points, but they were awaiting a reply to the note that was delivered on November 26, which reply was delivered, I believe, on December 7.

142. Q. During this time, 27 November to 7 December, did you make daily reports and keep Admiral Stark conversant with these discussions you speak of at the State Department.

A. To the best of my knowledge I believe I did.

143. Q. Were you familiar with the note of November 26, which this government delivered, as we understand, to the Japanese Government?

A. I am perfectly familiar with the note to which you refer, and I have done my best to recollect whether or not I was furnished a copy of that for delivery to the Navy Department prior to its dispatch, but I cannot state that I did; and to the best of my recollection, I did not.

144. Q. Did you consider at that time that this note of 26 November was an ultimatum to Japan?

A. To all intents and purposes, yes. The terms of the note were such that there was no hope in anybody's mind—at least nobody with whom I discussed the question in the Navy Department—that the Japanese would or could under the circumstances agree to the terms of the note.

145. Q. Did you inform Admiral Stark as to this note, or did you discuss it with him?

A. I did not, specifically, no.

146. Q. On Sunday morning, December 7, while you were [218] discussing matters which have been brought out in this testimony, with Admiral Stark, did any question arise as to the importance of phoning or any communication direct from the Navy Department to Admiral Kimmel?

A. I remember of none. I believe that Admiral Stark, after receipt of the telephone call from General Marshall in which General Marshall said that he would send the dispatch, felt that it would take care of Admiral Kimmel on its arrival in Pearl Harbor.

None of the parties to the inquiry desired further to examine this witness.

The court informed the witness that he was privileged to make any further statement covering anything relating to the subject matter of the inquiry which he thought should be a matter of record in connection therewith, which had not been fully brought out by the previous questioning.

The witness stated that he had nothing further to say.

The witness was duly warned and withdrew.

The court then, at 2:45 p. m., adjourned until 10:15 a. m., Monday, August 14, 1944.

PROCEEDINGS OF NAVY COURT OF INQUIRY

MONDAY, AUGUST 14, 1944.

[219]

NINTH DAY

NAVY DEPARTMENT,
Washington, D. C.

The court met at 10:15 a. m.

Present:

Admiral Orin G. Murfin, U. S. Navy (Ret), President.

Admiral Edward C. Kalbfus, U. S. Navy (Ret), Member.

Vice Admiral Adolphus Andrews, U. S. Navy (Ret), Member.

Commander Harold Bieseimer, U. S. Navy, Judge Advocate, and his counsel.

Frank Murrell Sickles, yeoman first class, U. S. Naval Reserve, reporter.

Counsel for Admiral Harold R. Stark, U. S. Navy, interested party.

Admiral Claude C. Bloch, U. S. Navy (Ret), interested party, and his counsel.

Rear Admiral Husband E. Kimmel, U. S. Navy (Ret), interested party, and his counsel.

The record of the proceedings of the eighth day of the inquiry was read and approved.

No witnesses not otherwise connected with the inquiry were present.

A witness called by the judge advocate entered, was duly sworn, and was informed of the subject matter of the inquiry.

The witness, Lieutenant General Walter C. Short, U. S. Army (Ret), informed the court that he had an interest in the subject matter of the inquiry, and requested that he be permitted to have counsel present.

The court announced that the request of Lieutenant General Walter C. Short, U. S. Army (Ret), was granted, and informed him of his rights as interested party.

Lieutenant General Walter C. Short, U. S. Army (Ret), examined the precept, stated that he did not object to any member of the court, and with the permission of the court, introduced Brigadier General T. H. Green, U. S. Army, as his counsel.

[220] Examined by the judge advocate:

1. Q. Will you please state your name, rank, and present status, General Short?

A. Major General Walter C. Short, U. S. Army (Ret).

2. Q. What was your station and duty on 7 December 1941?

A. I was commanding the Hawaiian Department. I was stationed at Fort Shafter, Territory of Hawaii.

3. Q. When did you assume that duty?

A. February 7, or it might be carried on the War Department's records as the 8th. The War Department records will show February 7 or 8, 1941.

4. Q. When were you relieved of this duty?

A. December 16, 1941.

5. Q. I show you a document which is marked Exhibit 6 before this court for identification, and it is entitled Joint Army and Navy Action 1935. Generally, speaking, are you familiar with the provisions of this document?

A. I am generally familiar with it.

6. Q. I show you page five of this document, under paragraph nine, the general subject matter of determination of methods of coordination, and ask you, had unity of command been placed in effect in the Hawaiian area prior to 7 December 1941?

A. It had not.

7. Q. So far as you were concerned, had any consideration been given to placing unity of command in effect under the provision that it might be done by the commanders of local forces?

A. As long as I had communication with the War Department, I would have not considered it without consulting them.

8. Q. Under Chapter Two, Article 9, subsection b. (3), what officer did you deal with as Commander of Naval Forces in the Hawaiian area?

A. I dealt with two officers; primarily, on routine matters, with Admiral Bloch, the Commandant of the 14th Naval District, and on matters of immediate importance with Admiral Kimmel, with Admiral Block usually present—the three of us in the discussion.

9. Q. In matters affecting the defenses of Pearl Harbor, what officer in the Navy, in the Hawaiian area, did you usually have dealings with?

A. The same reply pertains. When it was routine I dealt with Admiral Bloch. When it got beyond routine I usually dealt with both Admiral Bloch and Admiral Kimmel together. [221]

10. Q. Was it the practice in the Hawaiian area to hold conferences on military matters affecting the defenses of Pearl Harbor?

A. We had no stated time set for holding conferences, but whenever Admiral Kimmel or I either got anything of prime importance from the Navy or War Department, we practically always had a personal conference.

11. Q. How would you describe the relations between yourself and the Commander-in-Chief Pacific Fleet—as cordial, strained, cooperative, or what language would you use?

A. I would say that they were extremely friendly, cordial, and cooperative. We were on a very friendly basis personally, as well as officially. We played golf together about every other Sunday, and the Sundays we didn't play golf, very frequently Admiral Kimmel dropped in to see me in the morning; because his family was away he came to my quarters more than I went to his.

12. Q. I show you a document marked Exhibit 7 before this court of inquiry, which purports to be JCD-42. If you recognize this document, will you state what it is?

A. The full name of the document is "Joint Coastal Frontier Defense Plan, Hawaiian Coastal Frontier," and that is the way we usually designated it, rather than leaving out the word "frontier."

13. Q. Again adverting to Exhibit 6, Joint Action of the Army and Navy, and referring to Article 19-D, thereof—

A. "B" or "D"?

14. Q. D. I ask you if exhibit 7, that you have just identified, is the plan made in accordance with that article?

A. It is.

15. Q. By whom was this document, JCD-42, prepared?

A. By the Commanding General, Hawaiian Department, and the Commandant of the 14th Naval District.

16. Q. On what date was it promulgated?

A. 25th of April, 1941, is the date that it—probably the date of the amendment rather than the original document. I think it was probably a 1939 document and had been amended.

17. Q. I ask you to read Article 21 of JCD-42.

A. Reading:

This agreement to take effect at once and to remain effective until notice in writing by either party of its renouncement, in part or in whole, or until disapproved in part or in whole by either the War or the Navy Department. This HCF-41 (JCD-42) supersedes HCF-39 (JCD-13) except [222] that the Annexes Nos. I to VII of latter remain effective and constitute Annexes I to VII, inclusive, of this plan. (Signed) WALTER C. SHORT, Lieutenant General, U. S. Army, Commanding Hawaiian Department; C. C. BLOCH, Rear Admiral, U. S. Navy, Commandant, Fourteenth Naval District.

18. Q. According to Article 12 of this same Exhibit, what category of defense was in effect?

A. Mutual cooperation—category "D".

19. Q. Now was the whole Exhibit, this JCD-42, in effect on 7 December 1941?

A. Yes, sir, before that date it had been amended, so that the amendment would be included in it.

20. Q. Adverting to this same Exhibit, would you please read Article 14?

A. Reading:

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.

21. Q. Adverting to Article 17 of JCD-42, which states that the Commanding General of the Hawaiian Department shall provide for the beach and land, seacoast and anti-aircraft defenses of OAHU, with particular attention to the Pearl Harbor Naval Base, will you please state in general terms what provisions had been made to carry out the Army's undertaking in this respect prior to 7 December 1941?

A. The Army had provided proper defenses—harbor defenses, anti-aircraft defense, aircraft defenses, communications, and aircraft warning service. I say in general terms that would be the answer.

22. Q. On 7 December 1941, would you state what your opinion was as to whether the dispositions that had been made were adequate to meet the Army's undertaking under this section.

A. I am not sure that I know just what you mean by that—whether the dispositions would be provided for in our plans or whether the dispositions we were actually occupying at the minute.

23. Q. I shall rephrase my question. Will you state what your opinion was on about 7 December 1941 as to whether the [223] Army had adequately provided the materiel and

the personnel to carry out the requirements of Article 17, section a., that I read you in my question a moment ago?

A. The materiel of the harbor defense, on the average, yes, as pertaining to the harbor defenses proper. As pertaining to the anti-aircraft, there was a shortage of allotted guns, I think of twelve 3-inch anti-aircraft guns. There was a shortage of the 37-millimeter; we had 20 out of 140. In the 50-calibre guns, we had 180 out of, I think, 345, so there was a shortage of equipment that had been allocated that we were trying to get; and when it came to the personnel, there was a decided shortage of personnel in the Coast Artillery, which resulted in practically all our organizations having two assignments. They had to man harbor defense guns and anti-aircraft, and if you had gotten both kinds of attack at the same time, it would have been impossible to man all the equipment. If you got one attack at a time, there was sufficient personnel to man the equipment. That covers, I think, the harbor defenses. On the question of the air force, we had nothing like enough to carry out our mission properly. We had made a study, had it written; we felt we should have 180 B-17s for long-distance reconnaissance and for bombers. We actually had 12, and only 6 of them in commission. We required approximately 200 pursuit planes. We had, I think, something like 105 P-40s, and 80 of them were in commission, but the others could have been put in commission fairly soon. On the anti-aircraft warning service, we had a program approved and funds allocated for the construction of six fixed stations and six mobile stations. Originally, the program had called for only three fixed stations and had been increased some time along in perhaps September or October, I don't remember the date, from three to six. None of the fixed stations on Oahu were to be placed at as great an altitude as 10,000 feet, and on the other islands at the highest suitable point we could get, which we hoped would give us 200 miles effective radius. None of those were in action. The parts had not all been received; certain articles, cable and material of that kind, were essential before we could construct the station, and it had not been received, so no fixed stations were operating. The six mobile stations were in condition to operate and were all stationed on the Island of Oahu. I believe that about covers the points.

[224] Frank L. Middleton, yeoman second class, U. S. Naval Reserve, reporter, entered. Frank Murrell Sickles, yeoman first class, U. S. Naval Reserve, reporter, withdrew.

24. Q. Adverting to your answer with reference to anti-aircraft guns in the Pearl Harbor area. Had you made any estimate of the number of anti-aircraft guns, together with their calibre, which you considered adequate for the defense of this base against an aircraft attack?

A. In addition to what had been allocated there, we were supposed to have twenty-four, 90-millimeter guns, fixed at the time the allocation was made, and we had felt that with the exception of Kaneohe Bay—the Army had not assumed the responsibility for the defense of Kaneohe Bay then—that the equipment, if we got it all, would be fairly satisfactory. Shortly after I got there, I strongly recommended to the War Department that the Hawaiian Department assume the responsibility for the defense of Kaneohe Bay because it was like shutting your front door and leaving your back door open if you

didn't. We asked for a garrison for Kaneohe Bay which had never been approved up to that time because they said no approval would be given until after the limit of the strength of the Hawaiian garrison was lifted, which was placed then at 59,000, and we had asked them to raise it to 71,500 so that we could provide some additional personnel for Coast Artillery, Engineers, Air Corps, and a garrison for Kaneohe Bay.

25. Q. Do you consider, General, that if you had gotten all the 90-millimeter guns that were allocated to you, that you would or would not have still been short of anti-aircraft fire to defend Oahu?

A. We could have done pretty well, disregarding Kaneohe Bay, and the allocation, when it was made, did not include Kaneohe Bay.

26. Q. Do you consider that 90-millimeter guns are effective against high-altitude bombers?

A. Probably not as effective as your 5-inch, but they were the most effective thing the Army had.

27. Q. Now, adverting to your aircraft warning service. You have told us what some of the technical equipment was that you had. What was the status of training of personnel in your aircraft warning service?

A. They were not expert by any means. We started our training, I think, about the last of October or the first of November, when we really got enough of our equipment to begin training our men. As the first step in our training, we had earlier sent 15 men to sea with the Navy to learn something of the operation of the naval radar before we got any of our equipment. Our operators had [225] gotten to the point where they were fairly satisfactory. As I say, the whole thing was new. The Army had just recently gone into it and they were by no means expert but had been working hard at it for at least a month, a little more than a month, and could be counted on to do fairly satisfactory work.

28. Q. What communication facilities did you have between this aircraft warning service and the Commandant, 14th Naval District?

A. We had several types of communication with the Commandant of the 14th Naval District. We had commercial telephones and we had a very fine cable system, Army cable system, that looped the island and went into, I think, your switchboard of the 14th Naval District. I don't think it went to a direct line to the Commandant. We also had messenger service by plane from the headquarters of the Department, these small messenger planes to Hickam Field, which was right alongside of Pearl Harbor, that we could use in case other signals went out. We had in operation, in addition to radar, about a hundred lookout stations throughout the island, and the Navy had some signal stations that they based on the island at various places and quartered with the Army troops, and they had communications with their own naval crew.

29. Q. You have mentioned something to the effect that there were about 100 lookouts. What were those lookouts?

A. Those were regular Coast Artillery stations with communications and everything of that kind. They served as a combination for spotting ships, or they would have spotted planes if they were visible.

30. Q. As a general statement, where were these lookouts stationed?

A. They were pretty much on the high ground around the whole island.

31. Q. Of Oahu?

A. Of Oahu.

32. Q. What sort of communication did they have?

A. They were tied in with the cable that circled the island so they had instant communication, practically.

33. Q. Were these lookouts continuously on watch day and night?

A. They were not. They would have been if we had considered the situation such as to go on that type of alert.

[226] 34. Q. The point I would like to have you answer is whether these lookouts were or were not stationed on the morning of 7 December 1941?

A. They were not because they were not alerted for aircraft attack or for attack by a landing force, or an all-out attack.

35. Q. But you did have provision for that in your plans?

A. Our plans were very complete for that and we had lots of training in it, and if we had been on Alert No. 2 instead of Alert No. 1—

36. Q. Do you consider that your personnel were adequately trained to fulfill those duties?

A. They were.

37. Q. Was your aircraft warning service in direct communication with the Commander-in-Chief of the Pacific Fleet? You have said that it was in communication with the Commandant of the 14th Naval District.

A. I think we were connected with the switchboard at Pearl Harbor, and it would be the naval communication through the switchboard to the Commander of the Fleet.

38. Q. Did the Navy have a liaison officer, or any other personnel, assigned to the aircraft warning service?

A. I will have to answer that a little fully. On August 5, 1941, I wrote a letter to Admiral Kimmel pointing out the desirability of a naval liaison officer, and I think it was the 24th day of November that Lieutenant Burr—who was the naval liaison officer in G-3—was requested to set up liaison offices with the Navy because we were then working enough of these services that it was desirable to have it. I don't know whether they had actually reported on December 7th, or not. I thought they had. I thought they were actually working daily from November 24th to December 7th. I don't believe that I personally visited the anti-aircraft warning information room between the hours of 4:00 and 7:00. I visited it two or three times during that period but not between the prescribed hours and I can't say whether there was a naval officer there on duty, or not, when I visited it, or whether there was a naval officer on duty daily between November 24th and December 7th.

39. Q. In your testimony as regards the aircraft warning service, I don't recall that you mentioned anything concerning sound detectors. Did you have any such materiel?

A. We had sound detectors. We felt that as soon as our radar was operating 100 per cent that the sound detectors would have little value and I don't think we were manning them when we look at the shortage of the [227] personnel because they were so much less valuable than the radar, as long as the radar was working.

40. Q. Then am I to understand that your position is this: That you had some sound detectors—

A. We had some sound detectors and we were using some of them because we didn't have the radars where we were sure of them at that time. We didn't have our fixed stations on December 7th. For that reason, the sound detectors were still valuable on account of the height of the mountains. We might have gotten them when they were close to the mountains, where we wouldn't have gotten them with the mobile stations.

41. Q. Do I understand you to say that these sound detectors were not in use on the morning of 7 December 1941?

A. They definitely were not because the command was not alerted that way.

42. Q. Was there any organization in the Island of Oahu for civilian aircraft squadrons or lookouts?

A. There was not. May I add there, that the limited terrain of the island was such that plotting by an individual was of very little value because the distance was so short, before the report could be made the aircraft would be upon us and considering that, we had not organized civilian lookouts.

43. Q. Had you ever considered the practicability or the desirability of having an aircraft patrol organized?

A. I didn't think that the aircraft patrol would be of any value for anything but submarines, considering the distance that we were supposed to go out. As far as air went, it would have been of no value.

44. Q. Would you give the court an opinion of the efficacy of the aircraft warning service as you had it set up; not as it was operated but as it was set up on the morning of 7 December 1941, to perform the functions for which an aircraft warning service would be provided?

A. Those mobile sets were supposed to be effective about 75 to 100 miles. Actually, under favorable conditions one morning, one set picked up enemy planes at 132 miles. There was one great handicap: They were not at sufficient height when the enemy planes came in and apparently turned to the east of the Koolau mountain range, and they lost them because of the intervening body of mountains. Now with the higher one, if we had had the one fixed station on Kaala in operation it might not have lost them.

45. Q. As I understand it, the Commanding General of the Hawaiian Department was responsible for the defense of Pearl Harbor? Is that correct?

A. Supported by the naval forces.

[228] 46. Q. Supported by the Naval forces. What support, in general, would be included in that statement?

A. If the enemy tried to make a landing, we had even hoped that the Navy might stop that by themselves before he got near there. As to anti-aircraft, we had certain Marine organizations that functioned in our net. There were certain naval guns ashore that functioned with our anti-aircraft. Also any planes of the Marines or anti-aircraft planes that had been sent ashore because their carrier was in port or anything—all of those things would have been able to give us support. And then one of the most important things, of course, was the long-range reconnaissance.

47. Q. If units of the Pacific Fleet were present in Pearl Harbor, would they also be considered?

A. They would be a very valuable addition to the anti-aircraft fire, but we had not carried our coordination to the point where their fire, that is, the anti-aircraft fire from ships, was controlled by our anti-aircraft, before I gained command. We had not carried the coordination to that extent.

48. Q. You have mentioned certain anti-aircraft artillery that was available for the protection of Pearl Harbor. Do you consider that Army pursuit ships should be classed in one of the defenses of Pearl Harbor?

A. Very decidedly.

49. Q. Do you recall what the condition of readiness for combat of your pursuit ships was at 7:55 on the morning of 7 December 1941?

A. We were in the state of routine training at that time, except for the alert against sabotage and the anti-aircraft warning signal.

50. Q. It might be well at this point, General, since we are to speak of conditions of readiness, or alert, I believe, as the Army calls it, to set out for the record what the conditions of alert were according to your plans?

A. We had three types of alert. Alert No. 1 was an alert against sabotage and against internal disorders and uprisings with no threat from without. Alert No. 2 was an alert that included No. 1, all the threats of No. 1, and in addition, a threat of an aircraft attack and surface or submarine attack. Alert No. 3 was all-comprehensive. It included every element of No. 1 and No. 2, and in addition, the danger of hostile landings. I think, in general terms, that that makes it plain.

51. Q. What was the condition of alert at 0755 on the morning of 7 December 1941 as regards the Hawaiian Department? Was it all the same?

A. We were on Alert No. 1; and in addition to Alert No. 1, our aircraft warning service was directed to operate between the hours of 4:00 and 7:00.

[229] 52. Q. Being in condition of Alert No. 1, what would that mean as regards the condition of readiness of your aircraft to commence combat?

A. It was routine training. They were not alerted for combat. They were alerted, I may add, definitely, for the protection of the matériel.

53. Q. Could you give the court an estimate of the time required to get into action from this condition of Alert No. 1?

A. It actually took, that morning, 55 minutes. They were in action at 8:50. The attack struck at 7:55, so it is not theoretical there. That is what it actually took.

Questioned by the court:

54. Q. 55 minutes?

A. 55 minutes.

55. Q. And the attack itself took place at 7:55?

A. At 7:55; and at 8:50 they took off.

Questioned by the judge advocate:

56. Q. Adverting to Article 17 *f.* of Exhibit No. 7, which is JCD-42, it states: "The Commanding General, HAWAIIAN DEPARTMENT, shall provide for *f.* Establishment of an inshore aerial patrol

of the waters of the OAHU D. C. A., in cooperation with the Naval Inshore Patrol, and an aerial observation system on outlying islands, and an Aircraft Warning Service for the HAWAIIAN ISLANDS.'” We have covered the matter of the aircraft warning service. What was the arrangement for the cooperation of the Naval Inshore Patrol?

A. We had one reconnaissance squadron of 6 planes stationed at Belows Field, and all of this training was along reconnaissance lines and was carried out in such a way as to constitute a patrol during the training period. A great deal of our pursuit training also was taking place at such a place that they did perform a certain amount of reconnaissance.

57. Q. Well, under your system of Alert No. 1, did you or did you not have this in operation?

A. We definitely did not.

58. Q. Did you have these aircraft armed at the time, and supplied with ammunition?

A. There was one squadron receiving machine gun training at Haleiwa that did have ammunition right adjacent to their planes. They were able to put it in in very short order.

[230] 59. Q. Adverting to Paragraph (g) of this same exhibit: “The Commanding General of the Hawaiian Department will provide for the support of naval aircraft forces and major offensive operations at sea conducted in conjunction with Army bombers.” You have previously testified as to the number and types of planes that you had available, and the number that were in operating status on the morning of 7 December 1941. Am I to assume that these planes that you had at this time were available for cooperation with the Navy had they been requested?

A. Yes, sir, the cooperation was automatic. If it was requested they were sent immediately, and if an emergency like an attack took place, they didn't wait for a request; they reported for instructions.

60. Q. In other words, am I to understand that you had plans that provided for just such a contingency?

A. We did. I may add there, that when we sent them to the Navy they went under the direct orders of the Navy, they were assigned missions by the Navy, and operated just as much under the Navy as if they had been Navy planes.

Questioned by the court:

61. Q. These are the long-range bombers; is that right?

A. Yes, sir. We had the same provision that if it became necessary to furnish pursuit planes at ranges where they could operate, to assist in any naval attack over the sea of any Navy vessels, they went under the Navy command in the same way.

Questioned by the judge advocate:

62. Q. Can you recall, General, the maximum radius of operation of the planes that you had available for support with the Navy?

A. The B-17s, I think, fully equipped, were good for 24- or 2500 miles; I think that's about right, round-trip.

63. Q. Round trip?

A. Round trip.

64. Q. Then that would be a radius of about what?

A. About 1,200 miles. I think that is correct, if they carried bomb loads.

65. Q. And just as a matter of having this in the record at this point, would you please repeat the number of such planes you had available, and then state how many were in operating condition on the morning of 7 December 1941?

A. We had 12 B-17s; 6 of them were in commission. The other 6 had been stripped of parts in order to keep our ferrying of planes to the Philippines going. Now, we [231] had some other planes that were all right for short distances. We had 10 A-20s. They were modern planes, and 9 of those were in commission. We had, I think, approximately 50, B-18s, an obsolete plane. Twenty-four of those were in commission but they would have been death traps if they had been sent against a modern plane.

66. Q. Adverting to Article 17 (h) of JCD-24, which provided that the Commanding General of the Hawaiian Department shall provide personnel and Army communication facilities to harbor control post provided for in Article 18 (c). Was such a harbor control post established to your knowledge?

A. It was. We had habitually, daily, one lieutenant colonel and one sergeant. When we carried on exercises we had a detail of 3 officers so they could operate 24 hours a day. We had cable lines in there. We were required to furnish, when we carried on exercises or in case of an emergency or attack, certain telephone operators, certain teletype machines, and a clerical force for the use of these officers who were with the control post. The control post was operated under naval command.

67. Q. Do you know what its condition of readiness or alert was at 0755 on the morning of December 7, 1941?

A. I do not. It is my understanding that the Navy operated the post 24 hours a day. We had an officer there for the purpose of keeping the constant training going only eight hours a day. Whether he was there at that minute, I don't recall personally.

68. Q. Adverting to Article 17 (i) of this same document, JCD-42, "The Commanding General shall provide for a system of land communications in conjunction with the Navy for the prompt transmittal and interchange of hostile intelligence." Will you please state what this system of land communications with the Navy was in Oahu on 7 December, 1941. Is it something which you have already described, or is it different?

A. No, it is slightly different. They, of course, had the ordinary telephone communication for communication by commercial wire, or by the Army cable, but in addition to that, we had a teletype circuit, a complete circuit that connected ONI, G-2, and FBI so that there was instant communication between the two. It worked both ways.

69. Q. What facilities did the Navy provide in this system?

A. I frankly don't know whether the Army provided that teletype circuit, or the Navy. I think the Army provided them but I couldn't be sure, but they were there.

70. Q. Was there a unity of command in carrying out the functions of this system?

A. There was not.

[252] 71. Q. Adverting to Article 17 (j) of JCD-42, which sets out that the Commanding General shall provide for an intelligence

service which shall gather, evaluate, and distribute Army and Navy information of activity of enemy aliens in the Hawaiian Islands. Was such a service functioning during the period October 16, 1941 to December 7, 1941?

A. It was. We had, in addition to the ordinary G-3 personnel, we had personnel of the Civilian Intelligence Corps. They operated sometimes as undercover men. They had an office immediately adjacent to the FBI, and I believe that Naval Intelligence had an office at the same place, the Norfolk Building downtown; not on the post. They were used constantly on activities of that kind. As to counter-espionage, however, the Army was responsible only in its own organizations. The Navy was supposed to be only a naval establishment, and the FBI would cover the civilians, the civilian aliens, and citizens who were suspects. However, I believe that the FBI had never fully taken over those duties from the Naval Intelligence; that the Naval intelligence had been requested to continue their work until FBI was able to take it over fully, and I don't recall that that had ever happened. I think that the ONI still had the main responsibility on counter-espionage.

72. Q. You have mentioned a Naval Intelligence service. Was there any liaison or connection between the Army Intelligence service and the Naval Intelligence service?

A. There was constant touch; undoubtedly many communications each day.

73. Q. Now, the information that the Army Intelligence system collected: Was that available to the Navy constantly?

A. That was available not only to the Navy but the FBI. Anything that anyone of the three services got was available to the other two, and they worked very close together.

74. Q. What was the frequency of reports made by this intelligence service of the Army?

A. We didn't make any routine, daily report that came in at a certain time. It was a question of getting in touch on a particular case at any time, and I think it would be safe to say that they made several reports a day on the average.

75. Q. Adverting to the period 16 October 1941 and 7 December of the same year: Can you recall any items of importance that were reported by this intelligence service?

A. There were two things in particular. There may have been a good many more but two that made enough impression that I remember. One was a conversation between a man named Mori in Honolulu and some party in Japan that I think took place on the 6th and was reported to me about 7:00 o'clock on the 6th.

76. Q. Of what month, sir?

A. Of December. The other was a report of burning of papers in the Japanese Consulate. I think that took [233] place either on the 6th or the 5th. The report was made on the 6th.

77. Q. Do you know whether or not the Navy received this information?

A. When I received this information about the message from Mori, it was given to me by our contact officer, Colonel Bicknell, given to G-2 and me at the same time, and I asked specifically whether the Navy had information that had come from FBI, and I was informed

that it was turned over to Naval Intelligence at the same time it was turned over to our G-2, to our contact officer.

78. Q. What was that conversation?

A. I couldn't describe it exactly. There were several pages of conversation that went on back and forth for sometime. They talked about the weather. They talked about whether there was much activity around Honolulu in the way of ships. The man said, "Well, there wasn't as many as there was a year ago." They talked about the air activity, asked what the feeling of the Americans were toward the Japanese-American population, and they were told that as far as the old-timers went, there was apparently no prejudice; that the newcomers, when they first got out there, they were likely to be decidedly prejudiced but in a short time they accepted the situation the same as the old-timers. It was a good deal in detail. That, in a general way, covers the scope of the thing.

79. Q. Do you have any present knowledge of where copies of this might be obtained?

A. I believe there is a copy of that in the Roberts Report. I think there is a copy in the Roberts Report.

80. Q. Adverting to Article 18 (a) of JCD-42, which states, "The Commandant of the 14th Naval District shall provide for an inshore patrol." What is your recollection as to what the Navy was doing in this respect between 16 October and 7 December, 1941?

A. I don't know in detail. I am sure that they had one because it happened that there were some submarine scares, and I think they trailed what they thought was submarines and sometimes they were not sure whether it was a submarine or a whale. I believe Admiral Kimmel will bear me out in that. They did have both there during the keeping of the lookout.

81. Q. Adverting to Article 18 (b) of JCD-42, "The Commandant 14th Naval District shall provide for offshore patrol." During the period 6 October to 7 December, 1941, do you have any knowledge of what the Navy was doing as regards providing and conducting an offshore patrol?

A. I don't know the exact details of any coast offshore patrol like 150 or 200 miles, which they provided for, but I did have pretty constant information of the task forces that were sent out all the time and did the patrolling, which I considered was very much more important than closer in.

[234] Frederick T. Lachat, yeoman first class, U. S. Naval Reserve, reporter, entered. Frank L. Middleton, yeoman second class, U. S. Naval Reserve, reporter, withdrew.

82. Q. In Article 18 (e) of JCD-42 the Commandant of the 14th Naval District was to provide for harbor patrol posts for Pearl Harbor and Honolulu Harbor. Do you have any knowledge of whether this was done?

A. Yes, sir, that was provided, and we had personnel operating then.

83. Q. Adverting to paragraph 18 (h) of JCD-42, do you have any knowledge of what the Commandant of the 14th Naval District was doing with respect to sweeping channels immediately prior to December 7, 1941?

A. I know that there was a certain amount of channel sweeping, because I happen to remember that the standing order was such that whenever any important elements of the Fleet went in and out of the harbor, they were preceded by mine sweepers. That is just recollection from talking over their plans with them, and I couldn't give any details.

84. Q. General, I invite your attention to Article 18 (i) of JCD-42, which provides that the Navy shall furnish distance reconnaissance. Do you know whether or not before December 7, 1941, there was any plan for effecting this reconnaissance?

A. There was, and exercises had been carried out. It had been functioning.

85. Q. Was the Army a cooperating body in this plan?

A. It was.

86. Q. What is your recollection as to what officer was primarily responsible under the plan for distance reconnaissance?

A. In the actual carrying out of the details, Admiral Bellinger and General Martin worked together.

87. Q. General, I show you Exhibit 23, which is in evidence for identification before this court of inquiry, and advert to Annex 7. I ask you if you recognize what that is?

A. I do. That is a plan for the joint air operations of the 14th Naval District and of the Hawaiian Department.

88. Q. Is this the plan which was in effect on the morning of December 7, 1941?

A. It went into effect on March 21, 1941, and continued in effect as long as I was commander of the department.

89. Q. You mentioned some time ago drills which were held in the matter of distance reconnaissance with the Navy. Can you give the court some idea of the frequency of those drills and the extent thereof, say, between October 16, 1941, and December 7 of the same year?

A. We had air exercises not less than once a week. Now, whether during that period we had the long-range bombers [235] working with them I'm not sure, because there was a time when we had to suspend the exercises as far as B-17's were concerned in order to get ferry teams ready to take the ships to the Philippines. I don't know the date that happened, but we were having constant air exercises with the Navy.

90. Q. In your opinion, the drills which were held were sufficient in time and character to indoctrinate personnel properly?

A. They were.

91. Q. I believe you have testified—and I ask you to correct me if I am wrong—that on the morning of December 7, 1941, the condition of alert for the whole command, which included aircraft, was alert No. 1?

A. That is correct.

92. Q. Do you know what the corresponding condition of readiness or alert was in the naval establishment at the same time?

A. I think that they were definitely alerted for antisabotage, and I know, from talking with Admiral Kimmel and Admiral Bloch, that they had increased their reconnaissance where the task forces were operating. I don't know definitely just what reconnaissance was sent out independent of the task forces.

93. Q. Can you tell us, General, whether or not Army and Navy aircraft under this plan were, on the morning of December 7, 1941, operating under the provision of mutual coordination or the other provision, unity of command?

A. Mutual cooperation.

94. Q. Then, did the condition of alert in the Army necessarily have any corresponding relationship to a condition of readiness or alert with naval craft? In other words, were they independent in this respect?

A. They were independent, but we used exactly the same letters and numbers to describe their condition of readiness in regard to matériel and personnel, so they were speaking the same language.

95. Q. In other words, when speaking of the condition of readiness or alert, so far as aircraft were concerned, if the condition were prescribed as condition 1 or alert No. 1, it meant the same thing, so far as naval aircraft were concerned, as it did for the Army?

A. The letters meant the same percentage of craft to be ready, and the numbers meant the same number of minutes required to get them in the air. You will find that in the plans signed by Bellinger and Martin.

[236] 96. Q. Adverting to Exhibit 23, which I showed you a moment ago and which is this joint agreement for the employment of Army and Navy aircraft, I ask you to read the next to the last sentence of Article 1.

A. (Reading:) "These agreements are to take effect at once and will remain effective until notice in writing by either party of the renouncement in whole or in part."

97. Q. Adverting to this same exhibit, I will ask you to read Section 2, paragraph 2 for the record.

A. (Reading:)

When the Commanding General of the Hawaiian Department and the Naval Base Defense Officer (Commandant of the 14th Naval District) agree that the threat of a hostile raid or attack is sufficiently imminent to warrant such action, each commander will take such preliminary steps as are necessary to make available without delay to the other such proportion of the air forces at its disposal as the circumstances warrant in order that joint operations may be conducted in accordance with the following plan.

98. Q. Article 18, sub-paragraph "I", which is JCD-42, states that the Commandant, 14th Naval District shall provide for distance reconnaissance. Was there a plan in effect or do you know of any plan that the Commandant of the 14th Naval District had provided for distance reconnaissance?

A. I don't know the details of his plan. I know that it was his responsibility, and he had full authority to call on me for planes when he did not consider that he had a sufficient number ready. I think, in any case, his reconnaissance would change so constantly that if I had known one day what he was doing, I would not necessarily have known the next.

99. Q. For the purposes of the record, General, I am going to ask you to read from Exhibit 23, Section II (c) and (d).

A. (Reading:)

(c) When naval forces are insufficient for long distance patrol and search operations and Army aircraft are made available, these aircraft will be under the tactical control of the naval commander directing the search operations.

(d) In the special instances in which Army pursuit protection is requested for the protection of friendly surface ships, the force assigned for this mission will pass to the tactical control of the Navy until completion of the mission.

100. Q. General, I show you Exhibit 9, which is a copy of a letter from the Secretary of the Navy to the Secretary of War, dated January 24, 1941. I am going to ask you to take your time and to look over this letter. Then, I shall ask you a few questions about it.

[237] The court then, at 11:45 a. m., took a recess until 11:50 a. m., at which time it reconvened.

Present: All the members, the judge advocate and his counsel, the interested parties and their counsel, except Admiral Harold R. Stark, U. S. Navy, whose counsel were present. Frederick T. Lachat, yeoman first class, U. S. Naval Reserve, reporter.

No witnesses not otherwise connected with the inquiry were present.

Major General Walter C. Short, U. S. Army (Ret), the witness under examination when the recess was taken, resumed his seat as a witness, and was warned that the oath previously taken was still binding.

Examination by the judge advocate (Continued:)

101. Q. Since you have inspected this exhibit, I ask you to state whether the views expressed on the question of the military defenses of Pearl Harbor had ever, in general, been made to you?

A. They had. A copy of this letter was furnished to me along in February, 1942.

102. Q. Will you tell the court whether or not you concurred in the views expressed therein as to the defenses of Pearl Harbor?

A. There are some elements of the letter in which I did not concur. He envisaged the danger, in order of importance, as it were, as a constant, continuing thing. He based air bombing attack first, air torpedo second, sabotage third, submarines fourth, mines fifth, and bombardment by gun fire. I think that would be an ever-changing thing. What was the most important would appear to be what was the most probable, in view of the information you had of the enemy and the information you had from the Navy and War departments, but you could not always say that you would have air bombing as the most important. If your situation was such that it looked like air attack was completely ruled out, sabotage moved up to first priority.

103. Q. Adverting to the proposals of the Navy Department in this exhibit which I have just shown you, wherein the Navy Department suggested certain corrective action, what were your views on the Navy Department's suggestions?

A. I agreed with all the suggestions except as regards smoke and balloon barrages. We convened joint committees on the use of smoke and balloon barrages, and I believe there was a unanimous recommendation that under the conditions prevailing there, they were not practical, that the wind conditions were such to eliminate the use of smoke, that the restricted area was such to make balloon barrages more dangerous to us in the end. The air people in both services were opposed to those two things.

[238] 104. Q. I show you Exhibit 24, which is in evidence before this court and which is the reply of the Secretary of War to the Secretary of the Navy on his letter, which you have just inspected. Did you, prior to December 7, 1941, have the general information that the Secretary of War sets out in his reply here?

A. I did.

105. Q. Between November 27, 1941, and December 7 of the same year did you have anything in your department corresponding to an interceptor command?

A. We had an actual operating interceptor command, which was put in operation by verbal instructions and was not put in as a definite organization with written orders until December 17. I wish to explain that rather fully. It was entirely a service in the Army. We had prescribed conditions when standing operating procedures, and we had sent four officers to school in the States, including General Davidson, the Commander of the Pursuit Wing, and Colonel Powell, who was the Signal Officer of the Department. We wanted to get the latest thought from the War Department before we put out a definite organization on paper. This had been operating from 4 a. m. to 7 a. m. daily from November 27 to December 7, although the actual written order organizing it was not put out until December 17. We were trying to avoid a lot of changes. We wanted to give them a few days to try out what they were doing and get their ideas in a positive statement before we put it in printed form.

106. Q. Do you have any recollection, General, whether there was any liaison between this pursuit organization and the Navy?

A. I think I stated previously that I had requested, in a letter of August 5, liaison officers from the Navy to operate the war-craft warning service, and on November 24, 1941, Lieutenant Burr, who was the liaison officer from the Navy with our G-3 section, had been requested to ask liaison officers. I was under the impression they were present from November 27 to December 7 from four to seven. That is an impression. I did not verify that at any time.

107. Q. How do you spell Lieutenant Burr's name?

A. B-u-r-r.

108. Q. Do you know his initials?

A. I do not.

109. Q. Are you sure he is a naval officer?

A. I'm sure he is a naval officer. Admiral Bloch can probably give you his initials.

[239] 110. Q. We have gone into the question previously of anti-aircraft fire in connection with the defenses of Pearl Harbor, in which there was some reference made as to naval units acting or cooperating with the Army in that regard. Can you tell us whether or not there was any system of anti-aircraft fire coordination for these different units.

A. The marines anti-aircraft organization, and I believe—I may be wrong—there were four naval guns in the vicinity of Pearl Harbor that reported to the Army anti-aircraft commander and took positions from him.

111. Q. Assuming that units of the Pacific Fleet were present in Pearl Harbor, is it my understanding that they were to be used as anti-aircraft guns, supplementing the fixed defenses?

A. They were but not to be under the command of our anti-aircraft commander.

112. Q. I understand that coordination of gun fire between naval units and other units had not been effected.

A. That is, naval units on board ship. That is correct. They selected their own targets.

113. Q. You have previously stated, General, that the condition of alert No. 1 was in effect on the morning of December 7, 1941. Would you please state to the court more fully your reasons for ordering this condition of alert?

A. Alert No. 1, leaving out the question of whether it covered the proposition from the point of view of enemy activity, permitted the units to go ahead with their routine training. We had, especially in the air corps, a very serious training proposition. We had been assigned the mission of ferrying B-17's to the Philippines. We had to furnish all the crews. We had only six B-17's available for training crews. If we went into alert No. 2 or 3, all training of air would stop, and we would not have had the crews ready to carry out the ferrying operations, which the War Department considered very important. I had been in conference with Admiral Kimmel and Admiral Bloch from the morning of November 27 for possibly three hours. I had been given the information of the movements of the Japanese Fleet, and, as I remember, the main movements of the Fleet, outside of the home waters, was to the south or to the Philippines and possibly the Malay Peninsula. Admiral Kimmel during this conference—the conference was primarily for the question of the reinforcement of Wake and Midway by Army air squadrons. Naturally, if we reinforced those, we temporarily reduced our own defenses at Honolulu. We lost that much air, and we did not have much to spare. We talked over the thing from many angles as to the effect of reducing our planes and the danger and so forth, and Admiral Kimmel asked Captain McMorris, who was his operations officer [240] or war plans, what he considered was the probability of enemy aircraft, and he said "none" and there was no disagreement. Nobody in the naval staff or no naval officer present raised the point. Apparently they were following the view, with the information we had and the task forces that they had out, that the Navy did not definitely believe in the probability of an air attack. Also, as I remember the discussion, we knew that battleships were going to be brought into Pearl Harbor, and from discussions with Admiral Kimmel, I knew he felt if there was an air attack, he would get everything in the way of naval ships out of Pearl Harbor. In addition to that, the language of the message that I had received indicated to me that they were more concerned about not alarming the civilian population and not disclosing intent and any number of things, which lead me to believe we were not going to be attacked at Honolulu. Hostilities may have been considered imminent, but there was nothing in the message to indicate that would be the form that hostilities would take. As a matter of fact, I have read General Martin's testimony before the Roberts' Committee. He stated that the attack at Honolulu was a surprise to him, and he considered the main threat was at the Philippines. He looked for disorder and sabotage at Honolulu. Apparently, I got the same idea, from the messages and the actions of the War Department, that he had in mind. There were two other things that would confirm this belief of the War Department very fully. On the 5th of December a B-24 came in to Honolulu, being sent over the Mandate Islands to Manila. It had the mission of photographing Truk and Jaluit. It had one 30-caliber machine gun and two 50-caliber machine guns. That was all the armament it had. We had machine guns which we could have taken and put on it, but we didn't have any adapted to it.

That ship had the strictest kind of orders: It must be ready to fight when it left Honolulu. You could draw the inference that they thought it was perfectly safe up until it reached Honolulu, and the hazard of carrying the additional weight of the guns was greater than meeting the Japanese attack. General Martin prepared a wire to the Chief of the Air Corps, which went over his signature and mine, telling them we were holding up that plane until another B-24 came along with additional equipment and that we would not let this plane go over the Mandate Islands until it was properly equipped and ready to fight. On the night of the 6th and 7th of December there were twelve B-17's sent from Hamilton Field, California. Six of them left at 9:30 Pacific Coast Time, which would be 12:30 a. m. on the 7th in Washington. The other flight of six left at 10:30 p. m., which would have been 1:30 a. m. in Washington. Those planes came into Pearl Harbor. They had no ammunition. The guns were all cosmolined. They had not [241] been boresighted. They had skeleton crews consisting of pilot, co-pilot, navigator, engineer, and radioman; so if they had guns in firing condition and ammunition, they could not have been manned. As late as 1:30 a. m. in the War Department on December 7 they did not believe there was any danger of air attack at Honolulu, or they never would have been so rash as to send planes out in those conditions. Those planes actually came into Honolulu just five minutes behind the first wave of Japanese, and the direction of approach was just three degrees different. The Japanese came in three degrees east and our planes from straight north. The first one hit Hickam Field, and the first pilot was killed. Twelve of those planes were destroyed without being able to fire a shot. They were not equipped. You can only draw one conclusion. Whoever sent them out felt that the hazard of carrying the ammunition was greater than the hazard of a Japanese attack. In other words, he considered that there was no probability of an air attack at Pearl Harbor on the morning of December 7 or the planes would not have been started from Hamilton Field in that condition, as late as they were.

114. Q. Can you recall when you put alert No. 1 into effect in the Hawaiian Department?

A. Within thirty minutes after I got the message on November 27.

115. Q. 1941?

A. 1941.

116. Q. General, I show you Exhibit 19, which is in evidence before this court and which purports to be a message from the Chief of Naval Operations to certain addressees, in which he sets out a message that was sent from the Army to the Commander Western Defense Command. I am going to ask you to inspect this message and see whether or not it contains, in substance—

A. That was not the message I was speaking of. I got this message from Admiral Kimmel—probably personally, but the message I mentioned came from the Chief of Staff to me.

117. Q. That is not the message?

A. That is not the message. That is the message that came to me from Admiral Kimmel. The one I was discussing came from the Chief of Staff.

118. Q. I ask you to refresh your recollection from any notes which you have and to identify to this court the message you speak of on November 27, 1941?

A. (Reading.) "Hawaiian Department, Fort Shafter, 427-27. Negotiations with Japan appear to be terminated, to all practical purposes, with only the barest possibilities that the [242] Japanese Government might come back and offer to continue. Japanese future action unpredictable, but hostile action possible at any moment. If hostilities cannot be avoided, U. S. 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. 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 civil population or disclose intent. Report measures taken. Should hostilities occur, you will carry out the tasks assigned to Rainbow 5, so far as they pertain to Japan. Limit dissemination of this highly secret information to minimum essential officers."

119. Q. General, will you state the originator of the dispatch which was read?

A. The Chief of Staff, U. S. Army.

120. Q. To whom is it addressed?

A. To the Commanding General of the Hawaiian Department, Fort Shafter, T. H.

121. Q. Does the dispatch have a number?

A. It is radiogram 472.

122. Q. General, I now show you Exhibit 19, which purports to be a dispatch from the Chief of Naval Operations, dated the 28th of November. Have you seen the substance of that dispatch?

A. I have seen this.

123. Do you recall, General, whether or not you communicated the fact that you had put into effect alert No. 1 at or about the time you stated you did?

A. When I sent the message, as delivered to Admiral Kimmel, I'm not sure which I did. He was informed, I'm sure, that alert No. 1 had gone into effect.

124. Q. Had you ever had occasion, subsequent to this information being given to Admiral Kimmel, to advise him that alert No. 1 was still in effect?

A. We had conferences on December 1 and December 2, and I'm sure that we talked over pretty much every phase of what we were doing.

Frank M. Sickles, yeoman first class, U. S. Naval Reserves, reporter, entered. Frederick T. Lachat, yeoman first class, U. S. Naval Reserve, reporter, withdrew.

125. Q. It is the judge advocate's understanding then that at those conferences you did advise Admiral Kimmel of the condition of alert which you had in effect?

A. I think he knew exactly what we were doing at the time.

[243] 126. Q. Between the time you put the condition of Alert No. 1 into effect and the attack on Pearl Harbor at 0755 December 7, 1941, did you have any reason for changing this condition of Alert No. 1 to some other condition of alert?

A. I did not. I received no further information from the War Department—I will change that. I received additional information from the War Department that it was off, cautioning me about the carrying out of measures in regard to sabotage, and if the War Depart-

ment's message of November 28 and my reply of November 28 are not in the record, I would like to put them in.

The court then, at 12:30 p. m., took a recess until 1:45 p. m., at which time it reconvened.

Present: All the members, the judge advocate and his counsel: all the interested parties and their counsel, with the exception of Admiral Harold R. Stark, U. S. Navy, interested party, whose counsel were present. Frank M. Sickles, yeoman first class, U. S. Naval Reserve, reporter.

No witnesses not otherwise connected with the inquiry were present.

Major General Walter C. Short, U. S. Army (Ret), the witness under examination when the recess was taken, resumed his seat as a witness, and was warned that the oath previously taken was still binding.

Examination by the judge advocate (Continued:)

[244] 127. Q. General, I believe you read into the record this morning a dispatch which you described as 472, from an officer in the War Department. Did you ever make any reply to this dispatch, and if you did, will you tell the court what it was?

A. That dispatch called for a report of action taken, and in reply to it I sent the following dispatch:

RURD 472 report department alerted to prevent sabotage liaison with Navy (Signed) SHORT.

I want to call attention that the very first thing in this radiogram positively identifies it as in answer to 472, because I say, "Re your radiogram 472." The reason I am calling your attention to that is that General Gerow, who was in charge of the War Plans Division of General Staff, testifying for the Roberts Commission, said he did not connect this with the answer to 472. They had called on me for a reply, and ten days had gone by and they hadn't called on me, and still he didn't identify this as the report of the action taken. They knew exactly for ten days what my action was. I told them as plainly as I could. I was alerted against sabotage, and during that ten days they did not come back and say, "You are doing too much," or "You are doing too little;" and naturally I assumed that they approved of what I was doing. No reason in the world for them not to know what I was doing, because I identified it clearly with the other wire; and I stated before the board that it was the business of his division to identify it, but that some way they just failed to identify it. Now the day after I sent that, on the 27th, I got another radiogram from the War Department that I assume was sent more or less as an answer to this one of mine, because it was sent the following day, the 28th, and on the same subject. Naturally, I thought they were coming back and indicating additional things to me they wanted to do. I received a telegram from Adams, the Adjutant General, which I will read, as follows (reading):

Hawaiian Department Fort Shafter Territory of Hawaii, 482 28 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, 30-45) Stop Also desire that you initiate forthwith all additional measures necessary to provide for protection of your establishments, property, and equipment against sabotage, protection of your personnel against subversive propaganda and protection of all activities against espionage Stop. This does not repeat not mean any illegal measures are authorized Stop. Protective measures should be confined to those essential to security, avoiding un-

necessary publicity and alarm Stop To insure speed of transmission identical telegrams are being sent to all air stations but this does not repeat not effect your responsibility under existing instructions." (Signed) "ADAMS."

You can see when I got that radiogram everything in it was exactly what my alert called for. It never occurred to me that they hadn't considered my reply when I was alerted for sabotage at the time [245] they were writing this, because everything that they emphasized there I had ordered in my alert and it looked like they were thoroughly satisfied with it, but wanted to make out certain other points. They wanted to be sure I didn't violate Territory laws and get in bad with the Government finally, because they wanted me to be sure and commit no illegal acts. In other words, taking this message on top of my reply, it didn't indicate that anybody in the War Department was excited over an air attack or an attack to make a landing, but that they were very much exercised over the sabotage and civil disorders, possible uprisings, and didn't want me to alarm the public. They didn't want me to do any illegal acts, and they wanted me to be sure and carry out everything that was laid down in regard to subversive measures. In other words, it was just emphasizing everything that I had ordered done. Now I sent a reply to that on the same day, I think addressed to the Adjutant General. I sent a dispatch, which I will read, as follows:

The Adjutant General, Washington, D. C. Re your secret radio 482 28 full precautions have been taken against subversive activities within the field of investigative responsibility of War Department (paragraph 3, MID, SC, 30-45) and military establishment including personnel and equipment Stop As regards protection of vital installations outside of military reservations such as power plants telephone exchanges and highway bridges this headquarters by confidential letter dated June 19, 1941, requested the Governor of the Territory to use the broad powers vested in him by section 67 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 lawlessness, invasion, insurrection, etc Stop Pursuant to the authority stated the Governor on June 20 made a formal written demand of this headquarters to furnish and continue to furnish such adequate protection as may be necessary to prevent sabotage, and lawlessness, violence, in connection therewith, being committed against vital installations and structures in the Territory Stop Pursuant to the foregoing request appropriate military protection is now being afforded vital civilian installations Stop In this connection, at the instigation of this headquarters the city and county of Honolulu on June 30, 1941, enacted an ordinance which permits the Commanding General Hawaiian Department 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 interests of national defense Stop. The authority thus given has not yet been exercised Stop Relations with the FBI and all Federal and Territorial officials are and have been cordial and with mutual cooperation has been given on all pertinent matters. (Signed) SHORT.

Now I explain the reasons that I made this request on the Governor and on the Mayor to take these steps. For two years, off and on, they had had sentinels over bridges and electric light plants, water plants, everything of that kind. There was always the danger that a sentinelsolutely unprotected, because we had no legal right to have him there. For that reason I taken the matter up with the Governor months before and got him to make the formal request that we take over this guarding, and then the Military would be fully protected if we did have to kill somebody. We had roads, especially one, running practically over our 16-inch guns, and if the situation got worse we felt

like we would have to close some of those roads and streets, and I wanted to have the legal authority to do that. I had gotten the Mayor of Honolulu to pass this ordinance so that I would have the authority if I needed it. So I was able immediately to report to the War Department that all of the acts I had taken were thoroughly legal because they had been done at the request of the Governor and with the authority of the mayor. Now may I say one more thing? You can see how this message from the Adjutant General, following the other, just convinced me beyond any question that I had the approval of the War Department on my message telling them what I was doing, because there wasn't a word in what came to me the next day indicating that they had not gotten my message or that there was anything that I had directed to be done that they didn't approve of, and I had no further instructions or information from the War Department from this message on the 28th until seven hours after the attack.

128. Q. General, to emphasize one or two little points, I am going to ask you some questions that are very obvious from your answer. One of them is, you did not make any report concerning aircraft reconnaissance that you were conducting at that time, did you?

A. I did not. The long-range reconnaissance, the Chief of Staff had approved that in Annex Number 7, where the Navy assumed the responsibility for it, and I felt sure that this wasn't intended to abrogate that, and I felt that they should know that it was the Navy's responsibility and not mine, and I didn't cover that.

129. Q. And you state that the War Department didn't take any exception to the action that you had taken in making your report to them; is that correct?

A. That is correct.

130. Q. And I understand you to say that in the absence of a reply either of approval or disapproving the action that you had taken, that you assumed that everything you had done met with their approval?

A. Especially in view of that message of the 28th, that pertained fully to everything that I had ordered.

131. Q. When, during the year 1941, did political matters between the United States and the Japanese Government appear to be approaching a critical stage?

A. About July, when they put into effect that Act freezing the Japanese credits.

[247] 132. Q. Had you been supplied with any estimate of the situation as to the effect this order might have on the imminence of war between the United States and Japan, and if you did, what was it?

A. I had a wire from the War Department. I don't remember the exact phraseology of it, but they were afraid that it might have an unfavorable reaction on business interests in Japan and on the Japanese population in Hawaii.

133. Q. Did you, as the Commanding General of the Hawaiian Department, have any personal estimate of the imminence of war as a result of this Executive Order?

A. There was a very noticeable uneasiness on the part of the Japanese population of Hawaii, and I realized that some event might

happen to make the thing very serious; but the whole people for a few days there were pretty restless.

134. Q. After the issuance of this Executive Order, when next did you receive any information that gave you an opportunity to re-estimate the imminence of war between the United States and Japan?

A. I think the next thing I got of any importance was on October 16; a message came to me through the Commander of the Fleet.

135. Q. General, I show you Exhibit 13 which is in evidence before this court, and ask you whether or not the information contained in this Exhibit, which is a dispatch from the Chief of Naval Operations to certain addressees, dated 16 October 1941, and ask you if this is in substance the information you received?

A. That is correct. I received that.

136. Q. Did you make any estimate of the situation relative to the imminence of war between the United States and Japan as a result of having received this information, and if you did, what was it?

A. If you noticed, that message said there was a very strong possibility of war between Russia and Japan, and there was a possibility of war between the British and the United States, and Japan. In other words, their main emphasis there was war between Russia and Japan. That weakened, as far as I was concerned, the probability of immediate war between the United States and Japan, because apparently they had considered the strongest possibility was between Russia and Japan.

137. Q. Having this information in your possession, and having estimated the situation as you did, did you take any action other than that in effect at the time, looking towards alerting or making ready the defenses under your command?

A. We had tightened up all our guards against [248] sabotage, and measures against subversive measures, things of that kind, at the time of the freezing of the Japanese assets, and we had never taken off a great part of those; and I figured when I got that message that we were all right, as far as that message was concerned—and I was probably just a little more watchful.

138. Q. Asking you some specific questions regarding thereto: had the condition of alert for the aircraft warning system been changed?

A. We did not have any stations in operation at that time.

139. Q. Did you change the location of any guns?

A. No, we did not.

140. Q. Now what was the condition of readiness of guns that you had in place at that time, on 16 October 1941?

A. We had guards. We didn't have quite as strong guards, so they didn't amount to a skeleton crew, that we had later.

141. Q. Were there any special orders given as to changing the condition of alert, so far as aircraft went?

A. There was none.

142. Q. There is a point we would like to have cleared up with reference to some testimony that is before the court. I draw your attention to page 39 of Exhibit 6, which is the Joint Action of Army and Navy 1935—and refer you to page 39, Article d. The sentence that I am inquiring about is, "Long-range air reconnaissance will be

provided and plans made for the use of the General Headquarters Air Force." Would you explain to this court what General Headquarters Air Force is?

A. Well, the General Headquarters Air Force is an air force that, in the theater of operations, operates directly under the Headquarters—like you would say there are certain bombing commands undoubtedly at the present time operating directly under General Eisenhower's orders that are not attached to the armies in France or Italy; probably operating out of England and directly on his order. That is what we consider G. H. Q. Air Force.

143. Q. May I ask you, General, what were the plans for the use of G. H. Q. Air Force in your Department?

A. We had nothing that we called a G. H. Q. Air Force. The area there was so limited that every plane operated directly under the Headquarters, Hawaiian Department. None of it was parceled out to anybody, so if you considered anything as G. H. Q. Air Force, it would be every plane in the Department.

144. Q. Was there any provision made for getting planes [249] of the G. H. Q. from the continent to the Hawaiian Department?

A. We had asked for planes, for increases, and we had not asked for them to go into G. H. Q. Air Force. We had asked for a very considerable increase and been told that the decision on it wouldn't be made until the limit of 59,000 for the Hawaiian Garrison was lifted.

145. Q. Am I to understand that there may have been some planes in the General Headquarters Air Force—?

A. In this book they may intend, here, to refer to G. H. Q. Air Force in the United States. It is really hard to say how they mean that.

146. Q. In other words, from having read that article, you wouldn't be able to tell the court whether the G. H. Q. Air Force to which this article refers means planes that might be available in the Hawaiian area or whether they were planes that might be available on the continent for being sent to Hawaii?

A. I would say this, that with the distance from Hawaii to the United States, it would have been impracticable to operate the planes in Hawaii that were controlled by G. H. Q. in the United States. The distance is so great they couldn't have operated. If they had been going to give us reinforcements, they undoubtedly would have been going to us outright and not sent to carry out missions and return.

147. Q. Between 16 October 1941 and 24 November the same year, did your estimate of the intentions of the Japanese military toward the United States change because of any information you received?

A. I received nothing to cause me to make a re-estimate from the 16th of October until the 27th of November.

148. Q. You said you received nothing?

A. Nothing.

149. Q. I show you Exhibit 15, which is in evidence before this court. It is Chief of Naval Operations dispatch of 24 November 1941—and I will ask you to read it and state whether or not you had received from any source information of a similar nature as is contained in this dispatch.

A. I do not remember receiving this message at that time. I do not think it was received at my headquarters.

150. Q. Do you recall if, between 24 and 27 November of 1941 you had had any request made on you by Naval authorities for the use of Army planes, and long-range reconnaissance?

A. I had not.

151. Q. And as you say, you had no information upon which to make any advice to the Navy during the same period of time?

A. That's right.

[250] 152. Q. Adverting to dispatch 472, which you read into the record this morning, did you make any re-estimate of the situation based on the information contained in that dispatch?

A. I looked over that very carefully and talked the matter over with my Chief of Staff, and considered all the things they put in there, before I decided to order Alert Number 1. I considered it all fully, and considered it in the light of conversations that I had had with Admiral Kimmel's Headquarters that morning.

153. Q. Was the decision that you made based upon this estimate?

A. My estimate was that there wasn't a danger of any immediate air attack, and that our real dangers were from sabotage, disorders, or possible uprising.

154. Q. I believe you said this morning that you put Alert Number 1 into effect at that time?

A. That's correct.

155. Q. This was one of the decisions you made?

A. That was the decision I made.

156. Q. And the only one?

A. That covered it—and I turned out the aircraft warning service from 4:00 a. m. to 7:00 a. m.

157. Q. Other than this changing the alert and the putting into effect of your aircraft warning system between 4:00 and 7:00 in the morning, did you make any changes in your antiaircraft defense of Pearl Harbor?

A. I don't think that they found it necessary to move a single gun. We did this: There was a skeleton crew based at all these guns, and there were small arms ammunition in the immediate vicinity of the guns, the small arms guns—and except for four batteries there of 3-inch guns, in all other cases there was ammunition not more than 75 or at most 100 yards away, and in most cases considerably less than that. We didn't bring it out of the casemate, but we had it where it was available, I say, in three to five minutes.

158. Q. And there had been no change in the condition of alert for aircraft, either reconnaissance or pursuit?

A. Except tightening up on the guarding of the aircraft—more vigilant than we had been at any time.

159. Q. Have you any recollection that the Naval authorities requested you for any assistance in the way of long-range reconnaissance after 27 November 1941?

A. They did not.

160. Q. Can you recall whether or not there had been a discussion between you and the appropriate Naval Commanders as to [251] the advisability of establishing a long-range reconnaissance after 27 November 1941?

A. We had conferences on the 1st and 2nd and 3rd of December. While it was primarily in reference to the relief of the Marine garri-

sons at Wake and Midway and Canton, by the Army, it just naturally drifted into every phase of it, you might say—of the defense of Honolulu. These were long conferences, two or three hours on the 1st and 3rd, and a shorter time on the 2nd.

161. Q. Did I understand from your previous testimony, General, that you testified that the primary responsibility for the defense of Oahu lay in the Army?

A. Supported by the Navy.

162. Q. Can you recall from plans, orders, or agreements what the responsibility of the Commandant, 14th Naval District, was in the matter of defense of Pearl Harbor?

A. I'd say in the beginning, the distant reconnaissance, to get the information. The question of meeting the enemy at sea, if they attempted to land, would come under the Fleet Commander rather than the 14th District. I think that, as I remember, the 14th District would have had the function of employing anything that was strictly ashore, like their anti-aircraft guns that they probably operated, and instruments of that kind; but Admiral Bloch or Admiral Kimmel could tell you much more definitely than I could about that. Of course, we had harbor control posts, things of that kind, working with the 14th District.

(NOTE: Question No. 163 and the answer thereto, numbered Page 251-A, has, by direction of the court, been extracted from the record and deposited with the Secretary of the Navy. This action was taken in the interest of national security and the successful prosecution of the war.)

164. Q. I will ask you, General Short, if you can read into the record the dispatch you received on 7 December?

A. (Reading:)

To Hawaiian Department Fort Shafter Territory of Hawaii 529 7 Japanese are presenting at one pm 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 Marshall.

That message was filed at 12:18 p. m., the 7th, in Washington, signed by General Marshall, 6:48 Honolulu time. It was sent by the RCA. It was not sent by the War Department Radio. Apparently the War Department Radio was fading out that morning. I know it was true. We were having difficulty getting in connection with Washington from Hawaii that morn [252] ing; and it was sent by RCA. It arrived in the RCA, Honolulu, at 7:33. It was delivered to the Signal Officer at 11:45 a. m. Now I don't know the reason for the delay, but in all probability the messenger may have got caught in the attack and gone back and waited until the attack was over, which was about 11:45 it was delivered. It was decoded by the Signal Officer and delivered to the Adjutant General of the Hawaiian Department at 2:58 p. m. That was the first information we had of it. No, it wasn't the first information we had, because sometime between 8:30 and 9:00, I told my Chief of Staff to call General Marshall and inform him that we were being attacked. When General Marshall was informed that we were being attacked, the first thing he said was, "Did you get my message?" Colonel Phillips called him over the scrambler telephone. The Chief of Staff replied, "We have had no message from Washington

this morning." Then this came in later in the afternoon; and then, on the 9th, we got a message—I don't know whether it was signed by Marshall or by the Adjutant General, requesting us to state the exact time this message was received in Honolulu, when it was delivered to the Signal Officer, when they finished decoding, and when it was delivered, and to what Staff officer at Department Headquarters. That is the history of the message. Now if that message had been put through by scrambler phone, like my Chief of Staff called the Chief of Staff to report the attack, nine chances out of ten it would have been received by me ten or fifteen minutes after he wrote it, without any loss of time for in-coding, transmission, and decoding. Now in all probability we would have had two hours, which would have been plenty of time to warm up planes, disperse the pursuit planes, send the bombing planes to the other island, and have every man at his post. We could have been ready for practically anything. If they had, it would have come through in plenty of time; and I felt like that Washington considered that there was a direct probability of an air attack, and we had a right to expect the shortest possible time in notification. General Marshall was asked before the Roberts Board why he did not use the scrambler phone, and he replied that he wasn't sure of the secrecy, that there was some doubt as to just how secret the phone is, that it had to cross the Pacific and might have been intercepted; and if he had been going to phone it, he would have phoned it to Manila first, because that was where he considered the greatest threat. That is in the General's testimony before the Roberts Commission. You will have it in Volume I of the Roberts Report.

165. Q. The point I would like to have you make clear to the board is this, General, at exactly what time did this message that you speak of as coming from General Marshall first arrive in the hands of anybody connected with your Command?

A. 11:45 a. m., it got to the Signal Officer, but had not been decoded.

[253] Examined by the court:

166. Q. Honolulu time?

A. Honolulu time.

Examination by the judge advocate (Continued):

167. Q. Now there is evidence before this court in considerable quantity, and you have given some yourself, that there was actually an attack made by the Japanese on Pearl Harbor at about 0755 on December 7, 1941. When were you first informed of this attack?

A. When the first bomb exploded, I heard it. My first thought was that the Navy was having some exercises that I had forgotten about. Then another one exploded in a minute or two, and I ran out my back door, which gave me a view of Pearl Harbor, and I could see the smoke, and things didn't look right. Just at that time, I think, my Chief of Staff, who lived next to me, ran over and called and said, "It's the real thing. I have just had word from Wheeler Field and Hickam Field that we are being attacked."

Frank L. Middleton, yeoman second class, U. S. Naval Reserve, reporter, entered. Frank M. Sickles, yeoman first class, reporter, withdrew.

[254] Q. At the time of this attack, I believe you have previously testified that the condition of alert was No. 1. Is that correct?

A. That is correct.

169. Q. You have recited in a few words some of the things that happened when the Japanese attacked. Will you state in general also what the Hawaiian Department did to repel the attack immediately after 0755?

A. As soon as this report was made to me I immediately said, "Go into Alert No. 3", which is an all-out defense. In other words, since we had been surprised by an air attack, I felt that we might even be surprised by an attempted landing and I ordered Alert No. 3 rather than No. 2. The minute the attack struck, all of the anti-aircraft, on their own, replied to the enemy fire and we brought down planes as early as 8:05 and there was one brought down at Fort Kamehameha that might have been brought down a little sooner than that. And at 8:15 a plane had been brought down at Schofield. As soon as the alert struck, most of the pursuit pilots—they were sleeping in their quarters at Wheeler Field and their planes were 7 miles north at Haleiwa, that is, one squadron—jumped in their car and raced to Haleiwa as soon as they could, and when they got there the officer who was in charge there, and the men, were arming the planes with ammunition, and that squadron, I think practically all from that squadron—there may have been a few planes able to take off from Wheeler Field, I'm not positive, but most of those were involved in burning and explosions on the runways and I am inclined to believe that the first group of planes all were from Haleiwa, and they brought down 10 enemy planes. The anti-aircraft continued to fire as targets offered themselves, and they brought down somewhere between 19 and 28. G-2 figured that there were not less than 29 verified planes, and possibly 38, with some duplications that we couldn't be sure about. Shall I go ahead with what happened to the enemy?

170. Q. I think that will give us a general idea.

A. I might show the whole picture. The infantry divisions immediately fell in by 8:10. In the 24th Division they had engaged enemy planes by small arms fire. At 8:30 they were moving into battle positions. The same way with the 25th Division. All the anti-aircraft got their 3-inch ammunition immediately. There were 4 batteries that didn't have ammunition at hand. The first one started throwing its ammunition at 8:15 and they had all finished by 10:00 a. m. In the infantry divisions, one of them was in battle position complete at 4:00 o'clock and the other at 5:00 o'clock with one day of fire. The second day of fire was gone that night. The department headquarters, we had an advanced command post in the crater and we started moving there and I think [255] we opened that command post perhaps along about 8:35, and I left the Chief of Staff and the Supply at headquarters and I went there with the G-2 and G-3 sections.

171. Q. You mentioned your first intimation of an attack around 0755 on the morning of 7 December 1941 as being an explosion that you heard.

A. That is right.

172. Q. Had you had any information of any other enemy activity in the Hawaiian area shortly before this time?

A. I had not.

173. Q. You had no information on a submarine being present in the vicinity of Pearl Harbor?

A. I heard about that later, but I think it was the next day. It could possibly have been that afternoon but I did not know at the time. Also, later that afternoon, as I said before, we got a submarine off of Bellows Field. We got a rope around it and towed it in.

174. Q. General, I am going to show you Exhibit No. 20, which is in evidence before this court. It is a naval dispatch from the Chief of Naval Operations to certain addressees, among them being the Commander-in-Chief of the Pacific Fleet and has to do with information that had been received concerning the destruction of Japanese diplomatic and consular codes in certain areas. Will you read the dispatch to yourself and then state to the court whether or not you had that information prior to 7 December, 1941?

A. I am quite sure that I did not.

175. Q. I show you Exhibit 21, which is a naval dispatch from the Chief of Naval Operations to the Naval Station, Guam, with information copies to the Commander-in-Chief, Pacific Fleet, and others. The subject matter of the dispatch directs the Naval Station, Guam, to destroy secret and confidential publications. I show you this dispatch and ask you to read it and then tell the court whether or not you had been informed of the general subject matter contained therein prior to 7 December 1941?

A. I don't think I had.

176. Q. I show you Exhibit 22, which is a dispatch from the Chief of Naval Operations addressed to the Commander-in-Chief of the Pacific Fleet as the action addressee, dated 6 December 1941. This dispatch directs certain outlying Pacific Islands to destroy secret and confidential matters in their possession. I ask you to read this dispatch and to state to the court whether or not the general subject matter contained in this dispatch had been communicated to you prior to 7 December 1941?

A. I make the same reply: I'm quite sure that I had not seen it.

[256] 177. Q. I will ask you, do you recall any conversations with naval authorities in Hawaii prior to December 7, 1941, as to any matters relating to the destruction of codes and ciphers by the Japanese anywhere?

A. I knew on December 6th that the Japanese Consul had been burning papers. I don't know whether I had them identified as codes, or just papers, but I remember that a contact officer made some report. That, I think came from the FBI, probably.

Cross-examined by the interested party, Admiral Harold R. Stark, U. S. Navy:

178. Q. General, with two hours advance notice on Sunday morning, couldn't the Department have been fully ready by the time of the attack if you had immediately ordered the full alert?

A. We could have been completely ready for an air attack. The infantry divisions would not have been on their battle positions complete if we had ordered them to their battle positions for an all-out attack.

179. Q. General, would you have made a very quick reestimate of the situation and have ordered such an alert had you had that scrambled telephone conversation with General Marshall?

A. 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 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 code machine would have been very significant, 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.

180. Q. Had you received in the two or three days prior to 7 December any information from the Commander-in-Chief, Pacific Fleet, to the effect that the Japanese had been detected in destroying codes, ciphers, and so forth?

A. I had not.

Cross-examined by the interested party, Real Admiral Husband E. Kimmel, U. S. Navy, (Ret):

181. Q. Over all, how many troops did you have, General Short, on 7 December 1941?

A. About 57,000.

[257] 182. Q. What was your estimate of minimum requirements at that time?

A. I had asked for the Hawaiian Garrison to be raised to 71,500, and told them at the same time that I would put in a later estimate for troops for the outlying islands which would have been in addition to the 71,500.

183. Q. Between November 27 and December 7, the opposite members of the Army and Navy in charge of the aircraft, exchanged daily information as to the number of planes that each service had available for service that day, did they not?

A. I'm quite sure they did. They were supposed to do that constantly, and I think they did.

184. Q. Did you show Admiral Kimmel the message that you received from the Adjutant General, on the 28th of November?

A. I did on the 27th, and I am inclined to think that I gave him copies on the 28th. It is possible I didn't but I think I did.

185. Q. You told Admiral Hart what you would have done if you had received the scrambled telephone message at the time that the dispatch was filed in Washington. That was 12:18 Washington time.

A. I figured that in place of filing it then—you see that allowed time for decoding, which would have been an hour, and I would have probably had it an hour ahead of that.

186. Q. What you have told Admiral Hart as to what you would have done if you had had the message at 11:18 Washington time, would have been made more certain and more sure had you received the information at 9:30 Washington time?

A. Very much surer.

187. Q. Could you have done any more had you received that information at 9:30 Washington time?

A. The preparations would probably have been a little more complete, although I think in two hours, our planes would not have reached the outlying islands but they would have been on their way and the additional time would have been valuable. I mean our bombers, because our plan was to send them to the outlying islands.

188. Q. You told the judge advocate that you did not recall seeing the message received by Admiral Kimmel from the Chief of Naval Operations dated the 24th of November?

A. I did not. I might have received it but I don't recall it.

189. Q. Well, what you mean is that you have no positive memory one way or the other about it?

A. Well, I think I would have remembered it if I had received it, because I remember other messages there without any question.

[258] 190. Q. Do you recall your testimony before the Roberts Commission, about seeing this message of 24 November?

A. I don't remember exactly what I said. I probably said the same thing, that I didn't know positively, because I don't remember. Of course, my memory might have been better then than now. That was much closer to the time.

191. Q. Would it refresh your memory as to the possible receipt of learning about the message of November 24th, General Short, to know that Lieutenant Commander Layton, intelligence officer to Admiral Kimmel, reported to him that a copy of this had been delivered to you at 12:20 on November 24th?

A. Did he state that it had been delivered to me personally?

192. Q. Delivered to General Short.

A. Personally?

193. Q. I will show you the report.

A. If he said he gave it to me personally, he probably did, but I do not remember the message.

Cross-examined by the interested party, Admiral Claude C. Bloch, U. S. Navy (Ret):

194. Q. General, this morning you spoke of a procedure that you had developed in connection with the interceptor command but which had not been officially promulgated.

A. That is correct.

195. Q. That document was in draft form and in the hands of your people?

A. Yes, sir.

196. Q. It bore the date of approximately 5 November, and do you recall it stating that the interceptor command will coordinate and control the operations of pursuit aircraft, anti-aircraft artillery, including available naval and Marine Corps anti-aircraft artillery, the aircraft warning service and attached units, and will provide for the coordination of anti-aircraft measures of units not under military control? I am just asking you about the document.

A. Yes, that's about right.

197. Q. Now, if you will remember, in that same document under Section 15 (i) of this same standard operating procedure, did that provide that the Department signal officer will (1) insure occupation of all battle stations by the aircraft warning service and then release it to the interceptor command, and then (2) insure that joint Army-Navy communications are in immediate readiness for such employment? Do you recall such a passage of the document?

A. I think I do, yes.

[259] 198. Q. Now, even though that procedure in the document was not officially promulgated, is it not the fact that the procedure was in effect from perhaps November 27 on, as indicated therein?

A. I am sure it was.

199. Q. That is how it was operating at the time, even though the paper wasn't released?

A. That's right; I'm sure that it was.

200. Q. Very good. Now, I have something I want to get straightened out and perhaps you can help me with it. This Exhibit 6, Joint Action of the Army and the Navy, 1935: Am I not correct in saying that this document represents Army-wide and Navy-wide general policy?

A. That is correct.

201. Q. It does not relate to a specific place?

A. That is correct.

202. Q. It represents general policy and agreement?

A. That's right.

203. Q. Now, in connection with JCD, General, being Exhibit 7: Is it not the fact that all pertinent provisions of policy that were in the joint action, this document, were picked up and incorporated in this document?

A. They should be.

204. Q. You have no doubt that the pertinent ones were; I mean, there is no question on that?

A. No.

205. Q. So that JCD, this document, really is, to all the extent that we need concern ourselves with, the document that bears upon the Hawaiian Islands?

A. That is right.

206. Q. And we need not concern ourselves with this because Exhibit 7 is the one that contains what goes on in the Hawaiian Islands?

A. That is right.

207. Q. Now, attached to this JCD were certain appendices that you have referred to, joint air defense, appendices 1 up to 7, that were made a very part of JCD-42?

A. Yes.

208. Q. And those documents and this document represent a plan; is that right?

A. Yes.

209. Q. That plan, while the language used here has been that it was not effective, by that we would understand that it was not in execution, nor was it in operation. Am [200] I correct in that?

A. The plan?

210. Q. The plan.

A. It was in effect but not in operation.

211. Q. That is right. This JCD, in turn, was predicated upon the Rainbow War Plans; is that not correct?

A. That is right.

212. Q. In JCD on Page 8, Paragraph (C) (2), it provides that JCD will go into execution upon the execution of the War Plans, being the Rainbow Plans; is that right?

A. Yes.

213. Q. Or the establishment of M-day?

A. Yes.

214. Q. So the things you were describing, sir, this morning, that you did, were, so to speak, in anticipation in training, in getting ready for the actual execution of this plan?

A. That is correct.

215. Q. And so it was with the Navy?

A. That is correct.

216. Q. They, too, were taking anticipatory drill and training methods so that all of you might put this into effect when it came into effect as provided by Paragraph (2); is that correct?

A. That's right.

217. Q. Now, that plan and the appendices, which include the air measures, actually was in execution during the drill periods; is that right?

A. When we were having exercises, maneuvers, yes.

218. Q. When you were having exercises and drill plans, that plan and all appendices were in effect during that drill period?

A. That is correct.

219. Q. At the closing of the drill period, then the plan went back to its unexecuted status again?

A. That is correct.

220. Q. I would just like to clear up one other thing, General. I recall that you mentioned about a liaison officer in connection with the air raid warning service.

A. That is correct.

221. Q. And you mentioned something about the 5th of August?

A. Yes.

[261] 222. Q. Now, am I correct in this: That on August 5th you wrote a letter to Admiral Kimmel which had a heading on it, "Aircraft Warning Service", or some such as this, and in it—and I quote what portions of it that I have—that the aircraft warning facilities, in connection with those, "Small scale operations are expected in the immediate future. Subsequent to the original set-up the AWS has been greatly augmented. The results of this augmentation, however, are not expected to materialize for some months". And then you went on to a further paragraph, "It seems greatly to the interests of both services to have a naval officer as a contact or liaison officer between Army and Navy AWS activities. Accordingly, your assistance would be appreciated in effecting arrangements whereby an officer from your headquarters be detailed to serve as a liaison between your headquarters and mine." Do you remember that?

A. Yes.

223. Q. That is the letter you were speaking of this morning?

A. Yes.

224. Q. Then in answer to that, do you recall receiving from Admiral Kimmel on August 16th, a reply to that in which he says that, "In reply to your suggestion that an officer of the Fleet serve as liaison with your headquarters, I am pleased to advise you that Commander Morris D. Curtis, U. S. Navy, communications officer on my staff, has been assigned to that duty." Do you recall that reply?

A. Yes. I am doubtful whether he understood, whether he intended from that letter that Curtis was to act as liaison in the play of the game with the aircraft warning service.

225. Q. General, the liaison officer that you were talking about in respect of August 5th, in fact, was appointed by Admiral Kimmel August 16th, from that point on. Right?

A. A liaison officer was appointed.

226. Q. No, but I mean, the very one that you are speaking of, sir.

A. I do not know personally whether Commander Curtis functioned in that capacity, or not.

227. Q. Then we will let the letters speak for themselves, as far as you know?

A. I have had the feeling that he intended for a general liaison, rather than for a liaison officer with the aircraft warning service.

228. Q. General, sir, in connection with that liaison: In addition to whatever may have been the matter of Lieutenant Commander Curts, there did come a time subsequent to the 15 men going out with the Fleet, that you [262] wished assistance in connection with radar, and there was made available to you by Admiral Kimmel, an expert in those matters?

A. Commander Taylor.

229. Q. Even previous to him, there was a Commander Hitchcock, was there not?

A. I don't remember him. I remember Taylor.

230. Q. And those, at least so far as you recall—Commander Taylor was made available to your people, worked with them in connection with giving them all the experience that the Navy had with these matters?

A. That is right.

231. Q. And worked with you, for example, clear through this period that we are talking about?

A. That is correct. May I make a statement here? When I wrote the letter, what I had in mind was a liaison officer as provided in Paragraph 6 of Section 3, Communications, Appendix No. 7. Now, I would like to read what it says. This is in regard to the coastal frontier defense plan. "Upon establishment of the aircraft warning service, provision will be made for transmission of information on the location of distant hostile and friendly aircraft. Special wire or radio circuits will be made available for the use of Navy liaison officers so that they may make their own evaluation of available information and transmit them to their respective organizations. Information relating to the presence or movement of hostile aircraft offshore from Oahu which is secured through Navy channels will be transmitted without delay to the aircraft warning service information center." What I had in mind in writing that letter was a naval officer that would sit right there in the interceptor command and comply with that paragraph, tell the Navy where targets were, and if they had information, tell the interceptor command of the information they had.

232. Q. On that, sir, during the drills conducted under these documents, there was such a liaison officer there during the drills; is that not right?

A. I frankly don't know because unfortunately I didn't get over to the station between 4:00 and 7:00 in the morning. I was there several times in that period other times of the day when they were going ahead with their training but the liaison officer, the period they were formally working was 4:00 to 7:00, and I thought that there was a liaison officer from the Navy working with them all the time and I can't say definitely there was because I didn't go through at that time.

233. Q. Now, the time that we were speaking about, sir, in connection with this paragraph, this that you have [263] referred to calls for there being a liaison officer, or at least it can be inter-

preted that way, upon establishment of the aircraft warning service.

A. That is right.

234. Q. I take it you issued no orders that the aircraft warning service had been established?

A. There were only verbal instructions, but no formal, written orders the 7th day of December, but it was operating.

235. Q. It was somewhat of a training device?

A. Well, yes. It was really both. It was training and getting information, and as I remember, about the 24th of November we asked Lieutenant Burr to take up informally again about getting liaison officers to work with the aircraft warning service. Now as I say, I don't know whether that request was complied with, or not.

236. Q. As you recall that, that would be something over and above Lieutenant Commander Curts, and Taylor?

A. Oh, Yes, that would be definitely under the provisions of this Paragraph 6, Section 3, Communications, Appendix No. 7.

237. Q. On this same thing in connection with this communication facility, General, was your aircraft warning service fully equipped on December 7th with all parts?

A. There were 6 mobile stations which were equipped.

238. Q. And your switchboards were all fully manned?

A. Yes, everything as far as the mobile stations were concerned, and we had our control room operating from November 27th, just like it operated later; only it wasn't being done by a written order.

239. Q. Only just for those few hours?

A. From 4:00 to 7:00. Well, I think it was actually operated but they went ahead and trained, did more or less as they wanted to—I mean the different commanders—from 7:00 to 11:00, and from 1:00 to 4:00.

Examined by the court:

240. Q. General, were you familiar with the State Department note of November 26th to Japan?

A. I may have read it in that State Department paper that came out a year or so after the attack. I am sure I never saw it before.

241. Q. Up to December 7th you had no intimation of its existence?

A. No. That was true of most of the stuff that was in that State Department paper. I read it all carefully but most of it was new to me.

[264] 242. Q. General, were you influenced in any way, or perhaps deterred in assuming Alert No. 3, by the War Department's injunction not to alarm the populace by unusual activity?

A. Alert No. 2, or No. 3 either one would have had us carrying live ammunition out; I mean, large 3-inch ammunition right in the middle of the city, and would undoubtedly have caused some alarm with the strained relations we had. That entered into the thing because I had been cautioned not to alarm the public.

243. Q. You mean, then, the War Department's warning to you did affect your decision?

A. It did, unquestionably.

244. Q. Then General, if you had received the dispatch which you did not receive until 2:58—had you received it earlier that morning, would you then have been influenced by this War Department injunction?

A. No, I would not have been because I would have taken the destruction of the code machines very seriously.

245. Q. You would have thought that over very seriously?

A. I would have taken it very seriously.

246. Q. General, do we understand that at frequent intervals during this period from 27 November to 7 December, you had telephonic communication with officials in the War Department?

A. I did not.

247. Q. You did not?

A. No.

248. Q. You had no 'phone communication with them?

A. I don't think I talked to them by 'phone a single time. The communication system was there but we weren't using it.

249. Q. Nor was your Chief of Staff using it?

A. No. We just used that scrambler 'phone on very important things where we wanted to talk to the Chief of Staff himself and be sure we got his slant. I hardly ever used it any other way.

250. Q. General, between 27 November and 7 December, 1941, did you have information, intimation, or even a suspicion from any source, officially or otherwise, that Japan's known preparations in the Western Pacific might indicate a hostile movement elsewhere than toward the Malay Peninsula?

A. As to the information of movement of enemy vessels, all I got from Admiral Kimmel's headquarters, as I remember, the only thing was that they were in home ports, or a considerable number had moved to the south, and mentioned several places to the south and southwest.

[265] Frederick T. Lachat, yeoman first class, U. S. Naval Reserve, reported, entered. Frank L. Middleton, yeoman second class, U. S. Naval Reserve, reporter, withdrew.

251. Q. Nothing indicated there were vessels east of Guam, for instance?

A. Nothing.

252. Q. General, what is your estimate of the time interval between the first bomb that was hurled by the Japanese at Pearl Harbor and the total manning of the anti-aircraft guns at Oahu?

A. I think, except for four batteries which had 3-inch guns and had to draw their ammunition from the munition depot, that they were all ready to open fire at 8:15. That does not mean they opened fire. I think they were all ready except four batteries which did not have ammunition.

253. Q. What were the considerations governing your order to limit radar operations from four to seven on the morning of December 7?

A. Our study indicated that any enemy that was going to make an attack had the best chance of making the attack and getting away if he made it either at dawn or at dusk. It finally got around to the point that the most advantageous time would be dawn. We felt that by working two hours before dawn and one hour after dawn we would cover the most dangerous part of the day and also give our men practice in the part of the day where they would have to be most careful if we had hostilities.

254. Q. In that connection if the range of your radar was not much more than a hundred miles—You stated it was about seventy-five?

A. That's what you count on. We actually got 132.

255. Q. Wasn't 7:30 a. m. a little early to secure the radar?

A. 7:00 a. m. was an hour after daylight. Daylight was just about 6 o'clock.

256. Q. You have testified, General, that your radar actually picked up planes at a distance of about 132 miles.

A. That is correct.

257. Q. On the morning of December 7, 1941, had you known that there were enemy planes about to attack Oahu, immediately when this contact was made and with the means available to you, could you have repelled the attack which actually took place and prevented the resulting damage done to Army and Navy personnel?

A. We would not have had time to get our planes in [266] the air. We would have had time to disperse their planes. You could have gotten the planes dispersed, and we would have suffered less loss of planes. I don't think we could possibly have prevented that attack by torpedo planes on the battleships.

258. Q. If you had had that information from the War Department, say, two hours sooner, would it have enable you to repel the attack which actually took place with the means available to you and prevented the resulting damage?

A. It is awfully difficult to say about that. We could undoubtedly have gotten part of them, but I doubt very much whether we could have prevented their making the attack against the battleships, and even if the anti-aircraft had been ready to fire, they came in so low, the 3-inch guns couldn't have fired on them, and the anchor chains were fast.

259. Q. Is it not a historical fact that practically every aircraft attack launched in this war has been partially driven in?

A. I think it can always be driven in. We would have knocked down more of their planes if we had everything we had in the air.

Cross-examination by the interested party, Admiral Harold R. Stark, U. S. Navy (Continued):

260. Q. General, I shall read to you from a dispatch which is Exhibit 20 before this court: (Reading) "Highly reliable information has been received, and categoric and urgent instructions were sent yesterday to Japanese diplomatic and consular posts at, among other places, Manila and Washington." That is a dispatch dated December 3, sent from the Navy Department to various addressees. Referring to your testimony in response to my previous questions, if you had been informed of that dispatch soon after it was sent, in what way would that have changed your dispositions and actions?

A. I'm not sure, because if you look at that dispatch again, it points down toward the Malays and that section of the world where all this action was taking place, and taken in conjunction with the information I had from the Navy as to the Japanese Fleet, it might have concurred with my idea that that was where the action would be.

261. Q. General, insofar as Washington is concerned, that dispatch gave the same information which you might have received from General Marshall by telephone on the morning of December 7?

A. Oh, no. He said there had been an ultimatum delivered and ordered codes destroyed.

[267] Cross-examination by the interested party, Rear Admiral Husband E. Kimmell, U. S. Navy (Ret.), (Continued):

262. Q. General, you had a special communication by telephone with the War Department?

A. I had one in my office and they had one.

263. Q. It was not commercial?

A. It was partially scrambled. It was partially scrambled in Honolulu and partially scrambled in San Francisco, but it was a mechanical device. You got all your connections, and they said, "Pull up your plug." It was a commercial phone.

264. Q. It was on an Army circuit?

A. Yes, but whether the commercial telephone people could have done anything to it, if they wanted to, I don't know.

265. Q. All six of the mobile radar were operating on December 7?

A. I think they were.

266. Q. Now, do you know in what direction the planes which were ultimately determined to be Japanese were detected on this radar at 7:15 or thereabouts?

A. Three degrees east of north, about 132 miles out.

267. Q. Do you know whether that radar detected the approach of the Army bombers?

A. I don't know, because the Army bombers came in five minutes later.

268. Q. You knew the course in which the Army bombers were due to come?

A. They were to come in from the north. There were only three degrees difference.

269. Q. The people who were operating the radar knew about the approach of the Army bombers?

A. No, they didn't. The officer in the Control Office in the Interceptor Command did, but the sergeant who was working the station did not know that any planes were coming in.

270. Q. But the officer did?

A. The officer in the Control Station did.

Cross-examination by the interested party, Admiral Claude C. Bloch, U. S. Navy (Ret.) (Continued):

[268] 271. Q. Admiral, you stated that in your opinion it was the responsibility of Admiral Bloch and Admiral Kimmel to go to sea and to do distance reconnaissance. You, of course, are expressing only an opinion. You do not know what the fact was?

A. I do not know exactly the division of labor between them. What led me to say that, there had been talk about assignment of planes, so if the Fleet went out, we would still have something for distance reconnaissance. If the Fleet went out, the 14th Naval District Commander would have full responsibility.

272. Q. During all this period you are talking about, the Fleet Commander was there?

A. Yes. I frankly don't know the division between the two of them, only I have the feeling, through my liaison with Admiral Bloch—

273. Q. Sometimes with Admiral Kimmel alone?

A. Sometimes and sometimes he came to my headquarters and discussed things. A great many times Admiral Bloch was in on it.

Examined by the court:

274. Q. General, in making your estimates and studies and in your several discussions with your staff and others regarding the probable war with Japan, as we understood it, you finally decided that sabotage would be given priority?

A. With the information we had then.

275. Q. And you and your staff were in agreement on that?

A. We were. I know my G-2 and my Chief of Staff agreed. I didn't talk over the details with anybody but them.

276. Q. You did discuss this on the 27th with the Commander-in-Chief of the Pacific?

A. We had discussed the probability of air attacks that morning, and we got that wire in the afternoon, and I sent him a copy of it, and I am quite sure—I don't believe I took that copy to him, but I am sure he was informed.

276. Q. Following December 7 there was in the papers—and I understood there was some reference to it in the Roberts Report—a reference to over-indulgence in alcoholic liquors on the part of the naval and armed forces in the Hawaiian Islands. Can you enlighten us on that in any way from your knowledge of conditions?

A. You mean on that particular night?

[269] 277. Q. Yes, the night of December 6 and 7th?

A. I couldn't say anything about the Navy on that night, because I went to Schofield Barracks about 7 o'clock and came back about 10 and wasn't down in that part of the city. I can say definitely that at Schofield Barracks, where our two infantry divisions were stationed and a big majority of the officers were present at a party given for Army relief purposes, where they had a cabaret, there was no drinking in excess. I imagine that various people had dinner parties, and probably most of them had a cocktail or two before dinner, but I saw no one who had too much to drink. I didn't see any Navy, except a few naval officers who happened to be at the Army post that night.

278. Q. Were the effects of possible over-indulgence evident on the morning of December 7?

A. They were not. I don't believe I saw more than two officers under the influence of drink during the whole time I was in Hawaii.

Re-examined by the judge advocate:

279. Q. You have testified that the aircraft warning by means of its radar picked up some planes at a distance of 132 miles from the station at Pearl Harbor in a northerly direction. Is that substantially correct?

A. Three degrees east of north.

280. Q. Was there any way that this radar station had of identifying those planes as friendly or enemy?

A. There isn't any possibility.

281. Q. Unless there had been some means of knowing what friendly planes were around, it would then be, I understand, impossible to tell whether planes picked up at this time by radar method could be identified as friendly or enemy?

A. And when you are expecting friendly planes on a direction just three degrees difference, I don't believe anyone would dare say definitely they were enemy planes.

282. Q. Do you know whether any track was made of these incoming planes by the operator who detected them?

A. They were followed until they were a few miles north of Oahu, and apparently they turned east, so that they were out of the range between the station and the planes.

283. Q. Technically, in making this track you speak of, is the actual path of the planes indicated in any manner graphically for the record?

A. I have forgotten. I have watched them operate, but I think they should record.

[270] 284. Q. Do you remember whether any track was made of these enemy planes when they departed from the attack on the morning of December 7, 1941?

A. It would simply indicate that a bunch of them, some little distance down in the southwest, seemed to disappear. It indicated they had been aboard a carrier.

285. Q. To save the time of the court, do you or do you not feel that you can give us any testimony with regard to this track of planes as they retired?

A. My information is not definite on that.

Examined by the court:

286. Q. In that connection, did you receive prior information regarding the sending of planes from Hamilton Field to Oahu?

A. Oh, yes, we knew they were coming in.

Neither the judge advocate, the interested parties, nor the court desired further to examine this witness.

The court informed the witness that he was privileged to make any further statement covering anything relating to the subject matter of the inquiry which he thought should be a matter of record in connection therewith, which had not been fully brought out by the previous questioning.

The witness said that he had nothing further to state.

The court inquired of the interested party, Major General Walter C. Short, U. S. Army (Ret), whether he desired to remain an interested party.

The interested party, Major General Walter C. Short, U. S. Army (Ret), stated that he did not so desire.

The court announced that Major General Walter C. Short, U. S. Army (Ret), was, at his own request, released as an interested party and was no longer accorded status as such before the court.

The witness was duly warned, and with his counsel, withdrew.

The court then, at 3:45 p. m., adjourned until 9:30 a. m., August 15, 1944.

PROCEEDINGS OF NAVY COURT OF INQUIRY

TUESDAY, AUGUST 15, 1944.

[271]

TENTH DAY

NAVY DEPARTMENT,
Washington, D. C.

The court met at 10:15 a. m.

Present:

Admiral Orin G. Murfin, U. S. Navy (Ret), President.

Admiral Edward C. Kalbfus, U. S. Navy (Ret), Member.

Vice Admiral Adolphus Andrews, U. S. Navy (Ret), Member.

Commander Harold Bieseimer, U. S. Navy, Judge Advocate, and his counsel.

Frank Murrell Sickles, yeoman first class, U. S. Naval Reserve, reporter.

Counsel for Admiral Harold R. Stark, U. S. Navy, interested party.

Admiral Claude C. Bloch, U. S. Navy (Ret), interested party, and his counsel.

Rear Admiral Husband E. Kimmel, U. S. Navy (Ret), interested party, and his counsel.

The record of the proceedings of the ninth day of the inquiry was read and approved.

No witnesses not otherwise connected with the inquiry were present.

Lieutenant Commander Robert D. Powers, Junior, U. S. Naval Reserve, one of counsel for the judge advocate, was recalled as a witness by the judge advocate, and was warned that the oath previously taken was still binding.

1. Q. You are the same Robert D. Powers, Junior, Lieutenant Commander, U. S. Naval Reserve, counsel to the judge advocate, who testified earlier in these proceedings?

A. I am.

2. Q. I hand you a document; can you identify it?

A. I can, sir. I am the authorized custodian of this document, which was received under official seal from the War Department. It is a memorandum of a dispatch to be released, in which it is certified that it was released to various officers, including the Commanding General, Hawaiian Department, Fort Shafter, Hawaii, at 12:17 December 7, 1941, by Western Union Telegraph and Radio Corporation of America.

[272] The interested party, Rear Admiral Husband E. Kimmel, U. S. Navy (Ret), requested that the time, 12:17, be clarified as to time zone; that is, whether it be Eastern Standard time or some other time.

The court directed that such clarification be made.

3. Q. Do you have any means of knowing to what time the various time zones in this message refer; whether it is Eastern Standard Time, Greenwich Civil Time, or what?

A. Of my own knowledge, I do not.

With the permission of the court, the judge advocate directed the witness to confer with the War Department in order to ascertain as to the time zones in which the times indicated in the message refer, and to report thereupon.

It was stipulated by the judge advocate and the interested parties, with the permission of the court, that the determination by the witness would be admissible before the court.

The memorandum of dispatch released by the War Department, certifying as to the dispatch of a message by the War Department to various officers, including the Commanding General, Hawaiian Department, Fort Shafter, Hawaii, at 12:17, December 7, 1941, was submitted to the interested parties and to the court, and by the judge advocate offered in evidence.

There being no objection, it was so received and marked "EXHIBIT 48."

4. Q. Will you please read the memorandum?

The witness read the memorandum, "Exhibit 48."

None of the parties to the inquiry desired further to examine this witness.

The court informed the witness that he was privileged to make any further statement covering anything relating to the subject matter of the inquiry which he thought should be a matter of record in connection therewith, which had not been fully brought out by his previous questioning.

The witness stated that he had nothing further to say.

The witness resumed his seat as counsel for the judge advocate.

Rear Admiral Husband E. Kimmel, U. S. Navy (Ret), interested party, was called as a witness by the judge advocate, [273] was duly sworn, and was informed of the subject matter of the inquiry.

Examined by the judge advocate:

1. Q. Will you state your name, rank, and present station.

A. Husband Edward Kimmel, Rear Admiral, U. S. Navy retired.

2. Q. Please state what your duty was on 7 December 1941?

A. Commander-in-Chief, U. S. Pacific Fleet, and U. S. Fleet.

3. Q. When did you assume this duty?

A. 1 February 1941.

4. Q. When were you relieved of this duty?

A. 17 December 1941.

5. Q. I show you a document, marked Exhibit 5 before this court, which is called WP Pac 46. Please state its nature and whether it was in effect on 7 December 1941.

A. WP Pac 46 was made effective on 7 December 1941, by my order, immediately after the Japanese attack on Pearl Harbor. Complete readiness to place WP Pac 46 was required of all elements of the Pacific Fleet.

6. Q. I show you Exhibit No. 6 before this court. Can you identify it?

A. I recognize Exhibit 6 as a publication called, "Joint Action of Army and Navy 1935." I presume and request the assurance of the

judge advocate that this copy of the Joint Action of the Army and Navy is corrected as of 7 December 1941.

The judge advocate stated that the witness might be assured.

7. Q. I show you Exhibit No. 7, which has been presented in evidence before this court, and ask you if you recognize it and what it is.

A. I recognize Exhibit 7 as the Joint Coastal Frontier Defense Plan, prepared in Hawaii, and approved by the Commandant of the 14th Naval District, and the Commanding General, Hawaiian Department.

8. Q. In a general way, Admiral, can you state to the court what the major task groups of the Pacific Fleet were on 7 December 1941, and who were the respective commanders of task forces?

A. The major task groups of the Pacific Fleet on [274] 7 December 1941, are shown in Pacific Fleet Confidential Letter 14CL-41, of 31 October 1941. With minor changes, this task force organization was in effect during all the time I commanded the Pacific Fleet. The changes which were made as a result of experience may be obtained from a comparison of Pacific Fleet Letter No. 4 CL-41 of 30 April 1941. It will be noted that the publication of October 31, 1941, is much more complete. Task Force One under the command of the Commander Battle Force, Vice Admiral W. S. Pye, U. S. Navy, was composed of six battleships, one carrier, five light cruisers, one old light cruiser, two destroyer leaders, sixteen destroyers, one mine layer, and one minesweeper. His primary mission was to organize, train, and continue development of doctrine and tactics for operations of, and in the vicinity of, the Main Body; to keep up-to-date normal arrangements and current plans for such operations; and to accumulate and maintain in readiness for war all essential material required by the task force, in order to provide an efficient covering force available for supporting operations of other areas; or for engagement, with or without support, in Fleet action.

Task Force Two under the command of the Commander Air Craft Battle Force, Vice Admiral William Halsey—William F. Halsey—U. S. Navy, was comprised of three battleships, one aircraft carrier, four heavy cruisers, one old light cruiser, two destroyer leaders, sixteen destroyers, and four mine layers. Its primary mission was to organize, train, and develop doctrine and tactics for reconnoitering and raiding, with air or surface units, enemy objectives, particularly those on land; to keep up-to-date normal arrangements and plans for such operations; to accumulate and maintain in readiness for war all essential material required by the task force in order to provide an efficient Reconnoitering and Raiding Force for testing the strength of enemy communication lines and positions and for making forays against the enemy, and for operations in conjunction with other forces.

Task Force Three under the command of the Commander Scouting Force, Vice Admiral Wilson Brown, U. S. Navy, was comprised of eight heavy cruisers, one aircraft carrier, one destroyer leader, eight destroyers, thirteen minesweepers, and six transports. I might state that the troop transports were non-existent. Its primary mission was to organize, train and develop doctrine and tactics for capturing enemy land objectives, particularly fortified atolls; to keep up-to-date normal arrangements and plans for such operations; and to accumulate and maintain in readiness for war all essential material required by

the task force in order to provide an efficient amphibious force for attack, with or without support of other forces, on outlying positions of the enemy.

Task Force Four, under command of the commandant 14th Naval District, Rear Admiral Claude C. Bloch, U. S. Navy, included that part of the 14th Naval District activities which involved the island bases. Its primary mission was to organize, train, and develop the island bases in order to insure their own defense and provide efficient services to Fleet units engaged in advanced operations. By the provisions of 2CL-41 of 14 October 1941, the [275] Commandant 14th Naval District was designated as Naval Base Defense Officer, and his duties were laid down in detail in that publication, which is in evidence before this court. Task Force Seven, under the Command of the Commander Submarine Scouting Force, Rear Admiral Thomas Withers, U. S. Navy, was composed of all the submarines in the Pacific and their tenders. Its primary mission was to organize, train, and concurrently with execution of the expansion program, to continue development of doctrine and tactics in order to provide an efficient Submarine Observation and Attack Force for independent operations or operations coordinated with other forces. (2) To conduct patrols in areas and at times prescribed by the Commander-in-Chief, United States Fleet, in order to improve security of Fleet units and bases. Task Force Nine was under the Command of the Commander Patrol Wing Two, Rear Admiral P. N. L. Bellinger, U. S. Navy. It included all of the patrol planes and sea plane tenders in the Pacific. Its primary mission was to organize, train, and concurrently with execution of the expansion program, to continue development of doctrine in tactics in order to provide an efficient long-range Air Scouting and Air Striking Force for independent operation or operations coordinated with other forces. (2) To conduct patrols in areas and at times prescribed by the Commander-in-Chief, United States Pacific Fleet in order to improve security of Fleet units and bases. Task Force Fifteen, Commander Base Force, Rear Admiral W. L. Calhoun, U. S. Navy, was composed of four CA and CLs, whose primary mission was to escort trans-Pacific shipping in order to protect trans-Pacific shipping against possible attack. Cruisers were rotated in duty under Task Force Fifteen and supplied from the other forces, according to the Command. Force and Type Commander continued to exercise the other functions as required by the administrative organizations as set forth in Pacific Fleet Confidential Notice 13CN-41 of 1 October 1941, and as required by U. S. Navy Regulations and basic instructions.

9. Q. Who was your next senior in command in the Pacific Fleet?

A. Vice Admiral W. S. Pye, U. S. Navy.

10. Q. I call your attention to General Order No. 143. Will you state what your duties were under this order for the period in which you were in command of the U. S. Pacific Fleet.

A. For the period 1 February to 17 December 1941, I was Commander-in-Chief U. S. Pacific Fleet and Commander-in-Chief U. S. Fleet. My duties were set forth in General Order No. 143, the Navy Regulations, General Orders and War Plans; General Order No. 143 provided for the organization of the United States Fleet into three Fleets, viz., U. S. Atlantic Fleet, U. S. Pacific Fleet, U. S. Asiatic Fleet. In addition it provided for: National Coastal Frontier Forces;

Special Task Forces; Special Duty Ships; Naval Transportation Service; Naval District Craft. As Commander-in- [276] Chief Pacific Fleet, I exercised command over the Pacific Fleet, and as Commander-in-Chief United States Fleet, I exercised command over either one or both of the other two fleets when concentrated with the Pacific Fleet to form a task force. Also, under the Chief of Naval Operations the Commander-in-Chief U. S. Fleet, through the Type Commanders, was required to prescribe standards and methods of training for all of the seagoing forces and aircraft of the Navy.

11. Q. As Commander-in-Chief of the Pacific Fleet, what duties had you assigned the Commandant of the 14th Naval District?

A. As Commander-in-Chief of the Pacific, I had assigned the Commandant 14th Naval District to perform the duties of Naval Base Defense Officer for Pearl Harbor and set forth his duties in 2CL-41 of 14 October 1941. I had also assigned the Commandant 14th Naval District to Command Task Force Four, U. S. Pacific Fleet, which included that part of the 14th Naval District Activities which involved the Island Bases. He was charged with the duty of organizing, training, and developing the island bases.

12. Q. As Commander-in-Chief U. S. Fleet, and Commander-in-Chief of the Pacific Fleet, had any other duties, other than those set forth in 143, been assigned to you?

A. As Commander-in-Chief, U. S. Fleet, and Commander-in-Chief, Pacific Fleet, the duties as set forth in Navy Regulations, General Orders, and War Plans, were assigned to me when I was detailed to these duties. The duties required are reasonably well summarized in General Order 143, the essential points of which have been covered in this discussion.

13. Q. What were the aircraft forces under your command, as Commander-in-Chief of the Pacific Fleet, in the period from October 16, 1941, to December 7, 1941?

A. The aircraft of the Pacific Fleet was divided into two general categories: the aircraft which was based on carriers, and included land-plane types only; the aircraft which were based on shore, which included both seaplanes and land planes. Seaplanes could be, and frequently were, based upon a seaplane tender in a sheltered harbor. While based on an aircraft carrier or on a seaplane tender, the planes were under the command of the forces afloat exclusively. While the planes were based at Pearl Harbor, there were certain planes which were under the Command of the Commandant, 14th Naval District and assigned to him to perform more or less routine tasks. Under the Commandant on Ford Island there was an officer ordered to command an air base. He was responsible to the Commandant for operating the planes assigned exclusively to the Commandant, and was also responsible to the Commandant for supplying to the carriers the facilities for their operation while the carriers were in port. The commander of the air base was also responsible for supplying the Patrol Wing Two facilities and services necessary to operate those patrol planes based on Ford Island, and under the Command of [277] Patrol Wing Two—Commander Patrol Wing Two was in command of the Patrol Wing, which was a part of the Fleet. He was also Commander of the aircraft assigned for the defense of bases

as set forth in the Joint Coastal Frontier Defense Plan of 11 April 1941, in addendum 1, the Naval Base Defense Force, Air Force Operating Plan No. A4-41, of March 31, 1941. Briefly, Patrol Wing Two was responsible to Commander-in-Chief for the training and operation of PatWing Two when acting as a part of the Fleet, and was responsible to the Commandant, 14th Naval District for the training and operation of PatWing Two when acting as a part of the Naval Base Defense Forces, at which time, of course, the Commandant, 14th Naval District, was responsible to the Commander-in-Chief.

14. Under the organization you had in effect, how were aircraft made available to the Commandant 14th Naval District?

A. Aircraft were made available to the Commandant 14th Naval District upon his request, either to ComPatWing Two, or to the Commander-in-Chief. Normally, ComPatWing Two would make such aircraft available upon request unless there were conflict with other commitments, in which case he would refer to the Commander-in-Chief. All Navy shore-based planes were automatically made available to the Commandant, 14th Naval District or the Commanding General, Hawaiian Department, upon sounding of the air-raid alarm, either for drills or for the real thing. All such planes had frequently been made available in this matter for practice prior to the attack on Pearl Harbor, and to the best of my knowledge, were so made available when the attack took place.

15. Q. Did you, on 7 December 1941, have in effect any written orders for security of the Fleet at Pearl Harbor?

A. Yes, 2CL-41 of 14 October 1941. I might add that this letter of 14 October was a revision of a letter written in February of 1941, and promulgated to the Fleet at that time. This revision was the result of tying up certain loose ends, which we found as a result of experience to be desirable.

16. Q. I show you Exhibit No. 8 and ask you if this is the document to which you refer—it being marked Exhibit No. 8 for identification.

A. That is the document to which I refer.

2CL-41, of October 14, 1941, was submitted to the interested parties and to the court, and by the judge advocate offered in evidence.

There being no objection, it was so received, copy appended, marked "EXHIBIT 8."

17. Q. I will ask you to read it to the court.

The witness read 2CL-41 of October 14, 1941, Exhibit 8.

[278] Frank L. Middleton, yeoman second class, U. S. Naval Reserve, reporter, entered. Frank M. Sickles, yeoman first class, U. S. Naval Reserve, reporter, withdrew.

18. Q. Did this Order 2CL-41 comprise all the security measures issued by you for the security of the Fleet and naval establishments in the Pearl Harbor area and which were in effect on 7 December 1941?

A. Certain measures which are prescribed in Fleet Tactical Orders and Instructions were applicable to the Fleet or individual ships thereof while in Pearl Harbor. In this category were the conditions of material readiness which could be and were prescribed on occasions. I cannot now recall any specific instructions for the safety of the Fleet in Pearl Harbor except those contained in 2CL-41 of October 14, 1941. Certain standing orders pursuant to 2CL-41 were issued

by the task force and type commanders. Such a one was an order of Commander, Battleships, Battle Force, issued in April, 1941, which required a continuous manning of a part of the anti-aircraft batteries. This was a twenty-four hour watch on the anti-aircraft batteries. In other orders, I provided for all types to have ready ammunition on deck in ammunition boxes readily accessible to the anti-aircraft guns at all times, both day and night.

19. Q. On the morning of 7 December 1941, preceding the attack, can you tell the court what the material condition of readiness was in effect on ships of the Pacific Fleet then in Pearl Harbor?

A. The condition of readiness No. 3, as laid down in 2CL-41 had been prescribed some time before by Vice Admiral Pye, and that was in effect on the day of the attack. In addition to that, the Commander of Battleships, Battle Force, had issued an order requiring two, 5-inch guns and two, 50-calibre guns on each battleship to be manned at all times. These were, to the best of my knowledge and belief, manned on the date in question.

20. Q. As Commander-in-Chief of the Pacific Fleet, where did you have your flag flying on 6-7 December 1941, up until the hour of the Japanese attack?

A. My headquarters were at the Submarine Base, Pearl Harbor. My personal quarters were in a house on a hill in a new development behind and to the rear of the Submarine Base, Pearl Harbor. All provision was made to control the Fleet from my headquarters at the Submarine Base. We had communication direct from the Submarine Base to the Fleet by way of the high-powered stations on shore, and I felt, and my communication officer advised me, that we had facilities equal to, if not superior to, those that we had on the PENNSYLVANIA for communication with the Fleet.

[279] 21. Q. Under these conditions and your own 2CL-41, which has just been read into the record, do you consider that you were embarked in Pearl Harbor?

A. I was the Commander-in-Chief of the Pacific Fleet. I transferred my flag to shore solely because I felt that I could exercise command of the Pacific Fleet more expeditiously from that point than I could from on board the ship. When I went ashore and established my headquarters on shore, I did not intend to supplant the Commandant, 14th Naval District in the exercise of the duties assigned to him by the Navy Department and by my orders.

22. Q. Adverting to Exhibit 8, which is 2CL-41, I ask you to look at Paragraph 3 (g), which has a sub-title, "Defense against air attack", and under that paragraph, refer to sub-paragraph (d) (1), in which are outlined some of the duties of the Commandant, 14th Naval District, one of which is advising the senior officer embarked in Pearl Harbor, exclusive of the Commander-in-Chief, what condition of readiness to maintain. What I am trying to find out is this, Admiral: Under the conditions of having your flag flying on shore, did you consider yourself the senior officer embarked in Pearl Harbor within the meaning of this sub-paragraph?

A. I did not.

23. Q. Will you tell the court who, on the morning of 7 December 1941, immediately prior to the Japanese attack, the senior officer was?

A. Vice Admiral William S. Pye, USN, Commander Battle Force U. S. Fleet and Commander Task Force 1, U. S. Pacific Fleet.

24. Q. Adverting to this same paragraph 3 (g), "Defense against air attack", under sub-paragraph 6 thereof, certain duties are laid down for the Commandant, 14th Naval District in regard to matters affecting the defense of Pearl Harbor and the ships of the Pacific Fleet therein. Did you, as Commander-in-Chief, except the Commandant to carry out these various functions directly with the Fleet or officers concerned, and without reference to you?

A. Yes. If there was any doubt in his mind about what he was to do, he had access to me at all times.

25. Q. Now, one of the duties prescribed here and to which I have before adverted, was the duty of advising the senior officer embarked in Pearl Harbor, exclusive of the Commander-in-Chief, U. S. Pacific Fleet, what condition of readiness to maintain. Can you remember the condition of readiness that had been prescribed by the Commandant, 14th Naval District, in compliance with this directive on the night of 6-7 December, 1941?

A. I do not know that he prescribed, or advised Admiral Pye to prescribe, any condition of readiness on that day.

[280] 26. Q. Can you state to the court what the condition of readiness was on 6-7 December 1941 up until the time of the initiation of the Japanese attack?

A. I have already stated to the court, Condition 3. That condition 3 was prescribed with certain modifications which, incidentally, were additional safety measures prescribed by the Commander, Battleships and Battle Force.

27. Q. And this condition of readiness to which you have just referred in your last answer met with your full approval?

A. Yes, I thought it was sufficient.

28. Q. As Commander-in-Chief of the United States Fleet, and with your headquarters located as you have described them, did you have any unit for furnishing you with combat intelligence?

A. I depended largely upon the units under the direction of the Commandant, 14th Naval District, who had a reasonably complete set-up for obtaining this information.

29. Q. Am I to infer, then, that your own intelligence unit, that which belonged to the Fleet, was rather a minor part of this organization, or what am I to understand?

A. Well, it was an essential but not a major part.

30. Q. Did this intelligence unit that belonged to the Fleet work with and function with the intelligence unit that you have described as belonging to the Commandant, 14th Naval District?

A. Yes.

31. Q. What do you consider the efficiency of this combined intelligence unit to have been prior to 7 December 1941?

A. From my observation of their operation, I thought the efficiency of this intelligence unit was quite satisfactory prior to 7 December 1941.

32. Q. Did you, prior to 7 December 1941, receive combat intelligence from other sources than your own unit?

A. Yes. We received reports from Commandant, 16th Naval District, from the Navy Department, and our own forces, wherever they may be.

33. Q. From your experience with combat intelligence as you received it, did you feel that it was—

A. Well, I am talking about all kinds of intelligence.

34. Q. That is what I am talking about too, generally,

A. I think combat intelligence is a little more restrictive than what we are talking about.

[281] 35. Q. The meaning I am trying to convey to you when I ask you questions about combat intelligence is essentially the information you had upon which you made military decisions?

A. That is right. Well, by that definition, I received combat intelligence from all naval sources, from many naval sources, and the decisions I made were based upon my evaluation of this information.

36. Q. Speaking of evaluation, Admiral, did this intelligence service that you had organized ordinarily evaluate the information prior to giving it to you, or just exactly how did the evaluation function operate, if you can remember?

A. They presented to me summaries of the information. It was physically impossible for one man to go over all the information. I received summaries and, to a certain extent, conclusions that the intelligence units had drawn, and the basic facts generally presented, what they considered important basic matter.

37. Q. I presume you had a War Plans officer or division set up in your own staff, did you not?

A. I had a War Plans division set up within my own staff composed of Captain C. H. McMorris, Captain McCormick, Commander V. R. Murphy, Colonel Pfeiffer of the United States Marine Corps, and one lieutenant whose names escapes me for the moment. Incidentally, the War Plans division of my staff was greatly expanded immediately after I took command. I thought that the number of people engaged in producing War Plans should be considerably augmented. I therefore added two captains and a colonel in the Marine Corps to the ones that I got at the time that I took command. And in that connection it may be well to point out to the court that that was one of the prime considerations which decided me to move my headquarters from the PENNSYLVANIA to the Submarine Base. I had a choice of dividing my staff or of going ashore. I could have divided it by putting part of the staff on other ships. I could not have my staff available to me with their advice in their entirety in any other way than by taking up my quarters on shore. The number of the staff in War Plans and in intelligence and public relations was such that it was a physical impossibility to have them on board the PENNSYLVANIA and at the same time have them operate in an efficient manner.

38. Q. Would you tell the court how this War Plans division functioned with you in evaluating enemy intelligence?

A. All enemy intelligence went to the War Plans division and was discussed and estimates drawn from day to day as to what this information meant and what action we should take as a result of this information. I had [282] the Fleet intelligence officer bring to me daily the summaries made of the information received in the last 24 hours and go over it with me in detail. My chief of staff was generally present, and also the War Plans officer was present at this conference. In any event, they always received this information, and this information included all messages that I received from the Navy Department. In addition to the senior member of the War Plans division—who was Captain McCormick—Captain DeLany, my opera-

tions officer, was also kept fully informed in order that the War Plans and Operations should not get in any degree at cross purposes.

The interested party, Rear Admiral Husband E. Kimmel, U. S. Navy (Ret.), suggested that the question referred to enemy intelligence, and asked if it were to be assumed that the question referred to countries who are now enemies.

The judge advocate replied in the affirmative; that the judge advocate meant, in asking his question in which he used the term "enemy", "possible enemies".

With the court's permission, the witness made the following statement: Up until the attack of the Japanese on Pearl Harbor on 7 December we were at peace and I was the first one to recognize the changed situation.

39. Q. Did your organization exchange intelligence with the Commanding General of the Hawaiian Department?

A. We did, to this extent: The Commanding General of the Hawaiian Department had his interests restricted to the defense of Hawaii and to such of the outlying islands as he had his forces and the ones to which he expected to send his forces. He was primarily interested in the probability of attack where his forces were stationed, and in general, the information I gave to him bore upon his interests, or was confined to his interests. My own interests covered a much greater geographical area and many more factors. I tried to keep the Commanding General informed of everything that I thought would be useful to him. I did not inform the Commanding General of my proposed plans and what I expected to do in the Marshalls and other places distant from Hawaii. I saw no reason for taking the additional chance of having such information divulged by giving it to an agency who would have no part in the execution of the plan.

[283] Frederick T. Lachat, yeoman first class, U. S. Naval Reserve, reporter, entered. Frank L. Middleton, yeoman second class, U. S. Naval Reserve, reporter, withdrew.

40. Q. Did you likewise receive any information from the Commanding General of the Hawaiian Department?

A. I believe the Commanding General of the Hawaiian Department gave me every bit of information that he had. We exchanged information fully and freely.

41. Q. Adverting again to Exhibit 8, which is Fleet Letter 2CL-41, and calling your attention to paragraph 2 (b), which has been read into the record but which I shall now read for your information: "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." Did this estimate continue from the time this letter was promulgated up to the time of the attack by the Japanese on the morning of December 7, 1941?

A. This specific confidential letter and the assumptions upon which it is based are not so much an estimate as they were a basis for the training of the Fleet to meet all contingencies that might arise. Estimates and the chances of any particular action might change from day to day, but this was a letter to provide for the security of the Fleet under all the contingencies which we could foresee.

42. Q. I again refer to Exhibit 8 and refer you to paragraph 3 (G) entitled "Defense Against Air Attack." After you have read each

directive thereunder to yourself, will you state to the court categorically what action had been taken prior to December 7, 1941, or at the time of the attack on that morning, whichever way may be applicable?

A. In my opinion, the Commanding General of the Hawaiian Department disposed his available troops and material to the best advantage. I felt then and still feel that there were many deficiencies, particularly in anti-aircraft defense. General Short testified here yesterday about the steps he took as to the adequacy of the material and as to the material he had available and as to the number and types and weapons and personnel that he had available. I feel that his statement is better than any I could make on this subject. So far as the other paragraphs in this letter, there were practically no naval guns based on shore except those which belonged to the marine defense battalions temporarily stationed in Pearl Harbor. My recollection is that there were very few marine guns available on that day. Do you wish me now to cover the question of long distance reconnaissance?

43. Q. Just in a general manner. I shall cover it specifically later on.

A. The number of planes available to the Fleet, to the Commandant, 14th Naval District, and to the Commanding General in Hawaii had all been lumped into one coordinated force by the agreements arrived at. Of those planes, there was not a sufficient number of the type required to perform distance reconnaissance effectively. There was not a sufficient number of planes of the long range available to make a complete reconnaissance for one day, utilizing all of them. A continuous patrol over long periods of time was out of the question. In this connection, I can state there was a total of eighty-one patrol planes in the whole Hawaiian area. There was a total of twelve B-17 Army planes in the Hawaiian area. Of these, a maximum of sixty-one patrol planes and six B-17's were available on the island of Oahu during the period immediately preceding the attack. We had some patrol planes operating from Midway. I base my statement that there was not a sufficient number of planes to perform a 360 degree search for one day on a requirement of eighty-four planes to make the 360 degree search, based on a fifteen-mile visibility. I think that can be demonstrated. I might state that when I took command of the Fleet I thoroughly appreciated the deficiencies in anti-aircraft defense that existed in Oahu and in the Hawaiian area. I read the letter written by the Secretary of the Navy to the Secretary of War. I read the answer written by the Secretary of War to the Secretary of the Navy. I also read the letter written by the Commandant, 14th Naval District and forwarded to the Navy Department by the Commander-in-Chief on or about January 7, 1941. All these letters set forth clearly the inadequacy of the force available in Pearl Harbor for aircraft defense. There was a deficiency in reconnaissance planes and in various other elements. Recognizing this and recognizing that it was a physical impossibility for General Short to perform distance reconnaissance, there was nothing that we could do. We had no choice except to attempt to utilize the forces that we had to the best advantage, and I think we did organize and use these forces to the best advantage. It was unfortunate that the warnings, messages, and information from the Navy Department did not convey to us the imminence of war and the imminence of an attack on Pearl Harbor that some witnesses now want to read into those warnings. We did

not get it. We had in the Fleet a constantly changing personnel—officers and enlisted men. In November I mentioned in a letter to the Chief of Naval Operations that we needed 20,000 more men in the Pacific Fleet to fill our complements and to fill the schools and other training institutions that we had. I had also attempted to get he enlisted men of the Navy frozen in their positions. In other words, I wanted to cancel the [385] expiration of enlistments. I made a trip to Washington, advanced that in letters both before and after that trip in June, 1941, and I took it up with the chairman of the Senate and House Naval Affairs Committee. We never did get that revision put into effect, and we continued to lose our men, who were attracted outside by the high wages prevailing about that time and doubted whether or not we would get into the war. It was absolutely essential that we maintain training in the Pacific Fleet up until the last minute. If we had stopped training the first time we received these alarming messages, I feel certain that by the time war was declared our ships would have been in a dangerously ineffective condition. As an example, we were supplying men for the expansion program both on shore and at sea, and as I recall at the present time, we were transferring twelve patrol plane crews a month from Pearl Harbor to the mainland, training those patrol crews in the Fleet, and we had a great urge to continue our work of training the Fleet. These were the conditions that confronted me when I made the decision on the 27th of November not to stop training in the Fleet but to continue until further developments.

44. Q. The judge advocate is primarily concerned at the present moment with your views as to whether or not the Commandant of the 14th Naval District, as the Naval Base Defense Officer, did or did not carry out the duties under sub-paragraph 6 of Article 3 (G), which you have just read, and he would like to have you, as the Commander-in-Chief and as his immediate superior, state categorically whether or not the duties outlined thereunder were performed to your satisfaction?

A. I can state, in general, that the performance of duty of the Commandant of the 14th Naval District, as Naval Base Defense Officer and as prescribed in paragraph 3 (G) and sub-paragraph 6 (a), (b), (c), (d), was, in general, satisfactory to the Commander-in-Chief. If it had not been so performed, I would not have hesitated at any time to call his attention to the fact.

45. Q. Was there any different condition of readiness for action in regard to naval base defense activities than those prescribed for units of the U. S. Pacific Fleet?

A. As Naval Base Defense Officer was charged with fixing the state of readiness for all the shore activities, and he was charged with advising the senior officer afloat, in this case Admiral Pye, what he considered to be the state of readiness of the ships. That was put in to insure that all the information in the hands of the commandant of the district was placed in the hands of the senior officer afloat [286] and not to have any condition arise where the Commandant of the district might have information which was not in the hands of the senior officer afloat. The responsibility for fixing the state of readiness of the ship was not taken away from the senior officer afloat.

46. Q. It is not quite clear to me, Admiral, exactly what connection the advice of the Naval Base Defense Officer had to do with a con-

dition of readiness in the Fleet, but if I understand your answer correctly, it is that the senior officer afloat in the Fleet prescribed his own condition of readiness?

A. That is correct.

47. Q. And he might take into consideration, if he wanted to, the condition of readiness which was being maintained by the Naval Base Defense Officer if he so desired?

A. And the advice he received from the Naval Base Defense Officer.

48. Q. The senior officer present afloat was responsible for the condition of readiness of vessels of the U. S. Pacific Fleet?

A. That is correct.

49. Q. Admiral, I show you Exhibit 9, which is a letter from the Secretary of the Navy to the Secretary of War dated January 24, 1941 and which has been introduced in its entirety into the record. Do you recognize this letter as any that you have been acquainted with?

A. Yes, I saw the letter of the Secretary of the Navy to the Secretary of War, dated January 24, 1941, early in February, 1941.

50. Q. Referring to this letter as of the time you received it, did the views expressed therein differ from your own views materially on matters of military defense at Pearl Harbor?

A. I was in substantial agreement with this letter, although I differed somewhat from the probabilities as established therein. This letter was, I believe, initiated in the Navy Department after the receipt of a letter prepared by the Commandant of the 14th Naval District and forwarded to the Commander-in-Chief, who at that time was Admiral Richardson. In these two letters, submitted in early January, 1941, practically all the points covered in the Secretary's letter of January 24 were included. I felt the most probable form of attack in the Hawaiian area was by submarine. I thought a bombing attack by airplanes was second in order of probability. I also felt the danger of torpedo plane attack in Pearl Harbor was nil, because I believed [287] torpedoes would not run in the shallow water of that harbor. The maximum depth at any point was only forty-five feet. I felt that the probability of a surface gunnery attack by bombardment was a low order of priority. The probability of mining was considered a high order of priority. The unlimited areas which required sweeping made mining no particular menace, and this was due to the extreme depth of the water in the immediate vicinity of the island of Oahu and limited areas.

51. Q. I know that in the answer you have just given you envisaged a submarine attack in the Hawaiian area as the most probable form of attack?

A. That is right.

52. Q. And that an air attack was second in order of probability?

A. I would like to amend the second in order of probability. I did not think it was second in order of probability, because the airplane attack I thought was a remote possibility. I did not think it was a probability at any time. I want to make that clear now. My previous statement was in error. I did not mean that, but what I was thinking of was that a submarine attack would hurt us and the thing which would hurt us next the most was the airplane attack.

53. Q. Adverting to Exhibit 8, which is your letter 2CL-41, and to paragraph 2 (b) (1), you say that a declaration of war may be preceded by a surprise attack on ships in Pearl Harbor. What form

of surprise attack on ships in Pearl Harbor did you contemplate by this statement?

A. An airplane attack. This was an assumption upon which to base our training. The probability of an air attack on Pearl Harbor was sufficient to justify complete training for this purpose. I felt, as the situation developed, the Fleet might move away from Pearl Harbor, and in such a contingency the possibility of a quick raid on the installations at Pearl Harbor might be attempted. I thought it was much more probable that the Japs would attempt a raid on Pearl Harbor if the Fleet were away than if it were there. However, at no time did I consider it more than a possibility, and one which ordinary prudence would make us guard against.

Frank M. Sickles, yeoman first class, U. S. Naval Reserve, reporter, entered. Frederick T. Lachat, yeoman first class, U. S. Naval Reserve, reporter, withdrew.

54. Q. Then, the order in which you set out what might happen on a declaration of war, in paragraph 2 (b), does not necessarily mean the order of importance as you envisaged the probability of forms of attack?

A. No.

The court then, at 12:30 p. m., took a recess until 1:45 p. m., at which time it reconvened.

[288] Present:

All the members, the judge advocate and his counsel, all the interested parties and their counsel except Admiral Harold R. Stark, U. S. Navy, interested party, whose counsel were present. Frank M. Sickles, yeoman first class, U. S. Naval Reserve, reporter.

No witnesses not otherwise connected with the inquiry were present.

The judge advocate stated: Adverting to Exhibit 48, which was introduced in evidence before this court this morning, there was a stipulation made by the interested parties and by the judge advocate that Lieutenant Commander Powers, U. S. Naval Reserve, the witness before the court who introduced the exhibit, would communicate with the War Department, and that the information he obtained from them as to the time, or the character of the time, that was being used on Exhibit 48, would be accepted in evidence before this court as of the times which are thereon indicated. I will now ask Lieutenant Commander Powers to make to the court a statement as to the information he received from the War Department.

With the permission of the court, Lieutenant Commander Powers, U. S. Naval Reserve, stated: Traffic Operations Branch, Army Communications Service, has advised me that the times indicated upon Exhibit 48, as used by the War Department on 7 December 1941, were Washington time; that is, Eastern Standard Time.

Rear Admiral Husband E. Kimmel, U. S. Navy (Ret.), the witness under examination when the recess was taken, resumed his seat as witness. He was warned that the oath previously taken was still binding, and continued his testimony.

Examination by the judge advocate (continued):

55. Q. Admiral, in the questions I am about to ask you, I would request that you note the distinction between air bombing attack and air torpedo plane attack. This is just for the purpose of clarify-

ing the questions in your own mind. With reference to an air bombing attack, what was the status of the defenses of Pearl Harbor in this regard when you took command of the U. S. Pacific Fleet?

A. The status of defenses of Pearl Harbor in reference to air bombing attack when I took command of the Pacific Fleet were the same as those stated in the letter forwarded by the Commandant of the 14th Naval District through the Commander-in-Chief, to the Navy Department, early in January of 1941. The Commander-in-Chief at that time was Admiral J. O. Richardson, U. S. Navy, who signed the letter addressed to the Chief of Naval Operations, in the Navy Department.

[289] 56. Q. I show you Exhibit 28, which is now in evidence before this court, and has been read in full, and ask you if that is the letter to which you refer?

A. That is the letter, together with the enclosure of a letter from the Commandant, 14th Naval District.

57. Q. Will you sketch as best you can any changes that were made in these defenses during your tour of duty as Commander-in-Chief of the Pacific Fleet?

A. During my tour of duty as Commander-in-Chief of Pacific Fleet, a number of pursuit planes were brought to Pearl Harbor. The net increase of operating pursuit planes during this period was approximately 100 pursuit Army planes. This was an increase from no effective Army pursuit planes to approximately 100. I do not know the exact number of Army anti-aircraft artillery, but my recollection is that at no time did it exceed approximately one-third of the number recommended by the Commandant of the 14th Naval District and approved by the Commander-in-Chief in his letter of early January, 1941. Regarding bombing planes, the Army supplied a maximum number of 27, B-17 Flying Fortresses. The Army planned, as I recalled it, to supply about 180 of these B-17s. However, prior to December 7, 1941, order were received to send a number of B-17s to the Philippines. This resulted in stripping Oahu of all but 12 B-17 Flying Fortresses, of which 6 had been further stripped of essential gear to outfit the ones going to the Philippines, and this left 6 B-17 planes in operating condition on December 7, 1941. Therefore, during my tour as Commander-in-Chief of Pacific Fleet, Army had a net increase of 6 bombing planes, no balloon barrage, no smoke-making apparatus, and none of the other facilities that I can now recall and which were mentioned in the Secretary of the Navy's letter had been supplied prior to 7 December 1941. In this connection, it is my recollection that a number of Navy Patrol planes was increased by one or two squadrons during this period. In any event, there were stationed on Hawaii on 7 December 1941, exactly 81 patrol planes, of which 61 were in operating condition on Oahu on 7 December 1941. There were 12 operating from Midway, and the remainder were under overhaul or out of commission for various reasons. An agreement as to the operation of Army and Navy airplanes stationed on shore was put into effect. The agreement was arrived at by the Commandant of the 14th Naval District and the Commanding General of the Hawaiian Department, which provided in general that the Army would command all fighter planes, both Army and Navy, and the Navy would com-

mand all distance reconnaissance and bombing planes. My order 2CL-41, issued in February, 1941, and revised on October 14, 1941, provided that all naval forces in Pearl Harbor would assist the Army in the defense of Pearl Harbor. The Commandant of the 14th Naval District was designated in this letter as the Naval Base Defense Officer, and vested with the necessary authority to direct [290] the naval forces in the event of attack, and he was also given authority to conduct the necessary drills to insure the most effective use of the naval forces in port. There was a very considerable increase in the number of troops supplied by the Army to the Commander of the Hawaiian Department. I believe there were some 50,000 troops in Hawaii on 7 December 1941, but I might say that General Short felt that the minimum required for the defense of Hawaii was in the neighborhood of 75,000 troops. It would be noted in the letter of 24 January that the establishment by the Army of a radar station and aircraft warning net is given a very high priority. The answer to this letter, written by the Secretary of War to the Secretary of the Navy, promises a high priority for this work. It stated that it would be completed in the summer of 1941. I know that members of my staff who appreciated the importance of the Army radar in the defense of Pearl Harbor and of the aircraft warning net, did everything within their power to assist the Army, and incidentally the Commandant of the 14th Naval District, in the training of personnel and in rendering them whatever other assistance they considered within our power. We took Army personnel to sea in our ships prior to the time they received their radar, and we sent several officers at different times to work with the Army in establishing their service, all the time urging them to get something. The aircraft warning net was far from complete on 7 December 1941. Specifically, the permanent Radar stations were not anywhere near completed but there were several mobile units which had been placed in advantageous positions on the island and had been operating with some degree of success prior to 7 December 1941. You have heard General Short testify as to the operation of this radar, that it was being operated from 4:00 to 7:00 every morning, and that training continued throughout the day until about 4:30 in the afternoon; also that it was decided on December 6 by the personnel on the job that they would not operate the radar after 7:00 a. m. This was unknown to me at the time, and I knew only in general that the radar had been in operation. I knew, of course, that it was far from perfect. During 1941, the Commandant of the 14th Naval District and Commanding General, Hawaiian Department, completed their Joint Frontier Coastal Defense Plan. Four destroyers were detailed to the Commandant of the 14th Naval District for use in anti-submarine patrol and other patrol duties. He also had some tugs which he used for mine-sweeping, as I recall it. However, there were available to him sufficient forces to do the limited mine-sweeping which was required at the District.

58. Q. That goes into a little more detail than I intended, but I thank you, Admiral. Who gave the order to transfer the B-17 bombers from the Hawaiian area? Do you recall?

A. The War Department.

[291] 59. Q. And at about what time of the year did this order take effect?

A. Oh, that transfer, the most of it was effected in November of 1941.

60. Q. Do you feel that you had kept the Navy Department in Washington reasonably well informed as to the status of the defenses of Pearl Harbor in the matter of protecting that area against aircraft attack during your tour of duty as Comamnder-in-Chief?

A. I do.

61. Q. With special reference to aircraft torpedo plane attack, what would you say would be the requirements for such a defense that are different from the defenses against air bombing attack in general?

A. Well, the defense against an air torpedo plane attack in addition to the elements required for an air bombing attack, requires nets so placed that they will deflect or explode the torpedoes before they reach their objectives; in lieu of a net, baffles, target rafts, or any objects properly placed that will explode or deflect the torpedo, are required.

62. Q. Were any of these means of defense available in Oahu or in the Hawaiian area when you assumed command of the Pacific Fleet in February 1941?

A. None of the defenses against an air torpedo plane attack, as such, were available to me when I assumed command of the Pacific Fleet.

63. Q. What was done, to your knowledge, to improve these defenses against airplane torpedo attack during your tour of duty as Commander-in-Chief of Pacific Fleet?

A. No effective steps were taken that I recall. In addition to the defenses that I have mentioned against an air torpedo plane attack, the use of barrage balloons would have been a help, because they would have tended to keep the planes so high that they could not have dropped the torpedoes.

64. Q. What would have been the effect of these barrage balloons on our own air activities in the Pearl Harbor area?

A. They would have stopped the air activity to a very large extent, and they were not recommended.

65. Q. When you assumed command of the Pacific Fleet, what was the technical view you held on the performance of torpedoes dropped from aircraft in depths of water that prevailed at Pearl Harbor? In order words, was it your view that this could, or could not, be done?

A. I felt that there was no chance of aircraft torpedo attack on ships in Pearl Harbor. I based this opinion on letters which I had received from the Chief of Naval Operations.

[292] The interested party, Rear Admiral Husband E. Kimmel, U. S. Navy (Ret.), requested that the letter of February 17, 1941, from the Chief of Naval Operations to the Commander-in-Chief of Pacific Fleet, to which he referred in his testimony, be admitted in evidence at this time.

The judge advocate stated that he had no objection.

The said document was submitted to the judge advocate, to the other interested parties, and to the court, and by the interested party, Rear Admiral Husband E. Kimmel, U. S. Navy (Ret.), offered in evidence.

There being no objection, it was so received, copy appended marked "EXHIBIT 49."

66. Q. Please read the letter.

The witness read the letter, Exhibit 49.

66-A. Q. I would ask you if there were any changes in the views of technical bureaus or others in authority as regards the possibility of using aircraft torpedoes in waters of depths prevailing at Pearl Harbor during 1941?

A. On June 13, 1941, the Chief of Naval Operations addressed a letter to the Commandants of all naval districts, with copies to CinCPac, CinClant, and so forth. The subject was, "Anti-torpedo baffles for protection against torpedo plane attacks." Reference (a) is a CNO confidential letter of February 17, 1941. (Reading:)

In reference (a) the Commandants were requested to consider the employment of and to make recommendations concerning anti-torpedo baffles especially for the protection of large and valuable units of the fleet in their respective harbors and especially at the major fleet bases. In paragraph 3 were itemized certain limitations to consider in the use of A/T baffles among which the following was stated:

"A minimum depth of water of 75 feet may be assumed necessary to successfully drop torpedoes from planes. About two hundred yards of torpedo run is necessary before the exploding device is armed, but this may be altered."

2. Recent developments have shown that United States and British torpedoes may be dropped from planes at heights of as much as three hundred feet, and in some cases make initial dives of considerably less than 75 feet, and make excellent runs. Hence, it may be stated that it cannot be assumed that any capital ship 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. 3. While no minimum depth of water in which naval vessels may be anchored can arbitrarily be assumed as providing safety from torpedo plane attack, it may be assumed that depth of [293] water will be one of the factors considered by any attacking force, and an attack launched in relatively deep water (10 fathoms or more) is much more likely. 4. As a matter of information, the torpedoes launched by the British at Taranto were, in general, in thirteen to fifteen fathoms of water, although several torpedoes may have been launched in eleven or twelve fathoms.

(Signed) R. E. Ingersoll.

Now when the letter of 17 February, which was a letter to the Commandant of the District, was received, Admiral Bloch submitted a letter to the Chief of Naval Operations, and his letter dated 20 March 1941, stated (reading):

The depth of water in and alongside available berths in Pearl Harbor does not exceed 45 feet. b. There is limited maneuvering area in Pearl Harbor for vessels approaching and leaving berths, which prevents the departure of a large group of vessels on short notice. c. Most of the available berths are located close aboard the main ship channels, which are crossed by cable and pipelines as well as ferry routes. The installation of baffles for the Fleet moorings would have to be so extensive that most of the entire channel area would be restricted. Other harbors in the 14th Naval District have a water depth limitation similar to Pearl Harbor. In view of the foregoing, the Commandant does not recommend the installation of baffles for mooring in Pearl Harbor or other harbors in the 14th Naval District.

(Signed) C. C. Bloch.

The Commander-in-Chief of the Pacific Fleet, under date of March 12, 1941, wrote to the Chief of Naval Operations and stated, "In view of the contents of reference (a), that is, the CNO's confidential letter of 15 February 1941, the Commander-in-Chief of U. S. Pacific Fleet recommends that until a light, efficient net that can be laid temporarily and quickly, is developed, no A/T nets be supplied this area." When the letter of June 13 was received at my headquarters, we went over this letter thoroughly and my staff considered that, in view of the

statements in this letter, that there was still no danger from torpedoes in Pearl Harbor. While the statement was made that no ship could be considered safe, yet, there was strong presumption that the torpedoes would not run in the depths of water which obtained in Pearl Harbor, and those depths are 40 feet or less. In any event, I recall of no effort on the part of the Navy Department to put these nets in Pearl Harbor. I feel that the Navy Department was no more concerned about the use of aerial torpedoes in Pearl Harbor than were the Commander-in-Chief of the Pacific Fleet and the Commandant of the 14th Naval District. To the best of my recollection, no further correspondence on this subject was had.

67. Q. What did the Japanese attack on Pearl Harbor prove as regards the use of air torpedoes in depths of water of those prevailing in Pearl Harbor?

A. They performed very well indeed from the Japanese standpoint.

[294] 68. Q. Admiral, in a number of instances, especially in the testimony of General Short, there was reference made to a General Headquarters Air Force. What is your conception of such a command? What does that mean to you?

A. My conception of the Army G. H. Q. Air Force has always been a little bit hazy. I have never been able to grasp all of the details of what the General Headquarters Air Force does nor how it is administered. So far as our activities in Pearl Harbor were concerned, we had to work with what we had. We were forced to work with what we had, and the General Headquarters Air Force was a theory. I would add this: I would like to add this point: In all that I have said about the inadequacy of the forces in Pearl Harbor, and of the efforts of the Navy to supplement the Army deficiencies, it is my belief that what we did does not alter in any way the basic responsibility of the Army for the defense of Pearl Harbor, as provided for in the "Joint Action of the Army and Navy."

69. Q. What were your views immediately before 7 December 1941 on measures to be employed for locating and engaging enemy aircraft before they reached their objective? I am assuming now that an attack has been launched and that the planes are en route to their objective.

A. After aircraft are launched and are en route to their objective, the only practicable means of locating them in time are by radar and to a very much less efficient extent by visual observation, either from shore, from ships, or from scouting planes. This was true before December 7, as it is now. Prior to December 7, however, radar was in its infancy, so far as our services are concerned, and it was to that extent in effective due to the limitations of material and the greenness of the personnel. We had carried on an intensive training program on radar operations on the ships of the Fleet in which this was installed. I have told you about taking the selected personnel from the Army to sea and about giving them the benefit of what we had learned about radar. Now the supplement to the shore radar was the aircraft warning net, which was an Army responsibility; and you have heard General Short describe the conditions of this net on December 7, 1941. I think that the Army personnel in Hawaii did everything they could, or I should say, perhaps, General Short, I felt, did everything that he could within the limitations of material supplied them to establish this

warning net and to put together the radar. Of course, I was not familiar with the details of their construction, but I know our people did put pressure on them constantly to get something done.

70. Q. What service was charged under existing orders and agreements on December 7, 1941, with locating and engaging enemy aircraft before they reached their objectives?

A. Army.

[295] 71. Q. Was the other service to lend any assistance?

A. In Hawaii each service was prepared to render any practicable assistance to the other; and if the Navy in any of their planes which were under naval command at the time, had sighted attacking aircraft, they would have rendered such assistance to the Army as was practicable and possible. When planes are once launched and coming in to make an attack on Oahu, the Army is responsible for locating the planes. The methods of locating the planes are radar, observation posts on shore, in ships, and in scouting or observation planes. Now while it is the Army's basic responsibility to locate these planes, the Navy by agreement was obligated to give them all the information they obtained in the performance of whatever mission was assigned to them.

72. Q. What service in Hawaii was charged with repulsing enemy aircraft by anti-aircraft fire, on 7 December 1941?

A. The Army, I should say, had the prime responsibility. The plans that we had provided for the Navy rendering every possible assistance to the Army. It provided for the use of all the guns, including 30 calibres and even shoulder rifles by the marines in the Navy Yard, and by the crews of the flying field. In addition, it provided that the batteries of all ships should take part in shooting down the planes.

73. Q. What was the agreement for joint readiness for immediate action in defense against surprise raids on Pearl Harbor?

A. It is set forth in several publications which the court has already examined, and I will re-state that the principal agreement effectuating the coordination of effort was the status of aircraft, Army and Navy aircraft. In general, this provided for all fighter planes from the Navy that were based on shore to report at once to the Army. It provided for all bomber planes from the Army and all patrol and bombing planes from the Navy, that were based on shore, to report to the Navy. The naval planes were under the command of the naval base defense officer, who in turn had the commander of the naval base defense air force to actually operate the planes. The Army operated the fighter and pursuit planes. We had arrangements made whereby daily reports were made of the availability of planes, and Admiral Bellinger made his report to the Army of the planes that he would have available on any one day. The Army made its report to Admiral Bellinger so that each knew what planes were available and, very closely, what all the planes were doing on any one day.

Frank L. Middleton, yeoman second class, U. S. Naval Reserve, reporter, entered. Frank M. Sickles, yeoman first class, U. S. Naval Reserve, reporter, withdrew.

[296] 74. Q. Were there any drills held in furthering these joint exercises?

A. Yes. Air raid drills for several months were conducted each week. For about two to three months prior to December 7, 1941, we

conducted the drills once every two weeks. This was in order to insure the participation of all elements in each drill as held, and when the drills were held weekly there were too many people excused due to overhauling a plane or some work that they considered essential and more important than taking part in the drills. It was particularly difficult at times and it required considerable insistence to get these people all ready to take part in the drills. We had better results and accomplished more after we went to the bi-weekly drills than we had had when we had the weekly drills because when we made that concession we also tightened up on the people who we required to take part in them.

75. Q. With regard to the activities of the Army and Navy in the Hawaiian area—I speak of their activities in a military sense—did you ever have any discussions with the Commanding General of the Hawaiian Department on the desirability of putting unity of command in effect in the Hawaiian area?

A. No.

76. Q. Do you feel that any problems that you had would have been more easily resolved, or not, if you had had unity of command in effect?

A. I feel that where command is vested in one agency, other things being equal, you will get very much better results than where there is a divided responsibility.

77. Q. Do you consider that the Commandant, 14th Naval District, had authority, so far as you were concerned, to put unity of command in effect?

A. I do not, not without reference to me, and I would not have put unity of command in effect, or accepted responsibility for the Army actions, without reference to the Navy Department.

78. Q. There is evidence before this court that in July, 1941, an executive order had been issued freezing Japanese assets in the United States. Did this order give you any views as to the imminence of war with Japan?

A. This executive order tended to worsen the relations betwixt the United States and Japan. I judged that it was one more step along the road to war. However, there was room for the opposite view, and that is that a firm stand against Japan would deter them from taking any action. I believe a good many people had advocated and argued that that would be the case.

79. Q. Subsequent to this executive order, can you remember the next development in United States-Japanese relations that bore on the imminence of war with Japan?

A. Well, I knew of the Atlantic conference, but I knew of no commitments that were made there. I got my [297] information from the newspapers. I also had a message from the Chief of Naval Operations dated October 16th which indicated that an attack by Japan on Russia was considered a strong possibility, but that Japan blamed the United States and Great Britain for her present situation and it was possible that Japan might attack either one or both. There were other developments which were unknown to me until after the war started. One of these is the alleged commitment by the United States that even if not herself attacked she would come to Britain's aid in the Far East. Also, on 16 August, 1941, Mr. Hull

delivered to Japan a note protesting strongly against further movements to the south. This was not known to me until after the war was started.

80. Q. You mentioned having received the dispatch of 16 October, 1941. What was your estimate at the time of the receipt of this dispatch on the imminence of a United States-Japanese war, on 16 October 1941, after you received the dispatch which is Exhibit 13 before this court?

A. I did not consider at this time that war betwixt the United States and Japan was imminent. I had attempted to find out what the action of the United States would be in case Japan attacked the Maritime Provinces, but I got no definite answer. I did not consider that war was imminent.

81. Q. In this dispatch, Exhibit 13, there is this directive: "In view of these possibilities you will take due precautions, including such preparatory deployments as will not disclose the strategic intention, nor constitute provocative attacks against Japan." What did you do, as Commander-in-Chief, in complying with this directive to take due precautions?

A. This dispatch states, in part, "In view of these possibilities, you will take due precautions, including such preparatory deployments as will not disclose strategic intention nor constitute provocative attacks against Japan." I took the action at this time which I described to the Chief of Naval Operations in my letter of 22 October, Exhibit 14, and which action was approved specifically in the letter of 7 November from the Chief of Naval Operations. In that letter of 22 October I stated that I had placed and would continue to maintain the patrol of two submarines at Midway. I dispatched 12 patrol planes to Midway. I dispatched two submarines to Wake, and they would arrive there on 23 October. I dispatched the CASTOR and two destroyers to Johnson and Wake with additional marines, ammunition and stores. The CURTISS arrived at Wake on 21 October with gas, lube oil, and bombs. I prepared to send 6 patrol planes from Midway to Wake; to replace the 6 at Midway from Pearl Harbor. I dispatched additional marines to Palmyra. I placed Admiral Pye, with the ships making a health cruise, on twelve hours notice after 20 October. I had 6 submarines prepared to depart for Japan on short notice. I put some [298] additional security measures in effect in the operating areas outside of Pearl Harbor. I delayed the sailing of the WEST VIRGINIA until about 17 November, when she was due to go for an overhaul at Puget Sound, and I deferred final decision until that time. With minor changes I proposed to continue the health cruises to the Pacific Coast until something more definite develops.

The court then, at 3:00 p. m., took a recess until 3:10 p. m., at which time it reconvened.

Present: All the members, the judge advocate, the reporter, the interested parties and their counsel, except Admiral Harold R. Stark, U. S. Navy, interested party, whose counsel were present.

No witnesses not otherwise connected with the inquiry were present.

Rear Admiral Husband E. Kimmel, U. S. Navy, (Ret), the witness under examination when the recess was taken, resumed his seat as a witness, and was warned that the oath previously taken was still binding.

Examination by the judge advocate, (Continued) :

82. Q. Admiral, I show you a Chief of Naval Operations dispatch of 24 November 1941 which is now in evidence before this court marked Exhibit 15, and ask you if you received that dispatch?

A. Yes, I received it.

83. Q. Did the receipt of this dispatch cause you to make any changes in your estimate of the situation as regards the intentions of the Japanese government as of this date?

A. There was, in my opinion, a possibility of an aggressive movement, and the dispatch itself indicated an attack on the Philippines or Guam was a possibility. I felt that this required no action by me further than that which I had already taken and I did not stop the training program. The Chief of Naval Operations felt that no change in the training program was desirable or required by the dispatch of 24 November.

84. Q. Did your estimate of the situation at this time of what the Japanese intentions might be, include a surprise attack on Pearl Harbor?

A. At this time I considered that an air attack on Pearl Harbor was a remote possibility. However, if Japan attacked the Philippines, a submarine attack on Pearl Harbor could be expected.

85. Q. At the time of the receipt of this dispatch, did you take any additional security measures within your command?

A. No.

[299] 86. Q. Specifically, what did the words contained in this dispatch, and I quote, "a surprise, aggressive movement in any direction" convey to you?

A. "A surprise, aggressive movement in any direction, including an attack on the Philippines or Guam is a possibility," is the wording of the dispatch. I thought when I received it that the surprise, aggressive movement in any other direction than the Philippines or Guam referred to a foreign territory.

87. Q. The words "in any direction," then, did or did not include, so far as your estimate was concerned, the Hawaiian Islands?

A. That is correct; only as regards submarine attack and not as regards an air attack.

88. Q. Can you recall the next information that you received from any source which gave you any information on the change in United States-Japanese relations looking toward war?

A. On 27 November 1941, I received the dispatch from the Chief of Naval Operations.

89. Q. I refer you to Exhibit 17, which is now in evidence before the court, and ask you if that is the message that you refer to?

A. Yes.

90. Q. Did you, as Commander-in-Chief, take any additional security measures other than those that you have already stated were in effect in your command?

A. We ordered to Wake, one patrol squadron then at Midway, and it proceeded on 1 December, conducting a reconnaissance sweep en route. The patrol squadron at Midway was replaced by a patrol squadron from Pearl, which left Pearl the 3rd of November via Johnston Island, conducting a reconnaissance sweep en route to Johnston, and also from Johnston to Midway. This patrol squadron made

a daily search from Midway on 2, 3, 4, 5 and 6 December. They were to make daily searches until further orders. We sent the ENTERPRISE to Wake with one Marine fighting squadron, which departed from Pearl on 28 November and landed the planes at Wake on 3 December. The ENTERPRISE conducted daily reconnaissance flights with its own planes. The patrol squadron at Wake was then withdrawn. It conducted a reconnaissance sweep en route Wake to Midway, and a similar sweep from Midway to Pearl. The LEXINGTON proceeded to Midway with a VMF squadron, departing Pearl 5 December. It conducted daily reconnaissance flights with its own planes en route and was 400 miles southeast of Midway when the war broke. The BURROUGHS was dispatched to Wake with additional forces and supplies, including radar, but was short of Wake when the war broke. She departed Pearl 29 November. We conducted daily reconnaissance flights with PB planes based on Pearl Harbor [300] to cover the Fleet operating areas and approaches thereto. On 27 November I issued an order that any submarine contacts in the operating areas around the Island of Oahu should be depth bombed, and so informed the Chief of Naval Operations, as I have previously noted. These dispositions of mine were well known to the Navy Department, and Admiral Stark testified before the Roberts Commission that he considered them sound; that he knew of them and considered them O. K. We had two submarines operating at Wake and two at Midway doing patrol duty. I issued orders for full security measures to be taken by ships in operating areas and at sea. In Pearl Harbor proper, the Commandant warned all of his anti-submarine patrol forces to take additional security measures against submarines. I have previously testified about the condition of the anti-aircraft batteries at this time. I would like at this time to tell the reasons that actuated me in issuing the order to bomb submarines in the operating area. In February of 1941, shortly after I took command of the Fleet, we had what the destroyer personnel who trailed this contact always insisted was a Japanese submarine. They had it under observation for, I think, about 48 hours, something over 48 hours. They got propeller noises, and I was much concerned. I wrote out a dispatch telling them to bomb the submarine and my staff pointed out to me that that was not in accordance with orders and that we were forbidden to bomb submarines except in the defensive sea area which was about 3 miles from land. I made a complete, full report to the Chief of Naval Operations after this incident. Incidentally, I had 4 destroyers trailing the submarine contact. I was most unhappy while the destroyers were exposed in this way and I suggested that I would be delighted to give orders to bomb the submarines, any submarines contacted in the operating areas. That was in a letter to the Chief of Naval Operations. His answer came back by dispatch telling me not to bomb any submarine contacts in the operating area but to keep in effect the orders that had been issued by my predecessor. On four or five other occasions we had submarine contacts in the operating area. In September, after another one of these contacts which lasted for some time, I wrote another letter to the Chief of Naval Operations in which I said I would like to bomb the submarines, and was again informed that in case we got positive evidence that there was a submarine in the operating area it would be in order to make a protest to Japan. During all

this time, and at various other times which I am not detailing now, I felt that I was exposing these destroyers' crews to considerable danger, and when I got the dispatch of 27 November I decided that I would go ahead and tell them to bomb all the submarine contacts. I got no answer to the information copy which I sent to the Chief of Naval Operations. The Pearl Harbor operating area was some 2,000 miles from the nearest Japanese possession. I knew that if we sent any submarines into a Japanese operating area they wouldn't hesitate a moment to bomb them. I felt that any submarine operating submerged in the Pearl Harbor operating area should be bombed. I had felt it a long time, and I decided on 27 November to bomb them anyhow.

[301] Frederick T. Lachat, yeoman first class, U. S. Naval Reserve, reporter, entered. Frank L. Middleton, yeoman second class, U. S. Naval Reserve, reporter, withdrew.

The interested party, Admiral Harold R. Stark, U. S. Navy, moved that that part of the answer with reference to what he testified before the Roberts Commission be stricken out.

Neither the judge advocate nor any of the interested parties replied.

The court directed that that part of the answer dealing with the testimony of the interested party, Admiral Harold R. Stark, U. S. Navy, before the Roberts Commission be stricken out.

91. Q. Did the receipt of Exhibit 17, which is the dispatch of November 27, 1941, in any way change your estimation of the situation in regard to Japanese intentions?

A. My estimate of Japanese intentions after the receipt of this dispatch of November 27 was as stated in the dispatch, that a move would take place within the next few days in the form of an amphibious expedition against either the Philippines or Kra Peninsula or possibly Borneo. I estimated from this and all other information available to me that if the aggressive move eventuated against a U. S. possession, it would be made against the Philippines, and if it were made against the Philippines, I felt there was a very good chance that a mass submarine attack would occur in the Hawaiian area. I thought an air attack was still a remote possibility, and I did not expect an air attack to be made on Pearl Harbor at this time due to the tenor of the dispatches, the other information available to me, the difficulties of making such an attack, and the latest information I had from the Navy Department and other sources was that the greater portion of the carrier forces were located in home waters. I considered, of course, that one of the primary causes for the dispatch was, as stated, that negotiations had ceased. Consequently, when the press indicated further conversations were continuing between the Japanese ambassadors and the State Department, the warning lost much of its force. I further assumed that no ultimatum had been given by the United States Government to Japan, because I had been informed that the Chief of Staff and the Chief of Naval Operations had submitted a recommendation to the President that no such ultimatum be delivered. I had no knowledge of the contents and tenor of the note handed by the Secretary of State to the Japanese ambassadors on November 16 until long after I returned to the United States.

[302] 92. Q. Adverting to Exhibit 17, I quote: "This dispatch is to be considered a war warning." Did those words which I have just quoted have any special significance to you?

A. I regarded that phrase as a characterization of specific intelligence which the message contained.

93. Q. Did these words change in any manner your estimate of the imminence of a war with Japan?

A. The text which accompanied this phrase indicated that an aggressive move by Japan was expected within the next few days. This made the war with Japan closer than it had been before I received the message of November 27. Other statements in the dispatch, however, directed my attention to specific localities in which the Navy Department apparently expected the attack to eventuate. The more cautious phrasing and the emphasis of measures contained in the War Department's messages and the precaution against taking measures which might alarm the civilian population, all lead me to the conclusion that an air attack on Pearl Harbor or anything other than a surprise submarine attack was most improbable. Of course, the surprise submarine attack could be in conjunction with an attack made on the Philippines.

Examined by the court:

94. Q. What do you mean by a submarine attack on Pearl Harbor?

A. I mean by that a mass submarine attack on the ships in the operating area. In this connection, I was using Pearl Harbor in the sense not only of the harbor itself but in the operating areas surrounding Oahu.

Reexamined by the judge advocate:

95. Q. Did you take any additional security measures as a result of the receipt of this dispatch of November 27, 1941?

A. I already stated the additional security measures which I placed in effect upon the receipt of this dispatch, and they are much more convincing.

96. Q. What naval officer was, under your existing plans as of November 27, 1941, responsible for the defense of the Pearl Harbor Naval Base?

A. The joint agreement with the Army—and it is prescribed in the Naval Coastal Defense Plan—makes the Army primarily responsible for the defense of Pearl Harbor. However, the forces supplied by the War Department to the Army were never adequate to perform this task properly. The Commandant of the 14th Naval District entered into certain agreements with the Army, looking to the best utilization of [303] both the Army and Navy forces available in Oahu. The War Department, in effect, admitted that they were unable to defend Pearl Harbor by not supplying sufficient long-range bombing planes and sufficient fighting planes and artillery of all description to accomplish the task unaided. Admiral Bloch, with my approval, made these agreements with the Army, and with the security orders which I issued and which included 2CL-41 of October 14, looked to the utilization of every force, both Army and Navy, which was stationed in Hawaii or which, at the time, was in Pearl Harbor. I compiled and issued this order, 2CL-41, and specifically designated the Commandant of the 14th Naval District as the Naval Base Defense Officer of Pearl Harbor, who was charged in this order, as well as in the war plans, with coordinating the naval effort, which was to supplement the Army effort in defense of Pearl Harbor. He agreed to undertake distance reconnaissance, insofar as the planes available per-

mitted. Our agreement with the Army pooled the patrol planes under Navy command and the fighters under Army command.

The question was repeated.

A. The Commandant of the 14th Naval District was the Naval Base Defense Officer and was responsible for coordinating the naval effort to supplement the Army effort in defense of the base.

97. Q. Did you on receipt of Exhibit 17, which is the dispatch of November 27, consult with the Commandant of the 14th Naval District on any measures of security to be adopted in the 14th Naval District that were different from any then in effect?

A. Yes, I discussed this message with the Commandant of the 14th Naval District.

98. Q. Were any additional measures of security deemed advisable as a result of this conversation?

A. No.

99. Q. Specifically, did you consider such a measure as having an air cover during morning twilight?

A. By air cover. I presume you mean having fighter planes in the air during this period?

100. Q. That is correct.

A. That was considered, but inasmuch as the Army pursuit planes would remain in the air for only one hour without refueling and were restricted to flying within fifteen miles of land, this measure was not considered practical.

101. Q. Was the condition of readiness of the Fleet in the Hawaiian area changed in any manner as a result of the receipt of this message, Exhibit 17?

A. The full security measures for ships at sea were already in effect.

[304] 102. Q. Did you consider a higher condition of readiness advisable at this time?

A. For ships at sea?

103. Q. No, ships at Pearl Harbor?

A. Yes, I considered it, but we didn't put any additional steps into effect.

104. Q. Do you feel that the Fleet would have been more secure if, after November 27, you had adopted some such security measure as having all ships go to general quarters at an hour before sunrise?

A. It might have been. In the light of what has happened, it was, of course, a precaution that perhaps should have been taken, but if I had considered an air raid on Pearl Harbor at this time imminent, there are many other steps which we would have taken.

105. Q. From your naval experience, what is the most probable time of day to expect an air attack from carrier-based planes?

A. If you are referring to Pearl Harbor, as I presume you are, I should say the most probable time is shortly after daylight, because that would give the aircraft a chance to complete their attack, return to the carriers during the daylight, and they would have a full dark period to get out of the range of the shore-based aircraft. That, however, can be argued. That is merely my opinion.

106. Q. You gave us some testimony this morning, Admiral, on the organization of the Army's aircraft warning system. I should like to have you summarize briefly at this point what the general equipment was and the proficiency of the personnel in its operation?

A. I have been informed that the personnel of the Army's aircraft warning system were green and untrained. The aircraft warning system and the radars were new. The equipment was not entirely adequate. The radar was limited in operation to a limited range, and the permanent station was incomplete. The warning net needed much polishing and adjustment to make it a real, efficient service.

107. Q. What would be the range in miles from Oahu that a long-range reconnaissance flight would have to be flown to be effective against known Japanese carriers as of November 27, 1941?

A. 800 miles.

[305] 108. Q. In order to cover thoroughly a 360-degree arc, how many patrol-type aircraft would have been necessary to cover this area efficiently at this range of 800 miles, the patrol to be flown once daily for, say, as long as ten days?

A. Well, assuming 15 miles visibility, it would require 84 planes to make one flight and cover 360 degrees, and to maintain a continuous patrol would take anywhere from two-and-a-half to three times that number for search only.

109. Q. What would you consider the most probable areas of approach for a surprise air attack launched from carriers against Pearl Harbor?

A. I testified before the so-called Roberts Commission that I thought the northern sector was the most probable. I thought at the time that the aircraft had come from the north—the time I testified I mean—and I didn't wish to make alibis. However, I feel that there is no sector around Oahu which is much more dangerous than any other sector. We have an island which can be approached from any direction. There is no outlying land which prevents this, and you have got a 360-degree arc, minus the very small line which runs up along the Hawaiian chain. From the southern, we have observation stations, Johnston and Palmyra, and the closest Japanese possession is to the southwestward in the Marshalls, and these Japanese carriers were fuel eaters and short-legged. I would say that while all sectors are important, if I were restricted, I would probably search the western 180-degree sector first.

110. Q. In the dispatch of November 27 there is a directive: "Execute an appropriate defensive deployment preparatory to carrying out the tasks assigned in WPL-46. On receipt of this dispatch what did those words mean to you?"

A. This appropriate defensive deployment was a new term to me. I decided that what was meant was something similar to the disposition I had made on October 16, which had been approved by the originator of both these dispatches, and I therefore made the dispositions which I have outlined.

111. Q. This dispatch of November 27 also contains the statement, "Negotiations with Japan looking toward stabilization of conditions in the Pacific have ceased." Was this information in conformance with any other information that you had, or was it contrary to other information that you had?

A. I had received several statements saying, as I recall, that conversations had about reached an impasse, and on two or three occasions—all of which are in the record here—a statement was made that conversations were just about finished—just finishing, and this was news that conversations had actually ceased.

[306] 112. Q. Did you see any notices in the public press or hear any radio broadcasts which were contrary to this statement?

A. Oh, subsequently, yes, that the conversations, at least, were continuing. That was in the public press, and it came over the radio, and it was discussed among me and my staff and my principal advisors. I was in consultation during this period with Admiral Pye, Admiral Bloch, General Short, Admiral Brown, and Admiral Halsey. To be sure, Halsey went to sea on the 28th of November and made a trip to Wake and got back on the morning of the attack. Brown went out several days later, and I discussed the measures with him as well as with my staff—those and other things. I had adopted a policy whereby I showed my correspondence with the Navy Department, and, particularly, the letters which I received from the Chief of Naval Operations and all the dispatches, to the officers that I have named, and insofar as they were available at my headquarters during this period. I showed them these dispatches and these letters and discussed the matters with them, and we certainly discussed the question of the apparent resumption of conversations between Mr. Kurusu and Admiral Nomura and Secretary Hull.

113. Q. Did this information which you had thus gleaned from public sources affect, in any way, your estimate of the situation in regard to the imminence of war between the United States and Japan?

A. Oh, yes, everything affected—All the information a man gets affects him in arriving at a decision.

114. Q. Can you tell the court in what way this information affected the estimate which you had previously made regarding the imminence of war with Japan?

A. The attempt here to find a distinction between negotiations and conversations was not apparent to me, and I thought that negotiations were continuing. They were having conversations. That, I think, is borne out by various evidence which we have. If negotiations had ceased, that means to me that they didn't have anything more to do with each other.

115. Q. Subsequent to the receipt of the dispatch of November 27, 1941, and up until the attack on Pearl Harbor at 0755 on the 7th of December, 1941, had you received any further official information from the Navy Department as to the progress or the status of negotiations with the Japanese?

A. No.

116. Q. In other words, the Navy Department had failed to say that negotiations were either continuing or had stopped?

A. That is correct. I got a major part of by diplomatic information from the newspapers.

[307] 117. Q. Do you mean to tell the court that you acted on newspaper information in preference to official information supplied you by the Navy Department?

A. No, I make no such statement.

118. Q. I show you Exhibit 18, which is a dispatch of November 26, 1941, and ask you if you will identify it for the court and state whether you received it or not?

A. I did.

119. Q. Will you say what it is?

A. This is a proposal from the Chief of Naval Operations to transfer Army pursuit planes to Midway and Wake in order to conserve the marine planes for expeditionary duty. It goes into considerable details as to how we shall land the planes and says that planes will be flown off at destination and ground personnel landed in boats, etc.

120. Q. Do you consider the matter of stationing these twenty-five pursuit planes at Midway and a considerable number at Wake to be a directive or a suggestion? How do you consider that?

A. I considered it as a suggestion, and in my letter of December 2, 1941, to the Chief of Naval Operations, which I request to be read to the court and placed in evidence, you will see the steps that we took and that we recommended. I replied to this dispatch by a dispatch of November 28, I think it was. Incidentally, at the same time, or during the same period in which I received this dispatch from the Navy Department, General Short received a dispatch from the War Department. In his dispatch the proposal was made to relieve the marine infantry units on the outlying islands with Army personnel. It also touched on the question of taking Army pursuit planes to put on the outlying islands instead of the Navy planes. This proposal, if carried out, would have meant that the Army transfer something similar to a Marine defense battalion. They had nothing of the kind organized. It would have involved a great deal of transport and boat work, and at Wake, for instance, it took on an average of five or six days to unload a ship, due to the fact that the unloading had to be done in the open sea. On one occasion that I recall it took thirty days to unload a ship lying off Wake. We were making every effort to open a channel into the lagoon and permit the ships to go inside. That work was proceeding at top speed when the attack came, but this proposal was made by the Navy Department, who were fully cognizant of these conditions which existed on the outlying islands, and the proposals in themselves were evidence—at least, some evidence to me—that the Navy Department did not expect any serious upsets in the outlying area.

[308] 121. Q. The time group of this dispatch of 26 November indicates that it was released to the Navy Department at what time, sir?

A. 270038.

122. Q. The dispatch of 27 November, which is Exhibit 17 before this court, bears what date time group?

A. 272337.

123. Q. Approximately how many hours later is this dispatch of 27 November than the dispatch of 26 November?

A. About 22 hours; 23 hours.

124. Q. About 23 hours?

A. Yes.

125. Q. In other words, the Navy Department, when it wrote the dispatch of 27 November, had cognizance of the suggestion to you in its dispatch of the day before regarding the transfer of planes to Midway and Wake. Is that not a fact?

A. I have every reason to think that is correct.

126. Q. What means had you at the time of delivering pursuit or fighter planes to Midway or Wake from Oahu?

A. Pursuit planes had to be hoisted aboard the carriers at the flying field, Ford Island. They could be taken to within flying distance of

the islands and the commander of the Hawaiian Air Force informed me at a conference that his planes could only fly 15 miles from shore, his pursuit planes could only fly 15 miles from shore.

127. Q. Did that mean then, Admiral, that you had to send your carriers to an area approximately 15 miles from their destination before you could deliver these planes?

A. If you followed what he said literally, yes. However, the pursuit planes could be flown off the carriers and could have landed on the flying fields at Midway and at Wake. Once on the flying fields at Midway and Wake, these planes could not again be flown off and landed on a carrier. They could not land one of the pursuit planes they had then on one of our carriers. They didn't have enough run for it. And that was another reason given in my letter of 2 December to the Navy Department why I thought it better to send Marine planes to the islands because I felt them, and so indicated, that the planes would probably have to be removed from the islands before war came. We had very limited facilities on these islands to maintain the planes at this time. And that was the reason we had delayed sending the planes out there until the last minute. In this letter I also stated the arrangements I had made for handling material for planes and ground crews at Wake and at Midway and of the fact that I was sending the ENTERPRISE to Wake, and the LEXINGTON to Midway.

[309] 128. Q. Would the dispatch of a carrier subsequent to November 26, 1941, to these areas for the purpose of delivering planes, involve the absence from Pearl Harbor for a period of some days of this carrier and her escort?

A. Yes.

129. Q. About how many days would you estimate for the trip to Wake?

A. My recollection is that Wake is some 2,000 miles from Pearl Harbor. Midway is about 1,100 Miles. Halsey, with the ENTERPRISE, left on the 28th of November and would have arrived back in Pearl Harbor on 7 December.

130. Q. The Navy Department, after sending you this dispatch of 27 November in which it mentioned the war warning and the fact that an aggressive action is expected within the next few days, didn't then give you any further instructions as regards dispatching this carrier toward Wake and Midway, did it?

A. I sent a dispatch on 28 November telling what I was doing in regard to the transfer of these planes and as I recall it, recommending that no marines be relieved and no army be sent to the islands.

131. Q. Did you report to the Navy Department that you were dispatching or had dispatched a carrier to Wake or Midway for the purpose of delivering planes in response to its suggestions of 26 November?

A. I told the Navy Department that I was dispatching a carrier to Wake on 28 November and that I expected to send another carrier with Marine planes to Midway later.

132. Q. You say the Navy Department gave you no instructions as regards sending the carrier on its mission, as you have stated you reported to them in your dispatch of 28 November?

A. You mean did it stop me?

133. Q. Yes.

A. No.

134. Q. Did this situation that you have described of having suggested to you sending carriers a long distance from their base have any influence on your estimate of the situation at the time, that is, 28 November 1941, of the imminence of an attack by the Japanese on the United States?

A. Every communication that I received from the Navy Department, and every bit of information that I had that bore even remotely on this subject affected me in some degree. This action by the Navy Department, which we have just been discussing, indicated that they did not expect much immediate activity in the Hawaiian area.

The court then, at 4:30 p. m., adjourned until 9:45 a. m., August 16, 1944.

PROCEEDINGS OF NAVY COURT OF INQUIRY

WEDNESDAY, AUGUST 16, 1944

[310]

ELEVENTH DAY

NAVY DEPARTMENT,
Washington, D. C.

The court met at 9:45 a. m.

Present:

Admiral Orin G. Murfin, U. S. Navy (Ret), President.

Admiral Edward C. Kalbfus, U. S. Navy (Ret), Member.

Vice Admiral Adolphus Andrews, U. S. Navy (Ret), Member.

Commander Harold Biese-meier, U. S. Navy, Judge Advocate, and his counsel.

Frank Murrell Sickles, yeoman first class, U. S. Naval Reserve, reporter.

Counsel for Admiral Harold R. Stark, U. S. Navy, interested party.

Admiral Claude C. Bloch, U. S. Navy (Ret), interested party, and his counsel.

Rear Admiral Husband E. Kimmel, U. S. Navy (Ret), interested party, and his counsel.

The record of the proceedings of the tenth day of the inquiry was read and approved.

No witnesses not otherwise connected with the inquiry were present.

The judge advocate made the following statement: The judge advocate at this time would request that the witness under examination at the end of yesterday's session be asked to resume his status as interested party, for the reason that the judge advocate desires to recall Admiral Schuirmann for the purpose of conducting further examination into matters connected with the inquiry, which should be inquired into at this time, for the reason that his testimony may have some bearing on witnesses whose return to duties in connection with the war effort are imperative and we can no longer afford to keep them in Washington.

The court directed that the witness who was testifying at the close of yesterday's session resume his seat as interested party.

Rear Admiral R. E. Schuirmann, U. S. Navy, a witness [311] for the judge advocate, was recalled by the judge advocate and was warned that the oath previously taken was still binding.

The court made the following announcement: During your cross-examination, when you were last on the stand, the court made a ruling which prohibited the counsel for Admiral Kimmel from continuing along a certain line of examination. The court now rescinds that ruling, and your cross-examination will be continued along those lines if the counsel so desires.

Examined by the judge advocate:

1. Q. Admiral, I refer you to a document entitled "Peace and War", which is an official State Department publication, and which the court was requested to take judicial knowledge of, and the court announced that it would. I refer you to a document printed on page 823 of this publication, and ask you if you can identify it.

A. I can identify it to the extent that I have seen it before, yes, and more or less recall that such a note was sent, and the contents.

2. Q. What is the title of this document as set forth in the publication?

A. Memorandum regarding the conversation between Under-Secretary of State Welles and the Japanese Ambassador (Nomura), and Mr. Kurusu, on the 2nd day of December 1941.

3. Q. Adverting to this document, I will request you to read to the court for the purpose of inserting into the record the statement of the Under Secretary of State Welles, and the reply of the Japanese Ambassador.

A. (Reading):

I have received reports during the past days of continuing Japanese troop movements to southern Indochina. These reports indicate a very rapid and material increase in the forces of all kinds stationed by Japan in Indochina. It was my clear understanding that by the terms of the agreement—and there is no present need to discuss the nature of that agreement—between Japan and the French Government at Vichy that the total number of Japanese forces permitted by the terms of that agreement to be stationed in Indochina was very considerably less than the total amount of forces already there. The stationing of these increased Japanese forces in Indochina would seem to imply the utilization of these forces by Japan for purpose of further aggression, since no such number of forces could possibly be required for the policing of that region. Such aggression could conceivably be against the Philippine Islands; against the many islands of the East Indies; against Burma; against Malaya or either through coercion or through the actual use of force for the purpose of undertaking the occupation of [312] Thailand. Such new aggression would, of course, be additional to the acts of aggression already undertaken against China, our attitude towards which is well known, and has been repeatedly stated to the Japanese Government. Please be good enough to request the Japanese Ambassador and Ambassador Kurusu to inquire at once of the Japanese Government what the actual reasons may be for the steps already taken, and what I am to consider is the policy of the Japanese Government as demonstrated by this recent and rapid concentration of troops in Indochina. This Government has seen in the last few years in Europe a policy on the part of the German Government which has involved a constant and steady encroachment upon the territory and rights of free and independent peoples through the utilization of military steps of the same character. It is for that reason and because of the broad problem of American defense that I should like to know the intention of the Japanese Government.

The Japanese Ambassador said that he was not informed by the Japanese Government of its intentions and could not speak authoritatively on the matter but that of course he would communicate the statement immediately to his Government.

4. Q. Admiral, in your duties as liaison officer with the State Department, had the subject matter of this note been brought to your attention?

A. I cannot recall definitely, but I presume, in view of the close liaison maintained, I was aware of the fact that such a note had been handed to the Japanese.

5. Q. Then you would not have any present recollection as to whether or not the information contained in this note had been communicated to the Chief of Naval Operations by you?

A. No.

6. Q. Adverting to your testimony when you were before the court at a previous session, you named certain individuals that were present when you and Admiral Stark were in his office about 9:30 on the morning of 7 December 1941. I would ask you to re-state, to the best of your ability and recollection, the officers who were there present at that time, in addition to yourself and Admiral Stark?

A. To the best of my recollection, Captain Turner and Admiral Wilkinson. I cannot place definitely whether they were there at 9:30 or later. Admiral Ingersoll was in and out of the office during that morning.

7. Q. Would you please re-state your best estimate of the [313] time that Admiral Stark came into his office.

A. My best estimate is 9:30.

8. Q. At the time he came into his office, had there been any information received from the War Department with reference to the Japanese-American situation; from the War Department, I ask?

A. None that I remember of, no.

9. Q. While you were present at the office did any such information arrive?

A. From the War Department?

10. Q. From the War Department.

A. None that I remember.

11. Q. Did any such information arrive from any officer of the War Department?

A. None that I recall.

12. Q. As I remember your testimony of the other day, this information was in your possession at 0930, or arrived in your possession shortly after 0930, as to certain information which was in the possession of the War Department relative to the status of the Japanese-American diplomatic situation. Do I remember correctly?

A. As I recall my testimony, the only thing that I stated which might be of that nature was the telephone conversation between General Marshall and Admiral Stark. I presume that this was available in the War Department, the same information that I mentioned and which formed the basis of General Marshall's telephone conversation.

13. Q. Did you not, at your last appearance before this court, tell us in substance that which you gleaned, or what you deemed to be the subject matter of this conversation between General Marshall and Admiral Stark?

A. That is correct.

14. Q. I show you Exhibit 48, which is now in evidence before this court and ask you to read to yourself the substance thereof. Can you recall whether or not the substance of the subject matter set out in Exhibit 48 was or was not the subject matter of the conversation between General Marshall and Admiral Stark, as you then understood it?

A. I presume that that message was sent following the conversation with Admiral Stark, and that, as I recollect, the information on which the message was based was in possession of the Navy Department and Admiral Stark.

15. Q. Did you yourself know about this general subject matter at that time?

A. As I recollect, I did not.

NOTE: Question 18, and the answer thereto, have, by direction of the court, been extracted from the following page, page 314, and placed on page 314-A, which has been deposited with the Secretary of the Navy. This action was taken in the interest of national security and the successful prosecution of the war.

[314] 16. Q. Prior to Admiral Stark's arrival in the Navy Department at or about 0930, did you make any attempt to communicate the information you had on this subject matter?

A. Prior to his arrival, no. I reached the Department, as I recollect, about 0900 o'clock, and Admiral Stark came in about 9:30.

The interested party, Admiral Harold R. Stark, U. S. Navy, did not desire to cross-examine this witness.

Cross-examined by the interested party, Rear Admiral Husband E. Kimmel, U. S. Navy (Ret):

17. Q. Referring to "Peace and War", the same volume from which you read, I read a paragraph on page 847, which is a paragraph of a radio address delivered by President Roosevelt from Washington on December 9, 1941 (reading):

Your Government knows that for weeks Germany has been telling Japan that if Japan did not attack the United States, Japan would not share in the dividing of spoils with Germany when peace came. She was promised by Germany that if she came in she would get complete and perpetual control of the whole Pacific area, and that means not only the Far East, not only all of the islands in the Pacific, but also a strangle hold on the west coast of North, Central, and South America.

In your capacity as liaison officer between the Navy Department and State Department, did you know, prior to 7 December 1941, the information stated by the President on December 9, 1941, in his public address, which I have just read to you?

A. To the best of my knowledge and belief, no.

18. Q. (SEE NOTE AT BOTTOM OF PAGE 313.)

19. Q. Did you tell the Chief of Naval Operations of the information concerning that subject matter which you acquired?

A. No, but it would have been conveyed to him in the normal course of events, by Commander Kramer.

20. Q. Did you have any conversations with Admiral Stark on that subject matter?

A. No conversation that I can recall. I feel sure that Admiral Stark did receive this information.

21. Q. Did you interpret this information as indicating a time when Japan would initiate a military offensive?

A. It is difficult for me to determine just how I evaluated the information at that time, because of events which have transpired since and which may lead me to believe that I placed a certain interpretation on it when at the time I did not. To the best of my recollection I believed that when the negotiations ended there would be a rupture of diplomatic relations, possibly a military move by Japan, but that such a move would not necessarily be directed against the United States.

[315] 22. Q. On or prior to December 6, was there information in the Navy Department that Japan would attack the United States?

A. None that I know; no positive information of that character, that Japan would attack the United States.

23. Q. Was there any information from which you estimated Japan would attack the United States?

A. None that came to my attention of such a definite character, that Japan would attack the United States.

24. Q. Or any United States' possession?

A. Or any United States' possession. There was information, I believe, but I cannot be positive, that Japan would sever diplomatic relations with the United States.

25. Q. If a foreign nation—and this is a hypothetical question—if a foreign nation, during a period of strained diplomatic relations, manifested marked interest in the movement and location of units of the United States Fleet at a specific Fleet base, would not those circumstances lead to the opinion that the base in question was a likely place for such foreign nation to attack in the event of war?

A. It would depend in my opinion as to the detailed information. If the period of strained relations existed, and that nation was to embark on a military expedition, say into Indochina, which might in her opinion be opposed by the United States, she would be interested in knowing the location and movements of all the armed forces of the United States, particularly the Fleet, in order that she could evaluate whether or not any move by the United States to oppose by force her movement against a third power was under way. If the detailed locations of the ships within the harbor was a question of which the hypothetical power was concerned, it might indicate that an attack on that particular place was under consideration.

26. Q. Was there information in the Navy Department, Admiral, prior to 6 December 1941, that Japan was manifesting interest in the movements and location, not only generally, but in Pearl Harbor, of the units of the United States Fleet?

A. In answering this question I wish to make plain that whether or not I knew in December that such information was available in the Department, I do not now recollect. I have ascertained that certain information on that subject was in the Navy Department about the 5th or 6th of December.

[316] 27. Q. Will you look at Exhibit 48, which you read a moment ago. Was any of the information set forth in Exhibit 48, which is the dispatch from General Marshall to Hawaii on Sunday—was any of the information contained in Exhibit 48 available in the Navy Department?

A. To the best of my knowledge and belief, all of it was.

28. Q. Was any of it available in the Navy Department prior to 7 December?

A. I do not know whether any of it—I do not recollect whether any of it was available prior to 7 December, or not. I believe that part of the information, the first item, was available on the 7th of December, and the second item of information was available prior to that date, perhaps on the 6th of December.

29. Q. Do you know whether any portion of the information in that dispatch that was available in the Navy Department prior to 7 December was distributed to responsible officials in the Navy Department or in the Government when received?

A. I don't know.

30. Q. I understood you to testify on the occasion of your previous appearance that you had no recollection of anyone in the Navy De-

partment telling the State Department on Sunday morning, 7 December, of the subject matter of the discussions between you and Admiral Stark and whoever else may have been present?

A. The subject matter of discussion, you mean, about the note?

31. Q. Yes.

A. I did not tell the State Department, but I am sure that the State Department was informed.

The interested party, Admiral Claude C. Bloch, U. S. Navy (Ret.) did not desire to cross-examine this witness.

Examined by the court:

32. Q. Admiral, for a number of years prior to December 1941, was it not a matter of common knowledge that Japan made a point of observing the movement of the United States Fleet units whenever possible?

A. That was the general belief throughout the Navy.

33. Q. Have you not personally observed Japanese merchant vessels in the vicinity of the United States Fleet when the said Fleet was maneuvering?

A. I do not know whether I personally observed, but during Fleet maneuvers there were reports generally received that merchant ships or Japanese tankers were in the vicinity for the purpose of observing.

[317] 34. Q. Admiral, do we understand that you were the liaison officer between the Chief of Naval Operations and the State Department?

A. Yes; may I add, I did not transmit information—I mean personally transmit all the information. There was a system set up whereby a courier went to the State Department with items of naval intelligence, which were matters of general information. Then if there was to be a discussion of that information, then I did the discussing of it with the State Department, unless it was done on a higher level.

35. Q. As the court remembers, you stated that you made a daily memorandum to Chief of Naval Operations as to what had transpired in the State Department that day?

A. No, sir. I did not make a daily memorandum. Sometimes I would go in and just relate, after a visit to the State Department, to the Chief of Naval Operations what had occurred.

36. Q. But that was the daily custom; is that correct?

A. I couldn't say it was a daily custom, Admiral. There were no regularity about the visits. If I thought it was necessary to go over there, I might go three times a day. Then maybe there would be a day or so elapse when there was no occasion to go.

37. Well, during this interval between 27 November and 7 December, you had daily contacts and made daily reports; is that correct?

A. Practically daily, sometimes oftener; some days it would be two or three times.

38. Q. And these reports and conversations were discussing questions regarding Japan?

A. Most of them, yes.

39. Q. In this note or letter you just read, of December 2, regarding conversations of Mr. Welles with the Japanese representatives, did you discuss that with the Chief of Operations?

A. I cannot state definitely whether I did or not.

40. Q. Will you please state to the court the system by which Chief of Operations received reports from the State Department relative to our relations with Japan?

A. The Chief of Naval Operations—I presume you mean this particular period, 27 of November to 7 December?

41. Q. That's right.

A. I think the Chief of Naval Operations received it sometimes direct from Secretary Hull via telephone. I think he received certain information from the Secretary of the Navy, after conferences that he held with Secretary Hull. If [318] matters of this nature were discussed in cabinet meetings, which I presume they were, he was undoubtedly informed by the Secretary of the Navy, although I was never present when the Secretary did inform him. I informed him during this period, verbally, of the meeting I attended on this subject with the State Department.

Frank L. Middleton, yeoman second class, U. S. Naval Reserve, reporter, entered. Frank Murrell Sickles, yeoman first class, U. S. Naval Reserve, reporter, withdrew.

42. Q. Do we understand that during that period, November 27 to December 7, you informed him and conversed with him regarding negotiations being carried on with Japan by the State Department?

A. That is correct, sir.

The proceedings following, Page 318-A; questions 43, 44, 45 and the answers thereto, have, by direction of the court, been extracted from the record and deposited with the Secretary of the Navy. This action was taken in the interest of national security and the successful prosecution of the war.

[319] None of the parties to the inquiry desired further to examine this witness.

The court informed the witness that he was privileged to make any further statement covering anything relating to the subject matter of the inquiry which he thought should be a matter of record in connection therewith, which had not been fully brought out by the previous questioning.

The witness stated he had nothing further to say.

The witness was duly warned and withdrew.

The court then, at 10:30 a. m., took a recess until 10:45 a. m., at which time it reconvened.

Present: All the members, the judge advocate, the reporter, the interested parties, and their counsel.

No witnesses not otherwise connected with the inquiry were present.

The interested party, Admiral Harold R. Stark, U. S. Navy, a witness for the judge advocate, was recalled and warned that the oath perviously taken by him was still binding.

The proceedings following, Page 320, Question Nos. 1 to 5 inclusive, have, by direction of the court, been extracted from the record and deposited with the Secretary of the Navy. This action was taken in the interest of national security and the successful prosecution of the war.

[321] 6. Q. The court understands, of course, that through your liaison officer you were in daily touch with the State Department, and that you had other means of having knowledge of any conversations that went on?

A. That is right; we were in daily liaison with the State Department.

7. Q. In your answers to these questions regarding negotiations, will you please explain to the court your differentiation between conversations and negotiations?

A. Well, I would say that negotiations might flow from conversations. Two parties might get together and talk things over without coming to any agreement as to what, for example, they might send their respective governments. The line, I would say, would be a rather fine one, but negotiations would mean to me, taking some action on conversations.

8. Q. But did you understand that from November 27th to December 7th there were conversations going on between these respective representatives?

A. I do not recall learning of continued conversations, or at least nothing definite which, to my mind, changed the information which I had sent to the Commander-in-Chief in the Pacific on 27 November, except, as I have previously testified, that I had been informed of in this court.

9. Q. It has been testified before this court that the note which was handed by the Secretary of State to the Japanese representative on 26 November was an incident which was a matter of general knowledge in the Navy Department. Are we correct in understanding that you had no knowledge whatsoever of this note?

A. I do not recall having seen the note, or the extent of it. I may have been told by my liaison officer, but the distinct impression that I had when I sent my dispatch was that we had come to an impasse.

10. Q. Do we understand that you had no knowledge of the contents of this note of 26 November up to and even immediately subsequent to 7 December 1941?

A. May I ask if that is the note which was given me here to read?

11. Q. That is the note of the 26th of November which told Japan our conditions for her maintaining relations with this country, specifying that she would give up Indo-China, withdraw her troops from China, and really revert to her status quo prior to the capture of Manchukuo?

A. I wouldn't say that I had no information. I have stated that I do not recall this note definitely. I have also testified to the fact—though I couldn't remember the date—that I understood a further dispatch might be sent to Japan.

[322] 12. Q. The reason that these questions are being asked is that if we remember correctly you stated when you were before this court that the first knowledge that you had ever had of this note was when it was shown to you at this court.

A. That is right. In answer to the previous question, I was referring to testimony which I gave and in which I said my remembrance of it was hazy; that the President was putting, or might put, before Japan some sort of a proposition looking to letting her have certain raw materials if, in turn, she would do certain things. The note, I do not recall having seen.

13. Q. Or the contents thereof?

A. Or its contents.

Cross-examined by the interested party, Admiral Harold R. Stark, U. S. Navy:

14. Q. Admiral Stark, concerning the shreds of information which may have been brought to your attention and which you do not recall now: Do you recall at any time during the period which followed 27 November having any thought that in consequence of that information you should amend your dispatch of 27 November?

A. I do not.

The interested parties, Rear Admiral Husband E. Kimmel, U. S. Navy (Ret.) and Admiral Claude C. Bloch, U. S. Navy (Ret) did not desire to cross-examine this witness.

None of the parties to the inquiry desired further to examine this witness.

The court informed the witness that he was privileged to make any further statement covering anything relating to the subject matter of the inquiry which he thought should be a matter of record in connection therewith, which had not been fully brought out by the previous questioning.

The witness made the following statement: I can think of nothing further to give the court. I do have a statement which I would like to make and then I should like to verify my testimony before the court. There are one or two more or less unimportant changes but in the interest of clarification I should like to put them before the court. They are short and will only take a few minutes.

The court granted permission to make the statement.

The witness made the following statement: In reading over my testimony I noted a considerable space devoted to questions on messages which, because of their secrecy, have been made exhibits before this court. I feel that I ought to make a further statement to the court on this matter. The line of questioning on certain messages which [323] I did not recall and still have no recollection of having seen furnishes certain indications to an alert enemy which might be of vital interest to him were he to obtain such information. Should the secret classification of the proceedings of this court be removed, or should a copy of those proceedings or information gained therefrom come into the possession of persons unfriendly to this country while the present war with Japan is still in progress, these certain questions which were asked me might suggest enough to the enemy to be definitely injurious to our present and continuing war effort. From past experience I find myself in complete agreement with the opinion that Admiral Kimmel has already expressed on the record before this court that it is obvious that in due time proceedings of this court and all of the evidence it might have secured will be a matter of open record available to the public. I therefore feel it my duty as a responsible naval officer and as a former Chief of Naval Operations with knowledge of many of the intelligence activities of my subordinates to suggest for the court's consideration that that part of the record which would in any way identify material now held so secret that it has been denied this court be taken out of the record and placed in a top secret status which will absolutely preclude any leak and reference thereto.

The judge advocate stated as follows: The judge advocate is in concurrence with the statement of the interested party, Admiral Stark, and he feels that if counsel for the other interested parties are willing to stipulate that these matters be deleted from the record and filed

in a secure place with due reference to them so that they may be seen by proper authorities on demand, that the record might be, with the consent of the court, so written up.

The court announced that the questions were not objected to and would not be taken out of the record.

The witness stated that he had read over the testimony given by him on the second, third, fourth, fifth, sixth, seventh and eighth days of the trial and that he desired to make the following corrections in his testimony:

In the fourth line I desire to change "dispatch" to "information". I would like to amend the last two sentences to read, "Now that, in itself, did not exclude an attack on the Hawaiian Islands; the dispatch referred to didn't include them specifically because they were not mentioned in the information we had of Japanese naval and military movements. Feeling, however, that we should be on guard against the possibility of an attack coming from any direction, I wrote the words 'in any direction' into that dispatch myself. I remember it very distinctly."

[324] On the same page, Question 138, change "on mentioning" to "or mention"; and change the word "Atlantic" to "Asiatic".

On the next page, Question 142, the answer to the question, change "he was ready" to "he needed".

On Page 76, Question 252, insert after the word "any" in the first line, the words "other than official dispatches". Change the second sentence to read, "I have no further personal letters on file".

On the same page, Page 76, Question 253, insert period after the words "Pearl Harbor" and change the second sentence to read, "I may add that I told Admiral Nomura, the Japanese Ambassador, that if Japan attacked the United States, we would break them before we got through, regardless of how long it took".

On Page 85, Question 279, in next to the last line, change the word "most" to "mostly".

On Page 106, Question 403, in the fifth line from the bottom, change the words "was ready" to "needed".

On Page 114, Question 444, strike out "yes" and substitute "as I recall".

On Page 143, Question 560, in the third line, change the words "war warning" in the third line, to "aggressive movement".

On Page 158, Question 626, delete the second sentence.

On Page 168, Question 706, change the answer to read, "I was informed that the Japanese Ambassador had been instructed to present a note to the State Department at exactly 1300".

None of the parties objected to the corrections as made.

None of the parties to the inquiry desired further to examine this witness.

The court informed the witness that he was privileged to make any further statement covering anything relating to the subject matter of the inquiry which he thought should be a matter of record in connection therewith, which had not been fully brought out by the previous questioning.

The witness stated that he had nothing further to say.

The witness resumed his seat as an interested party.

[325] The court then, at 11:30 a. m., took a recess until 11:35 a. m., at which time it reconvened.

Present: All the members, the judge advocate, and the interested parties and their counsel, except Admiral Harold R. Stark, U. S. Navy, whose counsel was present. Frederick T. Lachat, yeoman first class, U. S. Naval Reserve, reporter.

No witnesses not otherwise connected with the inquiry were present.

Rear Admiral Husband E. Kimmel, U. S. Navy (Ret.), the witness under examination when the adjournment was taken on Tuesday, August 15, 1944, resumed his seat as witness and was warned that the oath previously taken was still binding.

Examined by the judge advocate (Continued):

135. Q. I show you Exhibit 19, which is the dispatch of November 28, 1941. Will you examine this dispatch and state briefly what it is and whether or not you received it?

A. Yes, I received that dispatch.

136. Q. Will you state briefly the subject matter of it?

A. This informs the Commander-in-Chief of the Pacific of certain instructions sent by the Army to the Commander, Western Defense Command, and it adds certain admonitions on the part of the Navy Department.

137. Q. Did this dispatch convey to you any information which differed materially from the dispatch of 27 November 1941 from the Chief of Naval Operations?

A. Not materially, no. It stressed that no hostile action should be taken against Japan, that Japan should be permitted to commit the first overt act and not to alarm the civil population. It also directed a report of measures taken, and I knew such a report had been submitted.

138. Q. Did these so-called admonitions, as I believe you expressed them, influence your estimate of the situation on the imminence of war between the United States and Japan?

A. As I have stated before, every bit of information I received, which I considered in any way reliable, affected my estimate.

139. Q. Specifically, did this information change any estimate that you had made on the imminence of war between the United States and Japan?

A. No, I can't say it materially affected my estimate.

[326] 140. Q. After November 27, 1941, did you know the condition of alert that had been set by the Commanding General of the Hawaiian Department, so far as his command was concerned?

A. I knew on the 27th of November that the Army had gone on an alert. It was reported to me by members of my staff that an alert status had been taken by the Army.

141. Q. Do you know what this alert was?

A. I did not at that time.

142. Q. Well, do you know the condition of readiness which had been prescribed for vessels of the U. S. Fleet in Pearl Harbor between November 27 and December 7, 1941, and if you do, state what it was?

A. I have previously testified that the vessels in Pearl Harbor were in condition three, as specified in 2CL-41. I have also testified that, in addition to this condition, all the battleships manned about one-fourth of their anti-aircraft battery continuously.

143. Q. Did the condition of readiness, as prescribed, meet with your approval?

A. Yes.

144. Q. I show you Exhibit 20, which is the dispatch of the Chief of Naval Operations of December 3, 1941. I ask you to examine it and state whether or not you received it.

A. Yes, I received that.

145. Q. Will you state, in general, what the subject matter of this dispatch is?

A. The subject matter of this dispatch is that instructions were sent to Japanese diplomatic and consular posts at Hong Kong, Singapore, Batavia, and Manila to destroy their important and secret documents.

146. Q. How did the information contained in this dispatch influence any estimate of the situation you had prior to its receipt as to the imminence of war between the United States and Japan?

A. This was another indication that some move was contemplated by Japan. It did not change my estimate made as a result of the receipt of the dispatch on the 27th of November. I felt that this was a step which Japan might well take, no matter in which direction she was going, to prevent the seizure of these documents upon the breaking of diplomatic relations.

147. Q. I show you Exhibit 21, which is a dispatch from the Chief of Naval Operations under date of December 4, 1941, and ask you to read this dispatch and state the substance of it to the court.

A. This is a dispatch to the naval station at Guam, [327] directing them to destroy their secret and confidential publications, except those that were essential for current purposes, and this meant to me that at probably the most exposed outpost we were anticipating anything that might happen as a general precautionary measure.

148. Q. I show you Exhibit 22, which is a dispatch from the Chief of Naval Operations dated December 6, 1941. I ask you to read it and state the substance.

A. This is a dispatch sent by OpNav to the Commander-in-Chief, Pacific Fleet. This is a deferred dispatch, incidentally. It says that, in view of the international situation and the exposed position of the outlying Pacific islands, the Commander-in-Chief of the Pacific Fleet was authorized to have them destroy their secret and confidential documents, now or under later conditions, of greater emergency. Also to retain the means of communication of current operations and special intelligence. I have been informed that the view of the Registered Publication Section of the Navy Department was that we had sent too many secret codes to these outlying islands, and they were concerned about their destruction, because they felt that they had many more codes on the outlying islands than there was any real need for, and I am inclined to think that the Registered Publication Section was correct.

149. Q. Can you recall whether you received this dispatch, Exhibit 22, prior to the Japanese attack on December 7, 1941?

A. I cannot state positively. I presume I did receive it prior to the attack.

150. Q. Can you recall, Admiral, whether or not you communicated the substance of these dispatches, Exhibits 21 and 22, relative to the destruction of codes, to the Commanding General of the Hawaiian Department prior to the Japanese attack on December 7?

A. I tried to keep the Commanding General informed of all dispatches in which I thought he would have the slightest interest. I did

not myself direct that these dispatches be delivered to him. If he states that he did not see them, I presume he is correct.

151. Q. Between November 27 and December 7, 1941, were you receiving any information of a diplomatic or military nature from your own intelligence unit in the Hawaiian area concerning matters which might have a bearing on the imminence of war?

A. Yes, I have testified that I received these dispatches, and once each day the Fleet Intelligence Officer presented a summary of information received during the past twenty-four hours and his estimate of how this affected decisions made at this conference. When the Chief of Staff and the Chief of the War Plans Division did not actually attend, this information [328] was always made available to them, and it was added to whatever we had formerly received, to complete the picture and make such changes as we considered necessary.

152. Q. Can you recall whether or not this information which you received from your own intelligence unit added to or modified in any material manner the information you had received from the Navy Department between November 27 and December 7, 1941?

A. My recollection is that the tenor of the newspaper articles, radio and other news items indicated that conversations were going on in Washington between the Japanese and the United States. I should say the principal thing that we got from my own intelligence unit had to do with the movements of Japanese ships, and there was nothing in these reports which indicated an expedition aimed at Honolulu or Pearl Harbor. We watched this very closely and went over the probabilities from time to time—I mean, daily, not from time to time—and that was my conclusion.

153. Q. I show you Exhibit 48, which is in evidence before this court. It is a dispatch from General Marshall to the Commanding General, Hawaiian Department, among others, and ask you to state to the court, in general, the subject matter of this dispatch.

A. This was a dispatch sent on the 7th of December, and it states that Japan is presenting what amounts to an ultimatum at one o'clock, that they are under orders to destroy their code machines immediately, and just what significance the hour set may have, they do not know.

154. Q. Can you state when you received this dispatch if you ever did?

A. It was brought to me some time in the afternoon of December 7. It was presented to me by a courier—a captain, I think, in the Army. I told him it wasn't of the slightest interest to me at that time, and I threw the thing in the waste basket.

155. Q. Adverting to the information contained in Exhibit 48 and recalling the information that you had up to the time of the Japanese attack, what additional information do you feel that this dispatch, Exhibit 48, would have given you which you did not have at the time?

A. In view of the fact that Japan was presenting an ultimatum to the United States at exactly one o'clock Washington time, which is approximately sunrise or early daylight in Honolulu, and midnight in Manila, I feel that had I had this information, we would have immediately assumed the [329] highest conditions of readiness, at least, until this time appointed was well in the past. That was most definite information. I must at this time say that it is easy to fall into an error of saying what I would have done after the fact, and

when you ask me and when the members of the Roberts Commission asked me what I would have done, I must add I cannot answer that. I can only answer what I now think I would have done, which might be different from what I would have done.

156. Q. I refer again to Exhibit 19, which is the dispatch from the Chief of Naval Operations to the Commander-in-Chief of the Pacific Fleet as one of the information addressees, and which is the dispatch in which the Chief of Naval Operations states that there is an injunction contained in it to the effect that the United States desires that Japan commit the first overt act. Could this injunction have any influence on your decision to have conducted long-range reconnaissance?

A. No, I don't think that had any particular influence on my decision as to the conduct of long-range reconnaissance. It was my firm conviction that any long-range reconnaissance we conducted over an extended period of time would destroy the means that I had, due to the destruction of planes and putting them out of commission. It has been estimated by competent aviators that, in view of the practical absence of spare parts for the patrol planes in Hawaii at that time and the limited repair facilities, thirty days' operation of these planes would have reduced them by not less than twenty-five per cent. That is, twenty-five per cent of them would have been out of commission.

157. Q. If you are sending out long-distance reconnaissance planes under circumstances in which you might expect to encounter a hostile force, would you arm those patrol planes?

A. Oh, under my orders to permit Japan to commit the first overt act, technically, I could not fire a shot at a Japanese Fleet until after they had first shot at us, and also, technically, had I sent out patrol planes armed, I would have had to wait until the enemy fired at these patrol planes or committed some other overt act before I could do anything more than protest. It has been testified, I believe, that a Japanese carrier force approaching within 1,000 miles of Oahu would have been properly considered as an overt act. I had no such information prior to December 7, 1941.

158. Q. But, Admiral, if your planes were out there on reconnaissance and were attacked, would it not be your desire that they be in a position to defend themselves?

A. Oh, if I had sent them out, and when I did send them out, they were armed.

[330] 159. Q. Would the arming of these planes on the reconnaissance flights before an act of war had been committed been any source of alarm to the civil populace?

A. No, because we had been arming them constantly.

Counsel for the interested party, Rear Admiral Husband E. Kimmel, U. S. Navy (Ret.), stated that the judge advocate should clarify what he meant by armed planes.

The judge advocate replied that the interested party would have a right to clarify any questions he desired on cross-examination.

160. Q. What percentage of the officers and men were permitted to be away from their ships in a liberty or leave status on the night of the 6th and 7th of December, 1941?

A. Those ships which were in Pearl Harbor—

161. Q. I had reference to those in Pearl Harbor.

A. We granted the regular liberty, and the Fleet orders in effect at that time required one-fourth of the officers and one-half the men to be aboard at all times. My orders provided that each quarter of the crew should be trained and capable of manning the anti-aircraft guns on cruisers and battleships, so that there was a complete and trained crew for all anti-aircraft guns and air control on board at all times. On the destroyers, this was provided for on the basis of a watch in three. At the time of the attack there was some ninety per cent, by count, of the enlisted men actually on board on all ships and around seventy per cent of the officers.

162. Q. Had you heard any rumors, or do you know of any statements in the public press as to the number of officers and men who were unfit for duty on the morning of December 7, 1941, because of previous indulgence in alcoholic liquor?

A. I caused an investigation to be made of this matter, in order to present the data to the Roberts Commission. The number of men under the influence of alcohol on the night of December 6 was inconsequential. There were no officers in this condition, and there was no evidence of the after effects of liquor on any individual man at the time of the attack—nothing that affected his performance of duty. As a result of the investigation I ordered, these facts were determined.

163. Q. What was your estimate prior to the Japanese attack on December 7, 1941, of the capacity of the Army to defend the Naval Base at Pearl Harbor with regard to an air attack by torpedo planes?

A. I didn't think that the torpedo plane attack would be made, because I didn't believe that aerial torpedoes would [331] run in Pearl Harbor. We did not give this a great deal of consideration, for that reason. However, we had this problem in the Fleet at sea, and the best defense against them is, I believe, the fighter planes to knock them down before they can get in to a point where they drop the torpedoes. The anti-aircraft guns at that time were not anywhere near as numerous as they should have been, and they weren't nearly as efficient then as they are now, either on shore or afloat. The best defense that the Army had against aerial torpedo attack in Pearl Harbor were their pursuit planes, and I don't think they were sufficient. They didn't have a sufficient number of planes nor crews for them, according to my information, and the crews were not well trained.

164. Q. As against the number of pursuit ships the Army had available, what was your estimate of the additional number that would have been required to have prevented a successful torpedo plane attack on the morning of December 7, 1941, in Pearl Harbor?

A. About three times that number.

165. Q. Did you know the condition of alert that had been set by the Army for its aircraft and aircraft defense during the period from November 27 to December 7, 1941?

A. No, I didn't know in detail.

166. Q. Am I to understand from that statement that no Army authorities notified you of that fact?

A. I knew the Army was on an alert, which corresponded, in general, to the alert status assumed by the Navy. I did not inquire into the particular details, as I did not consider that important under

the conditions of readiness which we were maintaining in November and the general situation.

167. Q. Did you, prior to the Japanese attack on the morning of December 7, 1941, know what condition of alert was being maintained in the Army's aircraft warning system?

A. My answer is covered in the previous question. I had been informed that the aircraft warning system was being manned but did not inquire into the details of the watch standing. I have testified that I knew this was a new system and needed training.

168. Q. Were any of the ships which were present in Pearl Harbor at the time of the Japanese attack on the morning of December 7, 1941, equipped with radar?

A. Yes.

169. Q. Do you know whether or not these instruments were being manned prior to the attack?

A. We did not require the ships in Pearl Harbor to man their radar, because due to the surrounding hills in that port, the radar of those ships so located was virtually useless.

[332] 170. Q. Were any battle lookouts stationed on the ships of the Fleet in the condition of readiness you have described that they were maintaining on the night of the 6th and 7th of December, 1941?

A. To the best of my knowledge, they had battle lookouts, yes. The crews of the guns themselves were on watch.

171. Q. Did you have any complaints prior to December 7, 1941, as to the communication system which existed between your own command and that of the Army in the Hawaiian area?

A. No, I had no complaints. I knew that the commercial telephone system in Honolulu was entirely inadequate, but I believe the communication between responsible Army and Navy commanders was fairly good and that steps were being prosecuted vigorously to make this communication.

172. Q. On the morning of December 7, 1941, just prior to the attack by the Japanese, do you have any recollection as to whether or not there were any deficiencies in the communications between the Commanding General of the Hawaiian Department and your own Flag Office?

A. I have no knowledge of any difficulties at that time.

173. Q. When did you first become aware that there was an attack being made on the United States at Pearl Harbor on December 7, 1941?

A. The first information that I had which conveyed to me that an attack was being made on the United States at Pearl Harbor on December 7, 1941, was a telephone message from my staff duty officer, telling me that a raid was in progress. I ran out of my quarters, which were on the hill immediately behind the submarine base, and saw the first torpedo plane attack which was launched on the battleships. I stood there for perhaps five minutes estimating the situation and got into my car, which had appeared, and drove down to the headquarters. I was in my headquarters by five minutes after eight—probably before and proceeded to take such steps as appeared to be practicable. Prior to this time, between 7:30 and 7:40, I had a report from my staff duty officer that a destroyer reported that they had attacked a submarine off Pearl Harbor. In the ten days between

November 27 and December 7, and after I had issued orders for ships to bomb all submarine contacts, I had at least a half dozen reports of such bombing, and when I received this information that the destroyer had attacked the submarine, I presumed it was another bombing of a submarine contact of some kind, and while I was waiting for an amplification of this report the bombing attack started. You will note that in my order 2CL-41 we specifically provide that when a ship is attacked by a submarine and, by implication, when they definitely knew a Japanese submarine was in the area, [333] they were to broadcast that information in plain language in order to alarm all the proper people and put them in a state of readiness. This provision was not carried out by the commanding officer making the attack, and I think that changed considerably the course of events that followed.

174. Q. At about what time did you get this report of the attack by a destroyer on a submarine in the Pearl Harbor area?

A. Between 7:30 and 7:40 a. m.

The court then, at 12:30 p. m., took a recess until 1:45 p. m., at which time it reconvened.

[334] Present: All the members, the judge advocate and his counsel, all the interested parties and their counsel, except Admiral Harold R. Stark, U. S. Navy, interested party, whose counsel were present. Frank M. Sickles, yeoman first class, U. S. Naval Reserve, reporter.

Rear Admiral Husband E. Kimmel, U. S. Navy (Ret), the witness under examination when the recess was taken, resumed his seat as witness. He was warned that the oath previously taken was still binding, and continued his testimony.

Examination by the judge advocate (Continued):

175. Q. Did you yourself, as Commander-in-Chief, ever make an official report of the personnel casualties and damage sustained by ships of the Pacific Fleet in Pearl Harbor after the Japanese attack on December 7, 1941?

A. I did. About the 12th of December I submitted reports as to personnel and materiel casualties. These reports were necessarily incomplete, and I believe that better data was eventually submitted by my successor.

176. Q. Do you have any recollection of receiving a radar report from the Commanding General of the Hawaiian Department which showed a radar track of Japanese planes after the attack?

A. I never saw any written document on the subject, that I now recall, but about three days after the attack my Fleet Gunnery Officer, My Fleet Marine Officer, was shown such a track by General Davidson, who was in command of the Interceptor Command. They reported this to me upon their return to Headquarters. That was the first news I had of any radar information.

177. Q. Do you know what this radar information disclosed?

A. It was reported to me at the time that the planes were picked up at a little after 7:00 o'clock, I think. The planes were picked up about 132 miles, bearing north of Oahu.

178. Q. The question I meant to ask you, Admiral, was with reference to planes that were returning after the attack had been completed. Did you have any radar information as to the track these retreating planes were pursuing?

A. No, neither before nor after the attack did I have any such information until very recently, since this court has been in session, as testified to by General Short. That is all I know about it. I would like to make it clear to the court that I had absolutely no reports from the Army as to the location of enemy planes or enemy carriers, which were of any use to me. Any information that I got came so late that it was of no use.

[335] Cross-examined by the interested party, Admiral Harold R. Stark, U. S. Navy:

179. Q. Admiral, with respect to the war warning message, dispatch of 27 November, you testified that the warning was weakened by subsequent press and radio reports that conversations with Japanese representatives were continuing after the message from Chief of Naval Operations stated that negotiations has ceased; is that correct?

A. I stated it, yes.

180. Q. Did you receive, subsequent to November 27, any dispatch from the Chief of Naval Operations or from the Navy Department which cancelled or modified in any way the war message?

A. No.

181. Q. Then I gather the conflict between the official dispatches from the Chief of Naval Operations in the period between 24 November and 7 December and the press and radio reports which you got during that same period left you uncertain as to the exact meaning of the dispatches, or, as you put it, that weakened their effect; is that correct?

A. That is true, and that same cycle I had gone through with on previous occasions.

182. Q. Well, in view of this conflict and confusion in your own mind as to the meaning of this dispatch, did you ask for any clarification during this ten-day period?

A. I did not testify that I had any confusion in my own mind as to the meaning of the dispatch.

183. Q. Well, I understood that you testified that there was a conflict between the information you received from the Chief of Naval Operations and information you received from other sources, such as press and radio, which caused you to have some doubt as to the efficacy of the first dispatch.

A. I did not seek any clarification from the Chief of Naval Operations.

184. Q. You stated yesterday that—this was in answer to a question concerning the relations between you and the Commandant of the 14th Naval District—you stated that if there was any doubt at any time in the mind of the Commandant of the 14th Naval District or his staff about the instructions that you had given him with respect to your orders for the defense of the naval base, that you were available to him for discussion of those orders and clarification at any time.

A. That is correct.

185. Q. Did you have that same feeling about approaching the Chief of Naval Operation about clarification of his dispatches?

A. Yes.

186. Q. Then am I to gather from this discussion that you [336] were relying to some extent at least on the press and radio reports of what was going on in Washington for the critical military decisions that you were making at Pearl Harbor?

A. I used all means of information at my command, and evaluated the information which I received, and considered the source.

187. Q. Now you have testified in effect that the dispatches from the Chief of Naval Operations, in view of these conflicting press and radio reports, didn't cause you to think that war was particularly imminent or that an attack by Japan on United States territory was particularly imminent—in spite of the fact, however, that you had not received approval from the Chief of Naval Operations of your request to bomb submarine contacts, you decided on November 27, after receiving the war warning dispatch, to bomb submarine contacts in the vicinity of Pearl Harbor; is that correct?

A. In answer to your question, yes. I decided to bomb submarine contacts as previously I have stated.

188. Q. Was that decision made after the receipt of the war warning message on that day?

A. Yes.

189. Q. Then I understand that the situation regarding the possibility of submarine attack on Pearl Harbor, and the measures which you decided to take to meet it, were considered by you to be different after you received the war warning dispatch than existed before?

A. I would say that the war warning dispatch gave me an excuse to do something that I had wanted to do for several months.

190. Q. Did you consider the situation to be any more serious after receiving the war warning dispatch than before, with respect to submarine attack on Pearl Harbor?

A. I considered that if an attack were made by Japan on the Philippines, it would probably be accompanied by an attack by submarines in the Pearl Harbor area.

191. Q. With respect to the reasons and your consideration of the reasons why the Navy Department withheld the permission that you had sought to bomb submarine contacts, or suspect contact submarines, did you give any thought to the possible situation in the western Pacific where our own submarines were operating in waters adjacent to those waters used by the Japanese Navy?

A. Yes, and I was convinced that if one of our submarines operated in the vicinity of a Japanese operating area, it would be bombed without question, no matter what my action was in Hawaii.

[337] 192. I believe you stated the war warning message was followed within twenty-three hours after the message of 27 November, on the 28th, asking your advice concerning the Army proposal to send planes to Midway; it came within twenty-three hours, as I recall.

A. The evidence and the message themselves indicate that.

193. Q. There was also another message, 2740, at the same time, concerning an Army proposal to reinforce certain defense battalions, wasn't there?

A. Yes.

194. Q. Now did the proximity in point of time of these two dispatches to which I have referred cause doubt as to the real meaning of the war message? Perhaps I should clarify by saying, I mean by that, did the proximity of these two messages in point of time to the war warning message—that is, within twenty-three hours of the war warning message—cause any doubt in your mind as to the real meaning of the war message?

A. Well, I think they lessened the force of the war warning message to the extent that the Chief of Naval Operations was apparently willing to temporarily upset, to a considerable degree, the defenses of Pearl Harbor as well as of the outlying bases.

195. Q. Didn't it occur to you that these might be steps in furtherance of the war warning message; that is, providing for reinforcement of positions which were not considered in an appropriate state of readiness?

A. There was that consideration, of course, but the difficulties of reinforcing the outlying stations were undoubtedly well-known to the Chief of Naval Operations, and the War Department message, which I have mentioned, but which has not been put in evidence before this court, proposed a replacement of marine defense battalions on Midway and Wake in toto by Army troops. I have my letter of 2 December, written to the Chief of Naval Operations, reviewing this matter completely; and in that letter, War Department message number 48, of 29 November—that was to the Commanding General, Hawaiian Department—was likewise a proposal from the War Department that indicated a conflict betwixt the ideas of the War Department and the Navy Department at that time, which I attempted to iron out in my letter of 2 December 1941, and also in my dispatch of 28 November 1941, a part of which I quoted to the court here the other day.

196. Q. Did you ask the Chief of Naval Operations to clarify these apparent inconsistencies between these dispatches and the war message, by this dispatch of 28 November?

A. No. I reported the action I was taking.

197. Q. Admiral, you testified yesterday, I believe, that [338] you considered an air bombing attack on Pearl Harbor to be a remote possibility; is that correct?

A. At that time, yes.

198. Q. Did you consider it at that time to be a remote possibility?

A. Yes.

199. Q. Now, referring to Exhibit 30, which was the letter of 18 February from you to Admiral Stark, will you read to the court, please, the second paragraph on page three.

A. (Reading:)

I feel that a surprise attack (submarine, air, or combined) on Pearl Harbor is a possibility. We are taking immediate practical steps to minimize the damage inflicted and to insure that the attacking force will pay. We need anti-submarine forces, DDs and patrol craft. The two squadrons of patrol craft will help when they arrive.

200. Q. Between the date of your letter, 18 February 1941, and December 7, 1941, did you change that estimate of the situation as you recited it there?

A. When I wrote the letter of 18 February 1941, I was trying to urge that steps be taken to place Pearl Harbor in a proper defensive posture, and that we have there all the forces necessary to meet the contingencies which might arise. I continued that policy as long as I was Commander-in-Chief of the Fleet. I wanted the base to be self-sustaining in the defensive way in every respect.

201. Q. Excuse me, Admiral, but I have an obligation not to burden the record with more than the answers to the questions, and I just want

to know whether that letter of February 18 represented your estimate of the situation at that time, and whether you changed that estimate between then and December 7.

A. I maintained the same estimate of the situation in regard to the possibility of an air and submarine attack on Pearl Harbor and the Pearl Harbor area as long as I was Commander-in-Chief. The probability of the attack I think I have completely covered here for the period of 27 November to 7 December, in the previous testimony.

202. Q. I show you Annex 7 to Exhibit 23, to which is attached an addendum one to Naval Base Defense Air Force Operation Plan No. A-1-41, dated March 31, 1941, and showing the signature of Rear Admiral P. N. L. Bellinger, U. S. Navy, Commander Naval Base Defense Air Force, and Major General F. L. Martin, U. S. Army, Commanding Hawaiian Air Force. As I understand it, Admiral, that represents an estimate of the [339] situation made by the air officer attached to the Fleet at Pearl Harbor, in conjunction with the Commanding General of the Hawaiian Air Force.

A. That represents an estimate made by Admiral Bellinger in his capacity as Naval Base Defense Air Officer, and Commander, Naval Base Defense Air Force. This estimate was approved by Admiral Bloch and the Commanding General of the Hawaiian Department. I also approved the estimate.

203. Q. Now will you refer to Paragraph 3, b., I believe it is, and read that paragraph?

A. (Reading:)

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 three hundred miles.

204. Q. Now, having in mind that you had said a surprise attack by air is a remote possibility, and having in mind also that a surprise ordinarily occurs once, didn't you consider it important, upon receipt of the war warning, to put all possible security measures into effect to guard against an air attack, even though it was only a remote possibility?

A. I took action to which I have testified, after mature consideration and balancing all the factors. I did not make a decision lightly, and I had had many difficult decisions to make before. My actions, I think, speak for themselves.

205. Q. What were the other factors that you took into account, other than the war warning, in making that decision?

A. I took into account the necessity for continued training, and the chances of attack against Pearl Harbor at that time—in fact the chances of an attack against the United States at all at that time—although I gave, I think, full consideration to the warning from the Navy Department.

206. Q. You have testified that you had in your own command an Intelligence Unit. Did you, during the last half of November, have, from any of these units or organizations within your own command, any estimate that a force of Japanese carriers had recently gone to the Marshall Islands?

A. We had some information that, I think, there was one or two carriers which had gone to the Marshall Islands, and no more.

207. Q. Had you heard of Japanese carriers being previously reported so far from home waters?

A. What do you mean? When?

[340] 208. Q. Well, during say the previous year.

A. To the best of my recollection, the Jap carriers had been in the Marshalls during the previous year.

209. Q. Would you consider that the information you got from your intelligence unit was significant in connection with the war warning message that had been received about this time?

A. I weighed the information and gave it the weight that I thought it was entitled to. I did not consider it especially significant, no; all those things had a significance.

210. Q. I understood you testified this morning that about this time you were receiving from your own intelligence unit mostly military information concerning the movements of the Japanese Fleet, and there was nothing received during this period from that unit which gave any indication to you of an expeditionary force that might be directed to Pearl Harbor?

A. That's right.

211. Q. You didn't consider the information concerning the Japanese carrier task force going into the Marshalls was that type of information?

A. That's right.

212. Q. In your letter of July 26, 1941, to Admiral Stark, you ask a series of questions concerning the United States attitude toward Russian participation in the war, and you ask him a number of questions. You were asking information as to what the United States attitude would be in case certain contingencies, which you outlined in the letter, might occur. As I understand from your testimony, you don't feel that you ever got any satisfactory answers to the questions that you put in that letter?

A. I did not have any clear and definite answers to certain phases of that.

213. Q. Well, you knew, of course, did you not, and Admiral Stark had informed you on numerous occasions, that he, too, would like to have answers to some of the questions that you were proposing in these letters; and that he himself asked these questions in other places and had been unable to secure an answer?

A. That is contained in his answers to my letters, and what is not contained in his answers to my letters doesn't exist, because I I didn't see him.

214. Q. Now in connection with the letter of January 24, from the Secretary of the Navy to the War Department, rela [341] tive to the weaknesses in the Army defense of Pearl Harbor. You testified, I believe, that you felt that you kept the Navy Department informed concerning the lack of progress in making up these deficiencies; is that correct?

A. In general, yes.

215. Q. Would you tell the court in what way you kept the Navy Department informed of the failure of the Army to make good the deficiencies which existed in the defenses at Pearl Harbor?

A. If you will read my letters to the Chief of Naval Operations, that is where I kept him informed, and I think that is in the letters.

If you will give me a little time I can bring it out specifically, where it was.

216. Q. Did you do it by personal letters?

A. All kinds of letters, personal and official, and dispatches.

217. Q. You stated yesterday specifically, with respect to the failure of the Army to make good the deficiencies that existed in the defense there—not your deficiency of matériel and men that you had, but it is the Army deficiencies that I am speaking of—you informed the Chief of Naval Operations or the Navy Department of the Army's failure to make up their deficiencies in the defense of Pearl Harbor?

A. If you mean that I informed him specifically about the failure of the Army to make up their deficiencies, I did not inform him specifically of that. I did inform him in general of such things. I felt that that was a responsibility of the War Department. I had seen the letter written by the Secretary of the Navy to the Secretary of War. I saw the Secretary of War's answer to the Secretary of the Navy, in which he placed the remedying of this unsatisfactory situation at Pearl Harbor in the highest priority; and the Navy Department's attention had been very forcibly called to this—and I didn't think that the detailed report was called upon by me. Now the Commandant of the District, in addition to the Commander-in-Chief, did send in certain information to the Navy Department, and I felt then and now feel that the Navy Department was reasonably well informed of the progress of the Army installations at Pearl Harbor. I did not accept responsibility for everything that the Army failed to do.

218. Q. You stated yesterday that you worked closely with the Commanding General of the Hawaiian Department and that you pressed him to improve the defenses of Pearl Harbor; is that correct?

A. Yes, we discussed those affairs on many [342] occasions, and the Commanding General of Pearl Harbor was very anxious to improve them, and he was doing all he could.

219. Q. During the last half of 1941, did you make any representation to the Chief of Naval Operations to take up with the War Department the matter of the failure of the Army to provide what you and General Short considered to be the adequate defenses of Pearl Harbor?

A. I had no doubt that the Chief of Naval Operations was adequately informed.

220. Q. But you made no specific request on him to follow this matter through?

A. No, I did not.

[343] Frank L. Middleton, yeoman second class, U. S. Naval Reserve, reporter, entered. Frank Murrell Sickles, yeoman first class, U. S. Naval Reserve, reporter, withdrew.

221. Q. You stated this morning that the Army did not notify you specifically of the state of readiness which they were observing after the war warning messages, and that you did not ascertain the state of readiness which the Army was exercising at that time. I believe you stated that the reason you didn't was because you understood that the Army was on an alert status corresponding to the Navy's alert status, and knowing what that was you didn't consider it important to follow it further. You further testified that the Navy's condition of alert was Condition 3. Is that right?

A. Yes.

222. Q. Are we to understand by that that in view of the fact that you received from the Navy Department an official war warning on November 27, that you did not consider it important to determine from the Commanding General of the Hawaiian Department whether or not he was in the best state of readiness he could possibly be for the protection of Pearl Harbor in any eventuality which might be faced in the event war should develop?

A. The Commanding General in the Hawaiian Department was faced with a considerable number of difficulties which were parallel to those that I had and that the Commandant of the 14th Naval District had. He had untrained troops and he had to continue his training, and I think that he did make his decision to do what he considered was the proper thing after full consideration of all the factors.

223. Q. Did you make any inquiries of the Commanding General to make sure in your own mind that he was doing the utmost with everything he had to provide for any eventuality should war develop; that is my question.

A. I felt sure that he was doing that.

224. Q. But you didn't make any inquiries of the Commanding General at that time?

A. In the specific terms that you have stated, perhaps not.

225. Q. Now, you stated this morning with respect to the dispatch of 7 December which was received after the attack, that had you had it prior to the attack it would have had a great influence on your actions and on your estimate of the situation. Now, I take that to mean that the destruction of the code machines which was called to [344] your attention, or would have been called to your attention in that dispatch had you received it before the attack, had considerable significance to you, did it?

A. No, that wasn't the thing that was most significant to me. There were two other factors in there which were much more significant than that. One was that an ultimatum was being delivered. The other was that it was being delivered at a specific time and that the Japanese Ambassador had instructions from his government to deliver it at a specific time. The question of the destruction of the code machines was just one more thing which I did not consider of any vital importance.

226. Q. Did you consider the message that you got on December 3, saying that the Japanese had given urgent and categorical instructions to destroy the code machines, and even to burn secret and confidential documents, as having any peculiar significance in view of the fact that you had received the war warning?

A. I have testified as to my views on that subject.

227. Q. Would you mind stating whether or not you did, that is, whether or not you considered that as having any particular importance in view of the war warning that you had received?

A. Those were all factors that had to be considered.

228. Q. That wasn't a factor of major importance?

A. No, I didn't so consider it.

Cross-examined by the interested party, Rear Admiral Husband E. Kimmel, U. S. Navy, (Ret) :

229. Q. In general terms, during your discussions with General Short beginning on 27 November and covering several days there-

after to and including 7 December, did you canvass with him the whole situation and what both he and you were doing in view of the warnings that you both received?

A. I would say yes.

230. A. After 27 November did you issue from time to time instructions, in the event of war with Japan, for the Fleet?

A. I caused my War Plans officer to maintain a memorandum which was in the hands of the duty officer at all times, and this memorandum was revised whenever necessary and contained the action that I would take in the event that we had a war with Japan. I did that as a general precautionary measure and that was kept on file. The date of the last one was December 6, 1941. It [345] was submitted to me by then Captain McMorris, and I approved it. That was a summary of the orders that we issued, indicating what we were going to do with each one of the task forces that we had out there in the Pacific.

231. Q. That was a measure which was taken after and as a result of the warning of 27 November, and in addition to those measures which you enumerated yesterday?

A. Yes.

232. Q. That you adopted as a result of it?

A. Yes.

233. Q. There has been talk about correspondence that you had with Admiral Stark on 2 December relative to this situation in the outlying islands. I ask you if you can identify the document I now hand you?

A. I do. I identify this as a personal letter which I wrote to the Chief of Naval Operations, Admiral Stark, on 2 December 1941, and which covers all of the current action I was taking.

The personal letter dated December 2, 1941, from Rear Admiral Husband E. Kimmel, U. S. Navy, to Admiral Harold R. Stark, U. S. Navy, was submitted to the judge advocate, to the interested parties, and to the court, and by the interested party, Rear Admiral Husband E. Kimmel, U. S. Navy, (Ret) offered in evidence for the purpose of reading into the record such extracts therefrom as may be considered pertinent to the inquiry.

There being no objection, it was so received and marked "EXHIBIT 50" for reference, description appended.

234. Q. I show you another document and ask you if you can identify it?

A. This is an official letter which I wrote to Admiral Stark on the same day, December 2, 1941.

The official letter dated December 2, 1941, from Real Admiral Husband E. Kimmel, U. S. Navy, to Admiral Harold R. Stark, U. S. Navy, was submitted to the judge advocate, to the interested parties, and to the court, and by the interested party, Rear Admiral Husband E. Kimmel, U. S. Navy (Ret) offered in evidence for the purpose of reading into the record such extracts therefrom as may be considered pertinent to the inquiry.

There being no objection, it was so received and marked "EXHIBIT 51" for reference, description appended.

The court then, at 2:45 p. m., took a recess until 2:55 p. m., at which time it reconvened.

[346] Present: All the members, the judge advocate, the reporter, the interested parties and their counsel, except Admiral Harold R. Stark, interested party, whose counsel were present.

No witnesses not otherwise connected with the inquiry were present.

Rear Admiral Husband E. Kimmel, U. S. Navy, (Ret), the witness under examination when the recess was taken, resumed his seat as a witness and was warned that the oath previously taken was still binding.

Cross-examination by the interested party, Rear Admiral Husband E. Kimmel, (Ret) (Continued):

235. Q. Since the letters are rather lengthy, Admiral, can you summarize them briefly, for the benefit of the court?

A. These two letters, one an official letter and one a personal letter, written by me to Admiral Stark, are Exhibit Nos. 50 and 51. In general, the two letters cover the same information. They discuss the dispatches from the Navy Department in regard to the reinforcement of marine crews on the islands, and the replacement of the Marine aircraft by Army aircraft. They also invite attention to the War Department's dispatch which apparently contemplated the replacement of all Marine units on the islands. We pointed out the fact that the Army had no defense battalions organized; that it would take some time for them to organize a defense battalion; and we also pointed out the inadvisability of mixing Marines and Army on a small island, and I informed the Chief of Naval Operations that in my opinion we should let the Marines alone where they were and let the Army go down to Canton and Christmas Island and develop them. In case the Army took over the defense of the islands, they could not furnish the anti-aircraft guns and they wanted us to turn the anti-aircraft guns that the Marines had over to them. They could furnish men and some surface guns. They wanted us to furnish them with 5-inch guns also. Army is not only lacking AA guns for outlying bases but has a serious shortage on Oahu. It has insufficient suitable guns for replacing Marine 7-inch and 5-inch guns without weakening the defenses of Hawaii. By taking 155-millimeter guns from Hawaii, the Marine 5-inch guns might be replaced, but the 155-millimeter guns would either cover a limited arc or else their mobility would be lost. Army can spare no 50-calibre [347] machine guns but can supply rifles and 30-calibre machine guns. Army has a limited number of 37-millimeter guns, badly needed for defenses in Hawaii, but some few might be made available by weakening defenses here, particularly as a considerable increase in the number of such guns is expected in the near future. At present, there is a marked shortage of ammunition for 37-millimeter guns. Incidentally, I received a dispatch just about this time in which they told me they were going to send me either four or six 37-millimeter guns for the Marines. I informed him that Admiral Halsey, in the ENTERPRISE and three heavy cruisers, and so forth, were going to Wake. I think that any further information that the court wants they could obtain by reading this.

236. Q. Would not the sending of a carrier over 2,000 miles to the westward, within 600 miles of a Japanese base as proposed in these dispatches from both CNO and the War Department, have been a rather dangerous operation if war was expected imminently?

A. Yes. And when we sent the **ENTERPRISE** to the westward—this affected my estimate—that is, to Wake, we covered our advance by a couple of squadrons of patrol planes operating between Pearl, Johnston, Midway and Wake.

237. Q. Although the dispatch of the 27th concerning the relief of these outlying bases was sent some 22 hours prior to the war warning dispatch of 27 November, did you ever receive any modification of the suggestion about relieving these outlying bases?

A. I recommended certain action which was different from that suggested by the War and Navy Departments, and the Navy Department approved the action which I recommended, which was to send Marine planes to Wake and Midway.

238. Q. What I meant was, on the receipt of the war warning dispatch of 27 November, did you receive any cancellation or modification of the suggestion about relieving the outlying bases specifically?

A. No.

239. Q. As a matter of fact, did not this proposal about relieving the outlying bases, coming so close to the war warning message of 27 November, modify the war warning as connoting no prospect of an immediate attack on Pearl Harbor?

A. It tended to and did reduce, in my mind, the chances of an attack on Pearl Harbor insofar as the Navy Department had any idea that there was imminence of an attack on Pearl Harbor.

[348] Cross-examined by the interested party, Admiral Claude C. Bloch, U. S. Navy, (Ret):

240. Q. Admiral, you have testified yesterday and again today that when you received important dispatches and letters, important letters, you would apprise your senior officers of the contents of them and discuss them with them?

A. That is right.

241. Q. And that was a customary and rather an invariable practice of yours, was it not?

A. That is right.

242. Q. I take it that this practice obtained in connection with the messages that we have here discussed of 16 October, 24 November, 27 November, and 3 December—that series of messages?

A. Yes.

243. Q. At these conferences I think you have indicated that there would be present your War Plans officer?

A. That is right.

244. Q. Your chief of staff?

A. Generally.

245. Q. Your operations officer?

A. Generally.

246. Q. At the time, there were under your command three vice admirals; am I correct in that?

A. Correct.

247. Q. And they would attend these conferences if they were important?

A. That is correct.

248. Q. From November 27 on, I take it that at least two of them were there at all times; or am I incorrect in that?

A. No; both Halsey and Wilson Brown were out. Halsey left on the 28th and didn't come back until after the attack; and Brown left, I think it was the 4th or 5th.

249. Q. The 5th of December?

A. The 4th or 5th of December, and didn't come back until after the attack.

250. Q. Now, at these discussions you would have Rear Admiral Bloch at such discussions?

A. Yes.

251. Q. Those are different discussions than the ones you mentioned about discussing intelligence information that you had every day?

A. That is correct.

[349] 252. Q. Those discussions you had were with your own people at your own headquarters?

A. That is correct, but at the general conferences I made it a practice to have my intelligence officer come in and summarize to the conference everything up to that moment.

253. Q. Now, in connection with that intelligence, your headquarters, and indeed you personally, received through your people the intelligence information gleaned by the unit of Com14; am I right?

A. That is correct.

254. Q. There was close liaison between your headquarters and theirs on that subject?

A. That is correct.

255. Q. Mention was made of an estimate that some Jap carriers were in the Marshalls?

A. That is right, and I have given here what my recollection was.

256. Q. But that information, as you recall, came to you immediately from the unit of Com14?

A. It was presented to me by my intelligence officer, Lieutenant Commander Layton, who worked in close contact with Commander Rochefort, who was in charge of the Commandant, 14th Naval District unit. And in addition to Layton, there were three or four other officers who were really under Admiral Bloch, worked under Rochefort and were attached to the Commander-in-Chief's unit.

257. Q. Now, the information that this intelligence unit of Com14 supplied, largely had to do with the estimates of the disposition of the Japanese Fleet?

A. That is correct.

258. Q. That would not be political intelligence?

A. No; that is right. I think they called themselves the combat information unit.

259. Q. After these conferences that you would have with your senior officers after you had received important dispatches, on the basis of those discussions and the intelligence that you had previously received, you would make your decision as to what steps should be taken?

A. That is correct, and the decisions were mine.

260. Q. The decisions were yours and you made them at the time?

A. That is correct.

261. Q. Now, at that time, and in making those decisions, you were then the Commander-in-Chief of the United States Pacific Fleet and your rank at that point of time was admiral?

A. That is right.

[350] 262. Q. And from all of 1941 down to and including December 7, the Pacific Fleet was based at Pearl Harbor?

A. That is correct.

263. Q. During all of that period, except for your trip to Washington, I think 1 June, and perhaps a couple of sea voyages, you were personally present at Pearl Harbor?

A. Yes, sir.

264. Q. And I think you testified yesterday that your headquarters were at the Submarine Base; your residence was on the military reservation just behind it?

A. That is right. There were more than a couple of trips to sea, but not many.

265. Q. In any event, you were there at all times from October 16 and through December 7?

A. Yes. Wait a minute. We had a maneuver to the islands, which I think took place after October 16, when I went out, for about four or five days.

266. Q. Four or five days only?

A. Yes. That is my memory at the present time.

267. Q. Now, after the October 16 message, which is Exhibit 13, you sent, as I recall it, twelve patrol planes from Oahu to Midway?

A. Twelve patrol planes, yes.

268. Q. And then these same planes were sent to Wake and they replaced some planes at Midway; is that how it worked?

A. My recollection now is that we sent a patrol squadron to Midway and then when we sent Halsey out there we sent another patrol squadron up from Pearl to Midway, and the patrol squadron which had been at Midway we sent to Wake. And in reverse order, we brought them back.

269. Q. Then there was mention of some Marine planes that were sent from the Hawaiian area. You sent some Marine planes about October 27 or 28th to Wake?

A. No. I sent the Marine planes on the ENTERPRISE to Wake, leaving Pearl on the 28th of November.

270. Q. The 28th of November?

A. Yes.

271. Q. Then you sent other planes on December 5 to Midway?

A. That is correct; on the LEXINGTON.

[351] 272. Q. You have previously mentioned, Admiral, that in all Hawaii—and correct me if I am wrong—there were only 81 patrol planes during the period November 27 to December 7?

A. That is according to my records and my best information.

273. Q. And not all of those were available for full operation?

A. That is correct.

274. Q. From November 15th to December 7th, Patrol Wing One and Patrol Wing Two in the Hawaiian area were commanded by a Rear Admiral Bellinger; is that not so?

A. That is right.

275. Q. Rear Admiral Bellinger was an officer of the Fleet?

A. Yes.

276. Q. And he was also the Senior Fleet Air Detachment officer at the air station during that period?

A. That is right.

277. Q. He was also, under your orders, the Commander of Task Force Nine; is that not so?

A. Yes.

278. Q. And that had been set up by you in an order that became effective on November 15th?

A. Well, I don't recall now.

279. Q. You don't recall at this time?

A. I don't recall just exactly the date. The first paragraph of this letter says "Reference (A) is cancelled and superseded by this letter effective 15 November 1941" and I presume that this letter is a revision of a previous letter which had been in effect for some time previous and I am quite sure that that is true.

280. Q. Now, the 81 patrol planes which you have testified about are the identical patrol planes which are in this task force; is that not so?

A. That is right. May I revert a moment? You omitted to state one of the duties of Admiral Bellinger. I hope you will remedy that later.

281. Q. I show you now a paper and ask you if you recognize it?

A. Yes, this is a letter effective November 15, 1941 which supersedes and cancels a previous letter on this same subject. It is merely a modification of the previous letter which had been in effect for some time. It is Pacific Fleet Confidential Letter 14CL-41.

[352] The Pacific Fleet Confidential Letter 14CL-41, dated October 31, 1941, was submitted to the judge advocate, to the interested parties, and by the interested party, Admiral Claude C. Bloch, U. S. Navy (Ret.) offered in evidence for the purpose of reading into the record such extracts therefrom as may be considered pertinent to the inquiry.

There being no objection, it was so received and marked "Exhibit 52" for reference, description appended.

282. Q. Admiral, the other day you read certain parts of this exhibit 52, even though it wasn't evidence; you read some extracts from it. Isn't that correct?

A. Yes, in my answer to a question as to what task force the Pacific Fleet was incorporated into, I copied certain parts of that into my answer.

283. Q. In Exhibit 52, as Commander-in-Chief of the United States Pacific Fleet, you prescribed certain missions and tasks for your various task forces, including Task Force Nine, did you not?

A. Yes.

284. Q. And you indicated in that order and prescribed the composition of the task force?

A. Right.

285. Q. Will you please read the paragraph under the caption "Task Force Four, Commandant 14th Naval District"?

A. (Reading:)

That part of the 14th Naval District activities which involve the Island Bases. Primary Mission: To organize, train, and develop the Island Bases in order to insure their own defense and provide efficient services to Fleet units engaged in advanced operations.

Task Force Nine: Commander Patrol Wing Two. PatWingOne 36 VPB (A), 1 AV, 2AVL, 1AVP, PatWingTwo 42 VPB(A), 2 AV, 2 AVD, 1AVP. Primary missions: (1) To organize, train and, concurrently with execution of the expansion program, to continue development of doctrine and tactics in order to provide

an efficient long range Air Scouting and Air Striking force for independent operations or operations coordinated with other forces. (2) To conduct patrols in areas and at times prescribed by the Commander-in-Chief, United States Pacific Fleet in order to improve security of Fleet units and Bases. Paragraph 5. Commanders of Task Force 7 and 9 established by this order will perform the duties incident to organization, training, expansion and operations of their respective Task Forces. They will issue orders for and supervise the conduct of prescribed patrols. In addition, they will control the allocation of time within their respective Task Forces to operations (including type and inter-type training) and upkeep, with due regard to sufficiency of upkeep for maintaining material conditions of readiness for war service.

[353] 286. Q. Now, at that time, specifically, from November 15 to December 7, I believe you testified, Admiral, there were not enough patrol planes to do distance reconnaissance for even so much as a day with all these planes?

A. That is right, as a complete reconnaissance.

287. Q. And did that condition obtain during the period from November 15, in any event, to December 7?

A. Yes.

288. Q. In this order you required, did you not, that Task Force Nine submit to you for your approval their schedules of employment?

A. That is right.

289. Q. And those schedules came to you and you approved them?

A. That is right.

290. Q. There were also during this same period some ship-borne aircraft temporarily based at the Naval Air Station at Ford Island, were there not?

A. Yes.

291. Q. And in addition, there were some Marine planes temporarily based at Ewa field, were there not?

A. That is correct.

292. Q. Now, these types of planes, I take it, are not capable of doing distance reconnaissance?

A. That is right.

293. Q. It is the fact, isn't it, that these planes have their own commanding officers and their own missions and duties and training schedules prescribed by those commanding officers; is that not so?

A. That is right.

294. Q. And their employment and training schedules were approved by you?

A. Yes. They were approved by me, or some of my subordinates. I didn't approve the training schedule for every plane squadron.

295. Q. Now, during this period, Admiral, you testified it was your decision that you did not wish to interrupt training?

A. That is correct.

296. Q. And you continued the training?

A. That is correct.

[354] 297. Q. Admiral, isn't it a fact from what you have said that these planes were not available for the exclusive use of the Naval Base Defense officer, or Com14 as you remarked yesterday, but could only be considered as available for drill or in the case of an immediate emergency or positive information of the imminence of an attack; is that not so?

A. That is correct. The planes that I spoke of that I considered as immediately, exclusively available for the Commandant of the 14th

Naval District were what I thought to be a few of these utility planes which I believe he had over there, which were of no use for patrolling or for distance reconnaissance. Now, he did hope to get some day some observation planes to attack submarines. He did hope to get some planes which could be permanently assigned to him, and we had had promises that they were coming. Those had not arrived, and when I spoke of those planes which were exclusively available to the Commandant of the District, I was speaking, perhaps, of theoretical planes. I thought he did have a few of the utility planes. I think he did have a few.

298. Q. Let me refresh your recollection. Even on the utility planes, Admiral, is it not the fact that there was some discussion initiated by him to try to get some utility planes to be used, but that you were not able, under conditions as they then stood, to furnish them to him. Does that refresh your recollection?

A. That is quite possible. I know they had tried particularly to get observation planes for use in antisubmarine work.

299. Q. Now, in your testimony yesterday, I think I heard the remark that you made that the Commandant of the 14th Naval District had agreed to do distance reconnaissance. I take it, what you had in mind was JCD-42; is that right?

A. That is correct.

300. Q. That would be the item, Admiral, in Exhibit 7 on Page 10 under Paragraph 18 (i), the words "Distance reconnaissance"?

A. Yes.

301. Q. That appears under the caption of "Navy, 18"?

A. Yes. And when the Commandant of the 14th Naval District was charged with this duty by the Naval Frontier Coast Defense plan, it was his duty to keep himself informed, and in my opinion when he considered it necessary to request planes for the purpose of performing the duties that he had responsibility for under this Naval Coastal Frontier Defense plan.

[355] 302. Q. Now, Admiral, you say the responsibility that he was charged with under this JCD-42 was distance reconnaissance; is that right?

A. That is right.

303. Q. There are several ways of doing distance reconnaissance, are there not?

A. Oh, I would say, yes, but every one of them involves the use of long-range planes. They have that in common.

304. Q. Well, let's see; radar is one of the means of doing a distance reconnaissance, am I right, to obtain intelligence and information?

A. I hadn't thought of radar being termed as an instrument to perform distance reconnaissance, no. I don't consider that a proper term.

305. Q. I take it that submarines may be used for distance reconnaissance?

A. That is correct.

306. Q. They may be sent out and placed on picket, or to take tours?

A. Yes.

307. Q. The Commandant of the 14th Naval District didn't have any submarines, did he?

A. No, but when he assumed the responsibility, or when he was given the responsibility, and the responsibility was placed upon him, he had that obligation to do what he could, and one of the things he could do was to apply and I did not consider it practicable at this time to perform distance reconnaissance. I stated that.

[356] Frederick T. Lachat, yeoman first class, U. S. Naval Reserve, reporter, entered. Frank L. Middleton, yeoman second class, U. S. Naval Reserve, reporter, withdrew.

308. Q. Well, the long and short of it is that the Commandant of the 14th Naval District did not have any submarines at this time?

A. No, he did not.

309. Q. Another method of making a distance reconnaissance is with destroyers and cruisers; is that so?

A. Yes.

310. Q. The Commandant of the 14th Naval District did not have any cruisers at the time, did he?

A. No, he had four destroyers and a few mine sweepers. He had no means under his direct command which were adequate to perform distance reconnaissance. Is that the answer you are driving at?

311. Q. Yes. Admiral, I want to be sure about this responsibility with which Admiral Bloch is charged. I understood you to say that under JCD-42 Admiral Bloch was charged with the responsibility of distance reconnaissance.

A. I should say so, from the papers.

312. Q. I refer to paragraph 2, page 8 of Exhibit 7 of JCD-42. Isn't it a fact that at no time, up to and including December 7, that that instrument was ever in operation or execution?

A. It is a fact—Wait a minute. These war plans did not become effective—were not executed until after the attack. However, it was well known that the reconnaissance had been made on occasions, and I considered those measures provided in War Plans, which required attention prior to the actual outbreak of hostilities, to be, in fact, in effect, and the officers charged with the execution were responsible. By that token. I considered myself responsible for the preparations and the preliminary steps necessary in carrying out this WPL-46 in toto in the Pacific Fleet.

313. Q. That is a different document from the one to which I was referring.

A. Yes, but the document you quoted flows directly from WPL-46 and from the basic war plan gotten out by the Navy Department.

314. Q. The Rainbow Plans?

A. Yes.

315. Q. Admiral, it is also true that the Rainbow Plans were never placed in execution, nor, indeed, was WPL-46 in execution prior to December 7?

A. No, they were not placed in execution prior to December 7, 1941.

[357] 316. Q. Now, the term Naval Base Defense Officer has been used, and reference has been made to it. That is not standard nomenclature?

A. That is not standard nomenclature, but the duties of the Naval Base Defense Officer were prescribed by me. I coined that title. It was coined on my staff, and he was assigned certain specific duties.

317. Q. The document you speak of wherein you defined his duties is 2CL-41?

A. As a matter of fact, the term Naval Base Defense Officer has been used in the Navy and had been used for some time. I did not coin the term; it had been used for some time.

318. Q. As a series of words?

A. Yes.

319. Q. No precision of meaning to it?

A. The precision of meaning would vary with the conditions and the orders given to the Naval Base Defense Officer and the responsibilities assigned to him.

320. Q. So that insofar as the Naval Base Defense Officer is concerned, we find all there is to know about it in Exhibit 8, being 2CL-41; isn't that right?

A. I would say the major part of it appears there. There may have been other specific orders. I wouldn't want to commit myself entirely to this. However, the Commandant of the 14th Naval District had certain other responsibilities as the Commander of the Hawaiian Coastal Frontier.

321. Q. Admiral, since you brought up the Commander of the Hawaiian Coastal Frontier, under General Order 143 there was discussion in that agreement that they would have certain forces; is that not so? The Coastal Frontiers would have certain forces?

A. Yes.

322. Q. But by the directive of July 1, 1941, it was determined by competent authority in the Navy Department that they should not have forces and they would not be formed; is that right?

A. I don't recall. That may be true.

323. Q. I refer you to Exhibit 4, the directive of July 1, 1941. Just read the first sentence of paragraph 4. It may refresh your recollection.

A. (Reading) "The Naval Coastal Frontiers prescribed in paragraphs 3122, 3232, and 3312 of WPL-46 are hereby established."

[358] 324. Q. Please read the first sentence of paragraph 4.

A. (Reading) "For the present, Naval Coastal Frontier Forces, as prescribed in General Order No. 143, will not be formed."

325. Q. Admiral, I show you Exhibit 8, which is 2CL-41, revised October 14, 1941. I ask you if it is not a fact that the term Naval Base Defense Officer does not appear in the following paragraphs of that document: The first paragraph, being 3 (a), Continuous Patrols; 3 (b) Intermittent Patrols; 3 (c) Sorties and Entry; 3 (d) Operating Areas; 3 (e) Ships at Sea; 3 (f) Ships in Port.

A. I presume what you say is true. I did not follow you. You went too fast for me, but that can be verified by reading the document.

326. Q. It is not there down to that point, paragraph 3 (f).

A. I presume that what you say is correct, sir.

327. Q. In the same document, Admiral, may I refer you to paragraph 3 (h), and the caption of that reads: "Action to be taken if submarine attacks in operating area." That is the caption of it?

A. That is right.

328. Q. I want to call your attention to the next page. I believe the only place in that referring to the Naval Base Defense Officer—

A. This document refers to the Commandant of the 14th Naval District, who, in fact, was the same individual.

329. Q. Paragraph "J" mentions the Naval Base Defense Officer, does it not?

A. Now, what are you talking about?

330. Q. In the exhibit you are holding there is mentioned in paragraph "J", page 6, the Naval Base Defense Officer; is that not so?

A. Yes.

331. Q. There the document recites that the only connection that the Naval Base Defense Officer has at that point is that if Pearl Harbor is also attacked—when a submarine attacks an operating area—such instructions as the Naval Base Defense Officer may issue as to shore-based aircraft will have priority; isn't that what it provides?

A. Yes.

332. Q. Do you find in paragraphs "I" and "J" of the same document that there is a distinction made between shore-based Fleet aircraft on the one hand and patrol wings on the other; is that not the fact?

A. There seems to be some distinction there.

[359] 333. Q. But it does describe two different forces, does it not? One paragraph deals with the patrol wings and the other with shore-based Fleet aircraft.

A. Yes, that is what it says.

334. Q. Now, if you will please turn to paragraph 3 (G) under the heading "Defense Air Attack," which happens to be the only paragraph that we have not dealt with in the whole order, the Naval Base Defense Officer is mentioned there in sub-division 6 of "G"; is that not right?

A. Yes.

335. Q. Can you show me in that document any place where it is stated, as you testified yesterday, that the Naval Base Defense officer is responsible for the defense of Pearl Harbor? Can you show me those words in that document?

A. I would have to search the document, and if you haven't been able to find those words in the document, I presume they are not there, but there are other items there which speak for themselves.

336. Q. That is a matter for the court to determine on the whole evidence.

A. That is correct.

337. Q. At any place in that document is there used the expression "distance reconnaissance"?

A. In this document?

338. Q. That document, Exhibit 8? If it helps you, I have never found it.

A. I will answer that question by saying I don't know. By reading that document, it can be readily determined.

339. Q. I take it, Admiral, that in this document there is no place where it is stated, as you testified yesterday, that the Naval Base Defense Officer is vested with authority to use all naval forces in the event of an attack? Do you make the same answer?

A. No, this and my other statement were my own conclusions from the text of this order.

340. Q. Admiral, in connection with the defense of Pearl Harbor, is it not the fact that the Army was responsible for the command and employment of pursuit planes, whether they were Army or Navy?

A. In exactly the same way that the Navy was responsible for the bombing planes under the command of the Commandant of the 14th Naval District.

[360] 341. Q. The bombing planes——

A. I mean patrol planes.

342. Q. Under the Commandant of the 14th Naval District?

A. That is right.

343. Q. The Army was also responsible, I take it, from what you said before, for the command and employment of anti-aircraft weapons which were mounted ashore, and the Army was also responsible for the command and employment of the seacoast batteries in connection with the defense of Pearl Harbor?

A. That is right.

344. Q. And also for the command and employment of the aircraft warning service in the defense of Pearl Harbor?

A. That is right.

345. Q. I take it, from what you said, the only duty the Navy had in connection with the defense of Pearl Harbor was in support of the Army?

A. That is right.

346. Q. In connection with that support, available guns on the ships of the Navy would be used, and you have prescribed certain orders, giving sectors and the firing positions of naval vessels and naval anti-aircraft in the harbor?

A. Yes.

347. Q. In connection with the general defense of Pearl Harbor, you came to know of conditions of defense there very intimately while you were there?

A. I had a good working knowledge of what was there for defense. I took a great deal from the reports of my subordinates.

348. Q. One of the reports, I take it, would be such a document as has been previously read about the condition of local defense at Pearl Harbor, some instituted by Admiral Bloch while others went through your office with endorsement?

A. Yes, I had a large staff, and I was kept reasonably well informed of what went on.

349. Q. I will recall to you, Admiral, Exhibit 46, which is Admiral Bloch's letter of October 17, 1941, to the Chief of Naval Operations via the Commander-in-Chief, U. S. Pacific Fleet.

A. I remember that letter very well. I put an endorsement on it and forwarded it approved to the Navy Department and urged them to furnish the forces which the Commandant of the district requested and which he stated he didn't have.

[361] 350. Q. In the letter of the 17th, which has been read in evidence, the Commandant explained about the four old destroyers, the old SACRAMENTO, the fact that he hadn't any planes, and that he was afraid that it would be, as in the case of the British, "Too little and too late."

A. Yes. I think the Commandant kept the Navy Department fully informed of the condition of defense forces at Pearl Harbor.

351. Q. And yourself, too?

A. Yes.

352. Q. In the endorsement on Exhibit 46 you stated: "There is a possibility that the reluctance or the 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." Down to December 7 is it not a fact that the Commandant of the 14th Naval District had only four old destroyers, all of which were occupied on inshore patrol, four small mine sweepers, which were constantly engaged in sweeping the channels, three Coast Guard cutters which were in patrolling off Honolulu, in addition to their regular Coast Guard duties, and, then, of course, he had the old SACRAMENTO. That is the status of the forces in the 14th Naval District at the time we are talking about; isn't that so?

A. He also had some sanpans, which the Department had promised him in the future.

Cross-examined by the interested party, Rear Admiral Husband E. Kimmel, U. S. Navy, (Ret.):

353. Q. In your last cross-examination were all the duties of Admiral Bellinger included in the questions propounded to you?

A. I think one duty was omitted. He was the Commander of the Naval Base Defense Air Force (Commander Patrol Wing 2).

354. Q. Now, referring to WPL-46, which is Exhibit 4, are there any other paragraphs in that to which you wish to call the court's attention in connection with the establishment of the Hawaiian Naval Base Frontier?

A. In paragraph 1 of the letter of July 1, 1941, I read: "The Naval Coastal Frontiers prescribed in paragraphs 3122, 3232, and 3312 of WPL-46 are hereby established." Now, paragraph 3232: (Reading) "The Naval Coastal Frontiers in the Pacific area are (a) Pacific Northern Naval Coastal Frontier; (b) Pacific Southern Naval Coastal Frontier; (c) Hawaiian Naval Coastal Frontier." In paragraph 4 I wish to call [362] attention to the fact that the statement is: "For the present, Naval Coastal Frontier Forces, as prescribed in General Order 143, will not be formed." That is different from the establishment of Naval Coastal Frontiers.

355. Q. In 2CL-41, paragraph "G", sub-paragraph 6, were the duties there defined the basis on which you made the statement yesterday that the Commandant of the 14th Naval District, in general, was charged with the defense of Pearl Harbor with the Army?

A. Yes, and other paragraphs, such as 9-C and the paragraphs under "A" and other points where the Commandant of the 14th Naval District is charged with other duties in that connection.

Recross-examined by the interested party, Admiral Claude C. Bloch, U. S. Navy (Ret.):

356. Q. With reference to the order of July 1, 1941, in Exhibit 4, the directive from which you just read portions, the question that I was concerned about was whether there were forces, not whether there was a frontier. This order states that the frontier forces would not be formed.

A. That is correct.

357. Q. So that there might have been a frontier formed, but there were no forces?

A. There was a frontier formed.

The court then, at 4:10 p. m., adjourned until 9:30 a. m., August 17, 1944.

PROCEEDINGS OF NAVY COURT OF INQUIRY

THURSDAY, AUGUST 17, 1944.

[363]

TWELFTH DAY

NAVY DEPARTMENT,
Washington, D. C.

The court met at 9:30 a. m.

Present:

Admiral Orin G. Murfin, U. S. Navy (Ret), President.

Admiral Edward C. Kalbfus, U. S. Navy (Ret), Member.

Vice Admiral Adolphus Andrews, U. S. Navy (Ret), Member.

Commander Harold Bieseineir, U. S. Navy, Judge Advocate, and his counsel.

Frank Murrell Sickles, yeoman first class, U. S. Naval Reserve, reporter.

Counsel for Admiral Harold R. Stark, U. S. Navy, interested party.

Admiral Claude C. Bloch, U. S. Navy (Ret), interested party, and his counsel.

Rear Admiral Husband E. Kimmel, U. S. Navy (Ret), interested party, and his counsel.

The record of the proceedings of the eleventh day of the inquiry was read and approved.

No witnesses not otherwise connected with the inquiry were present.

Rear Admiral Husband E. Kimmel, U. S. Navy (Ret), the witness under examination when the adjournment was taken yesterday, Wednesday, August 16, 1944, resumed his seat as witness. He was warned that the oath previously taken was still binding, and continued his testimony.

Examined by the court:

358. Q. Admiral, was there anything irregular in establishing your headquarters on shore?

A. No.

359. Q. To your knowledge, has it ever been done before you did it, or since?

A. I presume it had been done before I did it. I do not have any examples readily available, but subsequent to the time that I established my headquarters on shore, Admiral King, in the Atlantic, established his headquarters in a [364] station ship tied up at Naval Training Station, in Newport. Admiral Hart, I have been informed, established his headquarters on shore at Manila. During the war I am informed that Admiral Nimitz maintained them in the submarine base until the new headquarters had been constructed, money for which I had obtained from the Navy Department prior to my detachment.

360. Q. Did this move relieve you in any way of the responsibilities which you held while operating from a Flagship?

A. It did not. It changed in no way any responsibilities which were assigned to me, nor did it add anything to my responsibilities.

361. Q. You have testified that you gave to the Commanding General of the Hawaiian Department all information that came to you which you considered to be of any value to him.

A. That's correct.

362. Q. Would not all information which was available to you, however remote from Pearl Harbor, have been of assistance to him in forming his general estimate of what he might then or eventually expect at Pearl Harbor?

A. I attempted to give him all such information, and I intended to do so. If at any time I failed, it was not for lack of intention.

363. Q. The question was based on the exact wording of your reply, that is, you gave him all that you considered of value to him, not that you gave all, and my question was based on that—that wouldn't all the information that you had relating to the war conditions in the Pacific, or anticipated war conditions in the Pacific, have been of value to him in forming his estimate of what he might expect?

A. Yes. I gave him that.

364. Q. In your answer to a question relating to the condition of readiness of forces afloat in Pearl Harbor, you made an answer that the Commandant of the 14th Naval District advised the Senior Officer Present as to the condition of readiness. Your exhibit, 2CL-41 says that the Commandant shall place the condition of readiness. There may be no conflict in these two statements, but I would like to clear it up a little.

A. I was attempting to state what is contained in order 2CL-41. That was the order under which the Commandant was operating at the time. In paragraph 6, d., it reads: (Reading) "Coordinate fleet anti-aircraft fire with the base defense by (1) Advising the Senior Officer Present embarked in Pearl Harbor, exclusive of the Commander-in-Chief, U. S. Fleet, what condition of readiness to maintain. (2) Holding necessary drills."

365. Q. Well, specifically, the Commandant set the condition [365] of readiness?

A. I did not so consider it. I considered that he advised the Senior Officer Present; and you cannot, in a naval organization, take away from the Senior Officer Present the prerogative of setting the condition of readiness that he himself considered necessary and essential.

366. Q. Well, Admiral, as I read this exhibit, reference is had only to the state of the condition of readiness of anti-aircraft batteries of ships.

A. Yes, I so read that.

367. Q. Is this the only condition of readiness that anyone prescribed for the naval force, for ships afloat, in Pearl Harbor?

A. No. The Senior Officer Present afloat in Pearl Harbor, exclusively of the Commander-in-Chief, was charged with setting the condition of readiness for the ships in Pearl Harbor.

368. Q. What condition of readiness was in effect on the morning of 7 December?

A. Admiral Pye has stated that the condition 3 was in effect, and to the best of my knowledge and belief that is true.

369. Q. As the court understands it, the Commandant of the 14th Naval District was charged with the coordination, the coordination

of fire of the ships of the Fleet in Pearl Harbor, with the shore batteries; is that correct?

A. I will put it this way: that was my intention when this order was written.

370. Q. To your knowledge, did the Commandant of the 14th Naval District take any steps or give any orders in the way of coordinating the fire of ships of the Fleet at Pearl Harbor, and shore batteries, prior to 7 December?

A. Yes, he took many steps in conducting drills and giving the alarm; and he was charged with conducting the drills and directing all the naval effort against anti-aircraft attack, and he did so during drill periods. Now I think that you will find the duties of the Commandant of the District, as Commandant of the 14th Naval District, as Commander of the Hawaiian Frontier, and as Naval Base Defense Officer, set forth in 2CL-41, revised, paragraphs a. (1) and (2), which charges him with the maintenance of the inshore patrol and the boom patrol; and other articles in 2CL-41. He was a party to the agreement contained in the Joint Coastal Frontier Defense Plan, dated 28 March 1941, in which he assumed certain responsibilities. In the Operation Plan No. 1-41, of 27 February 1941, he sets up a task organization for the inshore patrol, the boom patrol, the harbor patrol, the mine-sweepers, the base defense air force, anti-aircraft defense, the harbor control posts—some of these in conjunction with the Army.

[366] 371. Q. I might say that that is all a matter of record, and that the court is cognizant of that; and the questions we have asked are simply for the purpose of clearing up what in our minds appeared to be a little conflict. I don't think, unless you wish, it is necessary to go any further with that.

A. What I'd like to make clear to the court is that for all of the duties of the Commandant—don't depend on my recollection now what it was. It is laid down in the documents.

372. Q. In answer to a question during the course of your testimony, you made reference occasionally to opinions of your staff. Specifically in one answer to one question you stated that your staff considered there was no danger from air attack in Pearl Harbor.

A. That's right.

373. Q. Did you concur in this opinion?

A. I did, indeed. I do not wish to be misunderstood. I am not asking my staff to assume any responsibility. I did receive advice from my staff, which I considered in making my decisions.

374. Q. What was the consensus of your staff and senior subordinates as to the probability of an air attack by the Japanese?

A. Members of my staff—a considerable number of them are available here in Washington at the present time—I can say without any fear of contradiction, that none of them considered an air attack on Pearl Harbor any more than a possibility, myself included. I considered it a remote possibility.

375. Q. Does that also apply to your Senior Subordinates in the chain of command?

A. In so far as I know their opinions, yes.

376. Q. Did you at any time, as Commander-in-Chief, U. S. Fleet, and as Commander-in-Chief, Pacific Fleet, question the advisability of maintaining the Pacific Fleet in Pearl Harbor?

A. When I took command of the fleet, I knew of the disagreement between Admiral Richardson, my predecessor, and the authorities in Washington, on the advisability of basing the Fleet at Pearl Harbor. He told me himself. I agreed with Admiral Richardson in general, but when I took command of the fleet we had been for some time without much gunnery, due to the fact that no adequate training target facilities were present in the Hawaiian area, and when I took command we had just about succeeded in completing the transfer of that material from the coast. I did not make any protest, any formal protest, against maintaining the fleet at Pearl Harbor at any time. I did, in conversation with the Chief of [367] Naval Operations, in June of 1941, point out to him the vulnerability of Pearl Harbor as a fleet base. The various elements that entered into that are well known. I repeated substantially the same thing to the President when I had an interview with him, and the substantial point of the conversation was that so far as an air attack on Pearl Harbor is concerned, the only real answer to an air attack was not to have the fleet in port if and when the air attack came; that it took from two to four hours to sortie, and once an air attack started, the attack would be completed before we could change in any degree the disposition of the fleet. I pointed out the chances of blocking the entrance, the single entrance, that we had, and the danger from the oil storage as it was at that time; and I don't recall anything other than that at the present time, although there probably was. These were factors which were well known both to the President and the Chief of Naval Operations, prior to any statement by me. I accepted the condition at Pearl Harbor, and that was one of the reasons why, repeatedly, in correspondence, I requested to be kept informed of developments.

377. Q. In other words, does the court understand you concurred with your predecessor in that the fleet should not be kept at Pearl Harbor?

A. In general, yes.

378. Q. And you so expressed your opinion in conversations with the President and the Chief of Naval Operations?

A. I did not definitely recommend that the fleet be withdrawn at the time of my conversation, because I wanted to get some training in. I accepted the situation, but pointed out the dangers that existed so long as the fleet was in Pearl Harbor.

379. Q. Did you at any time make any recommendations as to withdrawal of the battleships and carriers, or battleships alone, from Pearl Harbor?

A. Not that I recall.

380. Q. What were your relations with General Short, both personal and officially, during the entire time you were Commander-in-Chief of Pacific Fleet? Did you have conferences with him—and the court would like to have you explain more or less in detail the conditions existing.

A. I will be very pleased to. When I became Commander-in-Chief of the fleet, I remembered the situations which had arisen in the Hawaiian area on various occasions. They had been the subject of newspaper comments throughout the nation. For many years I had felt that the cooperation betwixt the Army and Navy not only in

Hawaii, but on our own coast, had been entirely inadequate. When I was Chief of Staff of [368] Commander Battleships, Admiral Craven, he made several attempts to get some joint exercises, in which he was not entirely successful. I give this background to show I became determined that no such occasion as that should arise while I was Commander-in-Chief. General Short arrived in Honolulu a few days before he took over command of the Hawaiian Department. He was quartered in Admiral Richardson's house on Honolulu. I made a trip in civilian clothes and paid my respect to General Short, attempting to establish friendly relations. He responded wholeheartedly, and I had a real regard for him before I had known him for a very long time. The thought that was uppermost in my mind at that particular time was to obtain some degree of cooperation betwixt the Army and Navy air forces stationed on shore in Hawaii. I think I broached the subject during our first interview. If not, I did on an early subsequent interview. I found General Short in complete agreement with me on the steps that should be taken—the broad steps that should be taken—and Admiral Bloch and General Short at once put into process the question of attaining the cooperation and agreements betwixt the air forces. I saw General Short frequently because I made it a point to see him. I think he also made it a point to see me. We conferred officially on many occasions, and at practically every official conference, Admiral Bloch was present, because Admiral Bloch was the officer in Hawaii who was charged with dealing with the Army, and at no time did I wish to by-pass him. I think I kept Admiral Bloch thoroughly informed of every dealing I had with General Short. I played golf with General Short at a little 9-hole golf course which he had established near his headquarters at Fort Shafter. That was particularly convenient for me, because it was only about fifteen minutes by car from my headquarters. Since this affair has happened, a Colonel Throckmorton, who was on General Short's staff, informed my brother, in Kentucky, that he remembers distinctly that General Short and I had an engagement to play golf about 9:30 on Sunday, the day the attack came; and of course we did not play golf that day. My relations with General Short were highly satisfactory, both my personal relations and my official relations. I found him a very pleasant gentleman. I consider him my friend, and officially he was very cooperative, and we had no differences of opinion which were not resolved in a most amicable way.

381. Q. Admiral, have you heard rumors and reports that your relationship with General Short, during the time of your command, were not cordial, that you did not cooperate, that you had few conferences, and so forth. The court presumes that this is not correct, by your previous answer. Is that in line with your thought?

A. I believe every man, woman, and child in the United [369] States who can read, has read such statements. I wish to state that all such statements are malicious lies.

382. Q. Did you have any idea at that time, or do you now, how these rumors originated, or how they were brought about, or any instances which would tend to prompt such rumors?

A. There was absolutely no basis for the rumors, and I am forced to the conclusion that this was part of a deliberate campaign to smear me and General Short.

383. Q. Why were certain ships of the Pacific Fleet in Pearl Harbor on 7 December, and why were not all ships at sea?

A. A fleet must have time in port for repairs, upkeep, and recreation of the crews, also to obtain fuel and supplies. I had established a rotation of task forces. When I took over the fleet, Admiral Richardson had put in process a scheme which required one-half of the fleet to be at sea while the other half was in port. I operated under this scheme about two months. I found that there was not sufficient time for upkeep of the fleet, and I also found that the fuel oil supply at Pearl Harbor was being depleted. We did not have a sufficient number of tankers to maintain the level of fuel oil, and at the same time operate half the fleet at sea all the time. I then changed my plan and had one-third—approximately one-third—of the fleet operating at sea all the time, and part of the time two-thirds were operating at sea. During the periods of maneuvers, and we had a maneuver—five-day maneuver—about once a quarter, all the ships went to sea. I felt that I was operating the ships at sea as great a proportion of the time as it was possible to do so and still maintain them in top efficiency, ready for any eventuality. I felt that when war came, I wanted the machinery and material, and personnel, in the highest possible state of efficiency, and balanced the time at sea against the time in port in order to accomplish this most effectively.

384. Q. On December 7, 1941, what was the proportion of the Pacific Fleet in Pearl Harbor?

A. I'd say about two-thirds.

385. Q. Was this an unusual number of ships to have in Pearl Harbor?

A. It was a condition which occurred for a few days when Task Force One and Two overlapped for a few days in port.

386. Q. Who, in your opinion, was responsible for the defense of Pearl Harbor, in event of any form of attack by the enemy—by an enemy?

A. The actual responsibility was undertaken by the Army, in the Joint Action of Army and Navy, 1935. The Navy, however, was responsible for assisting the Army in any way [370] they could. It is just common sense that they should. General Short was the Commanding General, and therefore responsible for whatever Army efforts could be made. Admiral Bloch had been designated as Naval Base Defense Officer, and was responsible for coordinating the naval effort with that of the Army. I was responsible for the safety of the ships, and at no time did I want or expect to evade such responsibility.

387. Q. Admiral, you have testified that the Fleet, or the ships of the Fleet, would render certain assistance to the Army in case of attack?

A. That is correct.

388. Q. Could the Army depend at all times on the assistance of the Fleet?

A. They could not, and during the period betwixt November 7 and December 7, we had a maneuver and we were out for about five days, up to the north of the Islands, and during that period, the only ships in Pearl Harbor were of no consequence; that is, were undergoing overhaul, and there was very little assistance from the batteries of ships during that period. That condition was liable to occur at any time, and my object in all the orders and efforts that I made was to, first,

get adequate defense from the Army there, and second, to utilize whatever might be aboard ships of the Navy that were still in port; and Admiral Bloch was put in charge of the coordination of the naval effort, primarily because he was the only responsible officer attached to the Fleet who was permanently stationed in Pearl Harbor. The Commander Base Force was there most of the time, but I didn't know, in the course of the campaign, when the Commander Base Force might move out, and I did not wish to put him in charge as Naval Base Defense Officer.

389. Q. In other words, Admiral, we understand you are stating that the Fleet should be mobile and footloose at all times regardless of any consideration of defending the base as a Fleet?

A. I do, and a base which depends upon the Fleet for its defense is a very poor base.

390. Q. Then, as the court understands, in your opinion the Army, in accordance with the plan referred to by you, the Joint Action Army and Navy 1935, was primarily responsible for the defense of Pearl Harbor?

A. Correct.

391. Q. Would you leave out that word, "primarily"?

A. Yes.

392. Q. Admiral, please state in brief what in your opinion [371] was the direct responsibility of the Commandant, 14th Naval District, for the defense of Pearl Harbor?

A. I considered the Commandant of the 14th Naval District in general responsible for coordinating with the Army all the naval forces that were in Pearl Harbor, and for their use in the defense of Pearl Harbor.

393. Q. Do you mean "all naval forces", or naval defense forces?

A. Well, every element of the naval forces that could be used in the defense of Pearl Harbor. I think you are asking me to draw conclusions from records which are available to the court.

[372] Frank L. Middleton, yeoman second class, U. S. Naval Reserve, reporter, entered. Frank Murrell Sickles, yeoman first class, U. S. Naval Reserve, reporter, withdrew.

394. Q. It isn't that, Admiral. It is trying to get your statement there that he had responsibility for using all naval forces. Now, if we follow that line of thought, then does this court understand that with that responsibility he had the right to give orders to a battleship to use her defense forces? That is the question that we are trying to straighten out.

A. I see what you mean now. The Commandant's duties were confined to coordinating the efforts. The senior officer present afloat and the sector commanders which were appointed by my 2CL-41 were, of course, responsible for the actual fire and control of fire of the ships in Pearl Harbor. Now, the Commandant was responsible for suggesting changes, and matters of that kind. Again, gentlemen, I must state that I was responsible for everything that went on in that Fleet. I tried to exercise my responsibilities by delegating certain authority and certain tasks, and some of these questions that you ask are very difficult to answer categorically. It comes down to a question of opinion.

395. Q. You have stated in your testimony and explained very minutely the responsibility of the Commandant, 14th Naval District in coordinating his efforts with the Army.

A. Yes.

396. Q. But did not the Commandant, 14th Naval District, have a direct responsibility in other matters?

A. Oh, yes.

397. Q. For instance, you have stated that at some time there might be a submarine attack on Pearl Harbor?

A. That is right.

398. Q. Was the Commandant of the 14th Naval District responsible for the defense against submarines?

A. There was a net across the entrance to Pearl Harbor. The Commandant operated that net. No ship moved in or out of Pearl Harbor, and no ship moved in Pearl Harbor, without the knowledge and approval of the Commandant.

399. Q. Did the Commandant, 14th Naval District, have certain forces directly under his command?

A. It has been testified here that he had 4 destroyers which were utilized primarily for the inshore patrol, as I would call it. He had some minesweepers and he had some tugs. He had from time to time forces detailed from the Fleet to report to him and to perform duties under his direction and control.

[373] 400. Q. Was there any attempted attack on ships of the Fleet in Pearl Harbor by submarines?

A. Yes; one submarine got into the harbor. I think they got her before she did anything, before she accomplished anything. That, incidentally, was a midget submarine, a surprise type.

401. Q. Admiral, you have testified that the Navy had a certain number of planes, patrol planes, under your command at Pearl Harbor?

A. That is correct.

402. Q. As the court understands, these patrol planes were under the direct command of Rear Admiral Bellinger; is that correct?

A. Yes.

403. Q. You have further testified that these patrol planes were used for searching; is that correct?

A. Yes.

404. Q. When you took command of the Pacific Fleet, were these patrol planes being used daily for search?

A. Yes, they were being used daily for search, and I used them myself, some of them, daily, to search the operating areas, and my understanding and belief is that prior to my taking command they used these planes to search restricted arcs on occasions. At no time do I know of any 360 degree search being continuously conducted.

405. Q. Are you aware of the fact that prior to your taking command these patrol planes were used in daily search over a certain arc emanated from Honolulu?

A. No, not as a permanent fixture. I did know that certain searches were being conducted. Personally, I considered them ineffective and at the time immediately preceding the attack on Pearl Harbor we had gotten the number of planes we had—I think some

54 of them—which were brand new planes from the States. They were having a great many material troubles and the nose casting was going bad, and we were conserving the planes much more than, I think, than had been the case for some time. We were in a more critical state for planes than we had been for maybe some time before.

406. Q. Had you considered the use of all or part of the number of patrol planes in searching a probable area of advance, by enemy carriers, on Pearl Harbor?

A. I had considered such, yes. Some time prior to the attack we ran a search for a few days at Admiral Bloch's suggestion on the line from Jaluit to Pearl. We had in mind that we might catch a submarine on the surface out there, as well as perhaps find any other thing that was moving around. We found nothing, and this was discontinued after a few days.

[374] 407. Q. Were any of these patrol planes searching or in the air for search on the morning of 7 December?

A. Yes, there were a number that were searching the operating areas, and there were some more that were engaged in maneuvers with our own submarines. I think I was told about a dozen planes were in the air.

408. Q. Were there any searching activities going on by planes stationed at Midway?

A. Yes, they were running such a reconnaissance as they could with twelve planes, which was not much. I had them there primarily getting ready to start out with the Fleet in case of war, part of the deployment, and we were utilizing them to run a search from there.

The court then, at 10:45 a. m., took a recess until 10:55 a. m., at which time it reconvened.

Present:

All the members, the judge advocate, and the interested parties and their counsel, except Admiral Harold R. Stark, U. S. Navy, whose counsel were present. Frank L. Middleton, yeoman second class, U. S. Naval Reserve, reporter.

No witnesses not otherwise connected with the inquiry were present.

Rear Admiral Husband E. Kimmel, U. S. Navy (Ret.), the witness under examination when the recess was taken, resumed his seat as a witness and was warned that the oath previously taken was still binding.

Examination by the court (Continued):

409. Q. What was the number of patrol planes capable of operating in the air on the morning of 7 December 1941 at Pearl Harbor?

A. I cannot answer that question categorically because I do not know the number of patrol planes which were laid up temporarily for periodical checks. My best estimate, however, is that not more than 50 patrol planes on the Island of Oahu were in flying condition on the morning of 7 December, 1941.

410. Q. What proportion of these planes were operating in the air?

A. About 12 of them were in the air.

411. Q. Whose direct responsibility was it to have these planes operating in the area at this time?

A. They were operating in the area in accordance with the approved operating plans which my headquarters had approved. If you mean,

who was responsible for deciding whether or not a distance reconnaissance should have been undertaken, I was.

[375] 412. Q. In other words, we understand that you were directly responsible for not having more operating planes in the air, more available operating planes in the air on 7 December?

A. Yes, I was responsible. I can add, however, that I had received no recommendations from my subordinates to conduct a distance reconnaissance on this date.

413. Q. To which subordinates do you refer?

A. All of them; my staff and the Commandant, 14th Naval District.

414. Q. On the morning of 7 December did you have any inner patrol established around Pearl Harbor?

A. You mean an inner air patrol?

415. Q. Inner air patrol.

A. My recollection is that there was no inner air patrol on that date.

416. Q. Had this been considered?

A. Yes, and not only considered but was provided for to be undertaken when ordered.

417. Q. Did you have any information regarding the arrival of the Army air squadron coming from Hamilton Field on the morning of 7 December?

A. I do not now recall whether I had any such information. I think it is highly probable that the appropriate subordinates did have such information. They would not necessarily have reported such a movement to me.

418. Q. Admiral, you stated that the Chief of Staff of Army and the Chief of Naval Operations of the Navy had presented to the President a communication not recommending that an ultimatum be sent to Japan. Is that correct?

A. I was so informed in an enclosure to a letter sent to me by the Chief of Naval Operations.

419. Q. Upon receipt of the message from OpNav on November 27, referred to as the war warning message, did you have a conference with officers regarding this message?

A. Yes.

420. Q. Who were the officers present; not by name but probably better by reason of their positions?

A. The message was received about 4:00 o'clock p. m., Honolulu time. I asked the Commandant of the District to come over, and his chief of staff came. He informed me that the Commandant was visiting his wife in the hospital. I delivered this message to the chief of staff with directions to give it at once to the Commandant, and dispatched my intelligence officer with the dispatch to be delivered to General Short. I also received this afternoon a copy of the dispatch which General Short had received from [376] General Marshall, which was delivered to me by the Navy liaison officer, Lieutenant Burr, in my headquarters. On 28 November, as nearly as I can remember the date, we had a conference in my headquarters at which Admiral Bloch, General Short, members of my staff, Captain Smith, Captain McMorris, Captain DeLany, all took part. And at that conference we discussed these measures to be taken and a good part of

the time was taken up with consideration of the proposed relief of Marine personnel on the Islands by Army personnel. However, in considering this movement and these reinforcements, all phases of the situation were discussed and these messages were taken into consideration in the preparation, or in deciding upon the action which we would take.

421. Q. That was on 20 November?

A. 28 November; in the forenoon, as I remember.

422. Q. Was this dispatch of November 27th the principal matter of discussion in the conference which you speak of as taking place on 28 November?

A. The implications growing from that dispatch were the principal subjects.

423. Q. In that conference, what was the general consensus of opinion as to the probability or possibility of attack on Pearl Harbor?

A. I think we considered it a remote possibility. General Short has testified to a statement made by Captain McMorris in answer to my question. Although I cannot recall that exact circumstance, I have no doubt but that General Short's testimony is correct.

424. Q. As pertains to Captain McMorris?

A. No, General Short's testimony was that, as I recall it, that he asked me the question and I turned to McMorris and asked him to answer it, and McMorris answered that there was no chance of a Japanese attack on Pearl Harbor, and that none of the members of the conference dissented in any way from that view. I think that is his testimony.

425. Q. At that conference, was it the general opinion that in lieu of an outside attack on Pearl Harbor, that their real concern was internal sabotage?

A. I do not recall that the question of internal sabotage was discussed at any length. Sabotage was mentioned in these various messages. I knew that the Navy had long since taken all measures which could be taken in the prevention of sabotage, and I felt that that was purely an Army concern to put into effect such antisabotage measures as might be necessary to protect the Islands. Our action was an accomplished fact, and we dwelt very little on that subject.

[377] 426. Q. At this conference, was there any discussion as to the proper state of readiness into which the Army and Navy should be placed in view of the message of 27 November?

A. The decision, whether stated or not, specifically was that no change in the conditions that we had been maintaining was indicated at that time for the Island of Oahu.

427. Q. And you had been maintaining what condition of readiness?

A. We had been for some time maintaining the condition of readiness of Condition 3 in the Navy. I knew that General Short had ordered an alert on 27 November. That was reported to me by members of my staff.

428. Q. But that alert was changed to Alert 1 later?

A. No, that was the alert that he ordered.

429. Q. That was Alert No. 1?

A. Yes, the anti-sabotage alert.

430. Q. Admiral, if you had received notice immediately that Japanese planes or foreign planes were 132 miles from Oahu and head-

ing in for Oahu on the morning of 7 December, what would you have done and what effect would this have had on the attack?

A. I would have ordered general quarters on all ships. I would have started the destroyers, the light forces out of the main channel on sortie and put all the planes in the air; mustered every available plane starting to search in the particular area indicated, and launched an attack on their carriers. At the same time I would have expected the Army to get all of their pursuit planes in the air to meet the attack. The ENTERPRISE was about 200 miles to the westward of Oahu and headed for Oahu and she had an escort of 3 heavy cruisers and 9 destroyers. The LEXINGTON was 400 miles southeast of Midway with an escort of 3 heavy cruisers and 9 destroyers. I would have put both those carriers on an intercepting course and kept them informed of the movements of the Japanese force. I would have had all available light forces join Halsey in the ENTERPRISE and I think we would have had quite a party.

431. Q. With the foreign planes 132 miles off, assuming they would be over Pearl Harbor in an hour or less, in general and roughly, how much of all of this preparation which you say you would have taken, could have been taken?

A. Well, the location of the Japanese carriers was the principal benefit, the greatest benefit from this information.

[378] 432. Q. Then you were not thinking solely of what the planes might do?

A. I think I can develop that. The ships in Pearl Harbor would have greeted the planes with full anti-aircraft fire. The ships would have been at general quarters and closed up for general quarters. That, I think, is beyond question. I believe that most of the planes, the patrol planes, would have been in the air by that time. A certain number, possibly two squadrons, were kept constantly on one-half hour's notice while they were on the ground. The others were on four hours notice but it took nothing like that long to get the people there and ready to put the planes in the air. I think it is fair to state that more than 50 percent, perhaps 75 percent of the planes on the ground in flying condition would have been in the air; well, 50 percent, we will say, would have been in the air by the time those planes arrived for the attack. Now, so far as the ENTERPRISE and the LEXINGTON were concerned, we could have directed them to the area in which they would have made a contact with the enemy and we could have supported them with such of the cruisers and destroyers as we were able to get out of Pearl Harbor. The battleships would probably not have been of much use because they are too slow and couldn't get up there. Does that answer the question?

433. Q. Were all anti-aircraft guns manned on all ships in Pearl Harbor at the time of attack, about 7:55 a. m., on the morning of December 7?

A. They were not.

434. Q. What proportion of anti-aircraft guns were manned?

A. It is as prescribed in here, but roughly one-fourth.

435. Q. In your estimation, how long was it before all anti-aircraft guns were manned after this attack?

A. Oh, I should say within 5 to 10 minutes all the anti-aircraft guns were manned and firing. I had stressed the importance of keep-

ing trained crews on board, or requiring trained crews be kept on board at all times and of having ammunition readily available at the guns. On one ship I heard that the ammunition was in the ammunition boxes but they couldn't find the keys and they knocked off the locks and everything else and opened it up and went ahead.

436. Q. You stated, Admiral, that on the morning of 7 December you received word from your duty officer a raid was coming in?

A. That is right.

[379] 437. Q. What time did you receive this, and how did he receive this information?

A. I received that between 7:55 and 8:00 o'clock. He had obtained it, I believe, from the signal tower which we maintained in Pearl.

438. Q. In other words, do we understand that you received this information just immediately prior to the attack, or after the attack?

A. They attacked the fields first, and I should say I received it after they had dropped bombs on Hickam Field and Ford Island. That, you understand, is an estimate. I didn't stop to figure those things out.

439. Q. When did you receive information that certain planes had been picked up 132 miles from Honolulu?

A. I think it was on Tuesday, December 9, 1941, in the afternoon.

440. Q. Did you have any information as to the probable breaking of diplomatic relations with Japan as of November 25 or November 29, 1941?

A. No.

441. Q. Admiral, did you feel that during the period October 16 to December 7, 1941, you were kept fully informed regarding conversations, negotiations, et cetera, by our government with Japanese representatives as to the Japanese situation, and their import and significance?

A. It is hard at this time to state accurately what I felt prior to the attack on Pearl Harbor. I had requested many times that I be kept informed. I had been assured that I would be kept informed. I believed that there must be details about which I was not informed and I could only guess. You are asking me to recapture something which is a long way in the past about what I would feel.

[380] Frederick T. Lachat, yeoman first class, U. S. Naval Reserve, reporter, entered. Frank L. Middleton, yeoman second class, U. S. Naval Reserve, reporter, withdrew.

442. Q. In the light of events preceding December 7, 1941, of which you now have knowledge would that knowledge have altered your dispositions and actions independently without reference to the Department?

A. It would have altered my actions and dispositions, but I would have promptly informed the Department.

443. Q. At any time from October 16 to December 7 did you receive by official communication or personal communication from OpNav the suggestion of an air attack on Pearl Harbor?

A. I did not.

444. Q. You have stated that there was a unanimous opinion among your principal advisors, in concurrence with your own state of opin-

ion, to the effect that an air attack was merely a remote possibility. In the discussions which took place was a distinction drawn between the possibility of attack during the existence of a state of peace and the existence of a state of war?

A. I think we were primarily concerned with what would happen to us immediately, and our conclusion related specifically to the condition that confronted us there while we were in a state of peace.

445. Q. But had a state of war existed on December 7, 1941, would not your condition of readiness been radically different?

A. Yes, it would have been different. I would have then placed considerations of security ahead of any consideration of training.

446. Q. In earlier testimony you accepted the responsibility for not having ordered a distance reconnaissance on December 7, 1941.

A. That is correct.

447. Q. Does the court understand that your reason was that the use of patrol planes for distance reconnaissance was not warranted, in that the presence of carriers of a foreign power within the range of such a reconnaissance was neither known nor suspected?

A. Yes.

448. Q. How long before the attack on December 7 did you have information concerning the movement of Japanese carriers to the Marshall Islands?

A. I cannot now recall.

449. Q. Is it your recollection that it was not within, let us say, a week previous?

A. It was something on that order, yes.

[381] Cross-examined by the interested party, Rear Admiral Husband E. Kimmel, U. S. Navy (Ret.) (Continued):

450. Q. Questions have been asked you relative to the transfer of your headquarters from the PENNSYLVANIA to shore. Was that move taken up by you with the Department in Washington before it was effectuated?

A. I informed the Chief of Naval Operations of the place I proposed to take. Eventually, and after I had transferred my headquarters on shore, I took up with the Department the question of getting permanent headquarters there, and the money was allocated and the plans drawn to provide these permanent quarters prior to the time I was relieved.

451. Q. Did you receive specific approval for the removal of the temporary quarters before it was done?

A. Yes, in a letter from the Chief of Naval Operations. Furthermore, I received his approval for the Commandant of the 14th Naval District to allocate my quarters on shore, which the Commandant did.

452. Q. You have related, in answer to questions, the officers of your staff who were present at the conference on November 28 in reference to the dispatches received both by you and the Army on November 27. In addition to your staff, and Admiral Bloch and General Short, were any of the flag officers of your command present?

A. I think Admiral Wilson Brown was also present.

453. Q. Had Admiral Halsey gone?

A. Halsey left on the 28th. He may or may not have been present. I don't recall.

454. Q. Did you confer with Admiral Halsey, after the receipt of the dispatch of November 27 and before he left on his mission, relative to the dispatch?

A. I'm not sure that there was an opportunity for him to come to the office before he sailed. I believe, however, he did see the dispatch before he sailed.

455. Q. Did any of your flag officers or staff officers recommend to you any other disposition of the Fleet or extra precautions as a result of the message of November 27?

A. None except the ones I took.

456. Q. Did these officers have all the information regarding the situation which was in your possession?

A. The members of my staff to whom you refer did have all the information that was in my possession. The three Fleet task force commanders, Admiral Bloch, and Admiral Calhoun had all the information which was available [382] when they visited my headquarters.

457. Q. The question was asked you whether between October 16 and December 7 you felt that you were kept fully informed by the Navy Department as to the progress of relations between the United States and Japan. Can you answer that question categorically, yes or no?

A. As to how I felt prior to December 7?

458. Q. Yes.

A. No, I cannot answer that question categorically, yes or no.

The interested party, Rear Admiral Husband E. Kimmel, U. S. Navy (Ret.), made the following statement: I should like to introduce in evidence Operations Plan 1-41, dated 27 February 1941, with annexes: (a) Inshore Patrol Plan; (b) Base Defense Air Force Plan; (c) Anti-aircraft Defense Plan; (d) Harbor Control Post Plan; (e) Communications Plan. It was issued by C. C. Bloch, Naval Base Defense Officer, Commandant of the 14th Naval District. I do not care to read it, but I should like to have it as an exhibit.

There being no objection, it was so received, copy appended, marked "EXHIBIT 53".

Reexamined by the judge advocate:

459. Q. Do you recall, from any data which you have, how long it took those Japanese planes to fly 132 miles?

A. My best answer is only an estimate, and I will say it took them something over an hour to fly 132 miles.

460. Q. That is the best answer you can give from any information you have?

A. Yes, and that is not accurate. I don't know.

461. Q. I ask you if you are acquainted with charges that have been made as to lack of cooperation between the Army and the Navy in the Hawaiian area, specifically that neither service knew what security measures were in effect in the other and that the services did not cooperate in matters of defense. Can you state, Admiral, what the facts are in this regard?

A. These charges, as I recall them, were made in the report of the Roberts Commission substantially as you state them. They were widely made in the press. In my opinion, such charges were entirely unsubstantiated by the recorded testimony of the Roberts Com-

mission. Regardless of the testimony and conclusions of the Roberts Commission, [383] the charges were entirely without any solid foundation in fact. We did cooperate, and we did know—quite accurately—what was going on in the other service.

462. Q. You knew what condition of alert was set in the Army on the night of the 6th and 7th of December, 1941, did you not?

A. I knew the condition of alert was set there and, in general, what it was.

463. Q. Do you consider, from all the plans, orders, and agreements we have introduced in evidence before this court and which are now a matter of record before it, that the charge that there was lack of cooperation in the defense of Pearl Harbor is now refuted?

A. I do. I consider that the evidence submitted to this court most conclusively disposes of any such charge.

Reexamined by the court:

464. Q. Admiral, did you have available to you telephonic communication with the Chief of Naval Operations in Washington?

A. By commercial line, yes. During the attack, the Chief of Naval Operations was in communication with the Commandant of the 14th Naval District.

465. Q. Was this telephonic communication available to you in what is known as the scrambler telephone?

A. No special arrangements had been made, and I am not familiar with the commercial telephone, but I believe it was the scrambler system. In addition to the commercial telephone, there was a direct communication provided between the Chief of Staff of the Army and the Commanding General in the Hawaiian Department, which I presume the Chief of Naval Operations might have used, if he so desired. That I do not know.

466. Q. That, Admiral, has been brought out in the testimony regarding the scrambler system which the Army had in Honolulu with Washington. The court was trying to find out whether a similar telephone system was available to you.

A. It was not.

467. Q. Only the commercial line was available to you?

A. Only the commercial line was available to me.

468. Q. The scrambler telephone had not been installed in your headquarters?

A. That is correct.

[384] 469. Q. Did you at any time during this period use the commercial telephone in discussing matters with the Chief of Naval Operations?

A. I did not.

470. Q. Did he at any time call you over his telephone?

A. He did not.

471. Q. Admiral, were you completely satisfied with the performance of duty of the Commandant of the 14th Naval District previous to and on December 7, 1941?

A. The Commandant of the 14th Naval District has had a distinguished career in the Navy. I had the greatest confidence in his ability and acted accordingly in all my dealings with him. He had a very difficult job. The personnel supplied to him in a rapidly expanding agency required a lot of training. He was faced with

the same difficulties that the Fleet was faced with. He repeatedly requested personnel to be detailed. I agreed that he required the personnel. Under the handicaps which he was laboring, I considered his performance of duty highly satisfactory.

472. Q. You included the whole period?

A. Yes.

473. Q. Admiral, were you satisfied with the performance of duty of all your senior subordinates, insofar as that performance of duty had any bearing on the Japanese attack?

A. I was.

None of the parties to the inquiry desired further to examine this witness.

The court informed the witness that he was privileged to make any further statement covering anything relating to the subject matter of the inquiry which he thought should be a matter of record in connection therewith, which had not been fully brought out by the previous questioning.

The witness stated that he had nothing further to say.

The witness ~~was duly warned and~~ resumed his seat as an interested party.

The interested party, Rear Admiral Husband E. Kimmel, U. S. Navy (Ret.), made the following statement: It has been brought out before this court that some of the findings of the Roberts Commission dealt with relations existing between the Commandant, the Commanding General of the Hawaiian Department, and the Commander-in-Chief of the U. S. Fleet to their disadvantage in describing these [385] relations as unsatisfactory. It is this report which has been published to the world and which has given rise to the campaign in the press for the last two years as to the lack of relations between the Army and Navy in that area. It is noted that the report of the Roberts Commission has been submitted to this court, and I wish to ask the court if it intends to use the report in question as evidence in reaching its findings? There are contained in the public version of the report of the Roberts Commission misstatements which can be readily disproved.

The judge advocate replied as follows: The reports of the Roberts Commission were furnished to him, as well as all other documents he desired in the Navy Department for use in conducting this inquiry. The reports of the Roberts Commission are not now in evidence before the court, and the judge advocate has no knowledge of what intention the court has with regard to them, but they will be subject to proper objection and to a ruling if and when the occasion arises that any parts thereof are to be put in the record.

The court then, at 12:10 p. m., took a recess until 1:45 p. m., at which time it reconvened.

[358A] Present: All the members, the judge advocate and his counsel, all the interested parties and their counsel, except Admiral Harold R. Stark, U. S. Navy, interested party, whose counsel was present. Frank M. Sickles, yeoman first class, U. S. Naval Reserve, reporter.

No witnesses not otherwise connected with the inquiry were present.

Admiral Claude C. Bloch, U. S. Navy (Ret), interested party, was

called as a witness by the judge advocate, was duly sworn, and was informed of the subject matter of the inquiry.

Examined by the judge advocate:

1. Q. State your name, rank, and present station.

A. Claude C. Bloch, Admiral, U. S. Navy, retired, on active duty as a member of the General Board.

2. Q. What duties were you performing during the year 1941?

A. Commandant 14th Naval District, and appertaining thereto, Commander Local Defense Forces; Commander Hawaiian Naval Coastal Sea Frontier; Commandant, Navy Yard, Pearl Harbor; and as an officer of the United States Pacific Fleet and appertaining thereto, Commander Task Force 4, and as a Task Group Commander under 2CL-41, under the title of Naval Base Defense Officer.

3. Q. Were you performing any duties in conjunction with or in cooperation with the Army?

A. Yes.

4. Q. What were they, in brief?

A. I was performing duties prescribed by the Navy Regulations, Joint Action 1935, Rainbow War Plans, Fleet Letter 2CL-41, and directives from the Commander-in-Chief, U. S. Pacific Fleet.

5. Q. What was the method in effect for the coordination of these duties with the Army?

A. I assume you mean the method of coordination with the Army.

6. Q. That is correct.

A. That was done by the principal of mutual cooperation.

7. Q. Will you refer to section 3 of JCD-42, and state what the Army task was.

A. The Army task was to hold Oahu against attack by sea, land, and air forces, and against hostile sympathizers; to support the naval forces.

[386] 8. Q. What is the Navy task?

A. The Navy task—to patrol the coastal zone and to control and protect shipping therein; to support the Army forces.

9. Q. Will you state what forces were assigned you as naval local defense forces; what ships or equipment was in this category?

A. During 1941, the following forces were assigned as naval local defense forces: 4 old destroyers, destroyer division 80—that is the 4 old destroyers; 4 small minesweepers, 3 Coast Guard cutters of different sizes and capabilities which also performed the duties of the Coast Guard; the SACRAMENTO; 1 net vessel, 1 gate vessel, 2 self-propelled oil lighters, YO's; a few tugs and a few small craft, which were unsuitable for any real military use.

10. Q. Did you consider this force as adequate to perform the Navy Task assigned under JCD-42, that you have just referred to?

A. No.

11. Q. Would you like to amplify that answer by stating wherein you considered they were deficient?

A. I did not have enough patrol craft to properly organize inshore patrol. I had neither surface craft nor aircraft for offshore patrol, no escorts except that the Commander-in-Chief had made arrangements to supply, under the Commander Base Force, one when Rainbow 5 was executed. I had no attack force except such Army bombers as could be used under the Joint Agreement. They were not adequate

in numbers and types. I had no aircraft assigned to the Naval District to be used to meet the requirements of the Joint Agreement.

12. Q. We have had considerable reference before this court to Exhibit 7, which is the Joint Defense Plan, JCD-42. Had any part of this been put in effect in 1941?

A. No part of the Joint Coastal Frontier Defense Plan as such was put into operation by the orders of the War and Navy Departments, or by mutual agreement of the local commanders of the Army and Navy prior to December 7. However, some parts of appendix 7 were in operation.

13. Q. Will you describe in general terms what these parts of appendix 7 were and what they pertained to?

A. Appendix 7 was a joint agreement between the Commanding General and the Commandant 14th Naval District in regard to air defense. The pertinent parts which were in operation were: The Army agreed to turn over to Navy tactical control all bombers in the case of air attack, or when required. The Navy agreed to turn over to the tactical control of the Army all fighters or aircraft suitable as fighters in case of emergency, or when required.

14. Q. As Navy Base Defense Officer, did you consider you had [387] a fairly accurate picture of what military forces and equipment the Army had for the execution of its task; that is, to hold Oahu against attack by sea, land, and air forces, particularly as this task applied to the Pearl Harbor Naval Base?

A. Yes, and my knowledge has been reflected in correspondence which has been read before this court.

15. Q. Adverting to article 17 of JCD-42, where the Army is charged with providing certain service and key defenses, I shall ask you to state opposite each category that is applicable to the Pearl Harbor Naval Base, not on others, what the Army had provided in accordance with the Joint Agreement, prior to 7 December 1941.

A. Under subparagraph a., which was beach and land, seacoast, and anti-aircraft defense of Oahu, with particular attention to the Pearl Harbor Naval Base, I knew that there were insufficient military personnel according to the estimate of the need by the Commanding General. It was my belief that the seacoast batteries had had insufficient target practice. I knew there were insufficient numbers of anti-aircraft guns, both in the long-range type and in the close-in weapons. I knew there were insufficient modern Army bombing planes. I knew that there was a deficiency in the numbers and types of Army pursuit planes. I knew that the permanent anti-aircraft warning service was nowhere near complete. I had general knowledge that a number of mobile stations had been set up, but that the personnel was not trained, that the entire system was in a formative condition, notwithstanding the assistance which had been provided to the Army by the Navy. With reference to subparagraph c., I knew that no protection had been provided to landing fields in outlying islands by the Army. In reference to paragraph d., I believed that this had been taken care of. Subparagraph e., I knew this had been provided for. Subparagraph f., I knew that the Army could not perform inshore aerial patrol, and I had endeavored to get aircraft so that the Navy could take over these duties until such time as the Army was properly equipped. Results—negative. I have also referred previously to the aircraft warning

service; that is also under f. Subparagraph g., arrangements had been made for this by Joint Agreement, appendix 7, but Army did not have adequate numbers or types of bombers, and specifically during the period from November 27 to December 7, the Army had only 6 modern bombers in serviceable condition. Paragraph h., this had been one of the subjects of the Joint Air Defense Agreement. My recollection is that the Army furnished personnel during the day time, but that up to December 7, we had been unable to get them at night. Paragraph i., this had been diligently prosecuted. Paragraph j., this service was operational. Paragraph k., this service was operational. Paragraph l. (love), the Army, in conjunction with the Federal Bureau of Investigation, had a plan for taking care of this detail. Paragraph m., I knew that the Army were working on this. Paragraph n., many conferences and studies had been held on the subject. Paragraph o., A [388] plan had been made. Paragraph p., a plan had been made.

16. Q. Referring to Article 18 of JCD-42, which sets out what the Navy shall provide, will you state categorically what the Navy did provide, as they relate to the Pearl Harbor Naval Base prior to 7 December 1941?

A. According to paragraph 18, the Navy was first required to supply an inshore patrol. The vessels for the inshore patrol were inadequate, as I stated before. Paragraph b., the Navy was required to provide for an offshore patrol. There were not vessels or aircraft available for this patrol. None had been supplied. c.: Navy was required to supply an escort. No vessels were available, but the Commander-in-Chief in his war plan had arranged to have an escort force under Commander Base Force. Paragraph d.: An attack force. I had no surface vessels; none were supplied, for an attack force. Complete reliance had to be made on Army bombers. They were inadequate in numbers and types. The Navy might possibly have temporarily based on shore Navy dive bombers and other shore-based aircraft, but they might or might not be present. e.: This had been provided for and was adequate except for trained personnel. f.: Torpedo nets had been installed in both Honolulu and Pearl Harbor, magnetic loops and sono-buoys had been installed, but I am not sure whether they were installed before or after 7 December. g.: Army forces are to be supported by Marine anti-aircraft. This varied from time to time. Arrangements had been made to support Army forces as fully as could be done by the Commander-in-Chief in his Fleet Confidential Letter 2CL-41 of October 14, 1st of February, 1941. h.: Number of minesweepers were inadequate. i.: There were no means for the 14th Naval District to conduct distant reconnaissance, either by surface vessels or long-range aircraft. No long-range aircraft had been furnished. j.: Only means of attacking enemy's naval forces were by aircraft. This meant Army bombers and whatever Navy planes happened to be present. Army bombers were inadequate in numbers and types. k.: Adequate. l.: Fairly adequate but improving all the time. m.: Completely effective and ready to take over. n.: In operation. o.: Inadequate but being remedied very rapidly by the construction of new hospitals. p.: Plans made but not put into operation until after December 7.

17. Q. Adverting to Exhibit 8, which is 2CL-41, what was the relation of the Naval Base Defense Officer to the Commander-in-Chief of the Pacific Fleet in the chain of military command?

A. The Commander-in-Chief was my immediate superior in command.

18. Q. Adverting to paragraph 3, g., subparagraph (6), of this same exhibit, will you state what the Naval Base Defense Officer was responsible for under each of the subparagraphs, and opposite each state the action taken by you as Naval Base Defense Officer prior to the Japanese attack [389] on 7 December 1941?

A. g. (6) A. This was done by effecting agreement in regard to the use of Army planes by the Navy, and naval planes by the Army in case of attack. Frequently drills were held, difficulties were determined, remedies applied, and Marine anti-aircraft was made available to assist the Army, in arranging to have Army personnel sent in ships of the Fleet for training. All of this done prior to December 7. (6) B. About February 20, I had a conference with General Short, and urged the necessity of emplacing his mobile anti-aircraft guns in the field. On February 23 I was informed by his Chief of Staff, in writing, that General Short had given orders that mobile anti-aircraft artillery would be emplaced as close to the sites of our emplacements as possible, having due regard for the ownership of land. It is my belief that his representations were not lived up to. In the intervening period until October, the Naval Base Defense Officer personally examined the plans for location of all Army anti-aircraft weapons that were to be emplaced, particularly those that were to be located on the naval reservations. Subordinates of the N. B. D. O. were in constant touch with Army representatives; endeavoring to have the guns in place, and on December 7, the Navy was actually making arrangements to mess and quarter Army gun crews on naval reservations, so that objections would be removed. At a date somewhere between 15 October and November 1 or 15th, Naval Base Defense Officer personally talked to Lieutenant General Short about this matter. General Short explained his position, that he could not emplace these guns for several reasons—sites were not on government land, fire-control communications would have to be out in the weather, usually in cane fields and irrigation ditches and be subject to deterioration; furthermore, that it would be extremely difficult for personnel comprising the gun crews to be quartered and subsisted. There were approximately 26, 3-inch anti-aircraft guns in fixed emplacements, about 20 of them being in the vicinity of Pearl Harbor. All of these measures were taken prior to 7 December. C.: Commander Patrol Wing Two was a flying officer and as such understood all the technicalities of air operation and was qualified to command air forces. Control was exercised through him, and it is believed that thorough coordination with the Army was effected. Detailed operating plans were prepared, drills were held, difficulties determined, and improvements made. All done before December 7. D. (1): N. B. D. O. was responsible for advising the S. O. E. of what condition of readiness to maintain. This was done by means taken by him in drill. Communication plans were provided whereby it could be effected quickly. All before December 7. (6) D. (2) Drills held weekly until the autumn, when they were changed to be held every two weeks, and in these bi-weekly drills, the arrangements were made to

always have the Army participate. Prior to changing to bi-weekly drills, difficulty had been experienced in obtaining Army participation and, also due to their frequency, there [390] had been absentees. The bi-weekly drills were arranged well in advance and insured the Army participation and all hands being at each drill. All prior to December 7. (6) D. (3) : This was done; all signals that were contained in the Communication Annex to the Operations Plan 1-41. (6) D. (4) : This was practiced at actual drills, and communications provided for the purpose. All done prior to December 7. D. (5) : A communications plan was promulgated prior to December 7, was used at drills. D. (6) : Air raid alarm signal was contained in the communication plan.

19. Q. Do you recall what condition of readiness was in effect in the 14th Naval District on the night of 6 December 1941?

A. Admiral Kimmel testified that there was a Fleet order to maintain condition of readiness No. 3, and General Short has testified that Alert No. 1 was in effect in the Army in the harbor control posts. Condition No. 3 was in effect, full anti-sabotage measures. It had been in constant effect for several months. The various posts comprising my command, such as the air station at Ford Island, the one at Kaneohe Bay, the ammunition depot at Lualualei, and the communication station at Wahiawa, and other places—the conditions of readiness were determined by the Commanding Officer, but there were no conditions of readiness in effect.

20. Q. Had the condition of readiness existing in the 14th Naval District been notified to the Senior Officer Embarked in Pearl Harbor on the night of 6 December 1941, to your knowledge?

A. The condition of readiness—no.

21. Q. No condition of readiness was advised to the S. O. E.?

A. It should be borne in mind that the normal condition on board ships in Pearl Harbor, with their guns ready and ammunition at the guns, a large percentage of the officers and men on board, was equal to and probably higher than the Army Alert No. 2.

22. Q. What condition of readiness for aircraft was being maintained in the 14th Naval District, if you had any?

A. The condition of readiness for aircraft, that is, shore-based aircraft, was the normal day-to-day condition of readiness prescribed according to the requirements of the various squadrons or units, in accordance with their most probable use and their days' tasks and missions, which at that point were largely training, personnel-type training exercises and matériel lessons.

23. Q. Adverting to page 5 of the Exhibit, which is 2CL-41, there are laid down certain duties of the Naval Base Defense Officer. In each case, state what was done by you when the Japanese attacked Pearl Harbor Naval Base at 0755 December 7, 1941.

A. Paragraph 3, big G, subparagraph 9, subparagraph c., (1). That is to give alarm indicating attack in progress or [391] imminent. If not already blacked out, black out when the alarm is given. This was done both by visual signal and by air-raid alarm. Next is (2). That was done. Paragraph 3 and 4, one of which is, launch air search for enemy ships, and the other is to arm and prepare all bombing units available. Many drills had been held with a view to making all these actions automatic and not requiring orders consuming time. They were done insofar as aircraft were available after the attack.

24. Q. Adverting to the aircraft warning system which you have testified was the responsibility of the Army, were you required to have any personnel attached to this system? If so, what?

A. The Joint Agreement with the Army required the Navy to have a liaison officer in the interceptor command to evaluate and relay the messages, when the aircraft warning system was established. This system was not established until December 7, when officers were sent.

25. Q. Am I to understand, then, that the aircraft warning system had not yet been organized by the Army?

A. The entire system, the permanent system, was nowhere near completed. Some five or six mobile stations had been placed at points around the island by the Army. The entire system, including the training of the personnel and the organization of the system, was in a very formative state, and no order had been issued for the establishment of a station, nor was it issued until December 7. The entire anti-aircraft warning system was the responsibility of the Army, and General Short testified before this court the other day that the establishment order was not issued until December 7.

26. Q. Admiral Kimmel has testified he considered the intelligence unit under your command to have been adequate and, I believe, efficient. How did you classify this unit at the time of the Japanese attack?

A. I considered the Combat Intelligence Unit efficient, but that personnel numbers were inadequate.

27. Q. As you look back upon the events which preceded the Japanese attack on Pearl Harbor, are you still of the same opinion?

A. Yes, I believe it was efficient, except now I know that the space, numbers of personnel, and equipment, was grossly inadequate.

28. Q. Do you feel that this unit kept you and the Commander-in-Chief of the Pacific Fleet currently informed?

A. Yes, both the Commander-in-Chief of the Fleet and [392] the Commandant 14th Naval District were kept informed from such information as this unit was able to obtain.

29. Q. Do you remember if you received intelligence information from sources other than this unit?

A. Yes, from the Commander-in-Chief, from the District Intelligence Officer, who had an organization under the Office of Naval Intelligence and who had contact with Military Intelligence, the Federal Bureau of Investigation.

30. Q. Did you get any intelligence information from the Navy Department in the form of bulletins or dispatches, that you remember?

A. I got none in the form of dispatches that I remember. It is possible that the Intelligence Office got bulletins. I don't recall seeing them.

31. Q. Do you feel that you and the Commander-in-Chief of Pacific Fleet worked in harmony in military matters affecting your command?

A. Yes, unequivocally so.

32. Q. Do you recall whether your conferences were frequent, or otherwise, with the Commander-in-Chief of the Pacific Fleet, from the period, say October 16, 1941, to 7 December 1941?

A. I believe it to be a fair estimate to say that I saw and talked to the Commander-in-Chief four or five times weekly.

33. Q. In the light of what you now know, do you feel that the Commander-in-Chief of Pacific Fleet kept you currently informed in military matters?

A. I felt, and still feel, that the Commander-in-Chief made an honest effort to keep me fully and currently informed on all matters, and I did my best to reciprocate.

34. Q. And can you say now that you feel that you were informed?

A. So far as I know he gave me all the information he had.

35. Q. What was the nature of your relations in military matters with the Senior Officer Embarked in Pearl Harbor?

A. I had little contact with the S. O. E. at Pearl Harbor in military matters, in view of the physical presence of the Commander-in-Chief.

36. Q. Did you have any responsibility for the condition of readiness of the vessels of the fleet in Pearl Harbor, or was that a matter under the Comander-in-Chief or the Senior Officer Embarked?

A. Yes, I had some responsibility by paragraph 3 G (6) d. (1) of Fleet Confidential Letter 2CL-41. I was required [393] to advise the S. O. E. in Pearl Harbor what condition of readiness be maintained.

37. Q. Can you now remember when you first felt that United States-Japanese relationships were becoming acutely strained?

A. I was conscious that United States-Japanese relations were strained, in varying degrees, throughout the entire year of 1941.

38. Q. Do you recall making any decisions based on any estimate as to what the Japanese intentions might be towards an attack in the Hawaiian area?

A. Of course I was not called on to make any independent decisions. I did not have any information separate and distinct from the High Command of the Fleet, nor did any information which was furnished me cause me to disagree with the decisions made.

Frank L. Middleton, yeoman second class, U. S. Naval Reserve, reporter, entered. Frank M. Sickles, yeoman first class, U. S. Naval Reserve, withdrew.

[394] 39. Q. I am asking you, did you make any decisions of your own?

A. My answer to that is that I was not called upon to make any independent decisions. I didn't have any information separate and distinct from the high command of the Fleet, nor any information which would cause me to disagree with the decisions that he made.

40. Q. Did you have any views on the possibility of a surprise air attack on Pearl Harbor before 7 December 1941?

A. I considered a surprise air attack on Pearl Harbor prior to the declaration of war as a remote possibility.

41. Q. You have heard the testimony which Rear Admiral Kimmel gave before this court as to the views of the Navy Department on the physical possibility of an aircraft torpedo attack as being influenced by the prevailing depths of water in Pearl Harbor. Did these technical views influence any estimate that you may have made of the possibility of such an attack?

A. Yes, inasmuch as it appeared impossible to successfully launch torpedoes from aircraft in Pearl Harbor, I was of the opinion that a bombing raid by aircraft would not be sufficiently profitable to cause an enemy to undertake it.

42. Q. I show you Exhibit 17, which is the Chief of Naval Operations dispatch of 27 November, 1941. Had you been shown this dis-

patch by anyone before the Japanese attack on Pearl Harbor on 7 December?

A. Yes. I saw this dispatch, or a paraphrase of it, on the evening of November 27.

43. Q. Do you recall if you had any conference with the Commander-in-Chief of the Pacific Fleet before December 7, 1941, with reference to the information contained in this dispatch?

A. Yes, I think so.

44. Q. What was your own estimate of the situation as to the Japanese intentions based on the information current with this dispatch?

A. At the conference above referred to, the subject matter was fully discussed, after which the Comander-in-Chief made his decision as to what steps should be taken. I had no information to cause me to disagree with his conclusions.

45. Q. As a result of the receipt of this dispatch, Exhibit 17, at which you are now looking, was the condition of readiness under your command changed in any way that you remember?

A. The various commonds in the 14th Naval District did not assume condition of readiness. Full anti-sabotage measures had been in effect for several months. The various commanding officers were responsible as such [395] for their commands. There were adequate armed marines at all stations. There were elaborate identification pass systems in effect. All measures outside the naval reservations, even up to their gates and fences, were Army responsibilities.

46. A. But so far as your command itself was concerned, what I am trying to find out is, did you take any additional security measures by virtue of the information that was contained in this dispatch, Exhibit 17?

A. Yes. We placed a patrol off of Honolulu Harbor, conducted by the Coast Guard. We began sweeping Honolulu Harbor channel and approaches by Navy sweepers. Some time subsequent to the dispatch, Commander Inshore Patrol, who was one of my subordinates, had the captains of the four destroyers, of Destroyer Division 80, in his office, and gave them a pep talk, and particularly he invited their attention to the Commander-in-Chief's directive concerning the depth-charging of submarines in the defensive sea area.

47. Q. Can you remember whether the question of unity of command in the Hawaiian area had been under consideration by you and the Commanding General of the Hawaiian Department prior to the Japanese attack on 7 December, 1941?

A. I recall no discussions concerning unity of command as applying to the Army and Navy. The existing system was mutual cooperation. I had no reason to take any independent steps looking toward a change in the established system.

48. Q. I show you Exhibit 18, which is the Chief of Naval Operations' dispatch of 26 November, 1941. Did you have any knowledge of its contents shortly after this date?

A. Yes, I believe so.

49. Q. Did the action contemplated therein, namely, dispatching a carrier to Midway and Wake, a task the accomplishment of which would have to be executed in the future, have any influence on your estimate of the imminence of war with Japan?

A. No.

50. Q. On the possibility of a surprise attack on Pearl Harbor?

A. No.

51. Q. I show you Exhibit 19, which is the Chief of Naval Operations' dispatch of 28 November, 1941 and refers to a message sent by the Army to Commander Western Defense Command. Please inspect the subject matter contained in this dispatch and inform the court whether you were familiar with its contents around the time of its probable receipt in Hawaii?

A. I saw the dispatch. The only items in the dispatch which made a real impression on me were those parts [396] concerning the desire of the United States to have Japan make the first hostile act, and the other one was concerning not to alarm the public. By implication it was my belief that it was obligatory upon the Navy to consider these same restrictions.

52. Q. In other words, I understand your view was this: That even though the dispatch was purely informatory, its having been sent by the Chief of Naval Operations to activities in the Hawaiian area, it did have some influence on your actions?

A. The message was an Army dispatch but it contained certain wording concerning hostile attack and alarming the public that was in the Navy dispatch of the same date. I believe that these restrictions applied to the Navy.

53. Q. Did these matters which you say you feel applied to the Navy limit your initiative in any way relative to measures for increased security that you might have taken in the 14th Naval District?

A. No.

54. Q. I ask you to examine Exhibit 20, which is the Chief of Naval Operations' dispatch of 3 December, 1941, the subject matter of which is informatory of the action of Japanese diplomatic and consular posts at certain places destroying most of their codes and ciphers and burning all other secret and confidential documents. Do you recall whether you were informed of the subject matter of this dispatch at any time after its probable time of receipt by the Commander-in-Chief?

A. I saw the dispatch.

55. Q. Did the receipt of this information revise your estimate in any way of the imminence of a United States-Japanese war?

A. The dispatch itself did not cause any change, in my opinion, regarding the possibility of a surprise air attack on Pearl Harbor prior to the declaration of war. It did not cause me to take any increased security measures in the 14th Naval District except to direct the District Intelligence Officer to arrange with the Army and the Federal Bureau of Investigation for a close surveillance of the Japanese Consulate General. Adequate security measures were already effective.

56. Q. I ask you to examine Exhibits 21 and 22, which are the Chief of Naval Operations' dispatches of 4 and 6 December, 1941, respectively, and which contain directives to destroy secret and confidential publications on Guam and outlying Pacific bases. Do you remember whether you had been informed of the subject matter of these dispatches prior to the Japanese attack on Pearl Harbor on 7 December 1941?

A. I believe Admiral Kimmel showed me these dispatches, or paraphrases of them.

[397] 57. Q. Did these dispatches influence you to revise in any manner your estimate of the imminence of war between the United States and Japan as of that time?

A. No.

58. Q. The possibility of a surprise attack on Pearl Harbor?

A. No.

59. Q. Did the information influence you to take any increased security measures in the activities under your command?

A. I believe that Admiral Kimmel caused me to send dispatches to Wake and, possibly Midway concerning the destruction of such confidential and secret codes as they might have. I am not certain on that point but that is my belief.

60. Q. Were you and the Commander-in-Chief of the Pacific Fleet in contact frequently between 27 November and 7 December 1941, on matters of a military nature?

A. Yes.

61. Q. Do you feel you were reasonably well informed in matters affecting your command?

A. Yes, I think the Commander-in-Chief tried to tell me everything.

62. Q. Will you answer the questions? Do you feel that you were reasonably well informed on matters that affected your own command?

A. Yes.

63. Q. You and the Commander-in-Chief of the Pacific Fleet were in accord in these matters?

A. Yes. The Commander-in-Chief never indicated any disapproval of my actions.

64. Q. Do you, yourself, remember having informed him of the condition of readiness which you were taking in your command up to the time of 0755 on 7 December 1941?

A. No, I do not remember ever having categorically advised him, but on October 16 and on November 27, and possibly on November 24, conferences were held with the Commander-in-Chief and it was decided to make no changes. I had every reason to think the Commander-in-Chief knew the conditions.

65. Q. On the question of long-range reconnaissance, I would like a summary at this time of the command relationship that existed between yourself as a Naval Base Defense officer and the Commander of Patrol Wing Two. For what matters did he come under your command?

A. My sole connection with long-range reconnaissance [398] was that as Commandant of the 14th Naval District I had made a joint agreement with the Commanding General, Hawaiian Department which would be placed in execution on M-day, or by order of the War and Navy Departments, or upon the mutual agreement of the two local commanders of the Army and Navy, after which time it would then become a responsibility of the Navy to provide distant reconnaissance aircraft for this purpose which had been allocated to the 14th Naval District by the Navy Department, but I had been informed that their delivery was indefinite. In connection with Fleet Confidential Letter 2CL-41 (Revised), Commander Patrol Wing Two was Commander of the Naval Base Defense Air Force, and as such he was under

my control insofar as I exercised supervisory control over naval shore-based aircraft, arranging through him, Commander Patrol Wing Two, for coordination of the joint air effort between the Army and Navy.

66. Q. I am still a little bit puzzled as to this command relationship. ComPat Wing Two was whom?

A. Admiral Bellinger.

67. Q. Did he have any other duties than ComPat Wing Two?

A. Yes. He was Commander of Task Force Nine. I believe he was Commander Air Scouting Force. He was also Commander Naval Base Defense Air Force.

68. Q. That is what I am trying to straighten out, exactly this situation: For example, if Admiral Bellinger had under his command, say 5 squadrons of patrol planes. How would you, as a Naval Base Defense officer, know whether these 5 squadrons of planes belonged to him as Commander Scouting Force, or as Naval Base Defense officer?

A. I don't believe I am the best qualified person to tell you that. Admiral Bellinger was not under my command. He was a Fleet officer.

69. Q. But he was a Naval Base Defense Air Officer, was he not?

A. Yes, but the Naval Base Defense Air Force was like a volunteer fire department. When you sounded the air raid alarm they came, and when the air raid alarm wasn't in effect, they were doing something else.

70. Q. That is exactly what I am trying to get at. Suppose, for example, you, in your capacity as Naval Base Defense officer, wanted to use two or three squadrons of these 5 squadrons of planes that I have assumed Admiral Bellinger had under his command, and you ordered him to turn these planes over to you. Could he say, "Well, they belong to the Scouting Force and I can't let you [399] have them"?

A. Well, he was a very good friend of mine but I don't believe he would have done it without asking the Commander-in-Chief.

71. Q. In other words, for you to get any planes that Admiral Bellinger had under his command it would probably mean that you would have to go to the Commander-in-Chief, or that he would, before you would get them in your capacity as Naval Base Defense officer?

A. Not exactly. There were a lot of aircraft. First, the Marine aircraft at Ewa Field. That had a commanding officer, a Marine officer, a flyer. They had certain duties to do all the time. On Ford Island there were a lot of carrier based planes that had been left there temporarily, and maybe some other types of planes. They had commanding officers. They had their duties and so forth to carry out. Task Force Nine, the patrol planes, the same thing. They had their duties to perform under Admiral Bellinger. Now, normally they were all carrying on their duties. When the air-raid alarm went, then they all became the Naval Base Defense Air Force, and only at that time.

72. Q. In other words, in your capacity as Naval Base Defense officer, you had no planes at all unless you rang the alarm?

A. Of course I might, under some circumstances, receive positive information from the Commander-in-Chief that there was an enemy

approaching, to sound an air raid alarm, and I would sound an air raid alarm, and then this thing would function.

73. Q. Let me put it another way: Suppose, for example, upon the receipt of the information contained in the dispatch of November 27, you felt it your duty, as the Naval Base Defense officer, to send out a long-range reconnaissance. Could you have told Admiral Bellinger then, "I want all the planes you've got to conduct this reconnaissance"?

A. My duties as Naval Base Defense officer are clearly described in the Order. Nowhere in the order does it say that I shall make long-distance reconnaissance.

74. Q. Well, I am puzzled and I don't know whether the court has it clear, or not, but that is exactly the point I would like to get cleared up.

A. I have told you all there is about it. If I know something you want to know, I would be very glad to tell you.

75. Q. Who did have the authority to make long distance reconnaissance?

A. The Commander Task Force Nine, or Commander Patrol Wing One and Two, the same individual, Admiral Bellinger, had as his mission to make scouting patrols and [400] distance reconnaissance. But they were subject to the order of the Commander-in-Chief.

76. Q. To clarify that point, Admiral Bellinger couldn't do this on his own initiative; he would have to have orders from the Commander-in-Chief?

A. I believe so, but I would rather you ask Admiral Bellinger.

77. Q. At any rate during the period 27 November to 7 December, 1941, did you consult with the Commander-in-Chief of the Pacific Fleet looking toward the establishment of a long-range aircraft reconnaissance?

A. The Commander-in-Chief, Pacific Fleet, made his decision on November 27, that the intensive training, material upkeep and operational schedules would continue and that no changes would be made. This, by itself, would include the long-range aircraft reconnaissance. I made no suggestions to him.

78. Q. Whose responsibility was it for berthing ships in Pearl Harbor so that they could develop the maximum anti-aircraft fire?

A. The senior officer embarked in Pearl Harbor.

79. Q. Do you have any knowledge of your own whether on the night of 6-7 December, ships were so berthed?

A. I believe so, except possibly in the case of double-berthed battleships.

80. Q. But this was not a matter of your responsibility?

A. That was not a matter of my responsibility and was an unavoidable situation.

81. Q. When did you first know there was an enemy attack on Pearl Harbor, and how did you ascertain it?

A. At about 0755, 7 December 1941. I heard the explosion of bombs.

82. Q. This convinced you of an attack, or did you need somebody to inform you further?

A. I went out on my lanai and saw a Japanese plane coming by.

83. Q. Will you tell the court what action you took at this time?

A. I went to my headquarters as fast as I could. I immediately initiated dispatches to Washington, the Philippines, Guam, ships at sea, and possibly others, to the effect that Oahu had been attacked. I directed local broadcasting stations to call all Navy Yard workers and naval personnel to the yard; directed drydocks to be flooded; also many other local directives.

[401] 84. Q. What percentage of officers and men under your command who had military duties were ready and available for duty at the time of the attack at 0755, if you can remember, in a general way?

A. The Navy Yard, under my command, and the District Headquarters, I do not know the exact percentage, but ample personnel was present and all institutions and vessels in the command were immediately ready.

The court then, at 3:00 p. m., took a recess until 3:15 p. m., at which time it reconvened.

Present:

All the members, the judge advocate, and the interested parties and their counsel, except Admiral Harold R. Stark, U. S. Navy, whose counsel were present. Frank L. Middleton, yeoman second class, U. S. Naval Reserve, reporter.

No witnesses not otherwise connected with the inquiry were present.

Admiral Claude C. Bloch, U. S. Navy (Ret.), the witness under examination when the recess was taken, resumed his seat as a witness and was warned that the oath previously taken was still binding.

Examination by the judge advocate (continued):

85. Q. Prior to the air attack at 0755 on the morning of 7 December, 1941, had there been any enemy activity in the Hawaiian area other than that of aircraft that you knew about?

A. Yes.

86. Q. What was it?

A. At about 0715 I received a telephone message from my chief of staff to the effect that the USS WARD, the old destroyer which was acting as inshore patrol off the harbor entrance, had reported that she had attacked a submarine, and about the same time, either in this message or a subsequent message, the WARD reported that she was then escorting a sampan to Honolulu. The staff duty officer at Commander-in-Chief's headquarters was given the same information at the same time by the Harbor Control Post. I discussed this with the chief of staff over the telephone and we were uncertain as to whether this was another false contact, or not. Captain Momsen, the War Plans officer, went to headquarters to verify the situation and immediately ordered the ready-duty destroyer out to sea to support the WARD. This was doctrine. Before the matter could be clarified the air attack had begun.

[402] 87. Q. Did you have any information as to where the attack on the submarine took place that you have stated you had a report of?

A. I knew it was somewhere south of the entrance buoys in the harbor entrance approaches.

88. Q. But do you or do you not know whether it was inside or outside of the submarine net?

A. That would be outside the submarine net.

Cross-examined by the interested party, Admiral Harold R. Stark, U. S. Navy:

89. Q. In your testimony, Admiral, you related the Army deficiencies and the Navy deficiencies insofar as the 14th Naval District was concerned. However, when the Fleet was in, the deficiencies in regard to patrol craft and, to a reasonable degree, in regard to patrol planes, could be remedied, couldn't it, sir?

A. No. The Fleet's vessels which could be used as patrol craft, and the Fleet's patrol planes, were all occupied in their own routine employment, which was intensive training, material upkeep, and operation. I could not use those instrumentalities without the consent of the Commander-in-Chief.

90. Q. I think you misunderstood me, Admiral. I will rephrase my question this way: In the event such contingency as occurred on December 7, 1941, there were other craft when the Fleet was in port that could be made available to you, sir. Is that not correct?

A. There were ships and aircraft there but I do not know as to their availability, as to giving them to me.

91. Q. That is, insofar as you were Commandant of the 14th Naval District?

A. As Commandant of the 14th Naval District.

92. Q. And as far as the Army was concerned, whether the ships came from the Commandant of the 14th Naval District, or whether they came from the Commander-in-Chief of the Pacific Fleet, wouldn't make any difference to them, would it?

A. I don't think the Army had any interest in the ships.

93. Q. My point is this, Admiral: Then as of December 6 and December 7, 1941, in regard to the actual vessels and planes then available at Pearl Harbor, do you think that the Army had any particular criticism to make of the Navy in regard to the readiness of the Navy to meet necessary commitments?

A. I have heard of none.

[403] The interested party, Rear Admiral Husband E. Kimmel, U. S. Navy (Ret), stated that he did not desire to cross examine this witness.

The interested party, Admiral Claude C. Bloch, U. S. Navy, (Ret), stated that he did not desire to cross examine this witness.

Reexamined by the judge advocate:

94. Q. Did you have any information on a submarine being sunk inside the harbor?

A. Yes. In my previous testimony I have stated that Captain Momsen ordered the ready-duty destroyer to sea to support the USS WARD. This destroyer got under way about 8:00 o'clock, and in standing out of the harbor she sighted a Japanese submarine which she rammed and depth-charged and sunk. Subsequent thereto this same submarine was depth-charged several additional times. The submarine, after it was raised, was found to have one, 5-inch shell hole through the conning tower, which killed the captain. He was blown into a mass of crumpled steel, and both torpedoes were missing. The submarine carried two torpedoes. The submarine was known as a midget submarine.

95. Q. You spoke a moment ago about an attack that the WARD had made on a submarine. Do you know whether or not this submarine was sunk, or whether it was just a report of an attack that the WARD made?

A. Subsequent to December 7th, I learned for the first time that a patrol plane had also seen this submarine, or another submarine, and attacked it with depth bombs, and that the submarine was sunk.

96. Q. What type of submarine was this?

A. A midget.

97. Q. What sort of net protection against submarines was installed in the Pearl Harbor channel?

A. No anti-submarine nets were installed in Pearl Harbor or Honolulu, but anti-torpedo nets were installed to prevent submarines from firing torpedoes from outside into the harbor. The only nets in operation then, and now I believe, was an anti-torpedo net.

98. Q. If this net had been closed, do you think it was adequate to exclude a midget submarine from the harbor?

A. That is a question of opinion. I think it highly probable that the submarine would have been fouled by the net and the patrols would have seen it and made its detection much easier.

99. Q. Do you have any information as to the condition of this anti-torpedo net in the Pearl Harbor channel; whether it was open or closed on the morning of 7 December 1941?

A. The practice and orders required the net gate to [404] be open all day but to be closed all night, except when ships were arriving or departing. At about 4:45 a. m., some vessels which had been at sea, I believe minesweepers, approached the net and the gate was open.

100. Q. What day?

A. December 7th. And I subsequently found that this gate had not been closed until sometime after 8:00 o'clock, when it was ordered closed by Headquarters.

[405] Frederick T. Lachat, yeoman first class, U. S. Naval Reserve, reporter, entered. Frank L. Middleton, yeoman second class, U. S. Naval Reserve, reporter, withdrew.

Examined by the court:

101. Q. Will you give a brief description of that net?

A. The net was backed up in the shallow water areas by underwater obstacles. Where the water became deep enough to permit a torpedo to run, the net began. It was anchored on the shore side with heavy buoys. The net was made in interlocking rings, so that every ring interlocked with three or four. It was held afloat by large buoys on the surface known as baulks. They were merely small wooden rafts. On the top of these rafts were powerful steel prongs projected to seaward. At the gate end, on the shore side, there was a gate vessel, which was a steel vessel probably three or four hundred feet long and twelve to fourteen feet draught, which had some generators and powerful winches to handle lines. The other shore end was anchored in exactly the same way I have described the first one, except there was no gate vessels, but there was a hinge on the gate which held in place the large buoys. There were lines which ran from the gate vessel to the opposite side of the net through blocks and came back to the

entrance of the gate, so that when the gate was to be opened, the gate vessel hauled on a wire line, which went through a block on the other side and pulled open the gate. When you wanted to close it, you hauled on the opposite line.

102. Q. What was the depth of the water in the channel?

A. I think the deepest place was about seventy-two feet, but that was in the exact center of the channel.

103. Q. What was the depth of the net?

A. As I recall it, it was forty-five feet.

104. Q. Can you tell us what the overall measurements of the submarine were, from the top of the conning tower to the bottom?

A. I think the submarine was sixteen feet from the keel to the top of the conning tower, and the periscope stuck up three or four feet more—say, twenty feet.

105. Q. The first submarine on which you got a contact was about how far south of the entrance buoy? Do you remember?

A. I have subsequently determined it was somewhat over a mile.

[406] 106. Q. You don't know whether it was a midget or bigger submarine?

A. I believe it was a midget. I think the WARD sunk one, and whether or not the plane sunk another or contributed to the WARD's effort, I haven't been able to learn. However, a Japanese radio broadcast admitted on or about December 12 that the Japanese had lost five submarines on this attack.

107. Q. Now, will you tell the court a little about the submarine which got into the harbor?

A. It is my recollection that the submarine which entered the harbor was first sighted by a barge, which we call YP something. I don't remember the number. It was somewhere south of Hospital Point. This barge endeavored to ram it and made a report by signal to the signal tower. The submarine proceeded up channel and went on the north side of Ford Island—All of this was reconstructed afterwards—and fired torpedoes at the USS CURTIS, which was moored somewhere west of Pearl City. The CURTIS saw the torpedoes. They missed and hit the Pearl City peninsula, and one of them exploded. The CURTIS opened fire immediately, and I believe the five-inch shell found in the conning tower of this submarine was one of the five-inch shells of the CURTIS. The MONAGHAN, which had gotten away from her berth at the east end of the harbor and was standing out, saw this submarine about the same time and rammed depth charges, and the other destroyers coming along later dropped a few depth charges for good luck.

108. Q. Were there any other submarines which got into the harbor, to your knowledge?

A. None, although we had no less than fifty alarms that day, the next day, and the following days.

109. Q. I believe you said that if the gate of that net had been closed, it is probable that the submarine would have been entangled in it?

A. Yes. I might say another submarine was captured.

110. Q. Where?

A. The third submarine ran ashore on the reef off Bellows Field on the northeast coast of Oahu. The Army went out, and the captain

jumped overboard and was captured by the Army. The Army went out and got lines on her and informed us, and we went over and took her apart and brought her to Pearl Harbor, and she is now used for making bond drives around this country.

111. Q. As we understand it, the submarine which you speak of as entering the harbor was not sighted until after it reached Ford Island or was off Ford Island?

A. Sighted by a YP south of Hospital Point first.

[407] 112. Q. How far is that inside the gate and the net?

A. Oh, probably a mile and a half.

113. Q. Were there any lookouts at the gate as a matter of doctrine or as a result of your orders to keep watch?

A. Yes, there was a gate vessel which had a full crew on board in command of a chief petty officer, and there were motor launch patrols.

114. Q. At all times?

A. At all times.

115. Q. They did not sight this submarine?

A. If they did, they did not report it.

116. Q. Did you give orders to close the gate?

A. I believe the captain of the yard gave orders to close it.

117. Q. But it was closed immediately?

A. It was closed.

118. Q. In view of the critical conditions existing with Japan, although we were on a peace footing at that time, was there any consideration given by you or anyone else to keeping this gate closed at all times, opening it only for the passage of vessels?

A. Yes, we considered it, but owing to the heavy traffic in the day time and the fact that visibility was good and that there were men and boats there all the time, it was decided in the day time to keep it open.

119. Q. On the morning of December 7, 1941, was there any inner air patrol maintained around the entrance to seaward of Pearl Harbor?

A. None that I have knowledge of.

120. Q. Did you ever consider asking for it, looking to the maintenance of such a patrol?

A. Yes, I had asked the Navy, through the Commander-in-Chief, for four observation sea planes for the purpose of anti-submarine patrol and work in the coastal area.

121. Q. But in view of the ships in Pearl Harbor at that time and the fact that these ships had on them OS2U planes and other smaller planes which could have been used for an enemy patrol, were any steps taken toward this end?

A. No, not by me.

122. Q. Was it considered?

A. I think it was considered. I have some difficulty separating pre-December 7 and post-December 7. I think it was [408] considered, but I think that owing to the fact that the ships at sea were employed for long periods—ten days—in which they used their planes, when they came into the Base, the opinion was that these planes and the men were entitled to rehabilitation, the same as the rest of the crew on a ship.

123. Q. Does the court understand that you had no aircraft whatsoever under your direct command?

A. That is correct, sir.

124. Q. Did you, Admiral, consider that the Army was responsible for the defense of Pearl Harbor?

A. Yes, absolutely so.

125. Q. How many anti-aircraft guns did you request the Army to place on naval reservations in and around Pearl Harbor?

A. In a letter which I wrote the Chief of Naval Operations, via the Commander-in-Chief, dated December 30, 1940, which is an exhibit before this court, I stated, based on my knowledge of the density of anti-aircraft fire, that I thought at least 500 guns were required.

126. Q. On the reservation?

A. Not all on the reservation. The Army Commanding General, through his supporting generals in charge of this particular thing, controlled the distribution of weapons which he had available.

127. Q. Admiral, will you please state your relations with General Short, both official and personal, during your tenure of command?

A. My personal relations with General Short were friendly and cordial. My official relations with him were good. Of course, we had disagreements from time to time—differences of opinion but none of them of any serious consequence.

128. Q. Did you feel that there was close cooperation existing between you and General Short?

A. Yes.

129. Q. You have no doubt heard rumors of the existence of non-cooperation and lack of cooperation between high officials of the Navy in Hawaii and General Short? Are you aware of such rumors?

A. I have read them in the papers.

130. Q. Do you know where such rumors emanated?

A. I do not, but every time I heard them I took occasion to deny their truthfulness.

[409] 131. Q. In other words, you are of the opinion that there was close cooperation between the Army and Navy in Hawaii?

A. That is my opinion.

132. Q. On or prior to the night of 6th-7th of December, 1941, did you advise the senior officer present at Pearl Harbor as to what condition of readiness to maintain?

A. No.

133. Q. During the conference which you speak of as taking place on November 28 with the Commander-in-Chief and at which there were numerous officers present, did you express your ideas to the Commander-in-Chief and to officers present as to the kind of attack, if any, which could be expected?

A. Expected where, sir?

134. Q. Expected at Pearl Harbor?

A. The only information which I had was contained in this dispatch of November 27, in which there is nothing said indicating an attack on Pearl Harbor.

135. Q. But, Admiral, in discussing this dispatch was there any discussion as to the kind of attack which might come from Japan?

A. I believe that there was full and free discussion by all members who were present and that, without exception, everyone believed that the dispatch indicated an attack in Southeast Asia.

136. Q. Did you at that time express your views as to the improbability of an attack on Hawaii?

A. I don't recall.

137. Q. But you have stated that your views were that an air attack was a remote possibility?

A. I have—a surprise air attack prior to declaration of war.

138. Q. In view of the history of the Japanese war with Russia, in which they attacked Russia prior to a declaration of war, was any consideration given in these conferences to the possibility of such an attack by Japan against Pearl Harbor?

A. I don't know that the Chemulpo incident was mentioned, but I think every person present at the conferences knew the circumstances. My own opinion was that if Japan ever made a surprise attack on the Hawaiian area prior to a declaration of war, the probabilities were, first, a submarine attack on ships in the operating areas; second, blocking the entrance channel by running in a ship and sinking it; third, by laying mines to the approaches of Pearl Harbor; fourth, by sabotage throughout the establishment.

[410] 139. Q. And you eliminated, as we understand, the possibility of aerial torpedo attack by reason of information received from the Navy Department and elsewhere?

A. I believed an aerial torpedo attack in Pearl Harbor could not be successful, from information which had been supplied by the Navy Department.

140. Q. And if there was any air attack, it would be a bombing attack?

A. Yes.

141. Q. Did you feel, Admiral, at that time that you, by reason of information you had received from all sources, had a complete picture of conditions existing between the United States and Japan with reference to this critical situation?

A. My horizon and my perspective were extremely restricted. I had a great many pressing local duties to do. I felt confident that the Navy Department could evaluate any of these matters and keep the responsible officers advised.

142. Q. Did you have telephonic communication with the Chief of Naval Operations or the Navy Department in Washington?

A. I had a commercial telephone in my office which could be connected.

143. Q. Did you have a scrambler system?

A. Not an individual scrambler system.

144. Q. Any scrambler system which you could use and which was available to you?

A. No, unless it was on a commercial line.

145. Q. As a matter of fact, the scrambler system is attached to a personal line telephone?

A. I believe that is correct.

146. Q. Did you have any telephonic communication with Washington during your tenure of office?

A. Yes, on December 7 at approximately nine o'clock in the morning the Chief of Naval Operations called me by telephone and asked me for details of the attack.

147. Q. He called you and you did not call him?

A. That is correct, sir.

148. Q. Admiral, referring to the gate again, how long did it take to open and shut it?

A. I haven't an exact knowledge. I suppose eight or ten minutes.

[411] 149. Q. In normal traffic, wouldn't that have meant, had you kept the gate closed in the day time, as a matter of practice, it would have been open most of the time?

A. It would have been working all the time. That's correct.

150. Q. Before or since December 7, 1941, did there come to your notice, official or otherwise, any instances of naval personnel being unfit for duty immediately before or during the attack because of previous indulgence in alcoholic liquor?

A. None whatever.

None of the parties to the inquiry desired further to examine this witness.

The court informed the witness that he was privileged to make any further statement covering anything relating to the subject matter of the inquiry which he thought should be a matter of record in connection therewith, which had not been fully brought out by the previous questioning.

The witness stated that he had nothing further to say.

The witness resumed his seat as an interested party.

The court then, at 4:00 p. m., adjourned until 9:30 a. m., August 18, 1944.

PROCEEDINGS OF NAVY COURT OF INQUIRY

FRIDAY, AUGUST 18, 1944

[412]

THIRTEENTH DAY

NAVY DEPARTMENT,
Washington, D. C.

The court met at 9:30 a. m.

Present:

Admiral Orin G. Murfin, U. S. Navy (Ret), President.

Admiral Edward C. Kalbfus, U. S. Navy (Ret), Member.

Vice Admiral Adolphus Andrews, U. S. Navy (Ret), Member.

Commander Harold Biese-meier, U. S. Navy, Judge Advocate, and his counsel.

Frank Murrell Sickles, yeoman first class, U. S. Naval Reserve, reporter.

Counsel for Admiral Harold R. Stark, U. S. Navy, interested party.

Admiral Claude C. Bloch, U. S. Navy (Ret), interested party, and his counsel.

Rear Admiral Husband E. Kimmel, U. S. Navy (Ret), interested party, and his counsel.

The record of the proceedings of the twelfth day of the inquiry was read and approved.

No witnesses not otherwise connected with the inquiry were present.

Admiral Claude C. Bloch, U. S. Navy (Ret), an interested party and a witness for the judge advocate, was recalled as a witness by the judge advocate, and was warned that the oath previously taken was still binding.

Examined by the judge advocate:

1. Q. In previous testimony before this court, not only yours but others, there has been certain evidence introduced as to the number of guns available for anti-aircraft guns in the protection of Pearl Harbor. It is not clear to the judge advocate the actual number of guns that were in position and ready to fire at 0755, on the morning of 7 December 1941. Will you state as best you can the number and the calibre of each anti-aircraft gun that was in position and ready to fire at that time?

A. You mean on shore?

2. Q. Exclusive of units of the Pacific Fleet or of the 14th Naval District on board ship?

A. To my best belief and knowledge, the Army had about [413] 80 3-inch anti-aircraft guns, about 20 37-millimeter guns, and about 100 50-calibre machine guns—all of these for antiaircraft use. Of the 3-inch guns, it is my recollection that about 30 were in fixed emplacements, always mounted, and about one-half or two-thirds of this 30 were located at forts in the vicinity of Pearl Harbor. All of the

other 3-inch guns, I believe, were mobile 3-inch guns; all of the 37-millimeter guns and 50-calibre guns were mobile. I cannot state with any great degree of accuracy that none of the mobile guns were in place, but I think it is a fair statement to make that most of them were not in place, in their designated locations. In addition to the Army guns, there were some marine guns, which were to be used in conjunction with the Army guns. I believe that there were in the neighborhood of 12 in Pearl Harbor on December 7. They were not mounted and not on their sites, because they had not received their orders from the Army.

3. Q. What calibre were these marine guns?

A. They were 3-inch guns, Army type, mobile.

4. Q. These guns, Admiral, that you have described as being located in permanent mounts at forts in the vicinity, were they sufficiently close to Pearl Harbor Naval Base to be effective as anti-aircraft guns for the protection of that base and units of the fleet at the base?

A. In my opinion they were not sufficient in number or calibre or type.

5. Q. My question related to the closeness of these guns to Pearl Harbor, for the purpose of furnishing protection.

A. They covered the approaches from the sea in the vicinity of the channel, and four or five thousand yards inside.

6. Q. Now can you tell the court or give the court any estimate of the number of these guns that you have described that were actually manned and in the engagement after the alarm was sounded at 0755 on the morning of 7 December 1941?

A. No, I can't give you any data on that.

7. Q. Admiral, I show you a letter dated February 17, 1941, from the Chief of Naval Operations to certain addresses. I ask you if you can identify it.

A. Yes, I identify this letter.

8. Q. What do you identify it as?

A. I identify it as a letter from the Chief of Naval Operations, dated February 17, 1941, addressed to the Commandants, First, Third, Fourth, Fifth, Sixth, Seventh, Eighth, Tenth, Eleventh, Twelfth, Thirteenth, Fourteenth, Fifteenth, Sixteenth Naval Districts, and the Commandant, Naval Station, Guantanamo; subject: Anti-torpedo baffles for protection against torpedo plane attacks; signed by R. E. Ingersoll, Acting.

[414] The letter dated February 17, 1941, from the Chief of Naval operations to the Commandants of the First, Third, Fourth, Fifth, Sixth, Seventh, Eighth, Tenth, Eleventh, Twelfth, Thirteenth, Fourteenth, Fifteenth, and Sixteenth Naval Districts, and to the Commandant, Naval Station, Guantanamo, was submitted to the interested parties and to the court, and by the judge advocate offered in evidence.

There being no objection, it was so received, copy appended, marked "EXHIBIT 54."

9. Q. Will you please read the letter to the court?

The witness read the letter, Exhibit 54.

10. Q. Admiral, I show you a document; can you identify it?

A. Yes, I identify this as a letter from the Chief of Naval Operations, dated June 13, 1941, addressed to the Commandants, First,

Third, Fourth, Fifth, Sixth, Seventh, Eighth, Tenth, Eleventh, Twelfth, Thirteenth, Fourteenth, Fifteenth, and Sixteenth Naval Districts, on the subject of anti-torpedo baffles for protection against torpedo plane attacks. It is confidential letter, serial number 055730, signed by R. E. Ingersoll.

The letter dated June 13, 1941, from the Chief of Naval Operations, addressed to the Commandants of the First, Third, Fourth, Fifth, Sixth, Seventh, Eighth, Tenth, Eleventh, Twelfth, Thirteenth, Fourteenth, Fifteenth, and Sixteenth Naval Districts, was submitted to the interested parties and to the court, and by the judge advocate offered in evidence.

There being no objection, it was so received, copy appended, marked "EXHIBIT 55."

11. Q. Will you please read it to the court?

The witness read the letter, Exhibit 55.

12. Q. Admiral, I show you a document and ask you if you can identify it?

A. I don't recall ever having seen it before.

13. Q. Can you identify it?

A. The letter is a copy, apparently, of a confidential letter, serial number 07830, dated February 11, 1941, from the Chief of Naval Operations to the Chief of the Bureau of Ordnance, on the subject of Experimental and Development Work on Nets and Booms, signed by H. R. Stark.

The letter, serial number 07830, confidential, dated February 11, 1941, from the Chief of Naval Operations to the Chief of the Bureau of Ordnance, was submitted to the inter- [415] ested parties and to the court, and by the judge advocate offered in evidence.

The interested parties, Admiral Claude C. Bloch, U. S. Navy (Ret); and Rear Admiral Husband E. Kimmel, U. S. Navy (Ret), stated that they had never before seen the letter, but stated that they had no objection to its being received as an exhibit.

Accordingly, it was so received, copy appended, marked "EXHIBIT 56."

14. Q. Will you please read the letter?

The witness read the letter, Exhibit 56.

None of the interested parties desire to cross-examine this witness. Examined by the court:

15. Q. Were there any guns mounted or in use or available for use by the Navy, other than guns on board ship at the Pearl Harbor station?

A. The Marine Defense Battalion guns were there, but they were allocated to the Army, in connection with the Army.

16. Q. Does this apply on Kanoeha and other activities under your command?

A. The Marine detachment in the Yard had shoulder rifles and 30-calibre machine guns. They were not designed for anti-aircraft work, but there is no doubt in my mind that they were used to the fullest extent by the Marines there. I know of no other machine guns. I know there were no larger guns, and I know of no 50-calibre machine guns in the Navy Yard that were mounted for anti-aircraft defense and so used, unless they were improvised after the attack. At Kanoeha, the Army had agreed to defend it, and I believe that they had a 3-inch battery, of 4 3-inch anti-aircraft guns, mobile, located in the near vicin-

ity of Kanoehē. Whether they were emplaced and whether they fired, I don't know. The Navy had no guns for that purpose. They had guns, of course, but they were machine guns for the Marines, and I suppose the aircraft had machine guns at Kanoehē. The aircraft at Pearl Harbor had machine guns, but they were either mounted in the planes or outside, so the answer, with those exceptions, is there were no guns.

17. Q. Due to the critical situation and the possibility of war, and a possibility—even though as stated, remote—of attack on Pearl Harbor, did you give any consideration to the obtaining of and mounting in prominent places on buildings, and otherwise, of anti-aircraft guns?

A. The Army's plan for the utilization of their 50-cal- [416] ibre guns and 37-millimeter guns was to take certain numbers of them, which I don't know, and mount them on the top of Marine Barracks, storehouse, submarine base, and the receiving barracks in Pearl Harbor; and I made no independent plans.

18. Q. But the question was, did you give any consideration to the defense by anti-aircraft guns, machine guns, on buildings or other prominent structures in Pearl Harbor?

A. I don't recollect that I did.

19. Q. Did you consider that it was your responsibility to consider this in view of conditions existing?

A. Well, that is a rather broad question. The Army was charged with the responsibility, as I have stated before. I knew that their weapons were not adequate. Naturally, I wanted to do everything possible in my power, but I know that I considered it was my responsibility—I would have done it if I thought it was possible and I could have done it and if I could have manned them, and had trained personnel, and so forth.

20. Q. But you did consider, Admiral, that one of the means of anti-aircraft defense of shore establishments is the mounting of these smaller guns on prominent positions, did you?

A. No, I think when the responsibility of the defense of a place rests with a certain agency, that that agency should do it to the fullest extent, and if it is not sufficient, that anybody who is there should do what he could to supplement, but in no way should the responsibility of the first agency be weakened.

21. Q. The fact remains that you were cooperating with the Army for this defense; is that correct?

A. Yes, I was cooperating to my fullest extent in every regard.

22. Q. The only reason for these questions was to try to find out what had been done in the way of suggestions, cooperation, and otherwise, to install and obtain as many guns as possible, and install these guns in the Navy Yard, in addition to outside.

A. I did not ask for any guns.

Cross-examined by the interested party, Admiral Claude C. Bloch, U. S. Navy (Ret):

23. Q. Admiral, do you recall in connection with guns, of conversations with the Army representatives in connection with providing quarters and so forth on naval grounds, for this material?

A. Yes.

[417] 24. Q. Would you indicate that?

A. In my testimony yesterday, I mentioned that I had been trying to arrange with the Commanding General, the emplacement of his

mobile guns. I wanted the guns in the Navy Yard, on the buildings and so forth and so on, to be supplied by the Army, to be emplaced with their crews. One of the objections, as I remember it, was that the Army didn't see how they could quarter and mess the men in those localities, and we had sent a letter, I believe, to the submarine barracks and the receiving station, and the Marine Barracks, asking them if they could quarter certain numbers, and mess them; and I believe that at the time of December 7, some of these letters had been answered, but the arrangements had not been perfected.

Neither the interested party, Admiral Harold R. Stark, U. S. Navy, nor the interested party, Rear Admiral Husband E. Kimmel, U. S. Navy (Ret.), desired to cross-examine this witness.

Examined by the court:

25. Q. Are you referring to guns to be mounted on buildings, or 3-inch guns, or guns to be mounted on the ground?

A. I am referring to machine guns and 37-millimeter guns to be mounted on buildings.

None of the parties to the inquiry desired further to examine this witness.

The court informed the witness that he was privileged to make any further statement covering anything relating to the subject matter of the inquiry which he thought should be a matter of record in connection therewith, which had not been fully brought out by the previous questioning.

The witness stated that he had nothing further to say.

The witness resumed his seat as interested party.

A witness called by the judge advocate entered, was duly sworn, and was informed of the subject matter of the inquiry.

Examined by the judge advocate:

1. Q. State your name, rank, and present station.

A. Vice Admiral William S. Pye, U. S. Navy (Ret.), at present on active duty in the Naval War College, Newport.

2. Q. Will you state what duties you were performing in the year 1941?

A. In January 1941, I became Commander Battle Force, U. S. Pacific Fleet, and later in that same year, under [418] special directive from the Commander-in-Chief, Commander of Task Force One.

3. Q. Where were you at 0755 on the morning of December 7, 1941?

A. I was at the Halekulani Hotel in Honolulu.

4. Q. The Task Force which you commanded was in port at that time, Admiral?

A. It was.

5. Q. How long previous to the morning of 7 December 1941, had this task force which you commanded, and you yourself, along with it, been in Pearl Harbor—how many days?

A. We had to report on Thursday, approximately the 27th of November, 1941.

6. Q. Who was the Senior Officer Embarked in Pearl Harbor during the period of time that you and your Task Force were in Pearl Harbor?

A. I was.

7. Q. I show you Exhibit No. 8, which is Fleet letter 2CL-41, in evidence before this court, and ask you if you identify it as such.

A. I do.

8. Q. What is the subject of this letter?

A. Security of Fleet at Base and in Operating Areas.

9. Q. Paragraph 3 of this letter stated that "The following security measures are prescribed herewith, effective in part in accordance with enclosure (B)." I shall ask you to read to the court the following subparagraphs and state whether the directive was being complied with as of 0755 on the morning of 7 December 1941.

A. (Reading) "Items one, two, and three under continuous patrols: Inshore Patrol (Administered and furnished by Commandant Fourteenth Naval District). (2) Boom Patrols. (3) Harbor Patrols." Although these patrols were not under my direct supervision, to the best of my knowledge and belief they were in effect. (Reading) "Intermittent Patrols: (1) Destroyer Offshore Patrol. (a) The limits of this patrol shall be the navigable portion to seaward of a circle 10 miles in radius from Pearl Harbor entrance buoy number 1 which is not patrolled by the Inshore Patrol." To the best of my knowledge and belief, that was being complied with. Item (2) (a) (Reading) "Daily search of operating areas as directed, by Aircraft, Scouting Force." Also, to the best of my knowledge and belief, within the capacities of available aircraft.

10. Q. Adverting to paragraph (3) (G), which is "Defense Against Air Attack," subparagraph (4), please read this directive to the court for the record and state whether or [419] not it had been complied with at the time of the Japanese attack at 7:55, December 7, 1941?

A. (Reading:)

The Senior Officer Embarked in Pearl Harbor (exclusive of Commander-in-Chief, U. S. Pacific Fleet) shall ensure that ships are disposed at berths so that they may develop the maximum anti-aircraft gunfire in each sector commensurate with the total number of ships of all types in port. He is authorized to depart from the normal berthing plan for this purpose. Battleships, carriers, and cruisers shall normally be moored singly insofar as available berths permit. In my opinion, it was being complied with.

11. Q. Will you please read subparagraph (5), the next one, and state whether or not at the same time each gunfire sector had a known sector gun commander?

A. (Reading:)

The Senior Officer Present in each sector prescribed in subparagraph (G) (3) above, is the Sector Commander, and responsible for the fire in his own sector.

The passing of responsibility to the sector commander was automatic with the ships in that sector. It was the practice upon any change of ships in port for each sector commander to inform the ships of his sector that he had so taken command, and that was the common practice.

12. Q. What was the system employed in these sectors for controlling the fire in the sector?

A. There was no system other than to be responsible for the lookout being maintained within the sector, and the necessary action taken to indicate possible targets.

13. Q. Was there any method or system of coordination of fire between ships of the Fleet and Shore batteries?

A. No.

14. Q. Did you, as Senior Officer Embarked in Pearl Harbor, set the condition of readiness for ships in the United States Pacific Fleet in Pearl Harbor when you were in port?

A. There was no condition of readiness set, and in this respect I would like to say that my testimony before Admiral Hart's board, in which I stated that condition 3 was in effect, was in error; also the statement that I had informed Admiral Kimmel that condition 3 was in effect, which statement was also in error. In that testimony I had principally in mind the differentiation between condition 3, 1, and 2; in other words, I meant to imply that neither one nor two were in effect. What was in effect was the result of an order previously issued by the Commander-in-Chief Pacific Fleet, directing that anti-aircraft guns of all ships be available for immediate action. In accordance with this directive, each battleship had two 5-inch anti-aircraft guns in readiness, and two machine guns manned; in addition to the anti-aircraft control, with the provision under this directive in effect. [420] the condition of readiness of the anti-aircraft batteries actually was in excess of that required by condition 3, Base Defense Condition 3, of the order referred to.

[420] 15. Q. Rear Admiral Kimmel, who was Commander-in-Chief of Pacific Fleet at the time of the Japanese attack on Pearl Harbor, testified, as the judge advocate recalls it, that it was the duty of the Naval Base Defense Officer to advise the Senior Officer Embarked in Pearl Harbor in what condition he, the Naval Base Defense Officer, was maintaining of readiness on shore. Exhibit 8, which you have before you, states it was the Naval Base Defense Officer's duty to advise the Senior Officer Embarked at Pearl Harbor, other than the Commander-in-Chief, what condition of readiness to maintain. This appears to be slightly confusing. What was the normal way of prescribing the condition of readiness for ships at Pearl Harbor?

A. It seems to me that the order is perfectly clear. No condition of readiness other than the condition one, had been prescribed at any time, even during the drills. My interpretation of advise, was written in the order is, "inform as to the necessity for," which was a perfectly sound directive in view of the fact that the Commandant of the 14th Naval District was in direct contact with the Army and had his own intelligence service or operations within the immediate vicinity of the Hawaiian Islands. I, being senior to him, it is my opinion that the Commander-in-Chief used the term "advise" because he did not want to use the term "order." The senior commander afloat had no direct communication with the Army and had no intelligence service except his own staff, which was operative only at sea.

16. Q. During the period 27 November to 7 December 1941, had the Naval Base Defense Officer advised you of any condition of readiness to maintain?

A. Not to my knowledge. It is possible that during that period we did have an anti-air raid drill, in which case we may have received word to take condition one, which was indicated by the sounding of the air-raid siren and word over the communication network.

17. Q. Adverting to subparagraph 8, under this same general section that you have been reading from, that is, "Defense Against Air Attack," certain things are directed to be done by the Senior Officer Embarked in Pearl Harbor in case of an air attack. Will you read to

the court for the purpose of putting into the record each item separately, and state after this item, what you did with regard thereto.

A. (Reading:)

(1) Execute an emergency sortie order which will accomplish (2), (3), and (4) below. (This order must be prepared and issued in advance.)

(2) Direct destroyers to depart as soon as possible and report to operating task force commander.

(3) Prepare carrier with one division of plane guards for earliest practicable sortie.

[421] (4) Prepare heavy ships and submarines for sortie.

(5) Keep Commander-in-Chief, Naval Base Defense Officer and Task Force Commander operating at sea, advised.

As I have stated, I was not on board at 7:55 on the morning of December 7, 1941. I can state what my chief of staff has informed me of the action he took, but he himself is available in case the board desires to question him. My Chief of Staff was then Captain, now Rear Admiral, Harold Train.

Frank L. Middleton, yeoman second class, U. S. Naval Reserve, reporter, entered. Frank M. Sickles, yeoman first class, U. S. Naval Reserve, reporter, withdrew.

[422] 18. Q. You have stated, Admiral, that certain guns aboard ship in Pearl Harbor were required to be manned under the security conditions that you were then maintaining. Was it necessary for these crews to be awake and alert while they were on watch?

A. They were required to be on deck in the vicinity of the guns, communications manned with the anti-aircraft control. I should like to add to that that the condition in which the Fleet was based at that time, being inside of the defended port, it was assumed that we would have at least from three to five minutes notice of any possible air raid attack. To have maintained people immediately at the guns during all this long period would have resulted in tiring them out and without beneficial results in case of an attack. We had every reason to suppose that the crews on deck would be able to man their guns after information was received of a possible approach of an enemy.

19. Q. Among the personnel stationed under this condition of security, were there any men detailed specifically as battle lookouts?

A. Only the anti-aircraft control.

20. Q. You mean by the "anti-aircraft control" the director room?

A. Yes.

21. Q. If a ship, under the condition of security that you were maintaining at Pearl Harbor between 27 November and 7 December, 1941, had gone to general quarters at any time day or night, would the officers and men that were required to remain on board be sufficient in number and adequately trained to man all your anti-aircraft guns?

A. Yes, they would have been. The organization of each section was such that all anti-aircraft guns and directors could be manned and the personnel had been so trained, using the engineers group when necessary to complete the crews.

22. Q. Were any of the ships present in Pearl Harbor at the time of the Japanese attack on the morning of 7 December equipped with radar?

A. Yes; in my Battle Force Two, the PENNSYLVANIA and the CALIFORNIA.

23. Q. Do you know what the general efficiency of these sets was from a material point of view?

A. The efficiency was good. The PENNSYLVANIA's radar was better than the CALIFORNIA's, but on the passage to the States for liberty and recreation in October, 1941, the CALIFORNIA'S radar had picked up a Pan-American plane at 85 miles and continued to detect it until it went out of range ahead at approximately the same distance.

[423] 24. Q. On these two ships that were equipped with radar, what was, in general, the state of training of the operators?

A. The training of the operators was considered good.

25. Q. Preceding the attack on Pearl Harbor, that is, preceding 0755 on the morning of 7 December 1941, were any of the ships' radars being manned?

A. No. Ship radars in port could not be used effectively because of the interference of hills and the buildings at the Navy Yard.

26. Q. At what time did you first learn there was an enemy attack on Pearl Harbor?

A. My first suspicion of it was about 7:55 on the morning of December 7, 1941. I heard gun-fire from my room in the Halekulani Hotel, and having one window in the direction of Pearl Harbor, stepped to the window and could see bursts of anti-aircraft shells in the sky. At first, I considered it was a possibility that some Army aircraft units were holding exercises but the appearance of the bursts over a rather large area made me question this. Before I had actually reached a decision that there was an attack on, my telephone bell rang and my assistant operations officer informed me that he would be by for me in a minute. I was partially dressed and I completed my dressing and went to the entrance of the Halekulani Hotel where I met Admiral Leary, who had also received a telephone message, and we two proceeded to Pearl Harbor with Mr. Kimball in Mr. Kimball's automobile without waiting for my staff officers to arrive.

27. Q. Admiral, I show you Exhibit 13, which is a dispatch from the Chief of Naval Operations to certain addressees under date of 16 October, 1941, relative to the resignation of the Japanese Cabinet and possible future military actions by the Japanese. Had you seen this dispatch prior to 7 December 1941?

A. To the best of my knowledge and belief I had never seen this dispatch. At the time it was received I was on the Pacific Coast of the United States in command of a task force which had been sent there for leave and recreation. The Commander-in-Chief, Pacific Fleet, sent me a dispatch of which I have no copy but in substance, "Be prepared to return to the Hawaiian Islands on short notice". I immediately recalled all officers and men from leave and put the force on twelve hours sailing notice.

28. Q. Do you recall ever having discussed the contents of this dispatch with the Commander-in-Chief or any of his staff?

A. Not this dispatch, to the best of my knowledge.

[424] 29. Q. Do you know whether or not any decisions based on the information contained therein were made other than the ones that you have already recited, to-wit, being placed on short notice or twelve hours notice to return to Pearl Harbor?

A. That was the only one, to the best of my knowledge.

30. Q. I show you Exhibit No. 15, which is the Chief of Naval Operations' dispatch of 24 November, 1941, which sets out briefly that the chances of favorable negotiations with Japan are very doubtful;

a surprise, aggressive movement in any direction is indicated, including possible attack on the Philippines or Guam. Had you seen this dispatch prior to 7 December, 1941?

A. Yes.

31. Q. Do you recall any decisions that were made based on the information current with this dispatch?

A. I saw this dispatch on the morning of Saturday, the 29th of November, two days after my task force had returned to port. The instructions in effect to the Pacific Fleet were that task force commanders would not report to the Commander-in-Chief upon their return from duties unless they were so directed. I therefore did not see the Commander-in-Chief until Saturday, when I went to talk to him concerning the tactical exercises which had been carried out during the last period at sea. He then showed me this dispatch.

32. Q. Do you recall any decisions that were made based on the information current with this dispatch; and if you do, what were they?

A. I know of no decisions that were a result of this dispatch. I should like to state, however, that in my opinion this dispatch is subject to several interpretations. In the first place, it mentions an aggressive movement in any direction, including attack on the Philippines or Guam as a possibility. It therefore did not indicate that the aggressive action was to be necessarily against the United States. It was well known from the general situation that such an aggressive movement was contemplated. It was assumed that the aggressive movement was to be directed against Thailand. The only significant part of this message, in my opinion, is including the possibility that the enemy might take the initiative by attacking the Philippines or Guam. The fact that the Philippines and Guam are mentioned indicates that that is the estimate of the author of the dispatch and probably places a limitation, in his mind, as to the extent of the aggressive movement against the United States.

[425] 33. Q. Can you recall if at about the time, or at the time you saw this dispatch or were informed of its contents, if there was any estimate of the possibility of a surprise, aggressive movement on Pearl Harbor?

A. I should like to state that there is another dispatch in the record which I saw at the same time, Exhibit 17. As a consequence, I cannot differentiate between the two dispatches in relation to the conversation which I had with the Commander-in-Chief.

34. Q. I show you Exhibit 17, which is the Chief of Naval Operations' dispatch of 27 November 1941. It contains the information that the dispatch is a war warning, that an aggressive move by Japan is expected within the next few days, and directs the execution of an appropriate defensive deployment preparatory to carrying out the tasks assigned in WPL-46. That is some of the important information this dispatch contains which I cite to you for identification. Do you recall when you first saw or were informed of the contents of this dispatch?

A. I saw this dispatch at the same time as the one previously referred to on Saturday, the 29th of November.

35. Q. Is the judge advocate correct in understanding that you discussed this dispatch, Exhibit 17, and the previous one of November 24, which is Exhibit 15, at the same time with the Commander-in-Chief?

A. That is correct.

36. Q. Do you recall any decisions that were made based on the information that you had current with these two dispatches?

A. Yes. This dispatch was discussed at some length with the Commander-in-Chief. The significance of the first clause, "This dispatch is to be considered a war warning" was, in my mind, nothing more than we had been receiving at various times during the past year. From the time of the Secretary of the Navy's first visit to the Fleet in September, 1940, we had known that there was a possibility of war and that every endeavor was being made by those in the Fleet to prepare the Fleet to carry out its plans. It is significant, I think, to note that this dispatch is a multiple address dispatch. It is addressed to both the C-in-C Asiatic and the C-in-C Pacific. It was well known that there were certain strategical deployments that the Commander-in-Chief Pacific anticipated carrying out. As far as any strategic deployment of the Pacific Fleet was concerned, the execution of WPL-46 required the Fleet to depart from Pearl Harbor. There were no other elements of the strategic deployment that were available at this particular time other than to leave the base and proceed toward the West Coast. There were at this time no carriers in port. A Fleet at sea without carriers, sighted [426] by a force of such character as to have a chance of a successful air attack on the Hawaiian Islands, would be more subject to defeat than a force in port guarded by presumably several hundred fighting planes of the Army at the base. We therefore did not believe that under the circumstances it was necessary to take any further action. To have taken the Fleet to sea would likewise have subjected it to possible enemy submarine attack, from which it was guarded in port.

37. Q. How about air attack, along the same line?

A. I have stated that I considered with that Fleet at sea it would have been under greater danger from air attack than they would in port guarded by the Army and presumably, at least, several hundred fighting planes. I should like to add one more thing to that, that during this conference the Commander-in-Chief sent for his intelligence officer and the intelligence officer presented to us the latest intelligence so far as it was available to the Commander-in-Chief, Pacific Fleet, indicating that all major units of the Japanese Fleet were in home waters.

38. Q. Do you recall if there was any estimate made at this time of the possibility or probability of a surprise attack on Pearl Harbor as a result of this additional information you received?

A. I am not conversant with whether or not the Commander-in-Chief made a direct estimate of the situation.

39. Q. Were additional security measures ordered in the Fleet as a result of having received the information and directives that were contained in this dispatch, Exhibit 16, the one of November 27th?

A. None insofar as concerned my command.

40. Q. What did the directive, "Execute appropriate defensive deployment prior to carrying out the tasks assigned in WPL-46" mean to you?

A. So far as the Pacific Fleet was concerned, it meant nothing.

41. Q. Was there anything done in compliance with this directive that you know of?

A. Not to the best of my knowledge and belief.

The court then, at 10:55 a. m., took a recess until 11:07 a. m., at which time it reconvened.

Present :

All the members, the judge advocate and his counsel, and the interested parties and their counsel, except Admiral Harold R. Stark, U. S. Navy, whose counsel were present. Frank L. Middleton, yeoman second class, U. S. Naval Reserve, reporter.

[427] No witnesses not otherwise connected with the inquiry were present.

Vice Admiral William S. Pye, U. S. Navy (Ret), the witness under examination when the recess was taken, resumed his seat as a witness and was warned that the oath previously taken was still binding.

Examination by the judge advocate (continued) :

42. Q. I show you Exhibit 19, which is the Chief of Naval Operations' dispatch of 28 November 1941. It relays to the Commander-in-Chief of the Pacific Fleet for information, a dispatch which it states the Army has sent to certain of its commanders. Can you recall having seen or discussed the contents of this dispatch with the Commander-in-Chief of the Pacific Fleet prior to 7 December 1941?

A. To the best of my knowledge and belief, I did not see this dispatch until after December 7th.

43. Q. I show you Exhibit 20, which is a Chief of Naval Operations' dispatch of 3 December 1941. It gives information to the effect that the Japanese consular posts in certain areas were to destroy codes and ciphers along with secret and confidential documents. When and under what conditions did you see this dispatch or were informed of its contents, if you were?

A. I saw the dispatch, I believe, on Thursday, December 4. I was not particularly impressed by it as the same account appeared in the Honolulu papers that morning. There is one other comment I would like to make on a dispatch of this nature. If a senior desires a junior to make an inference, he should give him complete information, or else make the inference himself. If the inference from this dispatch which the author apparently desired the Commander-in-Chief of the Pacific to make was that war with Japan was imminent, in my opinion the proper procedure would be for the Chief of Naval Operations to make the inference and send to the Commander-in-Chief that war with Japan appears imminent.

44. Q. Did you discuss this dispatch with the Commander-in-Chief of the Pacific Fleet at that time, if you recall?

A. I mentioned to him when he showed it to me that I had seen the same thing in the paper that morning.

45. Q. May I ask whether or not the information contained in Exhibit 20 changed in any way your estimate of the situation on the imminence of war between the United States and Japan?

A. It did not.

[428] 46. Q. Did it give you any information of a possible United States objective of an attack by the Japanese?

A. Well, there are lots of places mentioned there. They couldn't attack them all, and the latest information we had looked very much more like Thailand than any other place. It, in my opinion, added nothing to what had been previously received. It might have added something had the source of the information been divulged, but it was not.

47. Q. Admiral, I show you Exhibits 21 and 22, which are Chief of Naval Operations dispatches of 4 and 6 December 1941, and direct the destruction of confidential publications on Guam and the outlying Pacific islands respectively. Did you ever see or had you been informed of the contents of either or both of these dispatches before 7 December 1941?

A. No. To the best of my knowledge and belief I never saw them until yesterday.

The judge advocate stated: All members of this court of inquiry have had distinguished careers in the Navy and are themselves graduates of the U. S. Naval War College at Newport. However, since this witness is especially qualified in these matters by virtue of his present duties, the judge advocate requests the court at this time to accept this witness as an expert on matters pertaining to the estimate of the situation. Does the court so accept him?

The court stated: The court will accept him as an expert witness as they would any officer of his experience, irrespective of his present status.

The judge advocate further stated: I have asked the court to accept this witness as an expert for the reason that there are matters in the record now, and there may be more, which pertain to such statements as a commander's estimate of an enemy's intentions, the possibility and probability of certain enemy action and decisions based thereon. I hope by this witness to clarify these matters in order that the estimates and the decisions of the responsible officers in the command echelon at the time of the events which led up to the Japanese attack on Pearl Harbor on the morning of 7 December 1941 may be cleared up, in a way.

The court stated: To add to our ruling, we consider the court themselves expert enough to analyze all of these matters which you have referred to.

48. Q. Admiral, I shall ask you hypothetically to set out in as brief a manner as possible for the record the various steps that the Commander-in-Chief of the Pacific Fleet might have taken in making an estimate of the situation [429] of the Japanese-United States relationships as they existed on or about December 1, 1941.

The court stated that it did not desire this line of questioning as it did not consider this to be necessary for it in arriving at the facts in the case.

49. Q. Can you recall during the period 27 November to 7 December 1941, what your estimate of the enemy's courses of action were at that time?

A. During this particular period I was completely absorbed in making out a history and a critique of a Fleet exercise which had occurred during the last period at sea. After the Commander-in-Chief had moved his headquarters ashore I was placed in the responsibility for training the Fleet to a large extent due to the fact that he did not frequently go to sea. As commander of Task Force One I had the particular responsibility of training the task force for the conduct of major action. At other times, Task Force Two and Task Force Three, together or singly, would be scheduled at sea for periods with me or with my task force in order to coordinate their activities with those of the battle line in Fleet action. During the last period at sea, which ended on Thursday, the 27th, a tactical exercise had

been conducted in which the objective was to determine the best means of defense of a convoy against air attack. This exercise was terminated on Sunday, November 23, and the critique of this exercise was to be held on Wednesday, December 3. From the time that my task force returned to port, with the exception of the visit I made to the Commander-in-Chief on Saturday, the 29th, I was engaged in making the history and critique of this exercise. I therefore did not make any estimate of the situation from the point of view of the higher command.

50. Q. How could any prospective enemy have information of the presence of ships in Pearl Harbor?

A. There were many points in the Hawaiian Islands not under control of Naval authorities from which the entire harbor could be observed. Up to the morning of December 7 there were no restrictions upon commercial or diplomatic communications. It was therefore very simple for them to be informed of the forces in the port at any time. On the 9th or 10th of December, when the one-man submarine was recovered on the eastern end of the Island of Aahu, there was found in this ship a confidential chart of Pearl Harbor with the ships as berthed approximately three weeks before. It is quite evident that this chart was used as a basis of the plan of attack on December 7th as many berths were attacked in which the ships actually present at that time were not the ones indicated [430] in the diagram which we recovered, but much smaller ships. It therefore appeared that in making their plan for an attack they had decided to attack certain berths in the hopes that the allocation of ships at those berths would be the same as it had been three weeks before.

51. Q. Did task force units, according to normal operating schedules, more or less follow a certain well-defined procedure of being at sea so many days and in Pearl Harbor so many days?

A. There was a normal sequence of operations of the three task forces in which the period at sea was about one-half of that in port. The actual dates varied somewhat, depending upon whether or not there were to be any combined operations of more than one task force. As I have pointed out before, at times each task force operated during the full period at sea completely by itself. At other times, two task forces were operating for a period of one or two days together at the end of the period of the one task force which had been at sea the longest. Approximately every six weeks or two months, a period in the schedule provided for the operation of all three task forces for one or two-day periods. Therefore, although it was a schematic sequence, there was not an actual, fixed number of days for the time at sea or the time at Pearl.

52. Q. If, for example, a task force came into Pearl Harbor, was there a reasonable expectation, even to one not knowing the Fleet's schedule, that this force coming in might be in port for a fairly well defined period of time?

A. I should say within the limits of 9 to 14 days.

53. Q. Considering the Japanese psychological make-up as you no doubt knew it, would you not expect them to evidence active curiosity about all matters pertaining to the Pacific Fleet, especially movements of ships?

A. Unquestionably.

54. Q. I am going to ask you a hypothetical question, Admiral: Suppose that on the 6th of December, 1941 you had had information that the Japanese diplomats in Washington were to call on the Secretary of State at exactly 1:00 p. m., Washington time, December 7th, and that they had been directed to destroy their code machines. Would this information have given you any special indication of Japanese intentions as to the probability or the imminence of an attack on the United States?

A. It is pretty hard to answer that after the event, but I do feel that it would have been a definite indication that diplomatic relations were to be [431] discontinued, after which time it certainly would have been more obvious that an attack might take place.

Cross-examined by the interested party, Admiral Harold R. Stark, U. S. Navy:

55. Q. Admiral, were you in general familiar with the logistic situation of the Pacific Fleet insofar as its ability to fight into the Marshall Islands was concerned in late 1941?

A. Yes, sir. In my opinion, the Fleet could have operated as far as the Marshall Islands, but it could not have gone very much farther.

56. Q. Did you think that even that might be difficult on account of logistic limitations?

A. It would have been difficult to maintain operations there for any perceptible length of time because of the scarcity of tankers.

[432] Frederick T. Lachat, yeoman first class, U. S. Naval Reserve, reporter, entered. Frank L. Middleton, yeoman second class, U. S. Naval Reserve, reporter, withdrew.

57. Q. The fuel situation would have been determined somewhat from the Fleet's activity?

A. The fuel in Pearl Harbor had been reduced to what was considered to be the least safe reserve, and the number of tankers which were supplying it were very limited.

58. Q. Admiral, you, of course, remember that the so called Atlantic detachment was transferred from the Pacific Fleet in the spring of 1941?

A. Yes.

59. Q. Had that detachment remained, would the Fleet have been any more powerful in the Marshall Islands, in view of what you have just said about the logistic difficulties?

A. Yes, it would have been more powerful, because the operations, so far as I have indicated their practicability, depended upon the ships not refueling during operations.

60. Q. The logistic difficulties would not have been any greater if you had twice the number of ships?

A. Not in my opinion.

61. Q. You had plenty of fuel?

A. Fuel within a reasonable degree of safety. The Fleet was using it faster than it was coming in, but up to December 7 there was a reasonable reserve.

62. Q. Admiral, was your testimony, in interpretation of the OpNav dispatch of November 24, representative of what you thought at that time and so expressed?

A. So far as I recall, yes.

63. Q. Referring to that dispatch of December 3, why do you think the Japanese were going to the extent of destroying codes and ciphers in Washington and in Manila?

A. It unquestionably indicated a severance of diplomatic relations. It did not necessarily indicate the imminence of war. We did not know—I do not suppose we know today—which ones they destroyed or how many were destroyed.

64. Q. Did you think that the information which you gained from the dispatch of December 3 was altogether different from what you had just testified you gained from the dispatch which came very late on December 7 concerning the action in Washington at 1300? I simply refer to your answer to the judge advocate's hypothetical question.

A. Only in degree. The statement that the codes were [433] being destroyed was merely a dispatch quoting a confidential authority. If the dispatch concerning the definite breaking off of relations at one o'clock had been received, it would have been a definite determination of that condition. Consequently, it was only one of degree, but I think possibly the lack of importance attached to that dispatch about burning codes and ciphers was due to the fact that it was reported in the paper that same morning.

65. Q. Admiral, I am sure you do not wish to be understood as being influenced by what you saw in the local papers in Honolulu?

A. Not at all, but we often get good information that way.

Cross-examined by the interested party, Rear Admiral Husband E. Kimmel, U. S. Navy (Ret.):

66. Q. Between the time you returned, on or about November 28, and December 7 was the condition of readiness actually in effect a greater degree of readiness than that prescribed by Condition 3?

A. Due to the size of the task force, it was, because the order only directed that the anti-aircraft battery of one ship be available, consisting of four guns. Under the orders which were in effect the battleships had 25% of their anti-aircraft batteries manned and two machine guns apiece. There being six battleships there, it made twelve guns, when actually only four were needed.

67. Q. How long had that condition of readiness been in effect while the Fleet was in Pearl Harbor?

A. It had been in effect for several months—came into effect shortly after Admiral Kimmel had taken command of the Fleet.

68. Q. You were at sea on the 24th of November, Admiral?

A. Yes, sir.

69. Q. On the 24th of November did you receive a dispatch from the Commander-in-Chief relative to any action or precautions to be taken by you?

A. I did receive a dispatch. I don't recall the exact wording of it, but it was to take precaution against attack. I'm not sure whether it said submarine attack or not. From that period until after the Task Force had entered Pearl Harbor all possible means were taken to safeguard this task force against both submarines and aircraft.

[434] 70. Q. From the time when you returned on November 28 until December 7, did you recommend to the Commander-in-Chief any movement of the battle force?

A. I did not.

71. Q. It has been testified at this hearing that the Fleet was practically mobilized prior to December 7, 1941. Have you any opinion

as to whether the Fleet was practically mobilized prior to December 7, 1941?

A. In my opinion, it was far from mobilized. It was concentrated but not properly prepared for the conduct of war in all respects, which mobilization implies. We were short of men, short of machine guns, and short of even a complete allowance of carrier-based planes.

72. Q. In the dispatch received by the Commander-in-Chief from the Chief of Naval Operations under date of November 28, which in substance contained a dispatch that had been sent by the Army Commanding General, there appear the words: "If hostilities cannot be avoided, the United States desires that Japan commit the first overt act." Do you think that this injunction influenced the steps that might have been taken in preparation for war?

A. It did not influence mine, and to the best of my knowledge and belief, I never saw the dispatch until after December 7.

The interested party, Admiral Claude C. Bloch, U. S. Navy (Ret.), stated that he did not desire to cross-examine this witness.

Examined by the court:

73. Q. Admiral, an estimate of a situation does not necessarily mean a long written document based upon conditions, does it?

A. Not at all. An estimate of a situation is a process in matters of great concern in great areas with large forces. It is normal to make it a written estimate.

74. Q. An estimate of a situation can be made mentally, can't it?

A. Unquestionably.

75. Q. These maneuvers you mentioned, in which you say you were so occupied, did not necessarily prevent you from thinking about the possibilities of war, in view of the critical situation?

A. That is true, but I made no written estimate.

[435] 76. Q. Did you not keep what is known as a mental running estimate?

A. Of course, I think every person who is in a position of responsibility attempts to retain a running mental estimate, but it is, unquestionably, more usual that it be in writing, and even the running estimate can be put in writing after the actual operations are in progress.

77. Q. Well, then, during the few days previous to December 7 what was your estimate of the possibilities or probabilities of an attack in any form on Pearl Harbor?

A. My estimate of the possibility or probability of an attack on Pearl Harbor was that it was a possibility but not within the probability. The basis for this estimate may be found, I think, during the months preceding the dispatches of the 24th and 27th of November. There had been a constant interchange of letters and dispatches between the Commander-in-Chief and the Chief of Naval Operations, many of which I read, although not all, which gave the indication to me—and I believe to him—that war in the Pacific, if it occurred, would be upon the initiative of the United States. The main reason for such a supposition, in my opinion, lay in the psychological aspect and political aspect of the situation within the United States. There was, as we all know, much diversity of opinion in the Congress of the United States as to whether or not the United States should enter into the war. The fact that the Japanese made an unexpected attack, in my opinion, created the situation which united the people of the United States and therefore increased our strength to a remarkable degree. Al-

though the Japanese attack at Pearl Harbor was a tactical success, it was, in my opinion, a strategical and psychological blunder, because it reduced the possibility of their winning the war. Any tactical idea, to be sound, must have as its objective a large field of strategy and ultimately the winning of the war. It was this feeling that if no attack was made upon the United States, months might pass before the United States actually entered the war and thus give Japan a much greater time in which to make her desired occupations in the southern part of Asia and in Australia. That leads me to believe that they would not take action which would force the United States to enter the war.

78. Q. Did you hold this opinion which you have just expressed before December 7, or was it formed afterwards?

A. It was not formed afterwards, although I cannot state that I can specifically point to Pearl Harbor. As I said in my last statement, I considered any action which they might take to force the United States into the war would be a blunder.

79. Q. And therefore unlikely?

A. And therefore comparatively unlikely.

[436] 80. Q. In view of your opinion, which was the result of your mental estimate of the situation, to the effect that an attack on Pearl Harbor by the Japanese was a possibility, what would be the priority of the form of attack which you thought might be made?

A. We had considered that the probability of attack in those waters would be by submarine.

81. Q. Not in Pearl Harbor but within the area?

A. Within the area, as an act in advance of the declaration of war. The basis for that argument was that destruction by torpedo from a submarine, if the submarine is not sighted or captured, can be mistaken for an internal explosion and no one can prove to the contrary. Therefore, there was always the possibility that the ships of the Fleet could be attacked by submarines without its being definitely apparent who did the attacking or any visible proof that it was by submarine. There is also the possibility that the Germans might man Japanese submarines and might even move their submarines into the Pacific and attack the Fleet to cause us to go into the war with Japan, believing at that time that war with Germany was even closer than war with Japan. We had contemplated our attack, and in all the plans for defense it had been considered as one of the possibilities. It, however, had been considered primarily as a possibility after the condition became more serious, either by the breaking off of diplomatic relations or the declaration of war.

82. Q. Well, while considering the possibility of any form of attack on Pearl Harbor, do you feel that everything possible had been done in the Fleet to meet an attack, so far as your vessels, personnel, planes, and all other control conditions available were concerned?

A. I think there might have been other things done.

83. Q. I am talking now about your opinion as of the date before the event.

A. Before the event, it was my opinion that the defense measures taken were consistent with the situation. There is one point which may have been established by other testimony, which is quite important in connection with this, and that is the fact that in our service and in the opinion of our Bureau of Ordnance, torpedo planes could not be effec-

tively used in less than seventy-five feet of water. That point made it particularly difficult for us to conceive the actual conduct of torpedo attack from the direction they made it under the condition of shallow waters and with the degree of effectiveness which they actually accomplished.

[437] 84. Q. With this in mind, then, did you not consider that the likelihood of a practice bombing attack was rendered less probable than otherwise?

A. I think the probability of bombing over torpedoes was much greater.

85. Q. Do you consider that it would be profitable?

A. The attack would be possible, but the damage would be relatively less.

86. Q. I say, profitable?

A. Probably not.

87. Q. To come all the way across the Pacific Ocean to attack solely by bombs?

A. I don't believe it would have been profitable.

88. Q. When you testified that you gave some consideration to the fact that the Honolulu papers carried information concerning the burning of confidential papers, was it not a fact that the information was contained in the papers rather than the character of the information?

A. I didn't say I gave any consideration to it. I just said it decreased the weight of the other official information.

89. Q. Admiral, you testified as to the anti-aircraft guns manned on battleships. Did this same condition exist as to the manning of guns on other ships in Pearl Harbor on the morning of December 7?

A. I haven't the official order of the commander of cruisers or commander of destroyers, but, in general, it was somewhat similar. The cruisers, I believe, were required to have two anti-aircraft guns and two machine guns ready for action with ammunition in the ready boxes. Because of the fact that most types of destroyers have batteries with double purpose guns which may be considered anti-aircraft batteries, they were not required to keep the anti-aircraft guns in readiness but only the machine guns. The availability of the crews to man these guns, however, up to one-half, as I recall, of the guns on board was maintained.

90. Q. When you departed from the hotel at Pearl Harbor on the morning of December 7, at what time did you arrive on the CALIFORNIA?

A. I arrived on the CALIFORNIA between 8:40 and 8:45.

[438] 91. Q. With reference to sub-paragraph 9 of Exhibit 8, you testified that since you were not on board, the orders were carried out as to action taken at the time of attack. Weren't there certain pre-orders required to be arranged prior to any attack?

A. They were all got up. In fact, the sortie order had been issued. All it had to do was to be put in effect.

92. Q. In your opinion, Admiral, and in view of your knowledge of existing orders, who was responsible for the defense of Pearl Harbor?

A. In the Joint Army and Navy Action I considered the Army was responsible for the defense of the Naval Base, to be assisted in such manner as possible by the Navy.

93. Q. You have testified about a conference with the Commander-in-Chief of the Pacific on November 29. Was this a general conference, and were there other officers present?

A. There were no other officers present, except during the period in which the Intelligence officer was present to give us the information he had.

94. Q. Having been in an important position in the Fleet for some years and especially having been in the Pacific and Hawaiian area during that time, did you feel, under conditions existing prior to December, 1941, that an air attack on Pearl Harbor was probable, possible, or remotely possible?

A. Remotely possible, and I did not consider that any such attack would be made before diplomatic relations were broken off.

95. Q. Admiral, did you have, from any source, any information that a note had been sent by our Government on November 26 to the Japanese Government, giving the conditions which we suggested to Japan were necessary to maintain peaceful relations throughout the Pacific?

A. Not to the best of my knowledge and belief. I don't recall any. The only official messages I saw—

96. Q. I asked for information from any source.

A. Nothing, unless it was something I read in the paper. I don't recall anything definite.

97. Q. In other words, you had no information from papers or otherwise that what has been testified to as an ultimatum had been sent to Japan on November 26?

A. I may have read something along that general line in the paper. I never considered it as an ultimatum. I couldn't swear that I saw any.

[439] 98. Q. Did you at any time make any recommendation to the Commander-in-Chief of the Pacific that the battleships of your force should be based on the Pacific Coast rather than at Pearl Harbor?

A. No, I did not. That subject had been discussed by a previous Commander-in-Chief, and it was my understanding that it had been decided that the Fleet was to remain in Pearl Harbor.

99. Q. Did you express your opinion as to this at any time?

A. I expressed my opinion several times that I considered it unwise.

100. Q. Considered it unwise to have the battleships—

A. To maintain the Fleet in Pearl Harbor. I should like to expand on that just a bit. There was one real advantage in keeping the Fleet at Pearl Harbor, and that was the fact that the money which became available for the repair of ships could be expended on that navy yard to assist in its development. I believe that the Fleet's being there did advance the capacity of the Pearl Harbor Navy Yard, so that when the war actually broke, the Navy Yard was in better condition than it would have been had the Fleet not been there.

101. Q. Is that statement which you have just made a conclusion which you have arrived at after the attack rather than before?

A. No, it is not a conclusion. It was an expressed opinion at the time. The one reason for staying there was to get the money to try to build a Navy yard.

102. Q. Did you at any time discuss with the Commander-in-Chief of the Pacific the advisability of using patrol planes of the Fleet—as

many as were available—to make daily searches in scouting expeditions?

A. I did not. They weren't under my command. We had a Base Defense Officer and an Air Officer who were responsible for those activities, and I didn't discuss it with them.

103. Q. Admiral, if the court understood you correctly, you stated that the Fleet was not mobilized by reason of the fact that it did not have the complete number of anti-aircraft guns, that the crews were deficient in number, etc. To your mind, could not a Fleet be mobilized without these deficiencies?

A. Mobilization, as I understand it, means the preparation of the units for the conduct of war. Your state of mobilization, therefore, is a relative condition. [440] There are two conditions: One is the concentration of your forces, and the other is the personnel and preparation of your forces. In this case we had endeavored for months to obtain more men, more machine guns, and more planes without success. No order to mobilize had ever been issued. Therefore, in my opinion, those are only a few of the deficiencies indicative of the attempt which had been made to prepare the Fleet for a state closer to mobilization.

104. Q. There was no M-day set or designated, was there?

A. There was not.

105. Q. But if M-day had been set and designated and if there was a deficiency in the number of men and of certain guns, you would not say that the ship was not mobilized because of that condition, would you?

A. You might say that mobilization had been ordered, but I don't think you would say they were mobilized until the mobilization had been completed. The old war plans used to provide, if possible, mobilization would be ordered at least thirty days in advance of the probably outbreak of war.

106. Q. Is that ideal condition, in which everything needed is available, always possible?

A. Your state of mobilization depends on when you start. In our mobilization plan we had orders for certain ships to go to certain Navy yards to get certain work done. Mobilization means the preparation for the conduct of war. You are never completely mobilized.

107. Q. If you had received a message from the Navy Department to mobilize, wouldn't you have considered yourself mobilized?

A. I would have considered that there were many activities which were not in progress and which were essential to mobilize completely the forces and which should have been undertaken immediately.

108. Q. There seems to be a difference of opinion, and some of us in the Navy think that mobilization of a fleet consists of having the ship stripped, fully supplied with provisions, oil or coal, ammunition, and ready for war. That is one opinion, I think, of mobilization. Now, the fact that a ship or ships did not have a complete complement and did not have the full number of guns which had been required, to my mind, is a situation which would not be a condition of non-mobilization but one, rather, of hopeful mobilization in the future.

A. I agree with you except to extent. If all the fleets are below complement, that is different than possibly [441] several. The same thing applies in general. It is one of degree. When the degree is such that all the ships are below complement, you are not

actually mobilized. You may be mobilized up to the point where you are going to war, but you aren't mobilized until you are prepared for war.

109. Q. If a higher authority says the Fleet is mobilized for war and establishes a day for that, isn't that Fleet mobilized, irrespective of the fact that it might not be in as an efficient condition as you, a subordinate in the Fleet, might want or expect?

A. M-day is the date established for mobilization by order, and it meant that certain things would be done. It was the initiation of a movement toward mobilization, which is never completed. You are not, in a sense, mobilized simply because they give the order. If the ships had been separated and out of condition, and they said, "Mobilize," they wouldn't have been mobilized until they were in condition. The order to mobilize simply initiates a certain chain of events.

110. Q. Admiral, in the time you spent in and around the Hawaiian area did you meet General Short, the Commanding General of the Army?

A. I did.

111. Q. Will you please express to the court your opinion as to the cooperation between him and, as far as you know, the Commander-in-Chief of the Pacific and other high ranking officials of the Pacific Fleet?

A. In all respects which I observed, or which came to my attention, the relationship between the Commanding General of the Hawaiian Islands, General Short, and the Commander-in-Chief of the Pacific, Admiral Kimmel, and other officers of the Fleet was excellent. So far as I am aware, there were no differences of opinion as to the respective responsibilities of the Army and Navy in defense of the Naval Base. I believe the conditions existing on December 7 indicated a much closer cooperation than had existed at the period when Admiral Kimmel took command of the Fleet. The Base Defense Order establishing the Commandant of the 14th Naval District as Base Defense Officer provided a definite means of coordination with the Army for the defense of the Base. There had also been much improvement made in the coordination of Army and Navy aircraft.

112. Q. Admiral, have you heard rumors, or have you seen published reports, subsequent to the attack on Pearl Harbor, and perhaps before the attack, that there was not friendly and cordial cooperation between the Commander-in-Chief of the Pacific and General Short.

A. I believe I have, but, in my opinion, they were [442] without foundation. In all my relationships, I observed no indication of any disagreement between these two officers.

113. Q. Do you have any idea as to where these rumors started and from whence they came?

A. No.

The court then, at 12:20 p. m., took a recess until 1:45 p. m., at which time it reconvened.

[443] Present: All the members, the judge advocate and his counsel, all the interested parties and their counsel, except Admiral Harold R. Stark, U. S. Navy, interested party, whose counsel was present. Frank M. Sickles, yeoman first class, U. S. Naval Reserve, reporter.

No witnesses not otherwise connected with the inquiry were present.

Vice Admiral William S. Pye, U. S. Navy (Ret), the witness under examination when the recess was taken, entered. He was warned that the oath previously taken was still binding, and continued his testimony.

Examination by the court (Continued):

114. Q. Admiral, in your opinion and by your observation, what was the condition of officers and men of the Fleet as to sobriety, on the night of 6-7 December, 1941, and at the time of the attack?

A. The only officers whom I contacted on the night of the 6-7 December, were those attending a dinner at Halekulani Hotel, among whom were Admiral Kimmel, Admiral Leary, and various other officers of the Fleet. There was no signs of drinking or intoxication, or revelry of any kind. After dinner, Admiral Kimmel left, as I recall, at 9:30 or 10:30 o'clock to go back to the ship, and I myself engaged in a game of bridge. I saw no evidence at any time of any intoxication or any condition that would prevent most effective action of officers and men.

115. Q. And at the time of the attack?

A. Nor the morning following—6-7 December.

116. Q. You have undoubtedly heard rumors that there was quite a little drinking and so on among the members of the Navy during this night. Do you have any knowledge of those rumors or do you know how they started?

A. I have no knowledge, and in my opinion they were unfounded, from all observation or knowledge that I possess.

117. Q. In your opinion what was the condition of the state of training of personnel of your force and of the Fleet, that is, the Pacific Fleet, at the time of the attack on Pearl Harbor?

A. After over four years continuously in the Fleet up to then, I considered the state of training the highest I had seen since I had been in the Fleet.

118. Q. And was this training being continued?

A. It was being continued most diligently.

119. Q. What is your opinion as to adequacy of material equipment for the Fleet?

A. There were many ways in which the material of the [444] Fleet might have been improved with time and availability of the required matériel. One of those ways which we have followed in the war was the large increase in anti-aircraft and light machine gun weapons, smaller than the 5-inch.

120. Q. But that great increase in anti-aircraft by our ships was probably brought about to a large extent by experience gained in the war; is that correct?

A. That is true to an extent, although it was in the mind of the Commander-in-Chief and all of the senior officers in the Fleet at that time, that it should be augmented. I would like to state that at tactical exercise the last week at sea before my force came in, when using the rules for bombing which had been developed at the War College, and we found that the defense of a convoy against aircraft was very difficult; in fact, practically all of the convoys were destroyed, although they were protected by five battleships and sev-

eral squadrons of destroyers. The reason that I desire to bring this up is that I feel that the attitude expressed in the rules invoked at the War College, and I think in the minds of the officers of the Fleet, was that even during the war, the actual efficiency of individual airplanes is no higher than we anticipated that it would be. We, I believe, underestimated the high percentage of the industrial capacity of nations that would be placed into the manufacture of aircraft. In other words, while the individual planes in my opinion have not demonstrated much more than we anticipated, the number of planes greatly exceeded the anticipated number with which we might have to deal.

121. Q. Admiral, did you feel at this time, prior to 7 December, 1941, you were kept adequately informed as to all matters relating to the Fleet in that area at that time?

A. I felt that our information as to the policy of the United States was entirely inadequate. On several occasions, when information was received—a letter from Admiral Stark, which Admiral Kimmel showed me, we remarked to each other, “Well, what are we going to do now?” In other words, the policy of the United States, as extended to us by the information which we possessed, was not definite.

122. Q. And from whom would this policy be received?

A. I should think it would have been received from the Chief of Naval Operations, but not initiated by him; it must have come from a higher source than he.

123. Q. In other words, you believe that if you had had more information from this source or other sources, authentic information, that it would have helped you, as an officer of the Fleet, in making a better estimate of the entire strategical set-up?

A. I cannot say that any information would have helped me, without knowing what that information would have been.

124. Q. Admiral, when was the 40-millimeter first made [445] available to the Fleet?

A. The first 40-millimeter gun that I recall was in the NORTH CAROLINA.

125. Q. When?

A. When she joined up out there in the Pacific; she was made a part of my Task Force and joined up about April of 1942, and that was the time that I first saw the 40-millimeter gun installed in a ship.

126. Q. What was, in your opinion, the behavior of personnel on the morning of December 7?

A. I think it was superb.

127. Q. Were you entirely satisfied with the performance of duty of your immediate subordinates on December 7, and prior thereto?

A. Yes, sir.

128. Q. And you have no complaint whatever to make?

A. None whatever.

129. Q. Are you familiar, Admiral, with communications, letters or otherwise, which stated that there may have been a possibility of Japan attacking Russia?

A. I don't recall.

130. Q. Did this question come up at all before you, or were you cognizant of such a possibility?

A. At this time I think certainly my opinion was that the movement was directed to the southward, that the question of Japan attack-

ing Russia was probably out of the picture, that all the indications that we possessed had a move toward Thailand rather than toward the north.

Cross-examined by the interested party, Admiral Harold R. Stark, U. S. Navy:

131. Q. Admiral, with regard to your testimony concerning the depth of water for torpedoes in Pearl Harbor, I hand you Exhibit 55 before this court, which is a letter from the Chief of Naval Operations to the Commandants of the various naval districts, under date of 13 June 1941. Will you please read to the court the second paragraph of the letter?

A. (Reading:)

2. Recent developments have shown that United States and British torpedoes may be dropped from planes at heights of as much as three hundred feet, and in some cases make initial dives of considerably less than 75 feet, and make excellent runs. Hence, it may be stated that it cannot be assumed that any capital ship 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.

Neither the interested party, Rear Admiral Husband E. [446] Kimmell, U. S. Navy (Ret), nor the interested party, Admiral Harold R. Bloch, U. S. Navy, desired to cross-examine this witness.

None of the parties to the inquiry desired further to examine this witness.

The court informed the witness that he was privileged to make any further statement covering anything relating to the subject matter of the inquiry which he thought should be a matter of record in connection therewith, which had not been fully brought out by the previous questioning.

The witness made the following statement:

I have no information other than that I have given in my testimony, but I should like to state for the record that when Admiral Kimmel was appointed as Commander-in-Chief, I considered it an excellent appointment and I wrote him a letter to that effect, not expecting at the time to serve under his command. At that time I possessed orders ashore, and my orders were later changed and I became Commander Battle Force. I considered that he performed his duties in an excellent manner in all respects, and I know of no Commander-in-Chief who devoted more time and effort to the performance of his duties.

The witness was duly warned and withdrew.

A witness called by the judge advocate entered, was duly sworn, and was informed of the subject matter of the inquiry.

Examined by the judge advocate:

1. Q. Will you state your name, rank, and present station.

A. Kermit A. Tyler.

2. Q. Rank?

A. Lieutenant Colonel, Air Corps, Army Air Force Board, Orlando, Florida.

3. Q. What was your rank and duty on 7 December 1941?

A. I was assigned as Executive Officer in the 8th Pursuit Squadron. I was a first lieutenant in the air corps at that time.

4. Q. What particular duties were you performing at about 0755 on the morning of 7 December 1941?

A. I was assigned as pursuit officer with a duty as Assistant to the Controller, at the information center at Fort Shafter.

5. Q. Fort Shafter, Territory of Hawaii?

A. Yes.

6. Q. Will you tell the court in a brief way what these [447] duties consisted of that you were performing on this particular morning?

A. The duties of a pursuit officer was to assist the Controller in ordering planes to intercept enemy planes or supposed enemy planes, after the planes got in the air.

7. Q. Your duty, then, was in connection with a pursuit squadron, and not in some capacity such as the aircraft warning center?

A. That is correct. I was sent down there for training. Inasmuch as this was just being started, it was necessary to detail certain officers who had some background in order to get the thing going.

8. Q. This duty was actually performed in the, shall we say in the Command Post of your pursuit squadron? I am not familiar with your terminology, and I would ask you to explain just exactly the nature of the post of duty at which you were stationed.

A. The information center was a post from which fighter squadrons on the alert would be ordered to take to the air; in fact, my task at this information center had involved a small switchboard which would reach fighter squadrons.

9. Q. What I am trying to get at now, were you in a branch of an information center, or at an information center, or what?

A. I was at the one information center for all of the islands.

10. Q. At the one information center of all the islands. Now you were in contact at such station with all radar stations?

A. Yes, sir, they had direct lines.

11. Q. Now how long had you been assigned these duties that you were performing that morning?

A. I had one previous tour on the preceding Wednesday, at which time there was only myself and the telephone operator at the information center. This was my second assignment of that nature.

12. Q. Now this particular station or post at which you were then stationed was in what locality in the island of Oahu?

A. It was at Fort Shafter.

13. Q. Fort Shafter is where with reference to Pearl Harbor?

A. I would say it is about eight miles east of Pearl Harbor.

14. Q. How many officers and men were on duty with you in this particular post or station on this morning of 7 December, 1941?

A. Approximately seven or eight enlisted men, and I [448] was the only officer present.

15. Q. Now what duties in general did they perform? Were they assistants to you, or what were they doing?

A. There were five or six spotters whose duty was to display arrows on the information center board, to indicate radar plots of aircraft. There was one man on the telephone exchange, and one man on the historical record—which keep a historical record of all plots that are made by the radar.

16. Q. Now these plots that you were making—the information upon when they were based, where did you get that?

A. They came by direct lines to each plotter from one radar station which gave him the information.

17. Q. Could you give an example as to about what sort of data would come in from a telephone from one radar station when a plane or group of planes were sighted?

A. Simply be a bearing of so many degrees and range, certain number of miles.

18. Q. And then as I understand it, somebody plotting in the center where you were located put that down in the form of a record, a graphic record?

A. It was plotted with a replaceable arrow on the table, and also there was a system of recording it on this sheet of paper which was an overlay of the Hawaiian Islands and surrounding waters. I might say probably they included in the report of the radar station the number of planes expected in the plot, but that wasn't at the time conveyed in each plot.

19. Q. In other words, that was not always done?

A. No.

20. Q. Now, were you the Senior Officer Present in this central station where you were on post?

A. I was the only officer present.

21. Q. And it is my understanding that you were the officer in charge of this particular station or post?

A. Yes, sir.

22. Q. Was there a Naval officer present at this post on the morning of 7 December 1941?

A. There was after the attack started, sir.

23. Q. Was there an officer present before the attack?

A. No, sir.

24. Q. Did you receive, while you were on duty on the morning of the 7th December 1941, any report of interest?

A. How do you mean by that, sir?

25. Q. Did you receive any information or any report that [449] you considered of any importance?

A. Well, I received a call from one of the radar stations, I believe it is called Opana, which indicated that they had a larger number of planes than he had seen before on his scope; that is, the original report.

26. Q. Can you recall at about what time this report was received in the station?

A. I would estimate it was around 7:15.

27. Q. Now where is Opana station located from where you say you got this report?

A. It was the north side of the island.

28. Q. And it was about how many miles from Fort Shafter, where you were?

A. I would say thirty-five miles in a direct line, perhaps.

29. Q. Now is this station on top of a mountain, on seashore, or can you tell how it was located?

A. I had never been there, and I don't know.

30. Q. Can you remember the language of the report?

A. I can't remember the exact language. As I said before, the radar operator reported that he had a larger plot than he had previously seen; that is about all there was to it.

31. Q. Did you have any abnormal reaction to this report at that time?

A. No, sir. I thought about it for a minute, and then told him, "Thanks for calling in the report."

32. Q. Had you any information during your tour of duty on this morning of 7 December 1941, as to the movements of any friendly planes in the Hawaiian area?

A. I had no official information. However, I had very good reason to believe that there was a flight of B-17's en route to the Islands from the mainland. I had a friend who was in the bomber command who told me that any time the radio stations were playing this Hawaiian music all night, I could be certain that a flight of our bombers was coming over, and when I had gotten up at 4:00 a. m., to report for duty, I listened to this music all the way to the station, so I was looking for a flight of B-17's.

33. Q. Now when you went on watch, or duty shall I say, that morning, were you given any information by the officer stationing you or the officer whom you relieved, if you did relieve anybody—were you given any special instructions as to what to be on the lookout for?

A. No, sir.

34. Q. Did you actually relieve anybody that morning?

A. No, sir.

[450] 35. Q. How did you happen to come to go on duty? Was that in response to a detail that went on duty at that time every morning?

A. Yes, sir. There was a roster of various fighter pilots. My tour of duty was from 4:00 to 8:00 a. m. on that morning, sir.

36. Q. Did you have any instructions for your post?

A. No, sir.

37. Q. And you say the only previous experience you had had with that post of duty was the time, several days before, when you did a tour of duty there?

A. Yes, sir.

38. Q. Did you have any familiarity with the mechanics of radar interceptors? That is, how they functioned mechanically or electrically?

A. I understood the principle of radar, yes, sir.

39. Q. What information did the radar show to the operator? For example, when he sighted a flight of planes?

A. Well, I understood that it showed a way they call a "blip" or "pip", or something like that on the scope. Beyond that, I don't know.

40. Q. You don't have any idea how this so-called scope indicated the number of planes in a flight?

A. No, I hadn't ever seen one in operation, so I didn't know.

41. Q. And you wouldn't know how they determined the bearing of the flight, or the distance?

A. I understand that, yes, sir.

42. Q. Now exactly, again, Colonel, what information did this radar operator give you when he made the report?

A. He said that at a distance of around 130 miles, he had a larger plot than he had seen on his scope.

43. Q. Did he give you any subsequent reports, after this initial report, as to what these planes were doing, or did he amplify this original report in any way?

A. No, he didn't give any subsequent report.

44. Q. Did you call up and ask him for any subsequent information—amplifying information?

A. No, sir.

45. Q. Did you know whether or not the particular type of radar that was then in use, had any means of distinguishing a friendly plane from an unfriendly one?

A. Oh, I knew that there was no way of distinguishing by radar.

46. Q. And the only information of friendly planes that you [451] had on this morning was the deduction you made when you heard a Honolulu radio station playing Hawaiian music at a very early hour; is that correct?

A. That is the only definite indication I had. I think I was equally divided between the thought that it could be the B-17's, or a carrier force.

47. Q. You mean, by "carrier force", U. S. Naval carrier force, or enemy?

A. Friendly force, U. S. Naval airplanes.

48. Q. Had it occurred to you to identify with the Navy whether or not they had any planes in flight at this time?

A. No, sir.

49. Q. I don't suppose, from the information you had, that you had any idea at that time of the course on which these B-17's would approach Oahu?

A. Only the rough idea, sir.

50. Q. What was this rough idea?

A. Well, somewhere from the northeast.

51. Q. And why do you say somewhere from the northeast?

A. Well, that would be the course from San Francisco.

52. Q. Did you have any special information on the morning of 7 December 1941, as to international developments, especially those between the Japanese and the United States, which would indicate any imminence of war?

A. The only special information was what I read in the papers, and that was that a friendly relations—or that some agreement—had been reached approximately a week before, or thereabouts.

53. Q. Well, had you or had you not been put in some sort of a frame of mind of being on the alert against any possible enemy action when you went on duty that morning?

A. No, sir; in fact, just the opposite, because we had been on alert about a week before, and the alert had been called off.

54. Q. Now do you know whether or not there was actually an airplane attack on the Pearl Harbor Naval Base that morning by Japanese planes?

A. Yes, sir.

55. Q. When did you first become aware of this attack?

A. It was about five minutes after 8:00 when the telephone operator received a call from some source, which I don't know right now, that there was an attack on.

[452] 56. Q. You don't recall the language of the report that you heard?

A. No, sir, the operator was very excited; and so I told him to call in all information center personnel who had gone off duty at 7:00 o'clock. There was just the operator and myself there at the time.

57. Q. Did he tell you the kind of attack, whether it was a naval surface ship attack, aircraft attack, or what?

A. He didn't say, but, however, I knew that it was an air attack, because at 8:00 o'clock I had just stepped outside for a breath of air and I saw the attack in progress, but at that time I thought it was the Navy practicing dive bombing.

58. Q. Do you recall what action you took when you received this report?

A. I called in the information center personnel, who had all gone off duty at 7:00 o'clock, except the operator and myself, and in a very few minutes, Major Tindall, who was one of the controllers, arrived from Hickam Field, and took charge of operations.

59. Q. Did you go off duty then, or what was your status after Major Tindall arrived?

A. I remained on duty as assistant to him and to Major Berquist, who also arrived soon thereafter, for approximately thirty-six hours.

60. Q. Now can you remember whether or not you received any further reports from any of your radar stations, after the attack was reported, or after it became known?

A. The plotting board was very much confused, due to the number of airplanes flying around, and I don't think there was; I doubt if any definite information could be obtained from it.

61. Q. Do you recall whether or not any attempt was made by the officers in the information center to ascertain from your radar stations whether there were any more planes coming in or not?

A. I don't know that that was done, sir.

62. Q. Do you know whether or not there was any directives given as to plotting planes in any area other than the Pearl Harbor area? What I am trying to get at, Colonel—was any attempt made to plot planes when they retired from the attack?

A. I don't know whether that attempt was made or not; I was busy with the squadrons then.

63. Q. Whose duty would it have been to have directed such a plot, in your opinion?

A. The controller's duty.

64. Q. And that was Major Tindall?

A. Or Major Berquist, who were both there at that time.

65. Q. But so far as you know, of your own knowledge, that [453] direction may or may not have been given?

A. That's right. I don't know, sir.

66. Q. Now you say a naval officer reported shortly after the attack became known to you; is that correct?

A. Well, how shortly I couldn't say.

67. Q. But so far as your recollection serves you now, you are not able to say whether he reported before or after the attack was announced?

A. He definitely reported after the attack was announced.

68. Q. Now do you know this officer, what his name was?

A. No, sir, I don't.

The interested party, Admiral Harold R. Stark, U. S. Navy, did not desire to cross-examine this witness.

Cross-examined by the interested party, Rear Admiral Husband E. Kimmel, U. S. Navy (Ret):

69. Q. What were your duties, Colonel, when you reported at 4:00 o'clock on that Sunday morning.

A. My duties, I believe, were chiefly for training, inasmuch as it was the first morning I had ever been there on such duty when the information center was even manned in any degree at all. I had no specified duties, either written or oral—just to report there for duty.

70. Q. Well, did you have any instructions to report information that came from different radars to any superior officer?

A. No, sir.

71. Q. Would you have reported it to a superior officer, if you had information that alarmed you?

A. Certainly, if I had been warned that there was any possibility of attack I would have. However, at that time, there being no means of identifying plots, there was not much that one man could do, without having a liaison officer from both the Navy, bombers, and civilian airways, to give you identification between friendly and enemy plots.

72. Q. Did you get any reports between 4:00 and 7:00 a. m. that morning?

A. There were a number of plots in and around the Islands. I believe they started sometime before 7:00 o'clock; the actual time I am not certain of.

73. Q. At 7:00 o'clock, did you get a report of a plot northerly? I mean as distinguished from 7:15.

A. At around very close on 7:00 o'clock, it might have been a little after—I don't know—I walked over to where [454] the boy was working on his historical record, and didn't know what he was doing, so I asked him what his duties were, and so forth. Incidentally, he noted this plot, which was 130 miles somewhere north of the island, I don't know what bearing.

74. Q. Did the plot indicate the number of planes in the air?

A. No, sir.

75. Q. Might have been one, or might have been fifty?

A. Yes, sir.

76. Q. When did that plot come into the center where you were?

A. It was right about 7:00 o'clock, sir.

77. Q. Which station did that come from?

A. I don't remember, sir; probably it was the same one, but I wouldn't say for sure.

78. Q. Did you do anything about that?

A. No, sir.

79. Q. That report came to the man and not to you or to your subordinates?

A. That's right.

80. Q. Well, now what happened at 7:15?

A. That was when I received a call from this radar operator. You see, at 7:00 o'clock, all the plotters folded up their equipment and left the information center.

81. Q. What did you do after 7:00 o'clock, then?

A. There was nothing. I didn't do anything. I was just waiting for my tour to be finished.

82. Q. What did your tour consist of between 7:00 and 8:00? What were you supposed to do after 7:00 until your tour was completed?

A. I had no particular duties to perform, except to learn all I could at the information center.

83. Q. Now what happened at 7:15?

A. This radar operator called the telephone operator and said he wanted to report that he had seen this large indication on his scope, and wanted to report to whoever was in charge. The call was relayed to me, and he made his report.

84. Q. At that time the operator at Opana thought the object reflected in the diagram was a large object?

A. Yes, sir, that's right.

[455] 85. Q. The object reported at 7:00 wasn't a large object?

A. There was no indication of that at 7:00 o'clock, sir.

86. Q. Did you talk with the man yourself?

A. Yes, sir.

87. Q. On the telephone?

A. Yes, sir.

Frank L. Middleton, yeoman second class, U. S. Naval Reserve, reporter, entered. Frank M. Sickles, yeoman first class, U. S. Naval Reserve, withdrew.

[456] 88. Q. Before the 7:15 call came in, had the activity that you had seen reported as of 7:00, increased?

A. I think it was on a slight increase all the time.

89. Q. How did you get the indications of reports of the increase between 7:00 and 7:15?

A. I had no indication then. It increased from the time it started up to 7:00 o'clock, and then all the keys were removed from the board and I had no means of receiving further information.

90. Q. Oh, there had been an increase up to 7:00 o'clock?

A. Yes, sir.

91. Q. When were the first indications of the reflections which were culminated in the report at 7:00?

A. You mean the large report?

92. Q. The one at 7:00?

A. The one at 7:00 o'clock would be the first indication.

93. Q. I understood you to say the activity had increased.

A. Up until 7:00 these local plots were on the increase.

94. Q. This wasn't the northern plot that increased, up to 7:00?

A. You mean the number of plots?

95. Q. I understood you to say that you had a report at 7:00 o'clock of something around 130 miles to the north?

A. Yes.

96. Q. Had that reflection been shown at all before 7:00?

A. Yes, sir. It was shown on the historical record right at 7:00 o'clock.

97. Q. Had it been shown before 7:00 on the historical record?

A. If it was, it would have been a minute or two.

98. Q. Very shortly?

A. Yes, sir.

99. Q. Now, will you relate to the court precisely what you were told on the telephone at 7:15 when you got the call? I am now talking about the second one at 7:15?

A. Whether the operator said "a large number of planes" or "a larger indication" or "a large blip" on his radar, I couldn't say, but he gave

me information of that nature, that the distance was around 130 miles in a northerly direction.

[457] 100. Q. Who was the individual with whom you talked at that time?

A. I believe he was a private, Lockhart.

101. Q. And what did you say to him?

A. I deliberated for a minute and told him not to worry about it, or something to that effect. I don't know exactly.

102. Q. And then nothing more happened until the attack?

A. That's right, sir.

103. Q. Do I understand that you stayed there in that center the rest of the day?

A. Yes, sir.

104. Q. Were you familiar with what was reported into the center after 8:00 o'clock?

A. Well, things were so confused and there were so many plots on the board that I couldn't give any detailed information on that, sir. The historical record, however, should show the information.

The interested party, Admiral Claude C. Bloch, U. S. Navy, (Ret) stated that he did not desire to cross-examine this witness.

Examined by the court:

105. Q. Colonel, when you went on duty at this post at 4:00 a. m., on 7 December, had you ever had any instructions whatsoever as to what you were to do or why you were there?

A. On the previous Wednesday when I went on duty, there was just myself and the telephone operator there, and not having any instructions, I called the operations officer, then Major Berquist.

106. Q. You heard my question, didn't you?

A. Yes, sir. And I asked him why I was there and what my duties were. He told me that they were trying to get the information center set up and that we were leading off by furnishing personnel to man it. I got the idea that I was there for training, and he said if any ships went down, if any of our planes went down we might, by radar reports, be able to tell where they went down and I would be able to assist in that.

107. Q. But prior to 4:00 o'clock when you went on duty, you had no instructions as to what you were to do in reporting in any large number of planes or anything else in the air?

A. That is right, sir.

[458] 108. Q. You had no instructions?

A. I had no instructions.

109. Q. And was this the first time you were on duty there, or the second?

A. That was the second time.

110. Q. And there were no further instructions given you as to what you were to do while you were on duty from 4:00 to 7:00 a. m., of that morning?

A. That is right, sir.

111. Q. Do you know how many radar stations were in operation on that morning?

A. Because I had about 5 plotters, I gathered there were about 5 in operation.

112. Q. Did you know their locations?

A. I knew the exact location of just one radar, sir.

113. Q. You had no information from anyone to look out for a large plot of planes, did you, or did you have?

A. I had no warning, sir.

114. Q. You spoke of Hawaiian music playing all night. Will you please explain that?

A. Well, the conventional Hawaiian music, guitars and so forth.

115. Q. But you mentioned that as an indication of planes coming in.

A. Because they would play this music without interruption and even without announcement, and it had been standard practice to do so for homing for the planes coming in.

116. Q. Did anyone tell them to play this music for homing for planes to come in, to your knowledge?

A. From the information I had from this bomber pilot friend of mind, it was that someone, probably in the Air Force or the Bomber Command, apparently had arranged for such homing, you see, because it didn't play on other nights.

117. Q. But you don't know what arrangement they had?

A. No, I don't know, definitely.

118. Q. The instant you saw or became aware of enemy planes over Oahu, what did you do?

A. I instructed the operator to call the information center plotters back in. They arrived very shortly and Major Tindal also arrived almost simultaneously.

[459] 119. Q. Did it ever occur to you at that time to report immediately to your senior, or the officer who would like to have that information?

A. Yes, sir. I'm not certain whether I called Major Berquist, or whether I told the operator to call Wheeler Field and tell them of the events, or just what happened then. It was really quite confusing for a while, sir.

120. Q. About what time was this?

A. About 8:10, I would say, sir. As a matter of fact, Major Tindal arrived so soon and took over that there was hardly time to do anything there. He apparently started on the way as soon as the first bombs hit Hickam Field.

121. Q. No effort was made to pass this information along that you first got about 7:00 o'clock?

A. No, sir; that is right.

122. Q. Or at 7:15?

A. That is right, sir.

123. Q. Well, did it occur to you at all that it might be an attack and that it should be passed along?

A. No, sir; it did not.

124. Q. Well, did you make any effort from any source to find out whether this flight was foreign, or local?

A. No, sir.

Cross-examined by the interested party, Rear Admiral Husband E. Kimmel, U. S. Navy, (Ret):

125. Q. The report that came in at 7:15 wasn't plotted historically, was it?

A. That was the same report that was plotted, I'm quite sure, sir, at 7:00 o'clock.

126. Q. Well, the one that you got at 7:15 wasn't recorded other than by telephone call to you?

A. Well, only if it could have been plotted at 7:00 o'clock. I gathered that it was the same plot, sir.

127. Q. Well, if it were a different one at 7:15, it was not recorded?

A. That is right, sir.

128. Q. Did you report to your superior or to anyone else about the 7:15 incident?

A. No, sir.

[460] Examined by the court:

129. Q. Did the Opana station have any place they could have reported to except through your station?

A. No, sir.

Cross-examination by the interested party, Rear Admiral Husband E. Kimmel, U. S. Navy, (Ret.) (continued):

130. Q. Do you now believe that the planes indicated at 7:15 were the Japanese planes, or were the B-17s?

A. I believe now that they were Japanese planes, sir.

Reexamined by the judge advocate:

131. Q. Was the post at which you were stationed on the morning of 7 December in the Air Command, or was it in some other part of the Hawaiian Command, the infantry or something like that? In other words, did you come directly under the Commanding Officer of the Army Air Forces in your station, or did you come under some other department, or do you know?

A. I'm not certain of that. I was working under orders of the operations officer of the 14th Wing, which was the Air Force Command. However, the information center was manned mostly by Signal Corps troops.

Re-cross examined by the interested party, Rear Admiral Husband E. Kimmel, U. S. Navy, (Ret.):

132. Q. What makes you now think the flight you had reported at 7:15 was Japanese planes?

A. Because, sir, I have learned about radar since then and it would take a large plot, a large number of planes to make a plot at that distance, and I don't think that B-17s coming over as they did, that it would have been possible to pick them up at that range.

133. Q. When did you first reach that conclusion?

A. That would be hard to say. It was in the weeks following, somewhere in the weeks following Pearl Harbor. I learned quite a bit about radar very soon after that, sir.

None of the parties to the inquiry desired further to examine this witness.

The court informed the witness that he was privileged to make any further statement covering anything relating to the subject matter of the inquiry which he thought should be a matter of record in connection therewith, which had not [461] been fully brought out by the previous questioning.

The witness stated that he had nothing further to say.

The witness was duly warned and withdrew.

A witness called by the judge advocate entered, was duly sworn, and was informed of the subject matter of the inquiry.

Examined by the judge advocate:

1. Q. State your name, rank, and present station, please.

A. William A. Heard, Captain, USN, Deputy Director, Naval Intelligence.

2. Q. What duties were you performing in late 1941?

A. Prior to October 9, I was in charge of the British Empire desk in the Office of Naval Intelligence. On that date I relieved Captain Bode as the officer in charge of the Foreign Branch, Office of Naval Intelligence, Washington, D. C.

3. Q. How long did you remain on this detail?

A. Until 30 June 1942.

4. Q. I would like to have you state for the information of the court in as brief a manner as possible what the organization of the Office of Naval Intelligence was between the dates of 16 October 1941 and 7 December of the same year.

A. The organization of the Office of Naval Intelligence was last revised on August 11, 1941. At that time it consisted of a director, an assistant director, and 3 principal branches. Do you want to include the field organizations?

5. Q. Yes, you might add that.

A. There were three principal branches: Domestic, Foreign, and Administrative; and a field organization of the Naval District Intelligence offices and the foreign posts.

6. Q. That is the broad outline?

A. Yes.

7. Q. Now, you say you headed the Foreign Branch?

A. Yes.

8. Q. Without stating the sources of your information, please tell the court the form in which intelligence information left your division; that is, was it simply a list of facts, or was it facts from which a general [462] summary or evaluation was made, or just exactly how did you pass information along from your division?

A. Intelligence was passed from the Office of Naval Intelligence in the following specific forms: First, when we received items of urgent interest, by oral report. Daily, Japanese summary to the Director of Naval Intelligence by the head of the Far East Section, relayed by Director of Naval Intelligence to the Chief of Naval Operations. (Not invariably a daily report.) Daily, summary of State Department dispatches. Whenever appropriate, printed serials presenting related items of information. Weekly, known or estimated dispositions of all foreign fleets. When required by the Chief of Naval Operations, comparative strength tables by types of all fleets. A daily bulletin for the President's naval aide. Fortnightly, summaries of current national situation. When occurring, special summaries. Dispatches to foreign posts and the naval attaches. I have undertaken to answer specifically as to whether the information was evaluated. There were varying degrees of evaluation, naturally, in that scope of forms of reporting. Generally, all information was evaluated as to its credibility, as to its implications, and to a greater or less degree as to the conclusions which might be drawn from it. It had been established that the final evaluation in the form of enemy intentions was more properly the responsibility of the War Plans Division.

9. Q. Did the Chief of Naval Operations get all classifications of information which you have enumerated?

A. I believe, without exception copies of all of the reports and also the oral reports were directed to the Chief of Naval Operations.

10. Q. I believe you spoke of a classification of information which you called "Political." Would that type of classification of information, for example, include such matters as the diplomatic negotiations that were going on between the Japanese and the United States governments the latter part of 1941?

A. Political information was included, such information as was available to the Office of Naval Intelligence was further reported to the Chief of Naval Operations.

11. Q. Let me ask you another question: What were the sources of this political information, if you are at liberty to so relate. In other words, generally speaking, what were the sources of your political information?

A. Foreign Post Fleet Comamnders, State Department, and other sources.

12. Q. How often was this particular classification of information passed to the Chief of Naval Operations? Do you know?

A. As a rule—certainly I am sure it was the case in the period under consideration—there was a daily report.

[463] 13. Q. In relation to the events of late November and early December, 1941—that is, before the outbreak of war with Japan—was there or was there not considerable information of a military nature passing through your office?

A. There was.

14. Q. Do you feel, from your recollection of those events, that this information was promptly passed to the Chief of Naval Operations?

A. To the best of my knowledge and belief, it was passed quite promptly to the Chief of Naval Operations.

15. Q. Did information arising in the office of the Director of Naval Intelligence have to be cleared by anyone between that office and the Chief of Naval Operations before this latter officer could receive it? In other words, my question is this: Was information passed directly from the Office of Naval Intelligence to the Chief of Naval Operations, that is, those matters which concerned him, without the interference or the permission of any intermediary?

A. The Director of Naval Intelligence enjoyed ready access, both to Admiral Ingersoll and to Admiral Stark.

16. Q. I show you a document and ask you if you can identify it?

A. I can. I have had previous knowledge of the dispatch.

17. Q. Will you state what the general subject matter of this dispatch is, for the record?

A. This is a dispatch from the Chief of Staff of the Army to the Commanding General, Army Forces in the Far East, Caribbean Defense Command, and the Commanding General of the Hawaiian Department and of the Fourth Army.

18. Q. What is the subject matter of the dispatch?

A. Alerting the addressees as to the impending action of Japanese diplomatic representatives with regard to our relations.

19. Q. Can you recall whether or not similar information was in the Office of Naval Intelligence on the morning of 7 December 1941?

A. It was.

20. Q. Can you state from recollection or records of the office, that you have examined to refresh your memory, whether or not this information was in the Office of Naval Intelligence as early as 0900, Washington Time, on [464] 7 December, 1941?

A. From the best record available in the Office of Naval Intelligence, the information upon which I believe this document was based was not available in the Navy Department until about 0900 of 7 December 1941.

21. Q. That being your estimate of the time the information was available in your office, from your experience could you give the court an estimate of the time that its evaluation or the facts which the exhibit show were sent to Hawaii, what time this might have been reasonably in the hands of the Chief of Naval Operations?

A. Captain McCallum, Chief of the Far East Section, who had relieved his chief Japanese assistant at 0800, brought this information which he received about 9:00 o'clock immediately to the Director of Naval Intelligence who arrived in his office at 0900. Some time later—and I believe prior to 10:00 o'clock—the Director of Naval Intelligence took Commander McCallum to the Office of the Chief of Naval Operations for the purpose of presenting the information to him. I cannot state the exact hour.

The court then, at 3:13 p. m., took a recess until 3:21 p. m., at which time it reconvened.

Present:

All the members, the judge advocate, and the interested parties and their counsel, except Admiral Harold R. Stark, U. S. Navy, whose counsel were present. Frank L. Middleton, yeoman second class, U. S. Naval Reserve, reporter.

No witnesses not otherwise connected with the inquiry were present.

Captain William A. Heard, U. S. Navy, the witness under examination when the recess was taken, resumed his seat as a witness and was warned that the oath previously taken was still binding.

The interested party, Admiral Harold R. Stark, U. S. Navy, stated that he did not care to cross-examine this witness.

Cross-examined by the interested party, Rear Admiral Husband E. Kimmel, U. S. Navy, (Ret):

22. Q. Is the information which you have given, Captain, from your personal knowledge as of 7 December, or from records now available to O. N. I.? That is, were you down [465] at the Navy Department Sunday morning, December 7th?

A. I was not here until a little after noon, sir. I did receive, through the official conduct of business, a report from Commander McCallum as to what had taken place in the forenoon. I have also the official statement of the Director of Naval Intelligence which was made very shortly after the event.

23. Q. And you are the custodian of that official report now?

A. I don't know that I would say I am the official custodian, sir. I have a copy of the Director of Naval Intelligence's statement. I have not the original of his statement in my custody and I believe it is not in the Office of Naval Intelligence. However, I was aware of it at the time and at present. I can say that I was aware of the underlying information up until the preceding evening, of my own, first-hand knowledge.

24. Q. Referring to the dispatch from General Marshall to Hawaii, which I believe the judge advocate showed you, Exhibit 48: There appear to be three factual statements in it. "Japanese are presenting at 1:00 p. m., Eastern Standard Time today"—that I would consider to be one factual statement—"what amounts to an ultimatum"—that might be the second—"Also they are under orders to destroy their code machine immediately"—that would be the third. Then there are conclusions drawn from it. Do you know whether any of those three factual statements or information tending to establish those was available to the Navy Department prior to 7 December?

A. As to the destruction of the codes and confidential papers, there was information in the Navy Department on the 3rd of December. That information was made available to the outling possessions and to the High Command; and based on that information, the Director of Naval Intelligence directed our representatives, our attaches in other words, in Japanese and satellite or exposed stations, to destroy forthwith their communication systems and gave them a plain language code word to report when it had been done. Those reports were duly received prior to the 7th of December. As to the time of the meeting and the precise character of the ultimatum or that there would be an ultimatum, there was not a clear appreciation of either fact until, as I have previously testified, based on the Director of Naval Intelligence's official statement, that became available at just about 0900 on 7 December. There were previous implications and it was a matter of common knowledge. I think, that the negotiations were stalemated and that there would not be, to us, a satisfactory conclusion. But there is that difference, sir, that as of the information available up until about 9:00 o'clock there was not clear-cut evidence which, I believe, led to the formulation of this subject document.

[466] 25. Q. Did the written report of the Director of Naval Intelligence to which you made reference contain top secret information?

A. It did, sir. I might say, incidental to the report.

26. Q. But it is included in the report?

A. It is, sir. There is much material in it which is not in that classification, sir.

27. Q. Who was the assistant to Commander McCallum when he was relieved about 8:00 o'clock Sunday morning?

A. Then Lieutenant Commander—now Commander, I believe—Watts, who was also a Japanese language officer and had been ordered here to the Department as the tentative relief for Commander McCallum.

28. Q. Is Commander Watts on duty in Washington now?

A. He is not, sir. He is, I believe, in the Pacific.

29. Q. Did you then, or do you now, know of a conference on Sunday, 7 December, at or about 10:00 o'clock at the State Department?

A. No, sir.

30. Q. Do you know whether any of this information was communicated to the Secretary of the Navy Sunday morning?

A. I do not, sir, of my own knowledge.

[467] Frederick T. Lachat, yeoman first class, U. S. Naval Reserve, reporter, entered. Frank L. Middleton, yeoman second class, U. S. Naval Reserve, reporter, withdrew.

31. Q. And the records do not—

A. I have no records of that, sir. In conformance with general practice, I should be much surprised if it were not, but I have no first-hand knowledge.

32. Q. Do you know whether any intelligence information was communicated to the Chief of Naval Operations Saturday evening, December 6, 1941?

A. I can't be sure of that, sir. It was the practice—certainly in those last few days—for the Director of Naval Intelligence to report, not less than once daily, to the Chief of Naval Operations more or less of a summary of new developments and new information.

33. Q. I am asking about Saturday evening.

A. On Saturday evening I don't know. I was here and the Director was here, and the Chief of Naval Operations was here some time, too, along in the evening of the 6th of December, but I don't know whether or not the Director saw him at that time and whether or not any further information was passed to him.

34. Q. At approximately what time did you go home on Saturday evening, December 6?

A. It was 7 o'clock or after.

35. Q. After you got home did you receive a report of further information?

A. I did not, sir. I would not normally have received it unless I was called to come back to the office, because on Friday, the 4th of December, the Director of Naval Intelligence had established a 24-hour continuous watch in the Far East Section, the watch to be stood by the three or four senior officers in that section who were involved in the processing, evaluation, and dissemination of intelligence.

36. Q. Do you know whether or not on Saturday night there was any information available in the Navy Department that was reported to the Director of Naval Intelligence at his home?

A. I do not, but I do know, sir, that there had been since May 27, 1941, a special, continuous watch in the Office of Naval Intelligence, headed by one of the more senior officers in the division, and that watch included junior officers of all the major branches. There was an elaborate arrangement for prompt notification to the Director of Naval Intelligence of any matter of interest to him. That also included my telephone communication with [468] both Military Intelligence and with the State Department. I would like to add I had occasion personally to arrange for a special week-end telephone line between the Office of Naval Intelligence and the State Department, to go directly to Mr. Hull's office, where continuous watch was stood in his absence. All of that telephone was active and was available. As to what specific reports passed over it, I'm not sure.

37. Q. Did Naval Intelligence advise the Army Sunday morning of the information about which we have been talking?

A. To my own knowledge, I can't answer. I would say that Colonel Bracken and Commander McCallum were on a close basis of communication and exchange. Whether any specific delivery was made of information that morning, I don't know.

The interested party, Admiral Claude C. Bloch, U. S. Navy (Ret.), did not desire to cross-examine this witness.

Cross-examined by the interested party, Admiral Harold R. Stark, U. S. Navy:

38. Q. Captain, referring to your testimony about the information concerning the destruction of codes and ciphers, in which you stated it was known about December 3: I hand you Exhibit 20 before this court, a dispatch of December 3 to the Commander-in-Chief of the Asiatic, Pacific, and two naval districts. Is that the dispatch to which you refer?

A. That is the dispatch.

Examined by the court:

39. Q. Captain, during this time and especially in November and up to December 7, 1941, did you consider that you were kept thoroughly informed regarding all information as to the Japanese situation in your capacity as an officer in Naval Intelligence?

A. You mean within Naval Intelligence, sir?

40. Q. Yes.

A. Yes, sir, I do.

41. Q. Were you also kept informed at this time, or did you have information regarding what was going on at the State Department as to these relations?

A. I had it second-hand only, sir, through the Director of Naval Intelligence. You mean, so far as the conduct of the negotiations were concerned?

42. Q. Yes. Was it your understanding between November 27 and December 7, 1941, that conversations and negotiations were continuing by the State Department with the Japanese representatives?

A. I can't recall as to daily meetings.

[469] 43. Q. It is not a question of daily meetings. You are familiar with the dispatch sent on November 27?

A. Yes.

44. Q. From that time until December 7 were there conversations and negotiations going on with the State Department and the Japanese representatives?

A. It is my impression that they were, sir.

45. Q. Do you have any knowledge of a note of November 26, 1941, being sent by the U. S. Government to Japan and being delivered to the representatives here by the State Department?

A. I have no knowledge of that.

46. Q. Have you ever seen that note?

A. I have not, sir. I don't recall ever having seen it. I have had knowledge of it subsequently.

47. Q. With your information, did you and the officers of Naval Intelligence form any opinion as to the likelihood of a Japanese attack?

A. I think that we were solidly of the opinion that war was near at hand.

48. Q. Did you have any opinion as to how that war would take place or how it would begin?

A. We were quite convinced that war would begin, or, at least, the strongest indication we had was of a war in Southeast Asia.

49. Q. Was it generally known or was it your opinion that an attack would be made on Hawaii?

A. No, sir, we had no information which indicated or would lead to an obvious conclusion that there was an impending attack on Hawaii.

50. Q. In other words, you considered that if an attack were made, it would be made to the southern rather than to the eastern of the chain of islands from Japan to the Dutch East Indies?

A. Including the Philippines.

None of the parties to the inquiry desired further to examine this witness.

The court informed the witness that he was privileged to make any further statement covering anything relating to the subject matter of the inquiry which he thought should be a matter of record in connection therewith, which had not been fully brought out by the previous questioning.

[470] The witness stated that he had nothing further to say.

The witness was duly warned and withdrew.

A witness called by the judge advocate entered, was duly sworn, and was informed of the subject matter of the inquiry.

Examined by the judge advocate:

1. Q. Will you state your name, rank, and present station?

A. Joseph John Rochefort, Commander, U. S. Navy, Office of the Chief of Naval Operations.

2. Q. What duties were you performing after the month of June, 1941?

A. Officer in charge of the Combat Intelligence Unit, 14th Naval District, at Pearl Harbor.

3. Q. Will you state briefly the organization of the Intelligence Unit of the Commandant of the 14th Naval District, showing particularly how it was linked to other U. S. naval units of the same character, the F. B. I., the Army, and the Navy Department? In other words, how was your unit linked with other units throughout the service?

A. Prior to my reporting as officer in charge, the unit was designated as a field unit, the main unit being in Washington, the other unit being in Cavite under the Commandant of the 16th Naval District. Personnel, for security reasons, were ordered either as assistants to the District Intelligence Officer or District Communications Officer. All orders read: "To the Commandant of the 14th Naval District for duty." It was decided that perhaps it would be a little more in keeping if it were called a Combat Intelligence unit, still retaining the two letters for communication intelligence and placing it more on a military footing. Accordingly, it was organized under the Commandant of the 14th Naval District, to whom I had been ordered for duty. It generally consisted of an interceptor unit, of a direction finder unit, and of a cryptographic or research group. At the direction of the Commandant, this was increased to provide for plotting, the preparation of charts, situation maps, etc.

4. Q. What was the connection with other U. S. naval units of a similar character?

A. The main unit, being in Washington, controlled, to a certain extent, the duties of the two field units by designating their general mission and by allocating the [471] various tasks. For example, if there were certain work to be done which could not be accomplished all in one month and if it were uneconomical to have all three offices working on it, the Washington office designated which unit was to do the particular piece of work.

5. Q. Did you have any link with the F. B. I. or the Army in Hawaii?

A. The collaboration with other than U. S. naval units was more or less on a personal basis, by reason of the extreme security that was in effect regarding the functions and results of the Combat Intelligence unit. Contact was established and maintained, particularly with the F. B. I., the Army, and the F. C. C. in the Honolulu area. That was entirely of a personal nature by reason of the fact that we were not allowed to indicate any results or any details of the work involved.

6. Q. So far as your unit was concerned, did you receive weekly or bi-weekly Intelligence bulletins from the Office of Naval Intelligence in the Navy Department or any summary of information of that character?

A. We received two different types of reports or intelligence evaluations, one being the normal reports which were disseminated by the Office of Naval Intelligence and which were available to everybody in the Fleet, the other being personal letters, official letters, or dispatches in our own system, which were more of a technical nature than anything else.

7. Q. Let us suppose, for example, that during the critical period preceding December 7, 1941, the Navy Department was possessed of military information concerning Japanese warlike intentions or movements of their ships, etc. Would information of this character be sent out to your command?

A. Not necessarily, sir. We might or might not get all the information, or any of the information, which was available.

8. Q. Do you mean to state that there wasn't any determined policy in regard to the information which you got from the Navy Department relating to these matters?

A. No, sir, I wouldn't say that. I would say that I could expect all information of a technical nature, particularly that bearing on the tasks which had been assigned our office, but I would not say that all information available in Washington would be forwarded to me or forwarded to the Combat Intelligence unit as a matter of course.

9. Q. Would you say that all information on the Japanese military situation which might be of interest to naval forces in the Hawaiian area would be sent you in the form of a bulletin or a dispatch?

A. Again not necessarily. Perhaps my description [472] of the Combat Intelligence Unit has not been clear. We were more of a technical nature. We were not a Fleet Intelligence Unit in any sense of the word. We provided intelligence only of a particular and rather narrow type, and I did not expect—nor would I expect now—that all information bearing on any foreign country would be sent to my office. It would probably be sent to the Fleet Intelligence Officer.

10. Q. Would information regarding political developments and diplomatic negotiations be given you?

A. No. It is my recollection that one or two bits of that information were sent to me, but I would say that not all of it had been.

11. Q. Did you have any information on the location of units of the Japanese Fleet from November 27 to December 7, 1941? Was that the type of information you were handling?

A. Yes.

12. Q. Did you have any information on the location of Japanese carriers during the latter part of November and up to the time of the Japanese attack on Pearl Harbor on December 7, 1941?

A. We had what we thought was fairly good information of the presence of various types of Japanese Fleet units, included in which were one or more carriers.

13. Q. Were there any of these units in which carriers were a part in the vicinity of the Hawaiian Islands?

A. No, sir, the nearest that we had estimated their location to be was in the Marshalls.

14. Q. Did you, by means of your intelligence liaison with other units, know whether any other intelligence unit in the naval service had any information of a carrier group being in closer than the Marshall group?

A. No, sir. As a result of an exchange of messages in the latter part of November between the Far Eastern unit and ourselves, I am of the opinion that neither of us considered that any carriers were closer than the Marshalls. We heard nothing from the Washington unit, so I am not in the position to say what they felt.

15. Q. How did you disseminate the information which you received in your unit? To whom did you pass the information that you received?

A. We passed the information that we had received, or any deductions which we had made ourselves, by radio and in our own cryptographic system, which automatically included the Chief of Naval Operations, the Commander-in-Chief, Asiatic Fleet, the Commander-in-Chief, U. S. Fleet, and the two field units. That was automatic. If one message was originated by one of those two field units, it automatically went to all addresses.

[473] 16. Q. The Commander-in-Chief, Pacific Fleet?

A. Yes.

17. Q. What about the Commandant of the 14th Naval District?

A. The other method of dissemination was either verbally with the Commandant of the 14th Naval District and the Fleet Intelligence Officer or in the form of written, daily summaries, which were sent to the Fleet Intelligence Officer.

18. Q. From October 1 to December 7, 1941, do you recall receiving information which you evaluated as being of a warlike nature concerning the Japanese Government?

A. Yes, sir.

19. Q. Can you recall whether or not this information you had revealed any probable Japanese objectives?

A. To the best of my knowledge and belief, all of the communications indicated a southern and westward movement from Japan.

20. Q. Do you recall any information which you had that might indicate an attack on the United States or its possessions?

A. Definitely not, aside from Guam.

21. Q. How about the Philippines?

A. I will amend that. The Philippines were mentioned on one or two occasions.

22. Q. Then, is the understanding of the Judge Advocate correct that you had no information which indicated any Japanese objective east of Guam?

A. Yes, sir, that is my understanding from reading the various communications.

23. Q. Will you state to the court, if you know, what method of communication a Japanese spy, for example, would have of communicating between the Hawaiian area and the homeland?

A. Prior to December 7, cable, radio, and such methods as delivery to a foreign vessel in port and possibly some form of unauthorized radio transmitter.

24. Q. Do you know whether or not there was available to the authorities in the Hawaiian area any means by which they could censor radio messages going from the Hawaiian area to Japan?

A. No, sir, that was not permitted by law.

25. Q. How about cable?

A. Cable the same, sir.

[474] 26. Q. How about ordinary mail?

A. Ordinary mail the same.

27. Q. Then, am I to understand your answer that there was unrestricted mail, radio, and cable communication between Japan and the Hawaiian Islands which the United States could not stop or censor prior to December 7, 1941?

A. Yes, sir.

The interested party, Admiral Harold R. Stark, U. S. Navy, did not desire to cross-examine this witness.

Cross-examined by the interested party, Rear Admiral Husband E. Kimmel, U. S. Navy (Ret.):

28. Q. On Saturday, December 6, did Admiral Kimmel come to your office at Pearl Harbor?

A. I wouldn't say whether it was Saturday, but it was in that immediate time.

29. Q. At that time did he gather from you all the intelligence and information that you had?

A. It is my recollection that any time an important message was received either by us or was originated by us the Commander-in-Chief, with the Commandant of the 14th Naval District, came down and discussed the matter at great length.

The interested party, Admiral Claude C. Bloch, U. S. Navy (Ret.), stated that he did not desire to cross-examine this witness.

Examined by the court:

30. Q. Commander, in your capacity as an intelligence officer and as the head of Combat Intelligence in Honolulu, were you familiar with local conditions among the civilians of Honolulu?

A. I believe I was, yes, sir.

31. Q. On or about November 27, 1941, and subsequent thereto, did you notice any marked change in public opinion or in the general feeling of the Japanese populace as to any impending war or danger?

A. No, sir, there was no change noticeable.

32. Q. You did not notice any special activities by the Japanese Consul General or his associates?

A. Yes, sir, there had been some activity there, with particular reference to apparent burning or destruction of various articles.

[475] 33. Q. Was there any noticeable propaganda being sent out by the Japanese or circulated in Honolulu relative to conditions existing at that time?

A. Insofar as I could find out, none, sir.

34. Q. I presume that you have heard that there have been rumors to the effect that cordial relations and close cooperation did not exist between the high commands of the Army and Navy at that time. What is your idea about such rumors?

A. My opinion, sir, is that they are entirely unfounded.

35. Q. Did you, as an Intelligence officer, have any idea as to the source of these rumors or how they started?

A. No, sir, I did not hear any such rumors until after the 7th of December.

36. Q. In other words, as far as you know, the relationship between the Army and Navy officials was cordial and friendly?

A. Yes, sir. I gathered that impression from my official relations with the various Intelligence officers in the Army and Navy, plus personal relations with various Army officers at Schofield.

37. Q. Did Army and Navy subordinate officers work closely together?

A. I think as closely as they do now, sir.

38. Q. Did you know of any degree of intoxication among officers and men of the Navy on the night of 6th-7th of December?

A. No, sir; I heard such rumors after the 7th. From what I can gather, after discussing the matter with numerous friends at the alleged places in Honolulu, I do not believe there is any truth in the rumor, insofar as I could find out.

39. Q. In other words, insofar as you know, there was no special intoxication?

A. No, sir; none other than normal—no change from the normal.

40. Q. As Intelligence officer of that community, I suppose you were conversant with the general bearing and deportment of the officers and men of the Navy?

A. Yes, sir.

41. Q. Was that good, bad, or excellent insofar as any indulgence went?

A. I would say, sir, it was infinitely better than during a normal Fleet cruise and perhaps about the same or a little less than in the San Pedro-Long Beach area.

[476] 42. Q. This court understands that you, as the Combat Intelligence officer, not only kept conversant with all information obtainable regarding the Japanese situation but immediately upon obtaining it, you communicated it to the Commander-in-Chief and to the Commandant of the 14th Naval District?

A. Yes, sir.

None of the parties to the inquiry desired further to examine this witness.

The court informed the witness that he was privileged to make any further statement covering anything relating to the subject matter of the inquiry which he thought should be a matter of record in connection therewith, which had not been fully brought out by the previous questioning.

The witness stated that he had nothing further to say.

The witness was duly warned and withdrew.

The court then, at 4:10 p. m., adjourned until 9:30 a. m., August 19, 1944.

PROCEEDINGS OF NAVY COURT OF INQUIRY

SATURDAY, AUGUST 19, 1944.

[477]

FOURTEENTH DAY

NAVY DEPARTMENT,
Washington, D. C.

The court met at 9:30 a. m.

Present:

Admiral Orin G. Murfin, U. S. Navy (Ret), President.

Admiral Edward C. Kalbfus, U. S. Navy (Ret), Member.

Vice Admiral Adolphus Andrews, U. S. Navy (Ret), Member.

Commander Harold Biesemeier, U. S. Navy, Judge Advocate, and his counsel.

Frank Murrell Sickles, yeoman first class, U. S. Naval Reserve, reporter.

Counsel for Admiral Harold R. Stark, U. S. Navy, interested party.

Admiral Claude C. Bloch, U. S. Navy (Ret), interested party, and his counsel.

Rear Admiral Husband E. Kimmel, U. S. Navy (Ret), interested party, and his counsel.

The record of the proceedings of the thirteenth day of the inquiry was read and approved.

No witnesses not otherwise connected with the inquiry were present.

A witness called by the judge advocate entered, was duly sworn, and was informed of the subject matter of the inquiry.

Examined by the judge advocate:

1. Q. Will you state your name, rank, and your present duty station, Colonel?

A. Walter C. Phillips, Colonel, General Staff Corps, G-3, of General Stilwell, Myitkyina, North Burma.

2. Q. To what duties were you assigned in the year 1941?

A. I was Chief of Staff to General Short.

3. What was General Short's position at that time?

A. He was commanding the Hawaiian Department.

[478] 4. Q. And were you Chief of Staff during the entire year 1941?

A. No, sir.

5. Q. When were you assigned the duties as Chief of Staff to the Commanding General, Hawaiian Department, and when were you relieved of these duties?

A. On November 5, 1941, I was appointed Chief of Staff of the Hawaiian Department, and relieved on December 18, 1941.

6. Q. Previous to your assignment as Chief of Staff, were you performing duties under the Commanding General, Hawaiian Department?

A. I was.

7. Q. What were these duties during the year 1941, that you were then performing?

A. I arrived in the Hawaiian Department the early part of March, 1941. I don't remember the exact date. From that time until the time of my appointment as Chief of Staff, I rotated through the various General Staff Sections, G-1, 2, 3, and 4, in order to become thoroughly acquainted with the situation in the Hawaiian Department. Most of that time I was in G-3, Operations Section of General Staff.

8. Q. Since being relieved in December—17 December, from your duties in the Hawaiian Department, would you state in general what duties you have since been performing?

A. I was relieved as Chief of Staff on December 18, 1941, and at General Emmons' request I was retained as Deputy Chief of Staff to him. I remained with that duty until about November of the next year.

9. Q. That was in the Hawaiian Department?

A. That was in the Hawaiian Department, as Deputy Chief of Staff to General Delos Emmons.

10. Q. Can you remember during your tour of duty with the Commanding General of the Hawaiian Department, and during the year 1941 only—can you recall in general what had been the principal problems which the Army and Navy were mutually interested in, in the Hawaiian area?

A. I can, generally. I wish to state that the details of the attack on Pearl Harbor—many of the details—are rather dim, rather hazy. I have been in active operations since that period. I have kept no notes, no file.

11. Q. My question, Colonel, related to the problems that confronted the Army and Navy, mutually, during the year 1941, in the Hawaiian Department, not the details of the attack.

A. My reply is, I know them.

[479] 12. Q. Can you state what they were?

A. Of course, the chief problem was the defense of the islands against any attack. That was our mission.

13. Q. Were there any problems related to the defense of Pearl Harbor, that you recall?

A. No, I don't recall any.

14. Q. Whose responsibility was it, under existing orders or agreements, for the defense of Pearl Harbor?

A. That was covered in the plans that we had in existence at that time, and I cannot state exactly where the responsibility for that was.

15. Q. Do you recall whether it was a joint responsibility, an Army responsibility, or a Navy responsibility?

A. Generally, as I recall, a joint responsibility.

16. Q. Do you remember if there were any problems as to the adequacy of anti-aircraft defense?

A. We generally considered that there was a shortage of anti-aircraft defense, and had made recommendations to rectify that.

17. Q. Do you recall anything concerning problems in the aircraft warning system?

A. We were exerting every effort to get that installed at the earliest possible time.

18. Q. Can you remember any problems concerning aviation?

A. Yes, there was a definite shortage of planes for reconnaissance, heavy bombers, and small reconnaissance ships.

19. Q. Do you have any recollection of the number of anti-aircraft guns that were available under the Commanding General of the Hawaiian Department for the defense of the naval base at Pearl Harbor?

A. I do not.

20. Q. And naturally, then, you probably do not remember where these guns were placed?

A. I do not.

21. Q. Can you recall, after 7 November 1941, up to and including December 7, 1941, if there was any condition of alert ordered in the Hawaiian Department?

A. There was, sabotage alert. It went into effect on November 27.

22. Q. Do you remember that the official Army name for this type of alert was, by number or anything else?

A. It was Alert No. 1, I believe, or No. 3; I am not [480] sure. It was one or the other. The alerts were divided into three; one for sabotage, the second requiring more troops with the idea of increasing the defense for anti-aircraft, and the third was an all-out defense against a landing.

23. Q. Under the condition of Alert No. 1, can you recall whether that alert required any of your anti-aircraft guns to be manned?

A. I cannot recall right now the details that were in the plan.

24. Q. Do you know whether or not under the condition, Alert No. 1, that gun crews were required to be at their stations continuously?

A. I do not recall.

25. Q. Can you recall whether or not under the condition of Alert No. 1, ammunition had to be at the guns?

A. I do not.

26. Q. Since you have testified that you do not know the positions of the guns that were designated for the defense of the naval base at Pearl Harbor, and further you do not know where the men were quartered, you probably would not be able to give us any idea of how long it would take to man these guns in the event that a general alarm was given?

A. I could not.

27. Q. Do you have any idea as to the number of mobile guns that were available for anti-aircraft fire in the Hawaiian Department just prior to 7 December 1941?

A. I knew at the time, but I have no idea now.

28. Q. Do you know if there was any plan in effect between 27 November 1941 and 7 December 1941, for coordinating the anti-aircraft fire of Army units and Navy units in the defense of Pearl Harbor?

A. I cannot say definitely as to that.

29. Q. Did you have any sort of a committee in the Hawaiian area, represented by both Army and Navy, which committee studied the problems that were mutually affecting both services, that you can remember?

A. We had a committee, of which I became the chairman by virtue of my office as Chief of Staff, which had to do with the plans, and

was only called—this is purely from memory—into being when any change in the plans was demanded by either party.

30. Q. Am I to understand from your answer, then, that this joint committee dealt with plans solely, and not with other problems?

A. That is my recollection, sir.

[481] 31. Q. Can you recall when the last meeting was held prior to 7 December 1941?

A. I cannot.

32. Q. Do you know if there were any other steps, other than this joint committee that you have just told us about, taken with the aim of coordinating any measures or problems between the Army and Navy?

A. Yes, there were. We had an officer in G-3, of the Army, whose duty it was to take back to the Navy any information, all actions, everything of any importance, particularly operation; and we had likewise an Army officer in the Navy Headquarters, whose duty it was to do the same thing. There were many meetings between Admiral Kimmel and General Short in regard to official matters.

33. Q. That is what I am trying to get at, Colonel. I would assume that in an area as important as the Hawaiian Department and the Navy Base at Pearl Harbor, that there might be many military problems arise?

A. Many.

34. Q. Can you tell this court these mutual problems were solved in that area?

A. Directly; the air directly with your air—and those conferences were frequent. If we had any construction, my G-4 was directed to see his opposite, and the problems were threshed out. All of these meetings were reported on through me to the Commanding General, or directly to him by the Staff Officer concerned, usually in my presence.

35. Q. Did you yourself have any opposite in the naval command with whom you dealt or negotiated regarding mutual problems arising in the area?

A. During my time I was present at a number of conferences which Admiral Kimmel had with the General, but I do not recall that I went to my opposite in the Navy during my tour as Chief of Staff.

36. Q. Can you tell the court whether or not it was the Commanding General's custom to confer with the commandant of the 14th Naval District and the Commander-in-Chief of Pacific Fleet when these problems arose?

A. It was.

37. Q. Now, do you know whether or not these consultations took place frequently or not?

A. I do. They took place quite frequently, officially and socially.

38. Q. Well now, adverting to the answer that you have just made, from your own observation as Chief of Staff, and the other official offices that you held in the Hawaiian Department, what is your frank opinion of the relationship [482] between the Army and Navy, in official matters especially?

A. In my opinion it was extremely cordial and cooperative.

39. Q. Are you acquainted with criticism that has been made public through several sources of the lack of cooperation between the Army

and Navy before the outbreak of the present war—that is, prior to 7 December 1941?

A. I am, generally speaking.

40. Q. Do you have any idea of the source of these rumors or statements?

A. I have not.

41. Q. But in your opinion they are what?

A. Absurd.

42. Q. Adverting to the critical period from 16 October 1941, to the time of the Japanese attack on Pearl Harbor on 7 December of the same year, had any effort been made in the Hawaiian Department and in the Navy, so far as you know, towards improving communications and the exchange of information?

A. I cannot answer that. I do not know, between those specific dates.

43. Q. Now you have stated that the Army was in Alert No. 1 from about November 27, 1941?

A. It was the sabotage alert, from November 27.

44. Q. Do you know what the sabotage alert directed in the way of security measures or readiness measures?

A. I know generally. It is definitely specified in our standing operating procedure, which was furnished to the Navy at that time. The general provisions of the sabotage alert were to defend water works, telephone exchanges, radio stations, bridges, trestles, and so forth, against attack from any enemy.

45. Q. Can you recall whether the alert that you described as having been in effect provided any additional precautions to be taken in your aircraft warning system?

A. I cannot recall that.

46. Q. Colonel, I show you Exhibit 19, which is in evidence before this court, and which I will tell you is a dispatch from our own Chief of Naval Operations to certain addressees in the Navy, and this message purports to quote a message which the Army had sent to the Commander of the Western Defense Command. I ask you to inspect this message and tell the court [483] whether or not a message of similar tenor had been received by the Commanding General of the Hawaiian Department?

A. I believe that is correct. The Commanding General, Hawaiian Department, received a message similar to that.

47. Q. The dispatch bares date of release in Washington by the Chief of Naval Operations, November 28, 1941. Can you state at about what time you, as Chief of Staff, became familiar with the subject matter of this dispatch?

A. About that date—November 27 or 28; I don't remember.

48. Q. Can you recall that the representatives of the Army and Navy had an conferences as regards this dispatch, in the Hawaiian area?

A. General Short conferred once with Admiral Kimmel in regard to this, I am positive.

49. Q. Do you know, of your own knowledge, what the result of this conference was?

A. I did at the time. I cannot recall at present.

50. Q. You can't recall any of the details?

A. I do not.

51. Q. I note that the dispatch contemplates certain action on the part of the Army. One directive reads "You are directed to undertake, prior to Japanese hostile action, such reconnaissance and other measures as you consider necessary." Now at that time no Japanese attack had yet been launched; is that correct?

A. That is correct.

52. Q. Was any reconnaissance undertaken prior to Japanese action?

A. Reconnaissance was discussed. We had few heavy bombers. We were sending them, as rapidly as possible, to the southwest, and utilizing the few we had chiefly to train crews for other operations or taking additional planes to the southwest.

53. Q. Can you recall if there were in effect any plans, between 27 November 1941 and the Japanese attack on 7 December, which provided for reconnaissance?

A. As I recall, that was in our joint plan.

54. Q. Can you give us some idea of what this provision was?

A. I think, generally, the Navy was responsible for distance reconnaissance, and the Army for inshore, I believe. I am not positive.

55. Q. Now do you know whether or not there was any conference regarding the matter of reconnaissance after the receipt of the dispatch about 27 or 28 November, that you have [484] been talking about?

A. I am sure there was. I can't state the date, or with whom.

56. Q. Now inasmuch as this message purports to direct the Commanding General to undertake reconnaissance, can you state what was done about it?

A. I cannot.

57. Q. And you can't tell us what the results of this conference was with the Navy on this subject?

A. I don't remember.

58. Q. Can you recall what planes you had in the Hawaiian Department, on or about 6 or 7 December 1941, that were suitable for reconnaissance work?

A. Distant reconnaissance?

59. Q. Yes, distance reconnaissance.

A. As I recall, about a dozen; maybe a few more.

Frank L. Middleton, yeoman second class, U. S. Naval Reserve, reporter, entered. Frank M. Sickles, yeoman first class, U. S. Naval Reserve, reporter, withdrew.

[485] 60. Q. Can you recall whether there were planes suitable for any other sort of reconnaissance than long-range reconnaissance?

A. We had a squadron of small ships, a reconnaissance squadron—I do not recall how many, a small number—at Bellows Field.

61. Q. How far were they suitable for operating at sea?

A. I cannot tell you the range. I do not know.

62. Q. Did you yourself, on and after the time you were informed of the contents of this message which you have examined, Exhibit 19, form any estimate of your own as to the imminence of an attack by the Japanese on the Island of Oahu?

A. At the time of the receipt of this message, we estimated the situation, considering every angle, and arrived at the decision that a sabotage alert was the alert to execute. I concurred in that decision.

63. Q. What I am trying to get at, Colonel, is this: Did you form any estimate of your own based on the information you had on, say, 28 November, 1941, as to whether the Japanese would attack any objective in the Hawaiian area?

A. My personal estimate was that it was possible but not very probable.

64. Q. Did your estimate include the form of attack that might be made by the Japanese?

A. An air attack more probably than any.

65. Q. Would you distinguish whether this air attack was bombing or torpedo, or both?

A. Generally, an air attack, including everything concerned therein.

66. Q. Did you receive any further information officially or in your conversations with your Commanding General after the information set out in Exhibit 19 that led you to believe that an attack on the Hawaiian area was more imminent than it had been?

A. We did not.

67. Q. Can you recall if you received any information whatsoever after having been informed of the contents of Exhibit 19, on the imminence of war between the Japanese and the United States?

A. I do not recall having received any additional information until about 3:30 the afternoon of December 7th.

68. Q. And of course the attack at that time had already been initiated?

A. It had been concluded.

[486] 69. Q. Do you feel that the Commanding General of the Hawaiian Department between 27 November 1941 and the attack on 7 December, kept you fully informed of the developments in the United States-Japanese situation?

A. I do.

70. Q. I show you Exhibit 17, which is in evidence before this court, which is a dispatch from the Chief of Naval Operations to certain naval addressees under date of November 27, 1941. I ask you to inspect this dispatch and to inform the court whether you had seen this dispatch or had been informed of its contents before December 7, 1941?

A. I do not recall having seen that dispatch.

71. Q. Do you feel that you may have seen it and do not remember?

A. That is possible.

72. Q. Colonel, I show you Exhibit 21, which is a dispatch from the Chief of Naval Operations to certain naval addressees under date of 4 December 1941, having as its general subject matter a directive to the Naval Station, Guam, to destroy all secret and confidential publications. I ask you to inspect that message and state to the court whether or not you had either seen the message or had been informed of its contents before the 7th of December, 1941?

A. I do not recall having seen that message.

73. Q. Or having been informed of the contents thereof?

A. That is possible that I was informed. I haven't seen the message.

74. Q. Do you have any present recollection whether you had been informed of the contents?

A. I do not.

75. Q. Colonel, I show you Exhibit No. 22, which is a dispatch from the Chief of Naval Operations to certain naval addressees, under date of 6 December 1941, and which contains a directive which has to do with the destruction of certain codes and publications in outlying Pacific islands. I ask you to inspect this dispatch and state to the court whether or not you had seen the dispatch or been informed of its contents before 7 December 1941?

A. I do not recall having seen that message.

76. Q. Do you recall whether or not you had been informed of the contents thereof?

A. I do not.

77. Q. Colonel, will you give the court to the best of your recollection, what was the organization of the Interceptor Command in the Hawaiian Department immediately [487] preceding 7 December 1941?

A. We were barely in the first stage of organization, I should say, just installing the equipment or attempting to install it. We had no permanent stations installed at the time. We did have a mobile station, as I recall, operating.

78. Q. What I am trying to get at, Colonel, is what the set-up in this Interceptor Command was, what units comprised it, and I mean by "units" such items as planes, aircraft warning communications, and the like, if any of these did comprise the Interceptor Command?

A. The organization was, as I recall, under the Signal Corps and the Air Corps. We had sent a general officer with our department signal officer to the Mainland to go to school and become better acquainted with what we meant as an interceptor command. They had just returned shortly before December 7th—I can't give you the date—and the organization was just in the making.

79. Q. Did this Interceptor Command include an information center?

A. Ultimately it did. I'm not sure that it was functioning at that time.

80. Q. Then if it were functioning at that time, your answer is that you do not remember?

A. I do not remember.

81. Q. Then you probably could not state what the set-up was in this Interceptor Command prior to 7 December, 1941?

A. I cannot.

82. Q. Can you recall if there was any system in effect in the Hawaiian Department immediately prior to 7 December 1941 for keeping the proper officials informed on the movement of friendly planes in the area so as to be able to distinguish between friend and enemy if enemy planes approached?

A. I do not.

83. Q. You do not remember?

A. I do not remember.

84. Q. Can you recall what the system was for the daily operation of your aircraft warning system between 27 November 1941 and 7 December, 1941?

A. As I recall, it was operated on more or less a training schedule, with the idea of training operators chiefly.

85. Q. Do you know what the scheduled hours for this operation were?

A. I cannot say. I do not remember.

[488] 86. Q. Can you recall whether it was in the morning, in the afternoon, or in the evening?

A. It was in the morning, but what hours or why that particular time, I cannot remember.

87. Q. You say you feel it was in the morning?

A. That is right.

88. Q. Can you remember whether it was before daybreak, or after daybreak?

A. I do not recall.

89. Q. Do you know whether or not during these periods during which the aircraft warning systems were manned, there was an officer in charge of the aircraft warning system in the pursuit command?

A. I do not remember, but I'm sure there must have been.

90. Q. Can you recall whether or not on the morning of 7 December 1941 there was scheduled to arrive in the Hawaiian area a flight of friendly planes?

A. There was. As I recall, 13, B-17s came in during the attack, or about 13.

91. Q. What I am trying to ascertain, Colonel, is this: Was the flight scheduled, and if it was, do you know the hour that the flight was due to arrive on the Island of Oahu?

A. I do not.

92. Q. Can you remember whether, between October 1, 1941 and December 7, 1941, any joint Army and Navy drills were held involving long-range air reconnaissance?

A. I do not remember.

93. Q. Can you recall whether or not there were any drills held between the same period involving Navy fighters and Army pursuit ships?

A. I do not remember.

94. Q. Adverting to the morning of 7 December 1941, do you have any knowledge of a radar track having been kept of incoming planes which afterward turned out to be Japanese, or of these same planes when they made a return?

A. There was such a radar track.

95. Q. Was it for both incoming and outgoing, or for just one?

A. I cannot say. I do not know.

[489] 96. Q. What is your information on this radar track?

A. I saw the track several days subsequent to December 7th but I'm not a radar man.

97. Q. Did this track show whether or not it was for retiring planes, or for incoming planes? Can you remember that?

A. I do not remember that.

98. Q. Specifically when, after 0755 on 7 December 1941, did you become acquainted with the existence of this radar track, to the best of your knowledge?

A. I do not remember.

99. Q. Can you recall when you first became aware that an enemy was attacking in the Hawaiian area?

A. According to my watch, it was 7:58 a. m., December 7th.

100. Q. What was the information that you had that led you to believe that this was an enemy attack?

A. I was out in my quarters. I received a telephone message. I received a number of telephone messages immediately thereafter from Hickam Field. The first message, the adjutant general at Hickam Field relayed to me at once, I informed the Commanding General immediately, who lived in the adjoining quarters, ran to my office, issued the order for the all-out alert which the General had directed. That all occurred within a very few minutes.

101. Q. What was the message you got from Hickam Field?

A. That we were being attacked by Japanese planes. The explosions were going on at the time. It was very evident.

102. Q. Can you remember how long after you gave the directive for the general alert that it took to man the anti-aircraft guns for the defense of the naval base at Pearl Harbor?

A. I do not remember.

103. Q. Can you recall whether or not this general alert included the matter of pursuit planes getting aloft?

A. I believe it did.

104. Q. Do you know of your own knowledge whether or not any Army pursuit ships did get off the ground after the initiation of the Japanese attack at 0755 7 December 1941?

A. I do. They did.

105. Q. About how long did it take them to get into the air?

A. I do not know.

[490] 106. Q. Can you state approximately how many pursuit ships did get in the air at that time?

A. I cannot.

107. Q. Do you know whether or not any bombers were able to take the air after the general alert you have described?

A. I do not.

The interested party, Admiral Harold R. Stark, U. S. Navy, stated that he did not desire to cross-examine this witness.

Cross-examined by the interested party, Rear Admiral Husband E. Kimmel, U. S. Navy, (Ret):

108. Q. Sometime on Sunday morning, 7 December, did you telephone Chief of Staff, General Marshall?

A. I did.

109. Q. About what time was that, Colonel Phillips?

A. As I recall, that was about 8:22.

110. Q. That would be Hawaiian Time?

A. That is right.

111. Q. How long did it take to get the call through?

A. Not very long. I should say maybe five, maybe ten minutes; not over that.

112. Q. Was the connection good?

A. Excellent.

113. Q. Now, will you relate as accurately as you can recall just what you said and what General Marshall said?

A. I told the Chief of Staff—I think I first got the secretary of the General Staff, Colonel Smith. I asked for the Chief of Staff and was connected with him. I told him that we were under an attack by the Japanese. I gave him what information I had as to the

casualties and the destruction by that time. He replied, "Did you get my message?" My reply, "What message?" His reply, "The message I sent yesterday", I believe, or "last night".

114. Q. "The message I sent yesterday or last night?"

A. Well, I'm not sure exactly.

115. Q. But it was either one of the two?

A. Yes, sir. My reply, "We did not".

116. Q. And that was about all?

A. That was about all that I recall. This is all that I recall.

[491] 117. Q. Was the call shifted on the Washington end to someone else?

A. I do not know.

118. Q. And repeated by you at the request of General Marshall to somebody else in the office?

A. It was not.

119. Q. It was not?

A. It was not repeated by me.

120. Q. It was not repeated?

A. It was not repeated by me to somebody else in the office.

121. Q. What time did you get the dispatch that General Marshall did send?

A. About 3:30 the afternoon of December 7th.

122. Q. I show you Exhibit 48 in these proceedings and ask if that is a copy of the message that was received?

A. I do not know.

123. Q. You saw it when it came?

A. I saw it and immediately dispatched it by officer messenger in my office to General Short.

124. Q. He was then at some—

A. He was at the forward echelon, as we called it, up in the crater at his forward command post. I was at Fort Shafter.

125. Q. Do you have any knowledge as to when that message was received in Hawaii, as distinguished from being received by you, I mean?

A. Not of my own knowledge. I have been told that it came in sometime that morning. It was sent, as I recall, over the Radio Corporation of America lines.

126. Q. Do you have any knowledge as to when it was dispatched in Washington?

A. I have not.

The interested party, Admiral Claude C. Bloch, U. S. Navy, (Ret) stated that he did not desire to cross-examine this witness.

Examined by the court:

127. Q. Colonel, are you familiar with the publication, "Joint Action of the Army and the Navy"?

A. Yes, sir.

[492] 128. Q. I think you answered a question with reference to the responsibility for the defense of Pearl Harbor, in which you said it was a joint responsibility?

A. I was familiar with those, with the provisions. I haven't seen them for two years and a half.

129. Q. Did you answer that it was a joint responsibility? Am I correct in my recollection?

A. I think my reply, sir, was to the effect that, as I recalled, it was generally a joint responsibility. That is what I meant to say.

130. Q. This publication, "Joint Action of the Army and the Navy", is still in effect, isn't it?

A. I do not know.

131. Q. It was effective on December 7, 1941?

A. I believe it was, sir.

132. Q. Do you know what the responsibility of the Army and Navy was, respectively, under this Joint Action, and also under any agreements that may have been entered into between the Commandant of the 14th Naval District and the Commanding General of the Hawaiian Department, as to the responsibility for the defense of Pearl Harbor?

A. I undoubtedly knew at the time. I do not recall specifically at this time.

133. Q. Don't you consider that it is a matter of such great importance that it couldn't possibly leave your mind as Chief of Staff to the Commanding General?

A. I have been away entirely from that office for many months, Admiral, been on an active combat front, and haven't thought of Pearl Harbor for some time.

The question was repeated.

A. I consider it is of great importance, sir, but I cannot answer the question. I do not remember.

134. Q. You testified to the effect that you didn't remember whether you had Alert No. 1 or Alert No. 3; is that correct?

A. I remember definitely, sir, that it was the sabotage alert. We called them the sabotage alert, the half-out, and the all-out, rather than 1, 2 and 3. I do not at present recall. It is a matter of record in the standard operating procedure.

135. Q. Aren't the Army designations of alert still in effect as 1, 2 and 3?

A. Those were numbers that were adopted in the Hawaiian Department merely for convenience.

[493] 136. Q. But not in general throughout the Army?

A. No, sir.

137. Q. And you don't recall a distinction now between 1 and 3?

A. I recall the distinction, sir, but I'm not sure whether the sabotage alert was No. 1 or No. 3.

138. Q. I'm not talking about the sabotage alert. I am talking about your knowledge of conditions 1 and 3 of the alert. You mean that you are just confused as to the numbering?

A. That is right; that is right exactly.

139. Q. When important dispatches such as the judge advocate has shown you here during your testimony were received by the Commanding General, did he discuss them with you at all?

A. Yes, sir, generally.

140. Q. Then if General Short had seen those dispatches, would he assume that you saw them, or would that be a correct assumption?

A. I may have seen them, but the correct assumption would be that if I did not see them, he discussed them with me.

141. Q. Colonel, you stated that in your opinion an air attack was more probable than any other; an air attack on Hawaii?

A. That was my personal opinion, yes, sir.

142. Q. Upon what was that opinion based?

A. The enemy's capabilities.

143. Q. Did you know anything about the enemy's capabilities or dispositions?

A. Nothing definite, no, sir.

144. Q. In other words, your personal opinion was not based on any definite information?

A. That is right.

145. Q. Simply a question of opinion?

A. Personal opinion.

146. Q. Did you receive any message that certain planes were 132 miles from Honolulu, in a northeasterly direction, on the morning of 7 December 1941?

A. I did not.

147. Q. In general, did you accompany General Short when he made official visits and otherwise to Admiral Kimmel?

A. In general, I did.

[494] 148. Q. Were they on speaking terms?

A. Certainly.

149. Q. Officially and personally?

A. Yes, sir; and socially.

150. Q. What do you consider their relationship, both personally and officially?

A. Very friendly.

151. Q. Cordial?

A. Very cordial.

152. Q. Have you any knowledge of any disputes among them?

A. None.

153. Q. Or controversies?

A. No, sir.

154. Q. In other words, your opinion was that there was very close cooperation, not only between the General and the Admiral, but between their subordinates?

A. Exactly.

155. Q. What is that?

A. Yes, sir.

156. Q. From your knowledge as Chief of Staff of the General, did you consider the material condition of readiness of the Army adequate to defend Hawaii?

A. I did not.

157. Q. To your knowledge, was there a free exchange of information between the Commanding General of the Army and the Commander-in-Chief of the Pacific Fleet?

A. There was.

158. Q. Have you any knowledge of the conditions relative to drinking or intoxication of Army personnel on the night of 6-7 December, 1941?

A. I have.

159. Q. What was that condition so far as you know it?

A. Purely normal; no excess whatsoever; no drunkenness. There had been no officer in the Army tried for drunkenness or charges preferred during my tour in the Hawaiian Department.

160. Q. This applied also to officers, as well as men, did it?

A. In the Hawaiian Department. I cannot say as to the charges preferred against men but I can say that there was nothing excessive or anything of that kind on December 6th, 5th, or any other time in that immediate period.

[495] 161. Q. What was the condition of Army personnel and Naval, so far as you were able to see them, at the time of the attack on the morning of 7 December, 1941, with reference to their fitness for duty?

A. There were no cases or any indication of anything except top condition at that time.

Frederick T. Lachat, yeoman first class, U. S. Naval Reserve, reporter, entered. Frank L. Middleton, yeoman second class, U. S. Naval Reserve, reporter, withdrew.

162. Q. In other words, they were all fit for duty and were on the job?

A. All that I came in contact with.

None of the parties to the inquiry desired further to examine this witness.

The court informed the witness that he was privileged to make any further statement covering anything relating to the subject matter of the inquiry which he thought should be a matter of record in connection therewith, which had not been fully brought out by the previous questioning.

The witness stated that he had nothing further to say.

The witness was duly warned and withdrew.

The court then, at 11:05 a. m., took a recess until 11:25 a. m., at which time it reconvened.

Present: All the members, the judge advocate, the reporter, the interested parties and their counsel, except Admiral Harold R. Stark, interested party, whose counsel were present.

No witnesses not otherwise connected with the inquiry were present.

A witness called by the judge advocate entered, was duly sworn, and was informed of the subject matter of the inquiry.

Examined by the judge advocate:

1. Q. Will you state your name, rank, and present station?

A. Walter S. DeLany, Rear Admiral, U. S. Navy, Assistant Chief of Staff on the staff of the Commander-in-Chief of the U. S. Fleet.

[496] 2. Q. What duties were assigned you in 1941?

A. In the beginning of the year I was Chief of Staff of Group 4 and on the staff of the Commander-in-Chief of the U. S. Fleet.

3. Q. When did you assume the duties of Chief of Staff for Operations on the staff of the Commander-in-Chief, U. S. Fleet?

A. When Admiral Kimmel assumed command, which, as I recall it, was about the 1st of February, 1941.

4. Q. There is evidence before this court that the U. S. Pacific Fleet was based in the Hawaiian Islands during the year 1941. I will ask you to discuss the problems attendant to basing the U. S. Pacific Fleet in that area under the heading, first, of materiel.

A. Well, materiel for getting the Fleet ready for war requirements was hard to get. The normal flow seemed to be toward the Atlantic, and this applies particularly to items such as radar, anti-aircraft guns, bombs, and planes.

5. Q. The second is with regard to supplies.

A. Generally speaking, except for the items mentioned above, the Pacific Fleet was well supplied.

6. Q. What about the morale of personnel?

A. I think the morale was high—as high as could be expected under the circumstances. There were continued rumors of the Fleet's returning to the West Coast, which upset the people to a certain extent. There were few recreational facilities on the Island for the number of personnel in the Fleet, and transportation between Pearl Harbor and Honolulu was difficult. A combination of all these things, I think, made it difficult to maintain the high standard of morale that I think we did maintain.

7. Q. What about training?

A. The Pacific Fleet was divided into three task forces. That permitted an operating schedule, which, in my opinion, gave plenty of time for training and overhaul. The training was realistic, in that the ships were required to steam darkened in war time dispositions. The training was emphasized so as to be of an inter-type nature, which included aircraft, submarines, and all types of service forces. I had never seen the Fleet organized and trained under more warlike conditions, and I believe the training conducted during this period, within the personnel and materiel available, prepared them and readied them for war. I think the basic organization of the Fleet was greater, and that is substantiated by the fact that the Fleet has operated in generally that organization during the war. In port, the training was not confined merely to readying the ships for possible war at sea, but also in defense of the base at Pearl Harbor, and the training which was conducted in port was all joint, in that the Army Air [497] Forces always participated. Generally speaking, at sea the exercises were practically of a joint nature, too, in that the Army conducted joint exercises as pertains to range-finder checking and based on artillery defense training. Their aircraft usually participated with the Fleet in training exercises. The training was not confined to any particular area, because we operated both to the northern and to the southern of the Island.

8. Q. From your experience as Fleet Operations Officer, what was your view in 1941 of the correctness of the continuing decision to base the Pacific Fleet at Pearl Harbor?

A. From my own personal point of view, I could see no reason for maintaining the Pacific Fleet in the Pearl Harbor area as a threat to Japan. If it had to be maintained out there to get funds for the matériel and logistic development of Pearl Harbor, then, the retention has paid dividends.

9. Q. From your official position on the staff of the Commander-in-Chief, will you state what views you held between November 27, 1941, and December 7, 1941, on the question of the imminence of war between the United States and Japan?

A. Well, I knew Japan was on the move, but I believe that the direction of the movement was toward the Malays or toward Thailand. If, in doing that, they had committed an overt act against the United States, what attitude the United States would assume in that case was questionable to me. As a matter of fact, that whole subject was very much, confused in my mind, because as I

saw it, the Pacific Fleet had not been given any clear-cut view of the attitude which the Government was assuming toward Japan.

10. Q. During the same period of time, what were your views, if you had any, with reference to a surprise attack on the U. S. Pacific Fleet?

A. I never thought there would be an air or surface ship attack on the Pacific Fleet at that time.

11. Q. You mean the Pacific Fleet at Pearl Harbor?

A. Yes, I never thought that Japan would initiate a war by an attack on the Pacific Fleet, because even though that would gain some temporary tactical supremacy, I thought it would be an act which would hasten the defeat of Japan, that an attack on the Pacific Fleet would wake up America with a bang more than anything else except an attack on the mainland. In addition to that, and referring to the dates of November 27 and December 7, I think we had information indicating that the Japanese Fleet was primarily based in the Empire, and then, too, we were in the throes of long discussions between the Army and Washington on the changing of defense battalions on the outlying islands, the withdrawal of certain aircraft from the bases in the Pacific and substituting Army for Marine planes. A combination of all these [498] things just strengthened my belief that a surprise air surface ship attack would not be made.

12. Q. Had you ever considered the possibility of an air attack on units of the U. S. Pacific Fleet in Pearl Harbor, and if you had, will you tell the court what form of attack you estimated they would most probably make?

A. In my opinion, an attack on Pearl Harbor or an attack in the area of Pearl Harbor would have been made by submarine. I think there was evidence of submarines around there before on these dates that you mentioned.

13. Q. In answer to my last question, Admiral, you discussed submarine attack. My question referred specifically to an air attack on units of the U. S. Pacific Fleet in Pearl Harbor.

A. Well, my answer to your former question applies. I did not think there would be an air or surface ship attack on ships at Pearl Harbor.

14. Q. Did you form any estimate, if the attack were made, of the manner in which it would develop, that is, by bombing or by torpedo plane?

A. No, I didn't, but it would be natural to presume it would be made by both.

15. Q. What were your views in late November, 1941, as to the possibility of an aircraft torpedo attack on units of the Pacific Fleet moored or anchored in Pearl Harbor?

A. From information which I had, I felt the depth of water in Pearl Harbor was such that torpedoes could not be successfully launched from aircraft against ships moored in Pearl Harbor.

16. Q. Had this view been influenced by any opinions from the Navy Department?

A. Yes, because I believe there is information available in letters of the Chief of Naval Operations to the effect that—at least, as I recall it—ten to eleven fathoms were required for torpedo launching.

17. Q. Do you have any recollection as to whether the view of the Chief of Naval Operations was modified in respect to the depth of water in which torpedoes might be launched?

A. No, I do not.

18. Q. Do you know what condition of readiness was being maintained in units of the Pacific Fleet in Pearl Harbor between November 27, 1941, and December 7 of the same year?

A. Generally speaking, no, except I know what conditions of readiness were defined in the security letter of the Commander-in-Chief, and I know it had been prescribed what guns were to be manned and what the condition of readiness for ammunition was to be.

[499] 19. Q. Did you, during this period of time, have any personal views as to the adequacy of this state of readiness which was being maintained?

A. I felt it was satisfactory.

20. Q. Did you know during this same period of time what condition of readiness for aircraft was being maintained in subordinate commands of the Fleet?

A. Generally speaking, no, but I knew what the plane requirements were for training activities and generally what was being done to maintain and prepare planes for their operations.

21. Q. Immediately prior to December 7, 1941, do you know whether there was any aircraft reconnaissance being conducted from Pearl Harbor or its environments?

A. Generally speaking, all reconnaissance was conducted in connection with training flights.

22. Q. Specifically, do you know whether there was any reconnaissance of Fleet operating areas during this period of time?

A. Yes, the operating areas were under constant patrol.

23. Q. Do you recall a so-called war warning message dated approximately November 27, 1941?

A. Yes.

24. Q. Do you recall whether or not any additional aircraft reconnaissance was undertaken after the receipt of this message?

A. I think not.

25. Q. Do you know of any reasons for not making additional reconnaissance?

A. The primary reason was that there were not enough planes and pilots and the requirement for getting planes in operation condition, so far as guns and bullet-proof tanks were concerned.

26. Q. What facilities did a prospective enemy have for appraising itself of the ships which were in Pearl Harbor?

A. Well, Pearl Harbor is sitting in plain view of everybody, and I presume if anybody wanted to pass out information or get it out of Honolulu, he could send it any place he wanted.

27. Q. Did task force units operate according to a certain well-defined procedure, being at sea so many days and being in Pearl Harbor so many days?

A. The operating schedule provided a varying length of time when ships would be at port and at sea, and there was no regular pattern of sorties, entrances, and operating periods.

[500] 28. Q. Suppose, for example, that an enemy spy saw a task force coming into Pearl Harbor on November 28, 1941. Would that be any basis for a presumption on the part of the spy that those ships might remain in port for a certain fixed period of time, such as a week, ten days, or two weeks?

A. I think it would be logical for him to presume that when the ships came into port, they did so for logistic requirements and overhaul.

29. Q. Can you recall whether there were any restrictions on outgoing communications from the Hawaiian area to foreign countries for the period immediately preceding December 7, 1941?

A. Not that I know of.

30. Q. Would it have been possible for any person in the Hawaiian area to have sent any sort of mail communication he wished without censorship?

A. I presume so.

31. Q. Does that apply to radio messages?

A. I don't know, but I would presume so.

32. Q. From your own naval experience in matters relating to a current estimate of the situation, do you consider it an important factor to keep well informed on the location and probable movements of a prospective enemy?

A. Yes, it is highly important that you do that, but to do it you must be able to get the information either through your own organization or you must depend on someone outside your organization to give you all the information that is available to them and not available to you.

33. Q. Do you have any information on whether or not any Japanese interests were endeavoring to keep currently informed on the location and movements of the units of the Pacific Fleet immediately preceding December 7, 1941?

A. Not from any information that I recall that was available to us in Pearl Harbor or had been furnished to us from any other source.

Cross-examined by the interested party, Admiral Harold R. Stark, U. S. Navy:

34. Q. Admiral, referring to your testimony concerning torpedoes running in the waters at Pearl Harbor, I show you a document, which is before this court as Exhibit 55, dated June 13. Will you read this to yourself, particularly the second paragraph, and state to the court whether you had that in mind when you gave the testimony?

A. No, I did not. I was not referring to this letter.

[501] 35. Q. You, of course, were familiar with the naval war plans which were current in the latter half of 1941, were you not?

A. I think generally, yes.

36. Q. Did you know that that plan was based upon a joint Army and Navy plan? I show you Exhibit 4 in that connection.

A. I think so, yes.

37. Q. Referring to your testimony concerning your own personal doubts as to the policy of the United States in its relations with Japan, did you think during those days that under the circumstances which did exist there were any deficiencies in WPL-46 or that there were any parts of it which were wrong?

A. The plan could not have been executed, in my opinion, with the forces which were available in the Pacific Fleet.

38. Q. Couldn't the official task have been carried out?

A. Some of them, yes, sir.

39. Q. What was the official task?

A. To take the offensive on mobilization and raid certain islands.

40. Q. Now, in any relationship between that plan and what you said about your doubts or lack of knowledge concerning national policy between the two nations, did you see any amendment which could have been made to those plans that you'd have been helpful?

A. Well, I do not think that the plans as laid out here, or that you are discussing here, are entirely applicable to the question of whether or not the Commander-in-Chief was informed of national policy.

[502] Frank L. Middleton, yeoman second class, U. S. Naval Reserve, reporter, entered. Frederick T. Lachat, yeoman first class, U. S. Naval Reserve, reporter, withdrew.

Cross-examined by the interested party, Rear Admiral Husband E. Kimmel, U. S. Navy, (Ret):

41. Q. Will you please read the entire letter of 13 June which Admiral Hart showed you relative to the torpedo baffles, to yourself; were you familiar with that letter when it was received by the Commander-in-Chief?

A. Yes, sir, and I think that my statement in my testimony was based on Paragraph 3 of this letter.

42. Q. Specifically, do you care to change the opinion that you expressed in your direct testimony in view of your memory being refreshed by having presently read the letter of 13 June?

A. If I recall correctly, I said there was a Vice-Chief of Naval Operations' letter which stated that 10 or more fathoms were required for launching torpedoes, and as I read here, I believe that the statement I made refers to Paragraph 3 of this letter.

43. Q. I show you a document, Admiral DeLany. Can you identify it?

A. I don't know whether I have seen it before, or not.

44. Q. Well, can you identify it now?

A. Well, it is a fortnightly summary of the current national situation as prepared by ONI dated 1 December 1941 and signed by T. S. Wilkinson, Captain, U. S. Navy, Director of Naval Intelligence.

The fortnightly summary of the current national situation as prepared by Office of Naval Intelligence, dated 1 December 1941, signed by T. S. Wilkinson, was submitted to the judge advocate and to the interested parties, and by the interested party, Rear Admiral Husband E. Kimmel, U. S. Navy, (Ret) offered in evidence for the purpose of reading therefrom such extracts as may be deemed pertinent to the inquiry.

There being no objection, it was so received, marked "EXHIBIT 57" for reference, description appended.

45. Q. Will you read Paragraphs (a) and (c), please, Admiral?

A. (Reading:)

(a) The Diplomatic Situation. 1. Japan. Unless the Japanese request continuance of the conversations the Japanese-American negotiations have virtually broken down. The Japanese government and

press are proclaiming loudly that the nation must carry on resolutely the work of building the Greater East Asia Co-prosperity Sphere. The press also is criticizing Thailand severely. Strong indications point to an early Japanese advance against [503] Thailand.

(c) The Japanese Naval Situation. Deployment of naval forces to the southern 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 Indo-China and Formosa 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 forces; 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 greater proportion of carriers.

46. Q. Did you have any information in Pearl Harbor prior to 7 December contrary to the information in this report from ONI which you have just read?

A. Not to my knowledge.

47. Q. I ask you if you can identify this document, Admiral DeLany?

A. Yes, sir. This was issued while I was still operations officer in the staff of the Commander-in-Chief of the Pacific Ocean areas. It is a Pacific Fleet Confidential Letter 23CL-42 issued by the Commander-in-Chief of the United States Pacific Fleet to the Pacific Fleet which prescribes battle organization and condition of readiness, watches at sea. It lists the batteries, including main AA and automatic weapons, and it is signed by Admiral C. W. Nimitz. It has as Enclosure A, a copy of Reference (a), which was issued by the Commander-in-Chief of the Pacific Fleet on the 21st of February, 1941, which has as its subject, "Battle organization and condition watches", signed by H. E. Kimmel.

The Pacific Fleet Confidential Letter 23CL-42 dated 6 May 1942, signed by Admiral C. W. Nimitz, and Enclosure A thereof, was submitted to the judge advocate and to the interested parties, and by the interested party, Rear Admiral Husband E. Kimmel, U. S. Navy (Ret.) offered in evidence, for the purpose of reading therefrom such extracts as may be deemed pertinent to the inquiry.

There being no objection, it was so received, marked "EXHIBIT 58" for reference, description appended.

[504] 48. Q. Is it fair to state that the effect of the letter, Exhibit 58, is a re-issue by Admiral Nimitz under date of 6 May 1942 of the letter of Admiral Kimmel under date of 21 February 1941?

A. Yes, sir, because the letter of 6 May 1942, signed by C. W. Nimitz, states, "Enclosure (A) is a copy of Reference (a)," and Reference (a) is CinCPac Confidential Serial 0300 of 21 February 1941, and CinCPac Serial 0300 of 21 February 1941 is the Commander-in-Chief, Pacific Fleet's letter of battle organization and condition watches signed by H. E. Kimmel.

49. Q. Will you read Enclosure (A) to Exhibit 58, omitting Paragraphs 10, 11, and 12, which I do not consider sufficiently important or pertinent to warrant taking the time of the court in reading?

The witness read Enclosure (A) to Exhibit 58, except Paragraphs 10, 11 and 12, copy appended.

50. Q. I show you another document, Admiral DeLany, and ask you if you can identify it?

A. Yes, sir. This is a letter that was issued by the Commander-in-Chief of the Pacific Fleet, Commander-in-Chief of the United States Fleet, outlining the airplane situation in the Hawaiian area, dated 7 January 1942, and signed by the Commander-in-Chief of the Pacific Fleet, C. W. Nimitz. It has as an enclosure, ComPatWing Two, Secret Letter 0033, December 30, 1941.

The letter issued by Commander-in-Chief, Pacific Fleet, Commander-in-Chief of United States Fleet, signed "C. W. Nimitz", and enclosure, ComPatWing Two, Secret Letter 0033 dated Dec. 30, 1941, were submitted to the judge advocate and to the interested parties, and to the court, and by the interested party, Rear Admiral Husband E. Kimmel, U. S. Navy (Ret.), offered in evidence for the purpose of such future use as may be desired to be made of it.

There being no objection, it was so received, marked "EXHIBIT 59" for reference, description appended.

The interested party, Admiral Claude C. Bloch, U. S. Navy, stated that he did not desire to cross examine this witness.

Examined by the court:

51. Q. Admiral, to your knowledge, was any M-Day set prior to 7 December 1941?

A. No, sir.

[505] 52. Q. Was there any order to mobilize the Fleet?

A. No, sir.

53. Q. Do you consider that the Fleet was mobilized?

A. No, sir.

54. Q. In what way was it not mobilized?

A. Deficiencies in personnel, material, logistics in support.

55. Q. Are you familiar with Joint Army and Navy Plan and Agreement as to defense of the Hawaiian Islands?

A. Prior to 7 December?

56. Q. Prior to 7 December.

A. Yes.

Frank Murrell Sickles, yeoman first class, U. S. Naval Reserve, reporter, entered. Frank L. Middleton, yeoman second class, U. S. Naval Reserve, reporter, withdrew.

[506] 57. Q. Under this plan whom do you consider as responsible for the defense of the Hawaiian area and Pearl Harbor?

A. The Army is responsible for the defense of Pearl Harbor.

58. Q. In your position on the staff of the Commander-in-Chief of Pacific, were you conversant with official messages received by him from the Navy Department and Chief of Operations regarding the Japanese situation?

A. Yes, I think I saw all messages.

59. Q. Did you at that time feel that the Commander-in-Chief, Pacific, was receiving full information, so as to give him complete knowledge of existing conditions between this country and Japan?

A. No, sir, I did not.

60. Q. Will you please state why, and in what respect?

A. I believe that the negotiations and discussions in Washington were not fully reported to the Commander-in-Chief.

61. Q. Do you have reference, Admiral, to the period 27 November to 7 December, especially, or in the whole period?

A. The whole period.

62. Q. Will you please state to the court how you interpreted the message of 27 November? We refer to the message sent by the Chief of Naval Operations to the Commander-in-Chief, Pacific Fleet, and referred to as the "war warning" message?

A. Well, sir, I think I have expressed my opinion on that question before, when I said I believed that Japan was on the move. I thought that they were moving to the southward, and that what the position of the United States would be as to what it would regard as an overt act was questionable.

63. Q. What was your interpretation, specifically, as to the phrase, "war warning", and what did it mean to you?

A. Just what I have said, sir, that Japan was on the move.

64. Q. Did you interpret this as immediate attack by the Japanese on the United States?

A. No, sir.

65. Q. When was the O. N. I. bulletin of December 1, 1941, which was presented to you a few minutes ago, received in the office of the Commander-in-Chief Pacific?

A. I cannot answer. I don't remember.

66. Q. Do you know whether or not it was received prior to 7 December 1941?

A. No, sir, I cannot say, but the information that appears [507] in that bulletin, in my opinion, as I recall it, had been probably received from the estimate of the situation or the information that was put out by the 16th Naval District, prior to that time—as I recall the thing.

67. Q. In your position as one of the officers of the staff of the Commander-in-Chief, Pacific Fleet, did you come in contact with and discuss matters of mutual interest with Army officials?

A. Yes, sir.

68. Q. Will you please state to the court what kind of cooperation existed and what the relationship existing was between Army and Naval officers at that time?

A. I think there was a complete understanding, not only between the officers in the high echelon—I refer to Admiral Kimmel and General Short—but also a complete understanding between the officers of Admiral Kimmel's staff and their opposite numbers in the Army organization. There was complete cooperation, I will say, instead of "complete understanding."

69. Q. In other words, so far as you know, a cordial relationship and a friendly relationship existed between the Commander-in-Chief Pacific Fleet and General Short?

A. Definitely so, sir.

70. Q. Have you heard rumors to the effect that such relationship did not exist, that these officers were not on speaking terms, and that there was no coordinated effort between the Army and the Navy?

A. Yes, sir, I have read it in the press, and I think there is an article in this week's "Collier's" which refers to the unfortunate relationship that existed between those two individuals.

71. Q. Have you any knowledge of from what sources these rumors emanated?

A. No, sir, I haven't any idea from what sources they emanated, and I believe that the individuals that would start them are attempting to malign the individuals that are concerned.

72. Q. What was the principal mission of the Pacific Fleet at this time? We refer to the latter part of 1941.

A. I think it was training.

73. Q. Had there been any order received from higher authority in Washington to discontinue this training, or to lessen the training?

A. No, sir, not that I remember.

74. Q. As an operations officer of the Fleet, were you conversant with the conditions of material readiness and the deficiencies of material in the Fleet? [508]

A. Yes, sir.

75. Q. And we understand that you have stated that there were certain deficiencies?

A. Yes, sir.

76. Q. In your opinion, was there an inadequacy of material equipment for ships of the Fleet?

A. Definitely so in particular items, as I mentioned—radar, anti-aircraft equipment, airplane bombs, airplanes themselves.

77. Q. Will you please state to the court the reasons why certain ships were in Pearl Harbor on the morning of 7 December?

A. They were in Pearl Harbor on the morning of 7 December, as I recall it, in accordance with the operating schedule of the Pacific Fleet.

78. Q. Was it necessary that these ships there present return to Pearl Harbor for any reason?

A. Well, there weren't enough oilers to refuel them at sea. They had to come back for incidental repairs and recreation of the crew.

79. Q. On the night of 6-7 December, what, in your opinion, was the condition of officers and men as to sobriety?

A. I have no way of answering that question, Admiral. I was in my own home on that night, and I don't know what the condition was. If you can take the general set-up there in the Hawaiian area, I think that you could say that they were sober, because I don't believe that there was any excessive drinking in the area.

80. Q. In your opinion was there any truth in this gossip, that was afterwards spread, that there were numerous officers intoxicated and men intoxicated at that time?

A. I think that the rumor is a very definite untruth.

81. Q. What, in your opinion, was the condition of officers and men at the time of the attack on 7 December, the morning of 7 December? We refer to fitness for duty.

A. I think they were fit for duty, and the evidence of that fact is that they did perform their duty well.

82. Q. Throughout your tour of duty as Assistant Chief for Operations, was there any evidence on the part of the Commander-in-Chief, Pacific Fleet, of any attitude other than [509] a persistent desire to arrive at a high state of readiness for war, and any action other than a single-minded, intelligent effort toward the attainment of this objective?

A. Most definitely not. I think that any bit of information that is available in the files of the Navy Department will show that his one

single thought was intensive training and preparation, and in readiness of the fleet for war, not only to the extent of requiring that personnel that was necessary to man the ships should be provided, but also in his insistent efforts to get material into the ships.

83. Q. Do you know of any case of disaffection, inattention to duty, carelessness, or irresponsibility, on the part of any individual or individuals which would tend to defeat the success of this effort?

A. No, sir, I do not.

Recross-examined by the interested party, Admiral Harold R. Stark, U. S. Navy:

84. Q. Admiral, referring to your statement to the effect that the Pacific Fleet had not been given any very clear-cut view as to the attitude the United States was assuming towards Japan, you know, of course, that questions of that sort were decided on very high political levels, did you not?

A. I had no idea who was formulating the policy back here, other than it was natural to presume that that would be the status.

85. Q. Did you ever hear from Admiral Kimmel or anyone else that the Chief of Naval Operations repeatedly said that he himself could not get answers to many questions of that nature?

A. I think that statement has appeared in personal correspondence which I saw.

86. Q. Your testimony which you gave concerning the 1 December O. N. I. bulletin which you had not received, do you recall having heard from intelligence units in Hawaii an estimate that two or more Japanese carriers were in the Marshall Islands?

A. I have heard that statement made since the 7th of December, but as I recall it, my knowledge prior to the 7th of December, was that there was a small carrier force to the southward of the Philippines, but that the main strength of the Japanese Navy, as pertains to capital ships and carriers, was based in the Empire, and I do not recall having heard, prior to 7 December, that there were two carriers in the Marshalls.

87. Q. Did you think, during those last ten or fifteen [510] days of peace, that you were fully in touch with all information concerning the Japanese, that was available to the Commander-in-Chief?

A. All the information that was available to the Commander-in-Chief of the Pacific Fleet, I felt sure I had seen.

Neither the interested party, Rear Admiral Husband E. Kimmel, U. S. Navy (Ret), nor the interested party, Admiral Claude C. Bloch, U. S. Navy (Ret), desired to recross-examine this witness.

None of the parties to the inquiry desired further to examine this witness.

The court informed the witness that he was privileged to make any further statement covering anything relating to the subject matter of the inquiry which he thought should be a matter of record in connection therewith, which had not been fully brought out by the previous questioning.

The witness stated that he had nothing further to say.

The witness was duly warned and withdrew.

The court then, at 12:45 p. m., adjourned until 9:30 a. m., August 21, 1941.

PROCEEDINGS OF NAVY COURT OF INQUIRY

MONDAY, AUGUST 21, 1944.

[511]

FIFTEENTH DAY

NAVY DEPARTMENT,
Washington, D. C.

The court met at 9:30 a. m.

Present:

Admiral Orin G. Murfin, U. S. Navy (Ret), President.

Admiral Edward C. Kalbfus, U. S. Navy (Ret), Member.

Vice Admiral Adolphus Andrews, U. S. Navy (Ret), Member.

Commander Harold Bieseimer, U. S. Navy, Judge Advocate, and his counsel.

Frank Murrell Sickles, yeoman first class, U. S. Naval Reserve, reporter.

Counsel for Admiral Harold R. Stark, U. S. Navy, interested party, and his counsel.

Admiral Claude C. Bloch, U. S. Navy (Ret), interested party, and his counsel.

Rear Admiral Husband E. Kimmel, U. S. Navy (Ret), interested party, and his counsel.

The record of the proceedings of the fourteenth day of the inquiry was read and approved.

No witnesses not otherwise connected with the inquiry were present.

A witness called by the judge advocate entered, was duly sworn, and was informed of the subject matter of the inquiry.

Examined by the judge advocate:

1. Q. State your name, rank, and present station.

A. Willard A. Kitts, III, Rear Admiral, Assistant Chief, Bureau of Ordnance, Navy Department.

2. Q. State what duties you were assigned between February and December 7, 1941?

A. I was Fleet Gunnery Officer to the Commander-in-Chief, U. S. Fleet, and the Commander-in-Chief, Pacific Fleet.

3. Q. Sir, I show you a drawing showing certain dispositions, apparently in Pearl Harbor. I ask you if you recognize this drawing.

A. I do.

[512] 4. Q. Will you state to the court what that drawing is and what it shows?

A. This white sheet is a copy of the work sheet which was used by the group of officers, including myself, who made up the official report of the attack on Pearl Harbor on 7 December 1941. It was the duty of my division of the staff to prepare an action report. Immediately after Pearl Harbor, Admiral Pye and his staff came over and joined the Commander-in-Chief's Staff. Admiral Pye, in the interim, was acting as Commander-in-Chief. He brought some of his staff officers

with him. Among them were Captain, now Rear Admiral, Allen Smith, and Captain Hall Adlon, who actively prepared this report because my section of the staff was very busy. I worked with them on this and I recognize this as the work sheet we used in drawing the path of the various Japanese attacks on that morning. This white sheet shows a layout of Pearl Harbor Base, the docks, anchorages, and moorings, and indicates thereon the position of the various ships which were in Pearl Harbor on that morning, the morning of the 7th of December, 1941.

The work sheet showing the disposition of vessels in Pearl Harbor on the morning of 7 December 1941, was submitted to the interested parties and to the court, and by the judge advocate offered in evidence.

There being no objection, it was so received, copy appended marked "EXHIBIT 60."

5. Q. You have stated that you were the Fleet Gunnery Officer during your tour of duty between February and December, 1941. Did you perform any additional duties in this capacity?

A. Well, as Fleet Gunnery Officer, I was part of the operational division of the staff, performing duty under Captain, now Real Admiral, Walter DeLany.

6. Q. Did your duties include anything in the nature of fleet training?

A. That was my primary duty as Fleet Gunnery Officer.

7. Q. I suppose that the statement that you were in charge of fleet training also included gunnery?

A. That's right, sir.

8. Q. Can you state what the general efficiency of ships and gunnery was on the 7th of December, 1941?

A. In my opinion, sir, it was the highest state that it had ever reached in times of peace in the history of the Fleet as I have known it.

9. Q. And may I assume that also included anti-aircraft guns?

A. Yes, sir.

10. Q. Now can you state what consideration had been given to Fleet security while in Pearl Harbor, in general terms?

A. Consideration had been given to Fleet security in Pearl Harbor to the extent that in February or March 1941, a [513] fleet circular letter was issued. If I recollect, it was 2CL-41, which laid down the general security measures which were to be taken for the security of the fleet, both at sea and in Pearl Harbor.

11. Q. Was this letter, 2CL-41, which you mentioned, the only written orders concerning the security of the fleet that you recall?

A. There were various operational orders setting forth the mission of various subordinate commanders in the fleet. They were issued from time to time, implementing these security plans. There was also a letter issued in February or March, 1941, and later re-issued, in toto without any change, in the summer of 1942, setting forth the organization of the crews of all the ships in the fleet and the methods of standing conditions-of-readiness watches, the requirement that in general all anti-aircraft guns should have four crews, so that a practically complete anti-aircraft could be manned on the basis of a watch in four. This letter also required the actual firing of target practices by these various crews, four per gun, and provisions or ammunition and a change in the gunnery rules for the

whole Navy were instituted which permitted and insured this training. I do not recollect the file number of that letter, or whether it was a circular or a letter addressed to force and type commanders. It was reissued in the summer of 1942 by Admiral Nimitz, as a circular letter to the fleet, I believe.

12. Q. I show you Exhibit 58, which is now in evidence before the court. Can you state whether or not this is the letter to which you have just referred?

A. Yes, sir. This letter is a letter from the Commander-in-Chief Pacific Fleet to the Pacific Fleet, and has as its enclosure the letter to which I referred. I see the date is the 21st of February, 1941, and it was addressed to the force and type commanders of the Pacific Fleet.

13. Q. Will you state the condition of readiness being maintained in the Pacific Fleet on 7 December, 1941?

A. To the best of my knowledge, nothing less than condition 3 had been maintained at sea for nearly a year prior to the 7th of December, 1941, and to the best of my knowledge port condition 3, or its equivalent, was in effect in port on those two dates. Those conditions of readiness, I might say, are not identical, condition 3, between sea and port.

14. Q. Did the Commandant of the 14th Naval District have any anti-aircraft guns under his control?

A. Only the guns of the fleet, with the possible exception of a battery of 3-inch AA Army type guns which may have been available to a battalion or part of a defense battalion of Marines, which were assembled in Pearl Harbor prior to being dispatched to an outlying base. There were no what might be called Naval shore batteries.

[514] 15. Q. Had any provision been made for the coordination of anti-aircraft fire in the Pearl Harbor area?

A. Yes, sir.

16. Q. Will you state in brief what this was?

A. Well, the harbor defense, or base defense officer in Pearl Harbor, as far as anti-aircraft fire was concerned, was in effect an officer in charge of a command post of the anti-aircraft battery set-up of the whole island area, in that under the provisions of circular letter 2CL, the guns of the fleet were made available in sectors to the base defense officer, for his use in coordination with the Army batteries. The set-up was that the whole anti-aircraft defense of that area was under the command of a Brigadier General in the Army Air Forces, Brigadier General Davidson: he had command of the filter station, the Army fighter command, which used what Navy fighters were available on the island strips. He also had command of the anti-aircraft batteries, heavy and light, the search-light batteries, and under that category came the ships of the fleet in the harbor. The anti-aircraft gun batteries were under the command of a Brigadier General of the coastal artillery corps, AA.

17. Q. What was the detailed method of coordinating these batteries on shore with the guns of the fleet?

A. The anti-aircraft master command post at Fort Shafter communicated with the harbor control post. As I recollect, the actual officer in actual charge was Commander Momsen, in Pearl Harbor.

18. Q. And how in turn did this harbor post get in communication or have control of fire with the fleet?

A. It had control to this extent, that it set the conditions, gave the alerts, warned of the approach of enemy planes, chiefly by signals from the signal tower, but obviously could not actually control the fire of the individual battery or ship. That was the function of the commanding officer.

19. Q. Then, as I understand your answer, this officer in the harbor control post warned the ships of the fleet the condition of readiness, the direction of approach of an enemy, and then the officer in command of that sector in the fleet or the commanding officer of ships in the fleet, undertook the fire control from there on?

A. That is correct, sir.

20. Q. Can you recall whether or not anti-aircraft fire was coordinated in any manner on the morning of 7 December, 1941, at the time of the Japanese attack?

A. Certainly was not coordinated through the normal chain of command as expected to be done, because to the best of my knowledge there was no anti-aircraft fire delivered during the Japanese attack except from vessels of the fleet in Pearl Harbor, and from the fleet machine gun school at Palua, plus, may I add, machine gunfire and rifle fire from marines and sailors in the Navy Yard. I speak of the area immediately [515] around Pearl Harbor, and for the period of the actual attack by the Japanese on that area.

21. Q. Now do you mean by the actual Japanese attack, the period between 0755 on the morning of December 7, 1941, and the remainder of the day of the 7th of December, 1941?

A. I mean up to the period of approximately the middle of the afternoon. I was informed by Army anti-aircraft officers on the 8th of December, that certain fixed Army anti-aircraft batteries which were already emplaced at De Russey, Sand Island, and I forget the name of the fort just beyond Hickam Field—Kamehameha—had actually fired at Japanese planes during this attack. I have no knowledge of that myself. I do have knowledge that the greatest strength of Army anti-aircraft defense was in mobile batteries of 3-inch caliber, AA guns, which were not emplaced on the morning of the 7th of December, 1941.

22. Q. And did the mobile batteries which you have just testified about get into action during the period of the Japanese attack on 7 December, 1941, that you have knowledge of?

A. To the best of my knowledge, no. I was informed in the course of a trip around the whole area on the 8th of December, that the first Army anti-aircraft battery got in position shortly afternoon on that day, the 7th.

23. Q. When did you consider that the last Japanese attack on Pearl Harbor had ended on 7 December 1941?

A. Sometime between 10:30 and 11:00 a. m.

24. Q. As I understand your answer, the mobile batteries did not get into position until after this last attack was over?

A. That is my firm belief.

25. Q. Can you state the number and calibre of Army anti-aircraft guns available on the island of Oahu for the defense of the naval base at Pearl Harbor and other naval installations?

A. I cannot state that exactly, because batteries were rushed in there over a period of several weeks after the attack, and my memory is confused by that factor. I would estimate that somewhere between eight and twelve 4-gun batteries were available.

26. Q. What calibre?

A. 3-inch. 90-millimeter AA guns were available very shortly after the attack, and it may be that one battery of 90-millimeter guns was available in the island at the time of the attack.

27. Q. How many 3-inch guns in a battery?

A. Four, sir.

[516] 28. Q. And that makes a total of how many 3-inch guns?

A. Somewhere between 32 and 48. That is an estimate on my part, however.

29. Q. How many guns in a 90-millimeter gun battery?

A. Four.

30. Q. And how many 90-millimeter guns would you say were available?

A. Perhaps one battery.

31. Q. Do you know where the Army quartered the gun crews that manned the guns that were in fixed emplacements?

A. I can't testify to all of this to my exact knowledge. This is information I picked up before and afterwards. I didn't actually see all this, but to the best of my knowledge and belief, they were quartered in their barracks.

32. Q. Where?

A. Some at Fort Shafter and Fort De Russy, the various forts around that area, and the guns themselves were in the gun parks.

33. Q. During your tour of duty as fleet gunnery officer, had you given consideration to an aircraft torpedo attack on vessels of the Pacific Fleet in Pearl Harbor?

A. Yes, sir.

34. Q. What were your views on the possibility of such attack taking place?

A. My views were that the particular kind of aircraft attack, namely, by torpedoes, was possible in Pearl Harbor. In that, we had considered counter measures, such as nets and balloon barrages. The feeling in general in my own mind was that the feasibility of a successful torpedo attack in Pearl Harbor—to my mind, that was minimized by the receipt of information copies of one or two letters addressed by the Chief of Naval Operations to the District Commandant, indicating to me that the water at Pearl Harbor was so shallow that the success of a torpedo attack on ships in Pearl Harbor was dubious. Nets were considered. The difficulty of procuring these nets, on which there was a low priority, and the need of moving the fleet on short notice from berths for a sortie, the difficulties of cluttering up the harbor with these nets—it was my understanding that all these factors placed the nets not only in a low-priority, but gave us a feeling that the risk of a successful torpedo attack was slight. Balloon barrages were considered in discussions among members of the staff. The chief objection to them was that they would interfere with the normal operations of our own aircraft in that area.

[517] 35. Q. Was there or was there not considerable United States Naval seaplane activity in the Pearl Harbor area?

A. There was a great deal of it, because it was the only place where it could be carried on, on that side of the island.

36. Q. What effect would torpedo baffles laid in the Pearl Harbor channels have on the operation of our naval aircraft?

A. Might probably very seriously interfere. The aircraft people were objectors from the standpoint of both nets and balloons.

37. Q. Do you have any knowledge of what had been done in the matter of anti-submarine nets in the entrances of Pearl Harbor?

A. No more than to know that there were nets at the entrance. I passed back and forth through them aboard the flagship.

38. Q. Did you know the exact type of quality of these nets?

A. No, sir.

The interested party, Admiral Harold R. Stark, U. S. Navy, did not desire to cross-examine this witness.

Cross-examined by the interested party, Rear Admiral Husband E. Kimmel, U. S. Navy (Ret):

39. Q. You referred, Admiral Kitts, to a letter by the Commander-in-Chief to the various force and type commanders, of February, 1941, describing conditions for readiness. What degree of training was achieved in the Fleet under that letter on December 7?

A. A very high degree of training, sir. I can't say that every ship had actual training by firing every one of its crews that this letter called for, but I would say the goal had been very closely approached.

40. Q. Do you recall whether there was a shortage in 50-calibre ammunition for the Fleet prior to December 7, 1941?

A. Yes, sir.

41. Q. Did this shortage affect the target practice of the 50-calibre anti-aircraft guns?

A. Definitely, sir.

42. Q. How did it affect it?

A. We didn't have enough to carry on as much training as we would have if the ammunition had been plentiful. Practices were carried out by all ships, but the actual length of the strings and the number of rounds permitted to an individual gunner were reduced. This also had its effect on [518] the machine gun school at Palua, where we had to reduce to a minimum the number of rounds that the gunners could fire.

43. Q. I understood you to state that there were no naval anti-aircraft shore batteries in and around Pearl Harbor?

A. That is correct, sir.

The interested party, Rear Admiral Husband E. Kimmel, U. S. Navy (Ret), asked the court to take judicial notice of a document, 159 of the 77th Congress, 2nd Session, entitled: "The attack upon Pearl Harbor by Japanese armed forces. Report of the commission appointed by the President of the United States to investigate and report the facts relating to the attack made by the Japanese armed forces upon Pearl Harbor, Territory of Hawaii, on December 7, 1941," which was published on January 23, 1942.

44. Q. In connection with your statement that there were no anti-aircraft shore batteries of the Navy in and around Pearl Harbor, I call your attention to a statement in paragraph 12 on page 20 of that

document, "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, 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 the 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." Did you testify before the Roberts commission?

A. No, sir.

45. Q. You were not called?

A. No, sir.

46. Q. Were you present in person at Pearl Harbor at the time of the sessions of the Roberts Commission there held?

A. Yes, sir.

47. Q. The statement which I have read from the Congressional Report—does that change your statement, which I understood to be a categorical statement that there were no shore batteries belonging to the Navy—anti-aircraft shore batteries?

A. That does not change my statement at all except to this extent, and it is not a change: that it is possible that there may have been a Marine anti-aircraft battery, mobile, attached to the Marine defense battalion, under Admiral Bloch, under the Navy Yard. I am not sure whether such a battery was actually there on that morning. If that were so, that is the only battery which could be considered as a Navy shore battery. There was no such thing as a Navy shore battery.

[519] 48. Q. The judge advocate asked you some questions about the probability of an airplane torpedo attack on vessels located in Pearl Harbor. Having refreshed your recollection by reading the letter, Exhibit 55, of June 13, 1941, did I understand you to say that you had read that letter?

A. Yes, sir, as Fleet Gunnery Officer, yes, sir.

49. Q. And after reading that letter, did you make any recommendation or estimate to the Commander-in-Chief on that subject?

A. Not that I can recollect, sir. I know this matter was discussed among members of the staff, and probably with people in the District, since the letter was addressed to the District, but only a copy to the Commander-in-Chief.

50. Q. Do you recall any discussion with Admiral Kimmel on the subject matter of a torpedo plane or torpedo air attack after that letter?

A. Not exactly, no, sir, I do not.

51. Q. After having read that letter, what was your opinion as to the probability of a successful air torpedo attack on ships in Pearl Harbor?

A. My opinion, as I recollect, of this letter, is that the probability of attack in water of certain depths was increased—and that they had reduced it, in their opinion, to about ten fathoms. The question of the availability of nets had not been changed by this at all, and my recollection of my feeling on this was that 10 fathoms was the limiting depth at which a successful attack could be expected.

52. Q. Was there 10 fathoms of water in Pearl Harbor at any place?

A. I believe one or two spots there was a deep place.

53. Q. Generally speaking, was the anchorage 10 fathoms in depth?

A. The greatest depth was 42 feet, about 7 fathoms, the deepest channel.

54. Q. As Fleet Gunnery Officer on either Tuesday or Wednesday the 10th or the 11th of December, did you go to the Army and investigate the workings of the radar situation on 7 December?

A. Yes, sir.

55. Q. Will you tell the court what you did and what you found out as to operation of Army radar during the attack and prior thereto?

A. Well, on the morning of the 8th of December, Monday morning, I received a telephone call from General Davidson.

56. Q. This was the morning after the attack?

A. Yes, sir, he had a complaint to make that the night [520] before the ships of the fleet had, during a false alarm, fired at friendly planes, and that he wanted a conference with me to determine how we could prevent a recurrence.

57. Q. May I direct your attention in particular to conversation about the radar?

A. Yes, sir. I told him that I couldn't get up to meet him that day because I just couldn't get away, that I could come the next morning, and that the subject on which he requested this conference was something in which I was interested, but which properly was a matter for the harbor control post officer to attend to. That was Commander Momsen. I got in touch with Commander Momsen, informed him of the subject on which we were going up there, and Colonel Pfeiffer, now General Pfeiffer—he was a Colonel in the Marines—Captain Hanley, and I went to the filter station close to Fort Shafter and held this conference with General Davidson on the subject of the control of the fire of the guns of the fleet. When it was over, he said, "There is something over here on the drawing board in which you would be interested." And I said, "What is it?" And he said it was the radar plot of the attack on Pearl Harbor, whereupon he took us over to a drafting board and showed us the layout of the area, with radar lines plotted in from a point about 150 miles northwest of the island down to a lot of circles around Pearl Harbor and then out again.

58. Q. This was a plot going out, not coming in?

A. Yes. I was very shocked at seeing such a thing, and told General Davidson at that time that the plot coming in might have been mistaken for friendly planes, but after a two-hour attack on Pearl Harbor, it was quite evident that the plot out were enemy planes—and we never knew the existence of this plot.

59. Q. That was never reported to the Navy?

A. It was never reported to the Commander-in-Chief's staff in the exactly forty-eight hours it took from the time they took it off the radar until we discovered it.

60. Q. That was on Tuesday morning?

A. That was on Tuesday morning about 11:00 o'clock.

61. Q. Did General Davidson say anything about the reasons for the 48-hour delay in reporting?

A. No, sir. Everybody was speechless there and after we left. There was nothing, no explanation.

62. Q. Speechless over the fact that you hadn't received the information?

A. I would say very frankly I was very disturbed, and got out.

[521] Frank L. Middleton, yeoman second class, U. S. Naval Reserve, reporter, entered. Frank Murrell Sickles, yeoman first class, U. S. Naval Reserve, reporter, withdrew.

63. Q. Referring again to the Roberts Report: Is the statement which I read you earlier relative to the shore anti-aircraft batteries of the Navy at Pearl Harbor accurate, or not?

A. My statement, sir?

64. Q. The statement in the Roberts Report?

A. It is inaccurate.

Cross examined by the interested party, Admiral Claude C. Bloch, U. S. Navy, (Ret):

65. Q. Admiral, sir, just a couple of questions: In connection with the defense of Pearl Harbor, it was the Army's continual and full-time responsibility for the defense of Pearl Harbor; is that not correct?

A. That was my understanding, certainly.

66. Q. And the Navy's function in connection with it was but that of support; is that not right?

A. Yes, sir, to the extent that when ships of the Fleet were in Pearl Harbor, the guns of the Fleet were made available to the Army through the Harbor Defense Officer, Base Defense Officer.

67. Q. And by that you mean that when such an event happened, the guns at that point of time were then under the command of these generals that you speak of, in connection with their employment and use?

A. Ultimately under the supreme command of Brigadier General Davidson.

68. Q. The vehicle through the Harbor Command post that you speak of is only the facility for activating that command relationship; is that not so?

A. The general command and warning. There is a red, yellow, and green alert; the enemy's approaching from a certain direction and at a certain altitude, warning that those planes coming in from another direction are friendly, and that sort of thing. Not the actual control of the guns, which was always under the command of the commanding officer of the vessel. I might say that long after the attack on Pearl Harbor there wasn't any fundamental change in that set-up, nor to my knowledge is there one now.

Examined by the court:

69. Q. Admiral, were you personally so stationed on the morning of 7 December 1941 as to be able to observe the Army anti-aircraft fire as such firing took place?

A. Yes, sir, to a considerable extent, in that I [522] reached Pearl Harbor from Honolulu at, I should say, about 8:20 or 8:25 in the morning. I stayed in Staff Headquarters until, I imagine, about 10:45—that was approximately, I think, the end of the attack, although I didn't know it at the time—at which time I went in the station wagon all around Pearl Harbor to West Loch, where we were already sending ammunition, replenishment ammunition out to the ships. On my way from Honolulu to Pearl Harbor, I was in a good position to observe Japanese planes dive bombing at altitudes of 5- or 6,000 feet, and observed that all the fire came from Pearl Harbor. I spent a good part of the afternoon out around the harbor in the vicinity of West Loch and back to the Submarine Base. Army troops

were taking position and anti-aircraft mobile guns were being moved at that time. I went all around the area again on the 8th and the 9th of December, on one occasion accompanied by Army officers of the anti-aircraft command, and was at that time informed that some time after noon the first Army mobile anti-aircraft was in place.

70. Q. There is testimony before this court to the general effect that Army anti-aircraft guns were in action within 25 minutes of the beginning of the attack. Does that conflict with what you have already testified to?

A. I can well believe, sir, and it is quite possible and probable, that the Army fixed anti-aircraft guns, of which there were several batteries, actually went into action. I think the nearest one to Pearl Harbor was at Kamehameha. They were, I know, at De Russy and at Sand Island.

71. Q. So that amends your answer to the previous questions, do we understand?

A. I think in my previous testimony, Admiral, I was talking about the immediate vicinity of Pearl Harbor and I said that there were Army fixed anti-aircraft batteries, a few of which were actually manned and fired.

72. Q. Well, wouldn't you consider anti-aircraft batteries at Kamehameha the immediate defense of Pearl Harbor?

A. Yes, sir.

73. Q. Were there any anti-aircraft batteries at Hickam Field in operation in the early part of this attack?

A. Not to my knowledge, sir.

74. Q. Any anti-aircraft batteries within a reasonable distance surrounding Pearl Harbor would be considered aircraft defense of the harbor, would they not?

A. Yes, sir, that is true. I don't believe that I stated in my testimony that these guns were not used. I say it is quite probable they were but two groups of the batteries were quite a distance from Pearl Harbor. They were at Sand Island and at Fort De Russy, on the other side of Honolulu. I don't know whether they fired or not. They were World War I guns, I feel quite sure, [523] with quite rudimentary fire control. The main strength of the Army anti-aircraft defense in the Island was the Army mobile 3-inch AA gun with computer, height finder, and everything complete. None of those, to my knowledge, were in place on the morning of the 7th of December except possibly a battery training over on the west coast of the Island at the regular target practice area.

75. Q. Then the testimony that I have referred to about the guns being in action within 25 minutes, you would say that that is not true with reference to the mobile guns?

A. That is correct, sir, except possibly, there was a battery of mobile guns mounted in a camp whose name I can't remember now over on the west side of the Island, beyond Barbers Point, where they had an anti-aircraft training range. There may have been a battery of 4 guns mounted there for target practice and they could have fired.

76. Q. Admiral, you state that a certain condition of readiness existed in the Fleet on the morning of 7 December 1941?

A. That is right.

77. Q. What was that condition of readiness and under that condition what part, if any, of the anti-aircraft guns were manned and ready for action?

A. I can't state directly and exactly from my own knowledge, Admiral. However, I think that information is available exactly in the report of the action at Pearl Harbor and the individual report from every ship. My understanding at the time and since has been that Base Condition of Readiness 3, or its equal, was in effect. And I say it is equal because certain of the Force and Type commanders, for example Admiral Pye, had made modifications which were equal or better than the general requirement laid down in the Circular Letter, in the interests of watch standing and better coverage of the sectors. We had 4 sectors laid out to be covered by the anti-aircraft guns of the Fleet in Pearl Harbor. As a matter of fact, Admiral Pye had submitted a study of this thing to the Commander-in-Chief a day or two before the attack indicating what changes toward betterment he suggested. I know that the ships of the battle force present in Pearl Harbor following his order on security and the manning of guns was equal to or better than the condition of readiness 3 laid down in Port Security, 2CL-41.

78. Q. Have you any knowledge as to the manner or kind of cooperation, if any, which existed between Admiral Kimmel and General Short?

A. To this extent, sir: I know that Admiral Kimmel and General Short met frequently. I saw General Short many times around Fleet Headquarters. I was certainly under the impression that relationships between Admiral Kimmel and General Short were most cordial and cooperative in every way.

[524] 79. Q. And in your opinion, or to your knowledge, did they discuss matters tending toward cooperation of their separate forces?

A. I cannot state to my knowledge, Admiral, because I was not in that echelon of the staff that would have knowledge of that.

80. Q. Have you any knowledge of measures enjoined by the orders given by the Chief of Naval Operations in Washington as to the specific defense of Pearl Harbor?

A. No, sir.

81. Q. Do you know the number of Japanese planes which made this attack on the morning of 7 December? If so, please give it.

A. No, sir, I do not know the number. It was estimated somewhere between 175 and 250.

82. Q. Do you know the direction from which they came? If so, please give it.

A. I'm quite sure that they came from the west, nor'west, a distance of something beyond 200 miles.

83. Q. And from what type of ship did they come? Do you know?

A. Carriers.

84. Q. Have you any knowledge as to the time from the first attack on the morning of the 7th that all anti-aircraft guns were in commission and firing?

A. Since I didn't arrive there until somewhere between 8:20 and 8:25, I cannot testify to that, Admiral.

85. Q. In the reply to your question regarding torpedo aircraft, you stated that it was possible for these planes carrying torpedoes to make an attack on ships in Pearl Harbor. Are you still of that opinion after reading these letters and refreshing your memory on these letters from the Navy Department regarding this matter?

A. As I say, Admiral, all types of aircraft attack on Pearl Harbor were considered as a possibility, including a torpedo attack. I can only testify as to what my impression was at the time, that a torpedo attack was the least possible of all air attacks, and I was led to that belief by my interpretation, right or wrong, of letters received from the Chief of Naval Operations.

86. Q. Admiral, were you familiar with dispatches, et cetera, relative to the probable action of Japan at that time?

A. Not with dispatches, sir; only personal messages. I was not in the echelon that would be consulted on those matters or I was not, in other words, chief of operations, or war plans, or of intelligence.

[525] 87. Q. Would you please state to the court the condition and efficiency of the personnel of the Fleet on the morning of December 7th?

A. It is my very strong belief, sir, that subject to certain handicaps that the Fleet had, that the state of training and efficiency of the personnel of the Fleet was the highest I have ever known it. The difficulties were chiefly those of shortage of personnel. Many ships were going in commission. There was a very large turnover in personnel, crews of the ships, and large drafts had to be sent back to the Mainland to put new ships in commission. Replacements were not forthcoming. We needed excess hands aboard the ships in order to train them and to fill drafts. We didn't get them. The Theobald Board was called early in the year 1941 to go into this whole question to see how many men could be crowded aboard ships in order to have excess numbers for training. That was the chief handicap so far as training and efficiency of the Fleet was concerned. Shortage of small arms ammunition, machine gun ammunition, contributed to that. Other ammunition was plentiful, and day and night surface and anti-aircraft practices were fired. Gunnery practices were "debunked" to the extent that high-speed targets were used and the use of battle rafts was dispensed with. Umpire parties were not transferred at sea. The results were obtained by photography. It was my opinion that the efficiency and training of the Fleet was at its highest level in history.

88. Q. On the night of 6-7 December, had you any occasion to observe personally, or did you have any knowledge of the conduct of the officers and men on shore, as to sobriety and indulgence in intoxicating liquors?

A. Well, I was ashore, sir, myself, until about 1:00 a. m., in the Navy Yard at the Officer's Club. I observed nothing out of line as to behaviour or sobriety or fitness of the officers—all I saw there—for any eventualities.

89. Q. In your opinion, were the officers and crews of the ships fit for duty in all respects on ships of the Fleet on the morning of 7 December?

A. Yes, sir.

90. Q. From your knowledge of the performance of the Navy subsequent to the attack on Pearl Harbor, do you consider that that per-

formance has reflected the high state of efficiency of the personnel to which you have testified as existing on 7 December 1941?

A. Yes, sir.

[526] 91. Q. Was not this high state of efficiency of personnel the result of vigorous and intelligent training throughout a period of years, intensified during 1941 and continuing in accordance with carefully planned schedules of operations up to the date of the Japanese attack?

A. Yes, sir, but particularly from the first of February until the 7th of December, it was more realistic, it was intensified, and it reached its peak.

92. Q. Was there any operation at sea going on between 27 November and 7 December in the way of training?

A. It is a matter of recollection now, sir. All ships of the Fleet were engaged in intensive training when they were out and during that—

93. Q. Perhaps I should say that Vice Admiral Pye returned with a task force about that time.

A. He returned on Saturday.

94. Q. And remained in until the 7th of December. Does that indicate a cessation of training during that period?

A. No, sir; it only means that the schedule provided for necessary overhaul of ships, upkeep of the Fleet, rest and recreation for the personnel.

Recross-examination by the interested party, Rear Admiral Husband E. Kimmel, U. S. Navy (Ret.) (continued):

95. Q. When Admiral Pye came in on Saturday, as you have testified, prior to 7 December, did one or more of the other task forces go to sea?

A. My recollection of the situation is, sir, that Admiral Pye, or the other task force—one still being at sea—had come in on Saturday, the 6th of December. I'm not sure whether it was Admiral Pye's task force or the other task force came in. Well, one-third, approximately, of the Fleet was in port on the 6th of December. Another third, approximately, another task force, came in on that date. The other task force was in that was supposed to go out on Monday, the 8th.

96. Q. Isn't it a fact that the normal operating schedule provided for at least one task force to be at sea at all times undergoing training; sometimes two, but never less than one?

A. That is correct, sir; mostly two, and many times three.

None of the parties to the investigation desired further to examine this witness.

The court informed the witness that he was privileged to make any further statement covering anything relating to the subject matter of the inquiry which he thought should be a matter of record in connection therewith, which had not been fully brought out by the previous questioning.

[527] The witness made the following statement: I would like to make a statement, Admiral. I remained in my position as Fleet Gunnery Officer on the staff until September, 1942. I would like to state, sir, that the plan for the security of the Fleet, so far as the

Commander-in-Chief of the Fleet had anything to do with it while it was in Pearl Harbor, the plan for the use of the anti-aircraft guns of the Fleet by the Commanding General ashore through the instrument of the base defense commanders, the plan for a multiple number of anti-aircraft gun crews for the anti-aircraft guns of the ships of the Fleet, the organization of the Fleet and the method of standing condition watches—all of those things which contributed to our part, the Fleet's part in fighting off the Japs at Pearl Harbor were continued in force with no essential change for at least 9 months after Pearl Harbor. 2CL-41 was written, I believe, first in February or March, 1941. It was revised in October, 1941. In September, 1942, its essential provisions were still in effect. In September, 1942, the method of defending Pearl Harbor by the guns of the Fleet and the anti-aircraft guns of the Army, and the Army Fighter Command under General Davidson, was still in effect. The organization of the Fleet and the method of standing watches, the requirement that watch crews should be competent by actually firing in target practice, was re-issued in the summer of 1942 by Admiral Nimitz, reiterating the provisions which must be carried out, and carrying as an enclosure to that letter the old letter signed by Admiral Kimmel. If there was anything wrong in the plans and how they should be carried out prior to Pearl Harbor, there wasn't any change in the set-up afterwards. What Pearl Harbor brought out by the record indicates that the plan was sound. I may say that there were changes in material and we got anti-aircraft guns of a superior type that we didn't have before, but the basic plan for defense and the basic organization of the Fleet were not changed one iota. Nets were installed later, and balloons, after a long controversy, were installed in August, 1942, and it is my understanding have since been removed because they interfere.

The witness was duly warned and withdrew.

The court then, at 11:05 a. m., took a recess until 11:25 a. m., at which time it reconvened.

Present: All the members, the judge advocate, the reporter, the interested parties and their counsel, except Harold R. Stark, interested party, whose counsel were present.

No witnesses not otherwise connected with the inquiry were present.

[528] A witness called by the judge advocate entered, was duly sworn, and was informed of the subject matter of the inquiry.

Examined by the judge advocate:

1. Q. Will you state your name, rank, and present station?

A. William W. Smith, Rear Admiral, U. S. Navy, Director of Naval Transportation under the advice of the Chief of Naval Operations.

2. Q. During the year 1941, what duties were you performing after the month of February?

A. Chief of Staff, United States Pacific Fleet.

3. Q. Did you hold that position up to and including the Japanese attack on Pearl Harbor on 7 December 1941?

A. I did.

4. Q. Are you acquainted with the policies surrounding the basing of the United States Pacific Fleet in the Hawaiian Islands?

A. I don't know what was behind their policy because it started before I took over the job of Chief of Staff, but I was commander of a ship of the Fleet at the time. It began in April, 1940, when we went

to the Pearl Harbor area for a Fleet problem, and while enroute the German Army invaded France, and after we had been at Pearl Harbor for a few weeks we were ordered to remain there. I assumed—and I think everyone did—that it meant the probability of war in the Pacific.

5. Q. Do you know of any military reasons why the Fleet should have been kept in Pearl Harbor?

A. No.

6. Q. Did the keeping of the Fleet in Pearl Harbor have anything to do with the development of the Naval Base there?

A. In my opinion, no. The Hawaiian detachments had gone out approximately a year before and there were enough ships in the Hawaiian detachment to keep the Pearl Harbor base busy. I will add to that that we felt that we were getting better training in the Hawaiian area than we ever got in the San Pedro area because we were at sea more.

7. Q. Was there any relation between keeping the Fleet in Pearl Harbor and the development of, say, Fleet logistics for operating from an advanced base?

A. No, that was not the purpose, in my opinion.

[529] 8. Q. Can you state any military objections for basing the Fleet at Pearl Harbor?

A. Well, the principal objection at the start was that we had no proper Fleet anchorage. The Fleet was anchored at Lahaina Roads. We were not protected by mines. We were not protected by air coverage. I am speaking of 1940 now. At that time our two big carriers, the SARATOGA and the LEXINGTON were anchored off Honolulu, and were very vulnerable. That was the principal objection to keeping the Fleet there. But later on and before Admiral Kimmel became Commander-in-Chief, Pearl Harbor was fitted so that it could take the entire Fleet, but even at that time we had no nets, no boom to protect anything from getting into the harbor, and of course the channel into the harbor had only one entrance, which was bad. Those were the military objections to keeping the Fleet there.

9. Q. During the year 1941 while you were Chief of Staff to the Commander-in-Chief, Pacific, what was the paramount mission of the Pacific Fleet at that time?

A. Preparation for war, training for war and, I might add, for war against Japan. Whether that was in writing from the Navy Department, or not, I do not recall, but it was in the minds of the Commander-in-Chief and his staff, and I believe of all the officers of the Pacific Fleet.

10. Q. Was this more or less of an intense training schedule, or not?

A. Yes, very much so.

11. Q. Did this paramount mission of training of the U. S. Pacific Fleet ever change before the Japanese attack on Pearl Harbor 7 December 1941?

A. No, I think not. It built up a force. The way we started to steam entirely without lights and take all precautions. I don't recall, except it was a security order, and 2CL-41 was issued 15 days after the Commander-in-Chief took over on the 15th of February. It was revised later on.

12. Q. When, during the year 1941, did you first realize that the international situation as it affected the relationship between the United States and Japan was becoming critical?

A. I realized it before 1941.

13. Q. Did it become more critical during the year 1941, and if so, can you state the approximate date when you reached this decision?

A. I believe that what brought it home to us more than anything else was when we closed the Panama Canal [530] to Japanese merchant shipping. When that occurred, I do not know, but it was long before Pearl Harbor.

14. Q. You have stated that during 1941 up until the time of the Japanese attack on 7 December of that year, that the paramount mission of the Pacific Fleet was training and preparation for war. Were there any compelling reasons during that year why that mission should have been changed?

A. No. I might add that there was a secondary mission, because of our great construction program, to train additional men so that we could send experienced men home, but that did not interfere with the efficiency of the Fleet, although most commanding officers thought it did, naturally.

15. Q. Can you state the source or the authority for this paramount mission? Did it come from higher authority such as the Navy Department, or was it one deduced by the Commander-in-Chief of the Pacific Fleet himself?

A. That is a difficult question. It was certainly deduced by the Commander-in-Chief himself, but he received almost weekly letters from the Chief of Naval Operations which certainly indicated that war was probably inevitable.

16. Q. In these letters from the Chief of Naval Operations, do you have any knowledge of whether or not the Chief of Naval Operations was acquainted with the fact that the paramount mission of the Fleet was as you stated it?

A. I would deduce from his letters that he was not. We were continually being advised that the war was in the Atlantic. The fact that in, I think it was May, 1941, they were taking from the Pacific Fleet very secretly the best commissioned battleships we had, the most modern aircraft carriers, a division of four modern cruisers, and some two squadrons of destroyers, would indicate that the authorities in Washington believed the war was to be in the Atlantic, but that was never our idea in the Pacific.

17. Q. From the information you had during your tour of duty as Chief of Staff, and from any information that you since have received, do you consider that you were kept informed by the Commander-in-Chief of all the information he had received on the question of United States military and diplomatic relations?

A. I feel confident that the Commander-in-Chief kept me informed on everything.

Frederick T. Lachat, yeoman first class, U. S. Naval Reserve, reporter, entered. Frank L. Middleton, yeoman second class, U. S. Naval Reserve, reporter, withdrew.

[531] 18. Q. I ask you to examine this document, which is a dispatch of the Chief of Naval Operations, dated 27 November 1941, and which has been referred to by some witnesses before this court as the "war warning message." Does Exhibit 17 state that negotiations with Japan had ceased?

A. Yes.

19. Q. What information came into the possession of the Commander-in-Chief of the Pacific Fleet after receipt of this message which in any way weakened or confirmed this statement?

A. I cannot state the source of the information, but I am certain that we knew in the Pacific Fleet that negotiations had been resumed, and I believe we got it through the press or the radio but not through an official dispatch.

20. Q. Then, so far as you recall, did the Chief of Naval Operations ever change the statement that negotiations with Japan had ceased?

A. No.

21. Q. Did you, as the Chief of Staff, keep a current estimate of the situation, either in writing or mentally, as to the imminence of war between Japan and the United States?

A. In writing, no; mentally, yes. We discussed it every day. I will add that the War Plans Officer presented to the Commander-in-Chief each day his estimate of what was happening, as did also the Fleet Intelligence Officer.

22. Q. Admiral, I ask you to refer to Exhibit 19, which is in evidence before this court and which is a dispatch of the Chief of Naval Operations of 28 November 1941, purporting to quote a dispatch which the Army had sent to the Commander, Western Defense Command. I ask you to examine this exhibit and state whether or not you were acquainted with the general information that this dispatch contains.

A. I remember the dispatch because of the emphasis placed on the direction that you should not alarm the civil population or disclose intent. I do remember that.

23. Q. Do you recall whether or not the wording which you have just cited had any effect on your estimate of the imminence of war?

A. No, it did not.

24. Q. Do you know whether or not the Commanding General of the Hawaiian Department ever replied to that dispatch? In other words, did he report the action he had taken to the War Department?

A. Yes, he did. I can't recall the wording of the [532] dispatch or what action it was, but in every matter of that kind, when the Commanding General received a direction such as this, he invariably informed the Commander-in-Chief of the action he had taken. I dare say you will find a copy of the action he had taken in the files of the Commander-in-Chief of the Pacific Fleet.

25. Q. Do you now feel that you probably did know what the reply of the Commanding General was at that time?

A. I don't remember. There were very many things happening about that time. There was a problem on to relieve the marines in the outlying islands with armed troops, but there were so many things which happened at that time, I can't remember what was stated in any dispatch.

26. Q. Can you remember the date of this dispatch which gave you a directive or suggestion relative to relieving these troops which you have just mentioned?

A. It was not received on the date of the war warning of November 27. It may have been received a few days before or a day or so afterwards, but it wasn't on the same day.

27. Q. In order to refresh your memory, I am going to ask you to examine Exhibit 18, which is the dispatch from the Chief of Naval Operations, dated November 26, 1941, and ask you if this is the dispatch which suggested certain dispositions on outlying islands?

A. Yes, I remember it very well. General Short received a similar dispatch from the War Department about the same time.

28. Q. Do you recall the suggested method of the Chief of Naval Operations for effecting the transfer of planes to those outlying islands?

A. Yes, because the message tells us we cannot fly the equipment, and we have to lower it into boats. This particular message caused a little amusement among the staff of the Commander-in-Chief of the Pacific Fleet. At that time we had naval fighting planes at both Wake and Midway, and it seemed rather odd to pull them out and put Army planes in. However, we were directed to do it, and the plans were made.

29. Q. What was the method of transporting those planes to Wake and Midway?

A. Only by carrier; that is the only way possible.

30. Q. That dispatch is dated November 26, is it not?

A. Yes.

[533] 31. Q. Assuming that a delivery of these planes by carrier was to be made at as early a date as practicable, just how many days after November 26 could this delivery have been effected?

A. I would prefer that that question be answered by an airman, but my estimate is that the Army could not possibly have prepared the planes for us in less than a week, and adding another week to that for delivery would make two weeks as the best we could have done.

32. Q. Then this suggestion involves the absence of carriers in the direction of the Japanese homeland?

33. Q. And at a time subsequent to November 27?

A. Yes.

34. Q. November 27 is the date of the dispatch to which we have referred as the "war warning message", is it not?

A. Yes. It also involves sending carriers in that direction not fully prepared for war, because when you put planes on board a carrier for passage, she cannot possibly have all her own planes ready for fighting.

35. Q. Did this suggestion on the part of the Chief of Naval Operations have any effect on your estimate at that time of the imminence of war between the Japanese Empire and the United States?

A. Not at all, no.

36. Q. I am going to refer to Exhibits 21 and 22 and ask you to examine them and state whether or not you were familiar with these dispatches at or about the time they were probably received by the Commander-in-Chief. These dispatches refer to the destruction of codes and ciphers on Guam and outlying islands.

A. The first message about the destruction of our own codes—

37. Q. Under what date?

A. 6th of December. I have some recollection of it, but it meant very little to me, because the War Plans handled that situation. Guam, for example, under the War Plans was category "F", which means that it would not be defended but that they would burn the codes, and, of course, the Commander-in-Chief of the Pacific Fleet was

prepared to destroy any codes and did not require orders from the Navy Department to do it.

[534] 38. Q. Did this particular suggestion to burn our own codes and ciphers in Guam and the outlying islands have any effect on your estimate of the situation as to the imminence of war between the United States and Japan as of the date of the receiving of these dispatches in your headquarters?

A. The situation as of the 6th of December, when that message was received, was that war was inevitable. The Japanese units had been reported by the planes of the Asiatic Fleet as heading southward. The Navy Department had given us a warning on the 27th of November as a war warning. The unfortunate thing is that they should have put a period after the word "warning", but they told us where it would happen: in the Kra Peninsula, Malay, and possibly the Philippines and Guam. We assumed they would take over Guam, and we had no way of defending it.

39. Q. I ask you to refer to Exhibit 15, which is the dispatch of the Chief of Naval Operations of November 24, 1941, and inspect it.

A. Yes, I remember the dispatch.

40. Q. This dispatch states: "Chances of favorable outcome of negotiations with Japan very doubtful. A surprise aggressive movement in any direction, including an attack on the Philippines and Guam, is a possibility." Can you recall what the estimate was at that time of the Commander-in-Chief of the Pacific Fleet of the possibility of an aggressive movement on the United States in the Pearl Harbor area?

A. I don't recall what his estimate was at the time, but I can recall my own. By stating that a surprise attack may occur in any direction, including the Philippines and Guam, the inference is that certainly they are not going any farther to the eastward.

41. Q. Did you have any information during this period preceding December 7 of the performance of airplane torpedoes in water of the depth prevailing at Pearl Harbor?

A. Yes.

42. Q. What, in general, was this information?

A. We received a letter from the Chief of Naval Operations either quoting or enclosing a copy of a letter from the Bureau of Ordnance, stating that aerial torpedoes could not be effective in depth of less than seventy-five feet. I remember that particularly, because Admiral Kimmel and Admiral Bloch had a meeting about it and discussed it, and Admiral Bloch pointed out that the maximum depth in Pearl Harbor was something like forty-six feet. It was a question of whether or not we wanted torpedo nets. The letter from the Chief of Naval Operations asked us whether we wanted them and stated that they were not effective in depths of less than seventy-five feet, and as a result of the discussion between [535] Admiral Kimmel and Admiral Bloch, it was decided why clutter up the harbor with nets if the torpedoes are not effective? We don't need them. That was several months before Pearl Harbor.

43. Q. I refer you to Exhibit 55, Admiral, and I shall read you paragraph 2: "Recent developments have shown that United States and British torpedoes may be dropped from planes at heights of as much as 300 feet, and in some cases make initial dives of considerably less

than 75 feet and make excellent runs. Hence, it may be stated that it cannot be assumed that any capital ship 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." I ask you if you were familiar with that statement?

A. I never heard of that. It is a surprise to me now. I am quite certain that that letter was never received in the Pacific Fleet.

44. Q. I ask you to refer to this exhibit and state whether or not the Commander-in-Chief of the Pacific Fleet is designated by the originator to receive a copy?

A. He is.

45. Q. So far as your own personal knowledge serves you now, you don't remember having seen it?

A. No.

46. Q. I will ask you to examine Exhibit 55 fully and then state whether you have any recollection of having seen it or whether you had been informed of it during your tour of duty as Chief of Staff?

A. I have no recollection of the letter at all, and I never heard it discussed.

47. Q. I show you Exhibit 54, which is in evidence before this court and which is a letter from the Chief of Naval Operations, dated February 17, 1941, and addressed to certain commandants. A copy of it is purported to have been sent to the Commander-in-Chief of the Pacific Fleet. The subject of this letter is "Anti-torpedo baffles for protection against torpedo plane attacks." I ask you to examine this exhibit and state whether or not you had seen it or had the information contained therein during your tour of duty as Chief of Staff under the Commander-in-Chief of the Pacific Fleet.

A. I don't remember this letter in the detail in which it is written, but we did receive a letter which included paragraph 3 (a) about the minimum depth. That was freely discussed on the staff, and the Commander-in-Chief answered it, but whether it was this definite letter or not, I cannot answer.

[536] 48. Q. Did you have any estimate of the probability or possibility of an aircraft torpedo attack on ships anchored or moored in Pearl Harbor up to and including December 7, 1941?

A. Nothing except a staff discussion when torpedo baffles were considered. We did not believe the Japanese would attack us with torpedo planes, if that is what you mean.

49. Q. I ask you to examine Exhibit 17, which is a dispatch of the Chief of Naval Operations, dated November 27, 1941, and which you have previously been informed was called the "war warning dispatch." This dispatch states that an aggressive move by Japan is expected within the next few days and further that certain movements indicate an amphibious expedition against the Philippines, the Kra Peninsula, or possibly Borneo. Did the information contained in this dispatch in any way change your estimate of the situation with regard to the possibility of an attack on the Pearl Harbor Naval Base?

A. No. You will note that this dispatch is addressed to the Commander-in-Chief, Asiatic and to the Commander-in-Chief, Pacific. It directs: "Execute an appropriate defensive deployment." There

was a defensive deployment planned for the Asiatic Fleet but not for the Pacific Fleet that I recall.

50. Q. Well, did this information have any influence on your estimate of a surprise attack on Pearl Harbor?

A. No, it did not.

51. Q. What was your estimate of a surprise attack on Pearl Harbor at that time?

A. My estimate and, I believe, the estimate of the Commander-in-Chief and his staff were that the surprise attack would be in the form of a submarine attack, and we were alerted against that and had been for some time. Our operating areas were searched every day by planes. We had plans to meet a submarine attack. We believed that would be the form of attack that we would receive.

52. Q. What were the relations of the Commander-in-Chief, Pacific Fleet and the Commanding General of the Hawaiian Department during the period from about October 16, 1941, up until the Japanese attack on December 7 with reference to conferences on matters of political and military developments in the United States-Japanese situations?

A. Relations between the Commander-in-Chief and the Commanding General were very close. They had been from the start. It is my recollection that when General Short arrived in the Hawaiian area Admiral Kimmel called on him before he shifted into uniform. They were together very frequently, and in all cases in connection with any warning or any [537] dispatch or any letter received that indicated war, they invariably got together. It wasn't always the case that General Short came over to see Admiral Kimmel. Admiral Kimmel frequently went over to see him. They met frequently socially and were in conference, I should say, at least twice a week.

53. Q. Do you feel, then, that there was a free and full exchange of military information?

A. Yes, I do.

54. Q. What can you state as to the attitude of cooperation between the Commander-in-Chief of the Pacific Fleet and the Commanding General of the Hawaiian Department in matters of defense of Oahu?

A. I believe they discussed everything that was on the mind of either. I should like to mention one very little thing that indicates the cooperation between Admiral Kimmel and General Short. In the summer of 1941 the then Captain Mountbatten came to the Pacific Fleet and delivered a series of lectures. I drove him up to Fort Shafter when he addressed the Army. Mountbatten stated, "I have dictated a letter during a high level bombing attack. I hold high level bombing in contempt, but I am frankly afraid of the dive bomber." When that speech was over, General Short shook hands with Mountbatten and said, "Thank you for those remarks. I have been trying to make my Army Air Force go over to dive bombing. I talked to Kimmel about it, and he recommends it, but they won't do it." I brought that out to show there was a close cooperation between the two. I believe also, as far as the defense of Pearl Harbor is concerned, your records will show that General Short made frequent requests for better planes and better anti-aircraft guns. A great deal of this was prompted by Admiral Kimmel, and I believe the Admiral wrote to the Navy Department to get a little support for General Short.

55. Q. After the receipt of the so-called "war warning message" on November 27, 1941, did you know at that time what was being done by the Army with reference to taking measures of security in the Hawaiian Department?

A. Yes. I know that the Army was alerted that night, because on my way to Honolulu—

56. What night?

A. November 27. On that night, in driving home, I passed long columns of troops and groups of equipment blocking the road leading into Honolulu, but they were going on the alert to prevent sabotage. Remember that we had something like 160,000 Japanese in the islands, and I dare say that was the Army's primary method of defense—to defend their public utilities, their reservoirs, and defend against sabotage. They were on the alert that night, because I saw it.

[538] 57. Q. Do you have any information, or do you know whether or not the Commanding General of the Hawaiian Department knew what measures of security the Navy had adopted in its defense of Pearl Harbor or the Fleet therein at about that time?

A. Yes, he knew, because every directive issued by the Commander-in-Chief was circulated to the Army. Our operating plans, issued a month in advance, were sent to the Army, because they had to cooperate with them. They knew everything that we were doing.

58. Q. A month in advance of what?

A. Of the actual operations. They were always invited to participate.

59. Q. I am not going to ask you for details, Admiral, because I am calling Admiral Bellinger and his then Chief-of-Staff, Captain Ramsey, to give the court the details of the number of patrol planes, their material condition, and the effectiveness, etc., of a distant patrol. I shall ask you, however, if you know whether the question of long-range reconnaissance was considered by the Commander-in-Chief of the Pacific Fleet at any time between November 27, 1941, and the Japanese attack on December 7?

A. Yes, it was. In fact, it was considered before Admiral Kimmel became Commander-in-Chief. The Fleet was there in 1940, and I discussed the matter with Admiral Richardson's staff, and the answer was that they didn't have enough planes to do everything, such as training and meeting the requirements of a long 360-degree search. It is my recollection that Admiral Bellinger in 1941 was trying to get more crews and that he made the statement that they needed two crews for each plane. They were also installing gas proof tanks. I believe they put in their own armor. There were never enough planes to have an all around search. Consequently, the available planes were given the job to search the operating areas. The operating areas were usually to the south of Oahu but not always. When the Fleet operated to the north of Oahu, as they did, the planes searched in that direction, but they did not have an all around search, because we were not only shy of planes, but it is also my recollection that we had to detach some of them and send them elsewhere. Even the War Plan itself called for sending squadrons of planes to Samoa and Alaska and directed that we keep two squadrons in Oahu. Obviously, two squadrons of airplanes cannot make any kind of search, such as would be required.

60. Q. How many planes in a squadron of patrol ships?

A. Twelve, I believe.

61. Q. Then, it is your estimate that the War Plans considered retaining two squadrons, or about twenty-four patrol planes, for the Hawaiian area?

A. Directed that we not reduce it below that level.

[539] 62. Q. I believe you stated in the first part of your testimony that the paramount mission of the Pacific Fleet was training and that you further stated that until December 7, 1941, this mission had not been changed. In view of the information that the Commander-in-Chief of the Pacific had of the United States-Japanese situation on and after November 27, 1941, had consideration been given to changing this mission?

A. The mission, of course, was laid down in the War Plans. Somewhere about the middle of October, on the receipt of a message, we discontinued the cruises to the coast. We had been sending a small task force to the coast just for recreation, and we discontinued that about the middle of October and never resumed it. In Pearl Harbor they had black-outs for training purposes. The Fleet was alerted all the time at sea. At least once during each operational period of the task forces at sea there would be a drill, assuming an attack by submarine. When the striking force would be organized, the battleships would assemble, and the destroyers would assemble to protect the battleships. Those things had been going on for some time. I cannot say that the mission of the Pacific Fleet was ever changed, because where you state that the mission was training, I would say training and preparation for war.

63. Q. At the time of the Japanese attack on Pearl Harbor on December 7, 1941, state the approximate geographical location of the three major task forces of the Pacific Fleet?

A. Task Force One was in port. That included most of the battleships under Admiral Pye. Each of the three task forces had a carrier, but that task force was without its carrier on the 7th of December. The SARATOGA was on the coast. I don't recall whether she was needing overhaul, but one of her missions was to ferry planes out to Pearl Harbor, because we had no means to get them out there, so she wasn't in Pearl Harbor at the time. She was on the coast. Task Force Two under Admiral Halsey had gone to sea about the same time Admiral Pye got in.

64. Q. This was approximately what date?

A. About the 27th of November. His task force returned on the afternoon of Friday, the 5th of December, except that his carrier, the ENTERPRISE, was at Wake delivering marine planes. He had cruisers and destroyers with him. How much of his task force was in Pearl Harbor I don't recall, except that battleship division 1, which was under Halsey, was in Pearl Harbor. Task Force Three under Admiral Brown had gone to sea about the 5th of December. Admiral Brown was conducting amphibious training in the vicinity of Johnston Island, and his carrier, with some cruisers and destroyers under Admiral Newton, had gone to Midway to land some planes there.

[540] 65. Q. You have stated that the SARATOGA was absent from the Hawaiian area. Do you recall whether or not any other capital ships than the ones you have described were absent from the Hawaiian area?

A. The COLORADO was undergoing overhaul at Puget Sound. The PENNSYLVANIA was at drydock in Pearl Harbor. I can recall only the COLORADO as a capital ship which was away at that time.

The court then, at 12 : 20 p. m., took a recess until 1 : 45 p. m., at which time it reconvened.

[541] Present: All the members, the judge advocate and his counsel, all the interested parties and their counsel with the exception of the interested party, Admiral Harold R. Stark, U. S. Navy, whose counsel were present. Frank M. Sickles, yeoman first class, U. S. Naval Reserve, reporter.

No witnesses not otherwise connected with the inquiry were present.

Rear Admiral William W. Smith, U. S. Navy, the witness under examination when the recess was taken, resumed his seat as witness. He was warned that the oath previously taken was still binding, and continued his testimony.

Cross-examined by the interested party, Admiral Harold R. Stark, U. S. Navy:

66. Q. Admiral, as Chief of Staff to CinCPac, were you familiar with WPL-46, and the initial task assigned by that plan?

A. Yes.

67. Q. Would you state to the court what the initial tasks were that were assigned in WPL-46 to the Pacific Fleet?

A. The tasks defined by the Navy Department were to remove the pressure from the Malay barrier by raiding commerce, by attacking the Marshall Islands in a raid, and also assisting our British allies below the equator from zero longitude, starting in Samoa, to the westward as far as longitude 155 degrees, and we were ordered to send, I think it was, two cruisers and two submarines to that area. That was from Samoa, south of the equator westward as far as 155 degrees longitude, east.

68. Q. Admiral, were you familiar with the fact that this plan, that is, WPL-46, implemented certain high-level decisions which contemplated the British bringing some of their capital ships into the Indian ocean as a restraining influence against the Japanese Fleet, and at the same time the United States bringing a unit from the Pacific Fleet to the Atlantic as a method of furthering the war against Germany?

A. I know that was in the Pacific Fleet war plan. Whether it was in the Navy Department plan originally I don't know, except that during the summer of 1941, a British Admiral—Rear Admiral Dankwerts—who was the British representative in the United States at that time, and he had conferred with our war planners—he, in company with a Captain Clark, who was the British military naval attache in Washington, came to Pearl Harbor and told the Commander-in-Chief that they had attempted to make this agreement with the Navy Department, mentioned particularly Admiral Kelly Turner and said, "We think that the British Empire will fall apart [542] if we lose Singapore." He went further to say that Admiral Turner didn't believe in Singapore, and he said, "We have finally come to an arrangement where if you will send a battleship division to Gibraltar to defend our interest in the Mediterranean, we shall send six battleships to

Singapore. The Commander-in-Chief, Pacific Fleet, gave him no encouragement at all, but told Admiral Dankwerts, in effect, "Well, if you can't get information from the Navy Department, why do you come to me?"

69. Q. Do I understand that was in the summer of '41?

A. The summer of '41.

70. Q. We may be talking about two different things. What I want to establish is whether or not you knew that there was to be detached from the Pacific Fleet a unit which would be transferred to the Atlantic Fleet, and as a part of that plan it was contemplated that the British would transfer some capital ships to the Indian Ocean?

A. I did, but I knew it only through the statement of Admiral Dankwerts, because there was no official paper on the subject that I remember.

71. Q. You testified this morning that the Navy Department secretly, as you told it, sent a force of three battleships, four cruisers, and two squadrons of destroyers in 1941, from the Pacific Fleet, and transferred them to the Atlantic?

A. That's right.

72. Q. And this indicated to your mind the people in Washington considered the war to be in the Atlantic, which was not the view entertained by the staff of CinCPac; is that correct?

A. That is absolutely correct.

73. Q. Well, now, in connection with WPL-46, I'd like to refresh your memory as to whether or not that transfer is in WPL-46.

A. In WPL-46, it states that at the outbreak of war, they will move one division of cruisers from the Pacific Fleet to the Atlantic, in addition to what we had already moved.

74. Q. That's right, but there was also to be transferred, as a part of this agreement—a high-level agreement—a division of battleships, a division of cruisers, and a carrier, and the two squadrons of destroyers, was there not, under WPL-46?

A. At the time that I received WPL-46, which I think was about the first of July, that had already been done. It was made in May.

75. Q. Then there was no movement that you know of in 1941 [543] that was not in accordance with WPL-46?

A. No.

76. Q. Admiral, you testified this morning with respect to Exhibit 18, which is the dispatch concerning the transfer of Army planes to Midway and Wake, that when you received that dispatch at Pearl Harbor, or were so advised, that since you were directed to send these planes out, you carried out these instructions; is that correct?

A. No, we did not carry out the instructions. We made the plans and the Commander-in-Chief sent a dispatch telling how it was to be done, but war broke before we could do it. The marines were still at Wake when war broke.

77. Q. Did I understand you to say that you were not directed to do this?

A. We were directed to do it, and we were prepared to do it, but war broke before we could execute it.

78. Q. I hand you Exhibit 18 and ask you if that was the dispatch you had before you this morning when you were testifying?

A. Yes, it is.

79. Q. I will ask you to read to the court the first sentence and the last sentence on the second page, if you please.

A. (Reading): "In order to keep the planes of the second marine aircraft available for expeditionary use, OpNav has requested and the Army has agreed to station twenty-five Army pursuit planes at Midway and a similar number at Wake, provided you consider this feasible and desirable." (Reading): "Confer to Commanding General and advise as soon as practicable."

80. Q. Which, in effect, is not a directive to CinCPac to carry out this transfer, but rather a request for advice from CinCPac as to whether he considered it as practicable?

A. Yes, however it was construed at the time in my mind, at least, as a directive, just as when your commanding officer says to you, "Don't you think that it would be a good thing for you to do so and so," and you say, "Yes, sir, I do."

81. Q. What action did you take with respect to this dispatch? Did the Commander-in-Chief reply and give the Navy Department the benefit of his suggestion in that respect?

A. The first thing the Commander-in-Chief did was to get General Short and his entire staff, and Admiral Kimmel and his staff together, and we conferred, to my recollection, for at least three days on how to do this thing. We didn't know why, but the Army was in very great doubt as to whether [544] it would put P-39's or P-40's on Wake, and they finally decided on P-39's. The Commander-in-Chief said we could put the planes on the island, but we could not get them off. I tell you that just to let you know that we did consider it; our combined staffs discussed it for at least two days, and I think three days, before the answer was sent in.

82. Q. But you didn't consider that you had to do it; the Navy Department hadn't directed you to carry out this operation? They simply asked for an answer.

A. No, I considered that we had been directed to do it.

83. Q. You stated this morning that you had seen, around the 27th of November, Exhibit 17. That is the so-called war warning dispatch, in which the Chief of Naval Operations informed CinCPac that negotiations with Japan looking toward a stabilization of conditions in the Pacific have ceased. You also testified that you had seen, a day or two later, Exhibit 19. That is the dispatch from C. N. O., which presented, for the information of CinCPac, the Army's dispatch which stated that, "Negotiations with Japan appear to be terminated to all practicable purposes, with only the barest possibility the Japanese Government will come back and offer to continue." Do you recall those two dispatches?

A. Yes, I recall both of these.

84. Q. I understood you to say this morning that subsequent to the receipt of these dispatches you also had press and radio reports to the effect that conversations with Japanese representatives in Washington might be continuing; is that correct?

A. That is my recollection, yes.

85. Q. But you never received any modification from the Chief of Naval Operations of the two dispatches?

A. No, I remember both of these dispatches, but it does not say here that negotiations had been resumed.

86. Q. But you didn't receive anything officially from the Chief of Naval Operations which modified either of the dispatches, copies of which were sent you, before the Japanese attack?

A. No.

87. Q. Then I understood you to say that you and the staff considered that these press and radio reports which you had heard subsequent to the receipt of these dispatches modified, in your opinion, the effect of these dispatches?

A. No, I wouldn't say that. I would say that the press and radio were very frequently ahead of the information we got from the Navy Department.

88. Q. Well, was there any doubt in your mind as to the [545] meaning of the dispatch of November 27, which begins, "This is a war warning?"

A. Not at all. If they had put a period after, "This is a war warning," I think we might have been better off, but they went on to tell us after that where the attack was coming from.

89. Q. Leaving aside for the moment the fact that there is a period after, "This is a war warning", in that dispatch, I think you said this morning that the unfortunate part of it was that the Chief of Naval Operations should have included in the message, he didn't put a period after "war warning", but instead went on to tell you where the attack might come from. Now, I'd like you to look at the sentence in that dispatch which reads, "The number and the equipment of Japanese troops and the organization of naval task forces indicates an amphibious expedition against the Philippines or the Kra Peninsula, or possibly Borneo." Now at the time you received this dispatch you also had information, you were also considering the dispatch which was sent to you by the Chief of Naval Operations on the 24th of November, which is Exhibit 15, did you not?

A. The one about burning the codes?

90. Q. No. It begins, "Chances are—" You received that prior to the receipt of the war warning message?

A. Yes, sir.

91. Q. That dispatch begins, "The chances of favorable outcome of negotiations with Japan very doubtful. This situation, coupled with the 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 the Philippines or Guam is a possibility." You will also note from the dispatch before you that it is addressed to the Commander-in-Chief Asiatic, Commander-in-Chief Pacific, Commandants of the 11th, 12th, 13th, and 15th Naval Districts, all for action. In the face of those two dispatches, Admiral, did I understand you to say this morning that you considered the mention of the Philippines and Guam to indicate that the Chief of Naval Operations intended not to include an attack on any other possession of the United States, including Hawaii?

A. Yes, I do. The inference is plain, I think. When you say that they may attack in any direction, including the Philippines and Guam. They didn't say New York or San Francisco. They didn't say Pearl Harbor. I think the inference is plain that whoever wrote the dispatch had an idea that so far as the attack on the Philippines or Guam, that is what we expected them to do.

[546] 92. Q. What effect did you give to the dispatch of November 24, which says an attack in any direction may be expected, the dispatch having been addressed to both the Commander-in-Chief Asiatic and the Commander-in-Chief Pacific, and the naval districts which might be concerned?

A. I can't tell you exactly what was done about that. It may have intensified the action we were taking, but it did not change our general estimate at all.

Cross-examined by the interested party, Rear Admiral Husband E. Kimmel, U. S. Navy (Ret):

93. Q. Admiral Smith, did you testify before the Roberts Commission?

A. No, sir.

94. Q. Were you in Pearl Harbor during the ten days or more that they were holding hearings there?

A. I was there all during the hearings. I left Pearl Harbor to go to sea about 15 January 1942. I was available at all times. I was not called.

95. Q. I call your attention to a paragraph on page 19 of the Roberts Report, of which the court has taken judicial notice, paragraph 9, conclusions, "These commanders," referring to General Short and Admiral Kimmel.—"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." I ask you whether General Short and Admiral Kimmel failed to confer with respect to the warnings and orders issued on and after November 27.

A. It would be my estimate that Admiral Kimmel and General Short, between 27 November and 7 December, conferred every day. I will give you an example of that. One night Admiral Kimmel, at 6:00 o'clock at night, called up General Short and said, "What are you doing?" He said, "I am going to the north shore;" and he said, "Hang on for a few minutes; I am coming over to see you." And that was in the week of Pearl Harbor. General Short and his staff were over nearly every day. I never heard any expression of ill-feeling between Admiral Kimmel and General Short. They were trying to get along with each other, if I make myself plain.

96. Q. Were these conferences about which you have testified in connection with the warnings and orders issued on and after 27 November?

A. The conferences were always called after receipt of a warning, but they had been going on all the time, because General Short and Admiral Kimmel were very much of the opinion that war was coming. I think in most cases the [547] questions raised by the Navy Department had already been discussed between these two commanding officers.

97. Q. Were the conferences in respect to the orders and warnings, Admiral?

A. Not all, no—oh, no.

98. Q. But these between 27 November and 7 December?

A. Not in response to a dispatch, because they had conferred so frequently on the general situation. You see, General Short had a great many problems, of Canton Island, for example—they had no guns on the thing. He was trying to prepare the thing. They were

continually discussing the problems, but it already connected with war—every word of it.

99. Q. Some of the conferences were in respect to the orders and warnings?

A. Oh, certainly. There was a conference, as I recollect it, after every one of these warning messages was received—there was always a conference.

100. Q. And you observed and were present at some or most of these conferences?

A. I was present at all conferences where General Short brought his staff with him. There were times when General Short came over to see Admiral Kimmel accompanied by no one but an aide. In those cases, having a great deal of administrative duty to do, I stayed out until sent for, but on every conference that involved anything pertaining to the war, I was called in.

101. Q. Were there conferences between General Short and Admiral Kimmel on and after 27 November with respect to adapting and using the existing plans to meet the emergency?

A. My recollection is that there was a conference approximately the first of December. Just what was discussed in detail, I do not remember, but I do know that General Short stated to Admiral Kimmel that he had reported to the War Department all of his reactions to these warning dispatches and what he intended to do, and I also know that Admiral Kimmel had done the same with the Navy Department.

102. Q. I now read paragraph 11, on the same page of the same document: "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." In your opinion as Chief of Staff to Commander-in-Chief of Pacific, was the state of readiness of the naval forces on the morning of December 7 such as was required to meet any [548] emergency envisaged in the warning messages received from the Navy Department?

A. It was. You must remember that what we were thinking about in the Pacific Fleet was not the defense of Pearl Harbor. We were thinking about the fleet and the readiness of the fleet. I believe that the state of readiness is indicated by the fact that how quickly the gun crews responded to the fire which was absolutely unexpected. We exercised as much security as we could in port. We realized that the Army defenses were not adequate, that ships were stationed in sectors and every sector was always occupied for antiaircraft fire, but we also had to get that fleet in readiness to go back to sea. It happened at a time when two task forces were in port. Usually only one was in port. Sometimes three were at sea, depending upon the exercises that were projected by the Commander-in-Chief. The readiness of the ships—they were ready for anything, but they were thinking mostly of how soon they could get out, and how to get out and go into battle. They were not thinking about the defense of Pearl Harbor.

Frank L. Middleton, yeoman second class, U. S. Naval Reserve, reporter, entered. Frank M. Sickles, yeoman first class, U. S. Naval Reserve, reporter, withdrew.

[549] 103. Q. I call your attention to Paragraph 11 on Page 9 of the same document: (Reading) "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." In your opinion, is the sending of a dispatch from Washington to Pearl Harbor by means of R. C. A., the achievement of every effort to have the message reach Hawaii in the briefest possible time?

A. I am not a communicator, but my recollection is that at that time communication between Washington and Pearl Harbor could be established within 30 minutes. We did not have a telephone but we had priority radio.

104. Q. That would be the Navy radio?

A. Yes, of course. Thirty minutes; not more than forty.

105. Q. The Navy radio was more expeditious than the commercial lines?

A. Oh, yes; from Washington, directly controlled from the Navy Department to Pearl Harbor.

106. Q. Now, will you look at Exhibit 48, Admiral? That is, I believe, the dispatch from General Marshall to the Hawaiian Department. I now call your attention to a statement in the Roberts Report on Page 20, Conclusion No. 14: (Reading) "If the message"—referring to the message which is Exhibit 48—"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." If the message, Exhibit 48, had been received in Hawaii at the office of the Commander-in-Chief of the Pacific Fleet between 5:00 and 6:00 o'clock a. m., Hawaii time, in your opinion could the Commander-in-Chief have taken measures that would have been of substantial use in repelling the attack?

A. Yes. The measures he could have taken, remembering it was Sunday morning, by sounding the alarm, by getting all the pilots—not of the Navy so much as the Army—back to their planes, getting them out of their homes and getting them back, the Japanese would have suffered much greater punishment. The Japanese attack, however, would have damaged us nevertheless, perhaps not so much as it did. As you probably know, it is difficult to get a battleship under way. It takes time. There is a [550] certain amount of inertia. The destroyers could have gotten out of Pearl Harbor, and the cruisers, probably. The aircraft of both the Army and Navy could have been alerted, and although they could not have prevented the attack and certain damage, they probably would have reduced the damage and punished the enemy much more than he was punished. There is something more that you have to remember: We had two carriers at sea, our only two carriers, and it was very important, if war were coming, to get oil tankers out there to refuel them, and they might have been started out. So far as the battleships getting out, I doubt very much if they could have gotten out, and if they had left the harbor they

would have been sunk in many thousands of feet of water just outside of Pearl Harbor, which would do us no good today. But that information would have been of great value to the Commander-in-Chief of the Fleet if he had had it.

107. Q. I call your attention to a sentence in Paragraph 17 appearing on Page 20 of the same report: (Reading) "The attitude of each"—that is, General Short and Admiral Kimmel—"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." To your personal knowledge, did Admiral Kimmel inform himself of measures undertaken by General Short to carry out the responsibilities assigned the Army under the provisions of the plans then in effect?

A. I may tell you that in the first place I have never read the Roberts Report. I can't get it. Admiral Kimmel, long before he became Commander-in-Chief—you see, I served with him as a cruiser captain when he had the cruisers, Pacific Fleet. And when he asked me to be his chief of staff, he said, "There are several things I want you to remind me to do. One is to keep my Type Commanders, my high admirals, informed of everything that is going on; and the other one is to cooperate with the Army because it has not been done before". And he followed that up.

108. Q. Specifically and to your knowledge, did Admiral Kimmel inform himself of the measures undertaken by General Short to carry out the responsibilities assigned to General Short under the provisions of the plans then in effect?

A. My opinion is "yes".

109. Q. You were present at many of the conferences?

A. Yes; most of them.

[551] 110. Q. Do you know whether General Short informed himself of the measures undertaken by Admiral Kimmel?

A. I'm quite certain he did. When General Short took over, his chief of staff—I can't remember his name; Phillip Hayes, I think it is, the man who is in charge at Philadelphia—said that he had been out there on the staff of the Commanding General years before, which was the commanding general who was opposite to Admiral McDonald, and he told me that he had never seen cooperation between the Army and Navy such as he sees now. He was then a colonel and he was detached, I should say, within three months after General Short took over. But that was the impression he gave me.

Cross-examined by the interested party, Admiral Claude C. Bloch, U. S. Navy, (Ret):

111. Q. Admiral, then I take it, in connection with the defense of Pearl Harbor, it was understood by the Army that it was their prime and particular responsibility to defend Pearl Harbor; there was no question in their mind of that?

A. No, that is written down in the book called, "Joint Army and Navy Action".

112. Q. Yes. And in respect of such responsibility that the Navy might have, that was only in support of the Army and was understood by all concerned to be such?

A. It was understood by all concerned because all hands knew that the Army was not prepared to defend Pearl Harbor as a naval base. They did not have the anti-aircraft guns or anything, and it was understood that the Navy would help as much as it could and that is why the ships were anchored in four sections because we knew that the only guns that could be fired in defense of Pearl Harbor would probably be fired from the Navy guns.

Recross-examined by the interested party, Admiral Harold R. Stark, U. S. Navy:

113. Q. Admiral, you testified a few moments ago that General Short had reported to the War Department the measures that he had taken after the war warning dispatches had been received and that Admiral Kimmel had also reported to the Chief of Naval Operations the measures which he took, as I understood. Is that correct?

A. Yes. I think you will probably find that in the form of personal correspondence.

114. Q. Isn't it true that the reference that you had to a report by Admiral Kimmel is the personal letter which Admiral Kimmel wrote to Admiral Stark after the message of October 16th with respect to the change in the Japanese cabinet? Do you recall any further reports [552] by Admiral Kimmel to Chief of Naval Operations concerning the steps which he had taken?

A. I could not possibly recall every detail of everything that happened. All that I know is that I read every report that Admiral Stark wrote to Admiral Kimmel. It was usually in the form of a weekly letter written on Sunday, and Admiral Kimmel always replied. He showed me the letters from Stark and he showed me his replies. Now, whether you have those or not, I don't know, but I think you will find that in there. Every measure he took he informed the Chief of Naval Operations.

115. Q. With reference to the war warning message: Do you recall specifically that a reply was made to the war warning message regarding what steps were taken by Admiral Kimmel pursuant to it?

A. No, I do not.

Recross-examined by the interested party, Rear Admiral Husband E. Kimmel, U. S. Navy (Ret):

116. Q. With respect to the last question: I call your attention to Exhibit 50, which is a letter from Admiral Kimmel to Admiral Stark under date of December 2nd, and ask you to read to yourself Paragraph 2. Does that refresh your memory as to whether Admiral Kimmel made a report to Admiral Stark as of December 2 as to what he was doing?

A. Very much. I didn't know the date of it but I do know that at that time when these planes were sent to Wake it was Admiral Kimmel's idea, and his whole staff talked about it. He did it and we did not. It was his own idea to send those additional planes to Wake.

117. Q. The point is, Was the report to Admiral Stark as of December 2nd, a report as to what he was doing?

A. Yes. Well, I can't swear to that, no, but I am certain it was because he always kept him informed, but as you say, it is there, down in black and white.

Recross-examined by the interested party, Admiral Harold R. Stark, U. S. Navy:

118. Q. With further reference to this letter of December 2nd, Admiral, would you care to look a little more closely at that letter, the complete letter, and tell the court whether or not that whole letter doesn't concern the movement of planes to Wake and Midway, and also whether you consider that to be a report to the Chief of Naval Operations of what the Commander-in-Chief of the Pacific Fleet did with respect to the war warning dispatch of November 27th, not the dispatch of the 27th [553] concerning the movement of planes to Wake and Midway?

A. This letter is in the form of all the correspondence that was held, practically all, between the Navy Department and the Commander in Chief, Pacific Fleet. You will notice that it is a personal letter and it starts out "Dear Betty." I believe there the Commander-in-Chief has told what he is doing, and I believe I have previously said that so much correspondence was carried on between the Chief of Naval Operations and the Commander-in-Chief of the Pacific Fleet, personal letters, that we had to file it and consider it official correspondence.

119. Q. There were two messages concerning the movement of planes to Wake and Midway which were dated the 26th of November but dispatched on the 27th, with time date references of the 27th, which you have before you as Exhibits 18 and 40. There was another dispatch which bore a time date reference of the 27th which is the war warning message. My question is this, specifically: Do you consider the letter of December 2nd, which has been called to your attention by counsel for Admiral Kimmel, as being a report to the Chief of Naval Operations on the steps taken by the Commander-in-Chief of the Pacific Fleet in response to the war warning message?

A. Now I believe my mind is clear on what you were driving at. In my opinion, this letter by the Commander-in-Chief dated December 2nd, was what he considered a weekly report on what he had done. The dispatch of planes to Midway and Wake was the idea of the Commander-in-Chief and it was in no way related to the war warning message from the Navy Department about putting Army planes out there. They are not connected at all.

120. Q. To further clarify the matter, the letter of December 2nd is concerned solely with the transfer of the planes to Wake and Midway, is it not, and the discussion of the problems involved in that connection?

A. No, I wouldn't say that. You have asked me to read the letter but I haven't had a chance to read it, but my impression of that letter is that it is sort of a weekly report. Every Sunday Admiral Stark wrote a letter to Admiral Kimmel, and he always replied. I think that is a summary of what he had done.

[554] Frederick T. Lachat, yeoman first class, U. S. Naval Reserve, reporter, entered. Frank L. Middleton, yeoman second class, U. S. Naval Reserve, reporter, withdrew.

The court then, at 2:45 p. m., took a recess until 2:55 p. m., at which time it reconvened.

Present: All the members, the judge advocate and his counsel, all the interested parties and their counsel, with the exception of the interested party, Admiral Harold R. Stark, U. S. Navy, whose counsel were present.

Rear Admiral William W. Smith, U. S. Navy, the witness under examination when the recess was taken, resumed his seat as witness. He was warned that the oath previously taken was still binding, and continued his testimony.

Cross-examined by the interested party, Admiral Harold R. Stark, U. S. Navy, (Continued):

121. Q. Admiral, now that you have read the letter, is the question clear to you now.

A. Yes, but this letter is obviously one of the weekly letters by the Commander-in-Chief and the Chief of Naval Operations. It does not confine itself to that one movement. As I say, the Commander-in-Chief had already made plans to reenforce those islands.

122. Q. Admiral, let me further clarify the matter. After the war warning message was received by the Commanding General of the Hawaiian Department—that is, his war warning message—he sent a report by dispatch to the Chief of Staff of the Army of the steps he took pursuant to the dispatch that he received from them. A few minutes ago in your testimony you stated that General Short had reported the steps he took, and you also stated that Admiral Kimmel also reported to the Chief of Naval Operations the steps he took upon the receipt of the war warning dispatch. I want to clear up in the minds of the court the fact that you do not mean that this letter is to be taken as a parallel to the dispatch which the Commanding General sent to the Chief of Staff but that it is just a routine, weekly letter which Admiral Kimmel wrote?

A. That is right.

123. Q. In other words, do you know of any dispatch which you or Admiral Kimmel sent, reporting to the Chief of Naval Operations the actions you had taken upon receipt of the war warning message of November 27?

A. I couldn't possibly remember that, no.

[555] 124. Q. As far as you know, there was none?

A. We are going back two and a half years, and it is very difficult to remember everything that happened. There may or may not be a dispatch, but I would not go on record and say there was. I'm not sure.

125. Q. So far as you know, there was not?

A. That is not the way I put it. That is the legal way of putting it. I do not remember it. I think probably there was, but I do not remember it.

The court then, at 3:00 p. m., adjourned until 10:00 a. m., August 22, 1944.

PROCEEDINGS OF NAVY COURT OF INQUIRY

TUESDAY, AUGUST 22, 1944.

[556]

SIXTEENTH DAY

NAVY DEPARTMENT,
Washington, D. C.

The court met at 10:00 a. m.

Present:

Admiral Orin G. Murfin, U. S. Navy (Ret.), President.

Admiral Edward G. Kalbfus, U. S. Navy (Ret.), Member.

Vice Admiral Adolphus Andrews, U. S. Navy (Ret.), Member.

Commander Harold Bieseimer, U. S. Navy, Judge Advocate, and his counsel.

Frank L. Middleton, yeoman second-class, U. S. Naval Reserve, reporter.

Counsel for Admiral Harold R. Stark, U. S. Navy, interested party.

Admiral Claude C. Bloch, U. S. Navy (Ret.), interested party, and his counsel.

Counsel for Rear Admiral Husband E. Kimmel, U. S. Navy, (Ret.), interested party.

The record of the proceedings of the fifteenth day of the inquiry was read and approved.

No witnesses not otherwise connected with the inquiry were present.

Rear Admiral William W. Smith, U. S. Navy, the witness under examination when the adjournment was taken, entered. He was warned that the oath previously taken was still binding, and continued his testimony.

Examined by the court:

126. Q. Admiral, in the Roberts Report, of which this court has taken judicial notice, there is a statement made that the responsible commanders in the Hawaiian area were aware of previous Japanese actions and demonstrated Axis methods which indicated that hostile action might be expected prior to a declaration of war. Were you aware of this?

A. I think we all were, yes, sir, but that did not necessarily indicate an attack on Pearl Harbor. We knew that they had attacked the Chinese and the Russians before the outbreak of war and we expected they would do it again. We did expect they might hit the Philippines or Midway or Guam, but not Pearl Harbor.

127. Q. What effect did this have on the Commander-in-Chief's estimate with reference to the Hawaiian area?

A. We expected nothing in the Hawaiian area except [557] a submarine attack. We expected that as almost a sure thing.

128. Q. Was telephonic communication available to the Commander-in-Chief, Pacific Fleet, with the Chief of Naval Operations? This question is asked in connection with your statement that the quickest form of communication which could have been used by OpNav on the morning of the 7th of December between the Commander-in-Chief and the Chief of Naval Operations was by priority, Navy radio.

A. I would say, Admiral, that priority, Navy radio, was the most reliable, quick method of communicating. We had no telephonic communication with Washington. We did have it with the West Coast and it could have been relayed through the West Coast. It has only been recently that we have established telephone communication with Pearl Harbor and it is very unreliable now.

129. Q. But you actually had it; it was available to you if you wanted to use it?

A. To California, yes, sir; but through a commercial station; not through the naval communications.

130. Q. But you actually had it even though you had to go through California for it?

A. Yes, sir.

131. Q. In other words, you could speak directly to Washington over commercial telephone?

A. That is my understanding; yes, sir.

132. Q. What courses of action could the Commander-in-Chief, Pacific Fleet, have taken subsequent to the receipt of a war warning message on November 27th had he interpreted the words "war warning" to mean that an attack on Pearl Harbor was about to ensue?

A. He could have put out a search with the available aircraft and with the Army bombers available. There were not very many. If necessary, he could have used his carrier-based planes for search. He could have had his Fleet out of Pearl Harbor to the westward with the heavy ships in a supporting position and his carriers advanced to intercept the Japanese.

133. Q. Well, without a definite movement on the part of the Fleet toward the westward to meet such a possible attack, what means were available to prepare for it in the Hawaiian area?

A. The only source of searching other than airplanes is the destroyer, but the destroyers were being intensively trained in night attack. They were always required to guard our heavy ships in case of submarine [558] attack which we expected so that we could not use destroyers for scouting. We could have searched a radius of perhaps 600 miles, but not through 360 degrees with the planes available.

134. Q. Were you familiar with the state of readiness of the Army's aircraft warning system?

A. No, sir, I was not. I knew that the Army had installed the radar; that we had sent officers up there. I did not realize that it was in anything but an experimental stage; they were feeling around. Now, it is quite possible that that is not the picture. The radar was a very secret thing and General Short sometimes held conferences with Admiral Kimmel, and when he came over unaccompanied by his staff I did not go in the Admiral's office unless sent for because I had other work to do. It is possible that General Short told Admiral Kimmel of the

state of readiness of that radar but I had no knowledge that it could be depended upon, and in fact, it wasn't dependable. The much published report that a non-commissioned officer picked up the Japanese planes coming in, we learned two or three days after Pearl Harbor. We had no knowledge on that date that planes were coming in. When I spoke to Colonel Davidson about it, I asked why that report had not been given to the Navy sooner, and he said, "We reconstructed that from all of the bearings the man got that morning but we didn't know on Sunday; we were not convinced that that was the direction from which the planes came." And that is obviously correct because we searched to the south rather than to the north. We got no information that day whatever from that radar, even after the attack. Had the radar been dependable, they should have certainly traced the planes out, but they didn't. They didn't report to us.

135. Q. Whether they were dependable or not, whether they were efficient or not, wasn't it worthwhile to keep them constantly manned on the chance that they might pick something up?

A. Yes, sir.

136. Q. In other words, that is one thing that could have been done after that warning message?

A. Yes, sir.

137. Q. How many ships of the Fleet had radars installed, approximately?

A. We had 4 heavy cruisers, possibly 5, that were equipped with radar. The light cruisers and destroyers were not. The carriers were equipped with radar.

138. Q. What was the state of their efficiency and dependability?

A. It was very good. We had had a number of night exercises prior to Pearl Harbor locating and attacking the enemy by the use of radar. It was considered very efficient but of course inside Pearl Harbor the [559] radar on a ship is no good because it fails to penetrate the mountains. I will add to that, there were other ships equipped with a form of radar, but it was very unreliable. My own flagship, the ASTORIA, a month or so after Pearl Harbor, had a radar but it could not pick up a plane that was visible to the naked eye. It was a very poor type. They have all since been taken off. Now, how many other ships were equipped with that form of radar, I do not know.

139. Q. No battleship were equipped with radar?

A. Not to my knowledge, no, sir.

140. Q. And the ships' radars were not available or effective while anchored in Pearl Harbor?

A. No, sir.

141. Q. Then among the steps that might possibly have been taken, what would have been the objection to having a ship outside, after the warning message of November 27th, in order to use all methods available?

A. None, except that we did have ships outside. We had two carriers outside. Both ships had radar.

142. Q. And these carriers did not pick up the Japanese ships from which the planes came to Pearl Harbor?

A. No, sir. Not only that, but Admiral Halsey, on his trip to Midway and return, had a search in the air, I believe, to a radius of 300 miles, and he picked up nothing.

143. Q. Then in your opinion to station a ship clear of Pearl Harbor for the purpose of using the radar would not have been effective?

A. No, sir. The radar at that time, I doubt if a ship's radar could pick up anything in the air more than 65 miles, so unless you had a cordon of ships around Oahu, it is very unlikely that you would have found anything.

145. Q. And to have had such a cordon, would it have been very dangerous to the ships?

A. Yes, sir.

145. Q. For what reason?

A. Well, if you are going to use your ships for a scouting line, you have nothing to concentrate to fight the enemy if you meet it.

146. Q. How about the dangers of submarine attack on ships so stationed?

A. That is always dangerous.

147. Q. Admiral, were these matters considered at that time and rejected for the reasons you give?

A. Not to my knowledge. I would like to add to my [560] answer that we did have patrol planes searching from Midway and we also had submarines stationed at both Midway and Wake.

118. Q. Was it considered that because of an attack on Pearl Harbor was held to be only a remote possibility that additional precautions against such a possibility were unnecessary and unjustified?

A. Yes, sir.

149. Q. Admiral, so much has been said in previous testimony from officers of the Fleet with regard to training of the Fleet, and that training might have to be stopped under such conditions. The word "training" in the record might be misleading. Isn't "preparation" a preparation for war?

A. The Fleet was training for war, and in my opinion was in very efficient condition for war. I believe where that training discussion arose was that because of the new ships under construction we were required to send so many trained men back for months and we were constantly getting new men, and some officers felt that we were handicapped but I never did because the new men learned very quickly. The Fleet was not filled up, however; we were about 10,000 men shy, as I recollect; below complement.

150. Q. Do I understand your testimony to be that it is your belief that withdrawing men from the Fleet for the purpose of filling complements and new construction did not decrease the efficiency of the Fleet to any extent?

A. Not materially, no, sir.

151. Q. Well, if trained men were withdrawn from a ship and no men were available to take their places, leaving vacancies in the complement, would you please elaborate a little more why the efficiency wasn't necessarily decreased?

A. Some months before Pearl Harbor there was a board convened under Admiral Theobald to look into the complements of all types of ships and to recommend new complements, including lookouts and anti-aircraft guns. These complements materially increased the crews over what we had had before. When I say that we were approximately 10,000 men short of complement, I mean for that new complement. We had never met it, but the ships did have the crews that they had normally held, say a year before Pearl Harbor.

152. Q. Was that on the 85 per cent basis?

A. Yes, sir.

[561] 153. Q. Upon receipt of the war warning message of 27 November, or within a reasonable time thereafter, did the Commander-in-Chief, Pacific, hold a conference with his staff or with the Army relative to the contents of this message?

A. He called a conference of his staff immediately. He sent the Fleet Intelligence officer, with a copy of the war warning, to be delivered to General Short. He sent for Admiral Bloch. Admiral Bloch was at the hospital and Captain Earle came over to represent Admiral Bloch. To the best of my recollection, a conference was held the following morning with General Short and, as usual, with all Task Force commanders and Type commanders in port.

154. Q. Then to your knowledge, General Short did know of this message and did confer with Admiral Kimmel concerning it?

A. Yes, sir.

155. Q. Within a day of two after its receipt?

A. Yes, sir, within a day or two. When he received that message, I do not know, but I know that Lieutenant Commander Layton was sent over with a copy to be delivered to General Short that night.

156. Q. You don't know how soon after the message was received that the conference between Admiral Kimmel and General Short in reference to the message was held?

A. I believe within 24 hours; the next morning.

157. Q. Will you state to the best of your knowledge what took place at this conference between General Short and Admiral Kimmel?

A. I do not recall the details.

158. Q. Do you recall the concensus of opinion as to what this message meant and as to the probable place of attack in case war came?

A. I believe I stated yesterday that the unfortunate thing about that war warning is, they told us where the attack was likely to happen. It would have been better had it merely said "this is a war warning" and stopped right there. But they told us that the attack would very likely be on the Kra Peninsula, Malay, and Thailand, and we figured that their information was better than ours.

159. Q. Well, what did you consider the intent of this message by heading it "A war warning"?

A. Why, I thought that the intent was to put us on our toes and get ready to carry out the mission required by the War Plan. The War Plan was not executed by the Navy Department.

[562] 160. Q. Was it ever executed?

A. I believe it was on the afternoon of December 7th. I'm not certain. But it was not before the attack.

161. Q. What were the controlling conditions that required the Commander-in-Chief, Pacific Fleet, to send ships into Pearl Harbor at any time during the critical period?

A. Well, it had been proved that ships cannot remain at sea forever and it was part of our program. The Fleet had been in Pearl Harbor a very long time, I mean, had been in the area a very long time, and it was part of our program to bring ships in, refuel and provision them, and give the men some recreation.

162. Q. Well, in addition to being a part of the program, wasn't it an absolute necessity?

A. Yes, sir.

163. Q. Always a necessity?

A. Always a necessity. You see, you can fuel ships at sea but there was no anchorage outside of Pearl Harbor that was at all safe, such as Lahaina Roads. It was not considered safe. There was no protection against submarines.

164. Q. Will you elaborate a little in that connection on the physical and morale condition of the crews of the ships by keeping ships constantly outside?

A. While at sea, we were always in Condition 3, or in a higher condition. We invariably operated without lights. After a week or ten days of these intensive operations—and they were intensive; in one operation alone we had 4 ships damaged by collision—it was necessary to give the officers and men some recreation and relaxation.

[563] Frederick T. Lachat, yeoman first class, U. S. Naval Reserve, reporter, entered. Frank L. Middleton, yeoman second class, U. S. Naval Reserve, reporter, withdrew.

165. Q. And relaxation?

A. And relaxation, yes, sir.

166. Q. Did the Commander-in-Chief or his staff have information that certain Army planes were leaving Hamilton Field on the west coast of the United States on the night of 6th–7th December, to arrive at Oahu early in the morning on December 7?

A. To the best of my knowledge, the Navy had no such knowledge. I did not. It is possible the Fleet aviator did have it. It is quite possible that Admiral Bellinger knew it.

167. Q. Did you on the morning of December 7, or subsequent thereto, have any information as to the most probable location of the Japanese carriers from which the attack against Pearl Harbor was made?

A. Not for some two days. You see, there had been a great deal of confusion. There were radio bearings reported indicating the enemy was to the south of Oahu. We suspected at the time that these might have been sampans or other Japanese ships opening the radio to confuse us, but we found out later that the confusion originated in Oahu itself by false reports being made by excited people reporting things which did not occur and which they imagined.

168. Q. Where would these excited people get their information?

A. Well, for example, one report was that parachute troops were landing on the north coast of Oahu. Some citizen had telephoned that in, and it was put on the warning net immediately. It was stated that they were dressed in blue clothes with red arm bands, and after we had time to trace that down, we found that a training plane—a little seaplane—under the authority of the Commander of the Service Force had been shot down by one of these Japs, and the mechanic was dressed in dungarees and he dropped to safety. Another report was that troops landed at Barbers Point. Ships were sent to look into it, but there was nothing there. That came from excited civilians out in that direction. Then we had a report that an enemy carrier had been sighted south. That came from one of our own planes. It turned out to be the MINNEAPOLIS, I believe. On the afternoon of Pearl Harbor a squadron of seaplanes returned from Midway to Pearl Harbor, and they had been ordered to scout on the way. The squadron commander reported well south of Pearl Harbor a Japanese carrier accompanied by a Japanese destroyer. He stated that he

had dropped two bombs on this carrier, which was zigzagging at high speed, and then had been chased some eighty miles [564] down wind until he found bad weather. We immediately sent a dispatch to Admiral Brown, who was within ninety-two miles of there, telling him to get the carrier. He still had several hours of daylight. Admiral Brown replied that he believed the ship bombed was the PORTLAND and not a Japanese carrier. The pilot arrived about 9 p. m. and was examined by almost the entire staff of Admiral Kimmel. He had a very fine reputation, and he said he knew it was a Japanese carrier because he saw the Rising Sun painted on her deck. He said that this carrier had the plan of a heavy cruiser painted on her deck as camouflage. We then sent a radio message to the PORTLAND: "Were you bombed this afternoon?" and he replied, "Yes, a plane dropped two bombs narrowly missing me astern." That was war hysteria, and there was considerable of it, and that is the cause, in my opinion, of the more or less wild goose chase we had looking for the enemy. It was a case of receiving bad reports from excited people.

169. Q. No reports of this nature were received prior to the attack?

A. No, sir, none at all.

170. Q. You stated that subsequent to the attack on Pearl Harbor you had information as to the location of the carriers from which the plan attack was launched.

A. I would like to correct my answer to that. On the late afternoon of Pearl Harbor we received a chart that had been taken by the Army from a Japanese plane that had been shot down but had not burned. The Army evidently thought this was of no value until the Fleet Intelligence Officer learned of it and brought it over immediately, and in pencil on that chart it indicated that he had come down from about 200 miles north of Oahu. That was the first information we had of actually where it came from.

171. Q. What was the best information available to Admiral Kimmel or his staff subsequent to the attack as to the location of the ships at the time the attack was launched?

A. He had absolutely no information.

172. Q. I mean at the time Admiral Kimmel left the Fleet.

A. He had that after receiving the radar report from the Army some two days after Pearl Harbor, and that report agreed with the map from the shot-down Jap aviator, indicating that the planes were launched from a position some 200 miles to the northward and that the carriers had then turned around. They were never sighted by any of our planes.

173. Q. Turned around to which direction?

A. To the north, probably seeking bad visibility.

[565] 174. Q. Speaking of visibility in the trade wind area, what would you call the extremes of visibility?

A. Well, by bad visibility, I mean fog. For example, the day after the battle of Midway we headed north with some carriers, and we very soon came into zero visibility and could not transfer planes from one carrier to another.

175. Q. Was a similar condition obtained in the general area surrounding Oahu at a range, say, from 200 to 300 miles?

A. Yes, to the north.

176. Q. What was the state of visibility on the morning of December 7?

A. At Pearl Harbor?

177. Q. In the Hawaiian area?

A. Very good.

178. Q. Admiral, did the messages directing the destruction of codes, etc., at Guam influence your decision or idea of the most probable place of Japanese attack in case of war?

A. No, sir, it did not, because we had known that it was not our intention to defend Guam, and that would be one of the first places where they would be told to destroy codes.

179. Q. We believe that you have answered the question that had you received word from the Navy Department on the morning of December 7 one or two hours prior to the attack, it would have influenced the disposition of planes, etc.

A. Yes, sir. There would have been the opportunity to get the pilots to the airfields and to get the planes in the air and get the light forces out of Pearl Harbor.

180. Q. From your information prior to December 7 and from information received subsequent thereto, is it your opinion that the Commander-in-Chief of the Pacific was kept sufficiently informed by the Navy Department to give him a clear picture of the Japanese situation?

A. In my opinion, he was not. I will cite an incident. At the time before Pearl Harbor—probably in May 1941—the Commander-in-Chief received orders to send a division of heavy cruisers and a division of light cruisers toward Samoa, prepared for distant service, and to equip themselves with the Mark 6 exploder for torpedoes, which exploder was entirely unknown to destroyers at the time. The Commander-in-Chief was given no information as to where those ships were to go. It was not until they reached Samoa that orders were received from the Chief of Naval Operations, telling them to make a cruise to New Zealand and Australia. I have many a time heard the Commander-in-Chief say, "These people in Washington must have more information than we have. I wish I knew what they are thinking about." Our Fleet Intelligence Officer had [566] placed the Japanese Fleet in home waters mostly. If the Navy Department had better information than that, we should have received it.

181. Q. Was this concern on the part of the Commander-in-Chief of the Pacific regarding his lack of information from Washington especially apparent from the period of November 27 to December 7?

A. No, sir, at the time he believed that he was getting everything that the Navy Department had.

182. Q. Specifically, did the deficiency in information which the Navy Department was furnishing him have any effect on what actions he took or might have taken with respect to possible action by the Japanese in the Hawaiian area?

A. Yes. I would like to state, for example, that a few days after Pearl Harbor the late Secretary of the Navy Knox arrived in Pearl Harbor to conduct an investigation. He was with Admiral Kimmel, General Short, and I believe Admiral Bloch all morning. I wasn't there, but I was invited to join them at 12 o'clock for lunch. After

I arrived I believe I remember the exact words of Secretary Knox. Present at this conference were Admiral Kimmel, Admiral Pye, Admiral Bloch, General Short, Captain Beatty, who was aide to the Secretary, and I. Secretary Knox said, "Did you not get a warning on the 6th of December?" We all answered in the negative. He stated, "We learned surreptitiously on the 6th of December that Nomura and Kurusu had orders to hold their last conference with Secretary Hull at 1 p. m. on Sunday, the 7th." 1 p. m. in Washington was about 7:30 in Pearl Harbor, shortly before the attack. He said, "I know that that information was sent to Admiral Hart, and I thought, of course, it was sent to you." Now, had we had that information on Saturday, the 6th of December, it would have been very valuable. The Army received that message on the afternoon of Pearl Harbor. The Navy never did receive it. The Commander-in-Chief had no message on the order of that mentioned by Secretary Knox.

183. Q. Did Secretary Knox say when this information first became available?

A. My recollection is on Saturday, the 6th of December.

184. Q. Do you now know of any information that the Navy Department had prior to the attack which would have been valuable to the Commander-in-Chief in taking action in the Hawaiian area?

A. Since my return to Washington, I have been informed that the Navy Department did have information that would have been very important to the Commander-in-Chief, but since this information is of a nature that might possibly be damaging to the war effort, I believe that I should not quote it in the interest of national security.

[567] 185. Q. During the course of this luncheon with Secretary Knox on the date you have indicated at Pearl Harbor, did he express any opinion as to what was the prevailing thought regarding the place of attack by the Japanese?

A. He did. His words, as I remember them, are, "Frankly, I know of no one in the War Department or in the Navy Department, not even Kelly Turner, who expected an air attack on Pearl Harbor."

186. Q. Do you remember now any other pertinent expressions by the Secretary of the Navy on that date regarding this matter?

A. No, sir, I do not. Most of the conversation was as to the damage done, but what had gone on before I joined the conference, I do not know. They had been together several hours before I joined them.

Reexamined by the judge advocate:

187. Q. There has been some testimony by other witnesses before this court, other than yourself, as to actions which might have been, and possibly would have been, taken had the Commander-in-Chief of the Pacific Fleet received the message from the Chief of Staff setting out the information that the Japanese diplomats were presenting their credentials at one o'clock and the possible further information that the Japanese were destroying their ciphering machines in certain areas. Admiral, you have testified that you saw the message of November 27, 1941, from the Chief of Naval Operations, which started out by saying, "This dispatch is to be considered a war warning." It stated further that negotiations with the Japanese looking toward stabilization have ceased and that an aggressive move by Japan is expected within the next few days. This message also indicated possible Japanese objectives, and it directed an appropriate

defensive deployment preparatory to carrying out the tasks assigned in WPL-46. I should like to ask you to state for the court what this message from General Marshall to the Commanding General of the Hawaiian Department of 7 December 1941, which was not received until after the attack, would have added in the way of a warning so that you could have taken additional measures prior to the Japanese attack?

A. The message received by General Short was delivered by an officer messenger to us at Pearl Harbor on the afternoon of December 7. I glanced at it quickly and said, "It's no good to us now." I don't remember the wording of that dispatch, but if it stated that the final conference was not to be held until 1 p. m. on Sunday, it is a very simple deduction that Pearl Harbor might be the objective, because one o'clock [568] in Washington is about midnight on the Asiatic station and shortly after daylight at Pearl Harbor. For that reason, that information would have been very valuable.

188. Q. What steps would you have taken?

A. We would have given the Condition One, sent the Fleet to sea, and alerted all aircraft. They had two carriers at sea with their task forces. We would have held them up to the northward to try to locate the enemy in an attempt to divert the attack.

Reexamined by the court:

189. Q. How would air coverage for the Fleet been provided in such a case?

A. As it was at that time and still is—by carrier-based planes.

190. Q. I understand you were going to work the carriers to the northward to chase the enemy.

A. Yes, sir, but each one was accompanied by cruisers and destroyers. The battleships would be in support of them.

191. Q. It has been testified that had the Fleet been at sea and attacked without air coverage, the ships would have been irretrievably sunk.

A. That is true if they had sortied from Pearl Harbor shortly before and were within enemy range, but had they been two or three hundred miles to the westward, it is very unlikely that the heavy ships would have been attacked.

192. Q. Is it not a fact, however, that the speed of the battleships in Pearl Harbor at that time was not such as to enable them to accompany a task force which had carriers as its basis?

A. The battleship fleet speed was about fifteen knots at that time. As I indicated, they could be used only as a support force. Of course, they and the cruisers have their own airplanes for scouting purposes.

Reexamined by the judge advocate:

193. Q. You have mentioned a number of measures which the Commander-in-Chief of the Pacific Fleet might have taken had he received the dispatch from General Marshall, which arrived late on December 7. In view of the fact that the Army had a number of pursuit squadrons available, do you think that if they had put them aloft before sunrise they would have been an effective measure for diverting the Japanese attack?

A. It would not, in my opinion, have diverted the attack. [569] It would have decreased the damage done and increased the number of planes shot down, but all of the Air Force that we had in Pearl Harbor at that time would not have stopped a determined attack by

three or four carriers, such as we have today. The way the Japanese do it, if they lose all their planes, they continue to go through. There is no question but that the Fleet in Pearl Harbor would have been damaged even if we had been alert.

Reexamined by the court:

194. Q. Is it not a fact that the only method by which that attack could have been completely diverted would have been an anticipation of the launching of planes from a Japanese carrier?

A. Yes, by locating the carriers before they got within launching range.

None of the parties to the inquiry desired further to examine this witness.

The court informed the witness that he was privileged to make any further statement covering anything relating to the subject matter of the inquiry which he thought should be a matter of record in connection therewith, which had not been fully brought out by the previous questioning.

Frank Murrell Sickles, yeoman first class, U. S. Naval Reserve, reporter entered. Frederick T. Lachat, yeoman first class, U. S. Naval Reserve, reporter, withdrew.

The witness made the following statement: I should like to cite a few incidents to attempt to prove that the Navy in the Pacific was not asleep in the months preceding Pearl Harbor and that Admiral Kimmel did everything he could to keep them awake. I should like to start in 1939, when Admiral Kimmel had the cruisers battle force. I had one of those cruisers. We were intensively trained. We towed each other, fueled at sea, and did about everything that ships can do. In September of that year I was proud of the fact that my ship could launch four planes quicker than any other, which was fifteen minutes. Bear in mind that these planes are in hangars and have to be brought up on deck and their wings spread before they can be catapulted. I came out of the Navy Yard overhaul three months later and found that if I took more than five minutes in launching them, I got a signal, so we started launching them in that time. In 1940 when we got to Pearl Harbor we were required by Admiral Kimmel, if we went out for one or two days' target practice, the first thing on returning to Lahaina Roads was to go alongside a tanker and fuel to ninety-five per cent. After he became Commander-in-Chief he required that of the entire Fleet. In the year 1940 he sent a secret letter to [570] each commanding officer, saying, "Without telling anybody, sound general quarters and send up 100 rounds of live ammunition per gun. The result of this was rather astounding in some cases. The warrant officer down below would answer the gunnery officer, "Are you kidding?" or, "It is against the Bureau of Ordnance regulations." The turrets had no difficulty, but the 5-inch anti-aircraft guns, their ammunition was in galvanized iron boxes. In some cases the gunner's mate couldn't find his wrench. They arrived on deck and there was a great deal of confusion. I think it took me twenty-five minutes to get 100 rounds per gun. It took some ships an hour and forty-five. To do it we had to strip the fuse of its water-proofed and air-tight container, and I believe that we were called by the Bureau of Ordnance on that and told that we had disregarded Navy Regulations. At any rate, when the report of that incident was made to the Commander-

in-Chief, Admiral Richardson, he had a special board appointed and they looked into the ammunition supply of all ships. They found that on some of our battleships—I believe one was the MISSISSIPPI—the ventilation was so poor in the handling rooms that after the crew had furnished some fourteen or fifteen charges, they were absolutely all in and could not furnish anything more. I believe that the effect of that investigation on providing ammunition was very good for us on the 7th of December, because the ships had no trouble in getting their ammunition to the guns. As soon as Admiral Kimmel took over, he moved his War Plans. The fleet at that time had one War Plans officer, and an assistant who was merely a secretary. He moved the War Plans section off of the flagship into good, spacious rooms on shore. He increased the number from one to four, putting in some of the Navy's and Marine Corps' most intelligent officers, and told them to bring the War Plans up to date, which they did. Fifteen days after he took over the Fleet, he issued Security Order—I believe it is called 2CL-41—dated 15 February '41. It was revised on October 14, 1941, only because conditions had changed. That Security Order of 15 February was, so far as I know, the only security order that had been issued in the Pacific Fleet, the first one. He then, in conference with the Army, required Army planes to land on Navy fields, Navy planes to land on Army fields. It was soon discovered that the Navy bombs would not fit the Army planes, so the fittings of all planes were changed so either service could use the bombs of the other. When Admiral Halsey started for Wake, he took with him two Army planes and launched them from the carrier's deck, which I believe was the first time that an Army plane had ever been launched from a Navy carrier. I'd say another thing about Admiral Kimmel: He went from the lunch room to his office. He was never known to take a siesta. The Fleet's problem was not to protect Pearl Harbor, but to guard the entire Pacific, and the Commander-in-Chief felt that he had reasonable assurance that he would receive enough information from Washington to avert attack. He was building up [571] the islands as rapidly as he could. We didn't have enough ships to supply those islands properly. The submarines were stationed at Wake and Midway. He had put planes on both Wake and Midway about the 15th of November, 1941. He wrote a letter to Admiral Stark—I do not recall the exact wording—but he stated that the Pacific Fleet should not be used as a training squadron to fill up the Atlantic. Within approximately two months after Pearl Harbor, practically all the ships that had been sent to the Atlantic in 1941 returned to the Pacific Fleet. I believe all except two light cruisers returned. The destroyers from that outfit came alongside my flagship to fuel, and I remarked, "They now have everything that Kimmel tried to get for them while they were in the Pacific." They had radar, the latest methods of depth-charge throwing, a great many improvements that he had repeatedly demanded and had been unable to get. As soon as they got to the Atlantic, the things were installed. Now as for the Washington point of view, I have told you what Secretary Knox stated. The fact that on the morning of Pearl Harbor a squadron of B-17's arrived from San Francisco with their machine guns mounted but with no ammunition, indicates that the west coast of the United States had not been warned from Washington that war

was imminent. Several days after Pearl Harbor we received a letter from the Chief of the Bureau of Personnel, written shortly before Pearl Harbor, and as I recall the wording in that letter, he stated: "We know that you would like to have 20,000 men—10,000 to fill up the fleet and 10,000 more for training, and we would like to give them to you, but they are not available; but remember, the war is in the Atlantic, and we here in Washington think you are sitting pretty in the Pacific." That was actually received after Pearl Harbor. I would like to mention the arrival of the Roberts Board. On the morning of their arrival I called up a Colonel Lee Brown and asked him when the board would be over to Pearl Harbor—told him that all arrangements had been made. His reply was: "We are going out to Fort Shafter, and we may not be in Pearl Harbor for several days." And I said, "If you are going to question General Short, should not Admiral Kimmel have the privilege of being present?" His reply was, "No, this is merely a fact-finding board. We don't want anything like that." I then said, "Admiral Kimmel is not accused of anything. May he have counsel when he appears as a witness?" And the answer was, "No, we are merely a fact-finding board."

The court, for clarification, asked to whom reference was being made, to which the witness answered: Lieutenant Colonel Lee Brown. I believe he was secretary to the board; Marine Corps.

The witness then continued his statement as follows: When the board finally did arrive at Pearl Harbor, and Admiral [572] Kimmel went before it, he had no information whatever as to what any witness preceding him had stated, and I have been told by him that it was two years before he could get a copy of the Roberts Board and did read the testimony of all witnesses.

The witness was duly warned and withdrew.

The court then, at 11:35 a. m., took a recess until 11:50 a. m., at which time it reconvened.

Present: All the members, the judge advocate and his counsel, all the interested parties and their counsel, except Admiral Harold R. Stark, U. S. Navy, interested party, whose counsel were present, and Rear Admiral Husband E. Kimmel, U. S. Navy (Ret), interested party, whose counsel were present. Frank M. Sickles, yeoman first class, U. S. Naval Reserve, reporter.

No witnesses not otherwise connected with the inquiry were present.

Lieutenant Commander Robert D. Powers, Junior, U. S. Naval Reserve, counsel to the judge advocate, was recalled by the judge advocate and warned that the oath previously taken was still binding.

Examined by the judge advocate:

1. Q. Are you the legal custodian of the official report by the Commander-in-Chief, U. S. Pacific Fleet, which he made of the Japanese attack on Pearl Harbor on the morning of 7 December, 1941, which is serial number 0479, dated 15 February 1942? If you are, will you produce it?

A. I am. I identify the document, which I hold in my hand, as the original report, with enclosures, authenticated by the signature of Admiral C. W. Nimitz, Commander-in-Chief of the Pacific Fleet at the time of the making of the report.

The document, official report of the Commander-in-Chief, U. S. Pacific Fleet, of the Japanese attack on Pearl Harbor on the morning

of 7 December 1941, serial number 0479, dated February 15, 1942, was submitted to the interested parties and to the court and by the judge advocate offered in evidence for the purpose only of reading into the record such extracts therefrom as show the damages done to naval ships and aircraft by the Japanese raid of December 7, 1941.

There being no objection, it was so received.

2. Q. Refer to this document and read such portions thereof as pertain to the facts for which it had been offered in evidence.

The witness read from said document extracts, copies [573] appended, marked "EXHIBIT 61."

3. Q. Have you examined the official report submitted by the Commander-in-Chief giving the personnel casualties resulting from the Japanese raid on Pearl Harbor on 7 December 1941?

A. I have. These reports, examined by me in the office of the Bureau of Personnel, give in detail the names by ships and stations of the killed and wounded as a result of the Japanese raid on Pearl Harbor. These reports are very voluminous. From this examination, I obtained a calculation of the total of the killed and wounded. This calculation shows that the total killed, including those who died of wounds and those missing and declared dead, was 3067, and those wounded, 896.

The judge advocate asked if any party to the inquiry or the court had any objection to the summary of the information as given in the answer of the witness. None of the interested parties nor the court made any objection.

None of the parties to the inquiry desired further to examine this witness.

The court informed the witness that he was privileged to make any further statement covering anything relating to the subject matter of the inquiry which he thought should be a matter of record in connection therewith, which had not been fully brought out by the previous questioning.

The witness stated that he had nothing further to say.

The witness resumed his seat as counsel to the judge advocate.

The court then, at 12:05 p. m., adjourned until 9:30 a. m., August 23, 1944.

PROCEEDINGS OF NAVY COURT OF INQUIRY

WEDNESDAY, AUGUST 23, 1944

[574]

SEVENTEENTH DAY

NAVY DEPARTMENT,
Washington, D. C.

The court met at 9:30 a. m.

Present:

Admiral Orin G. Murfin, U. S. Navy (Ret), President.

Admiral Edward G. Kalbfus, U. S. Navy (Ret), Member.

Vice Admiral Adolphus Andrews, U. S. Navy (Ret), Member.

Commander Harold Biesemeir, U. S. Navy, Judge Advocate, and his counsel.

Frank M. Sickles, yeoman first class, U. S. Naval Reserve, reporter.

Counsel for Admiral Harold R. Stark, U. S. Navy, interested party.

Admiral Claude C. Bloch, U. S. Navy (Ret), interested party, and his counsel.

Counsel for Rear Admiral Husband E. Kimmel, U. S. Navy (Ret), interested party.

The record of the proceedings of the sixteenth day of the inquiry was read and approved.

No witnesses not otherwise connected with the inquiry were present.

The court then, at 9:40 a. m., took a recess until 9:55 a. m., at which time it reconvened.

Present: All the members; the judge advocate and his counsel; counsel for the interested party, Admiral Harold R. Stark, U. S. Navy; Admiral Claude C. Bloch, U. S. Navy (Ret), interested party, and his counsel; counsel for the interested party, Rear Admiral Husband E. Kimmel, U. S. Navy (Ret). Frank M. Sickles, yeoman first class, U. S. Naval Reserve, reporter.

No witnesses not otherwise connected with the inquiry were present.

A witness called by the judge advocate entered, was duly sworn, and was informed of the subject matter of the inquiry.

[575] Examined by the judge advocate:

1. Q. Will you state your name, rank, and present station.

A. Logan C. Ramsey, Captain, U. S. Navy, acting as Chief of Staff to Commander Fleet Air, Norfolk.

2. Q. What duties were you assigned between November 1 and December 7, 1941?

A. During the period specified, I was Operations Officer on the staff of Rear Admiral P. N. L. Bellinger.

3. Q. Will you state what duties were assigned that officer—what duties was Admiral Bellinger performing?

A. Admiral Bellinger's immediate command was Patrol Wing Two. In addition, he was designated as Commander Patrol Wings, Ha-

waiian area, assisting the Patrol Wings One and Two and attached tenders. In addition, he was Commander Task Force Nine, tactical organization. He was also designated as aviation liaison officer to cooperate with the Commandant, 14th Naval District, in the development of aviation facilities, particularly on the outlying islands, Wake, Midway, Palmyra, and Johnston. The final duty was Commander—or rather, it was termed—Commander Naval Base Defense Air Force.

4. Q. What were the aviation organizations available to Admiral Bellinger under the designation as Commander Naval Base Defense Air Force?

A. I have to answer that question indirectly. The procedure was slightly different from that outlined in the question. Units of Army bombardment aviation, of Marine Corps bombardment aviation, reported daily planes that were available to the Naval Base Defense Air Force when that organization was in a functioning status. Of course, in addition, the aircraft of Patrol Wings One and Two were under his command.

5. Q. The force then which was known as the Naval Base Defense Air Force only came into being under certain conditions; is that correct?

A. That is correct.

6. Q. What were those conditions?

A. Primarily, an emergency. Second, the vitalization of that organization for drill purposes or for impending possible emergencies, upon advice from higher authority. For drill purposes, the procedure was for the Commandant of the 14th Naval District, in his capacity as Commander Naval Base Defense Force, to send a message, "Drill, danger of an air raid on Pearl Harbor exists, drill"—at which time the Naval Base Defense Force was considered vitalized, or [576] placed in functioning status for drill purposes. Similarly, if under conditions where it had been considered necessary to place the organization on an actual war basis, I presume the same message would have been sent, but the word, "drill," be omitted.

7. Q. You mean to tell the court to vitalize the Naval Base Defense Air Force, some specific order from a higher commander was necessary? I mean by "higher commander" some officer senior to Admiral Bellinger.

A. That is correct.

8. Q. Who were these officers who had such authority to vitalize and bring into being the Naval Base Defense Air Force?

A. Naval Base Defense Air Force was simply a part of the Naval Base Defense Force. As such, the normal procedure would be to receive orders from that commander who was the Commandant of the 14th Naval District. I presume that, in many cases, it might have been possible for us to receive word from higher authority.

9. Q. Could the Commander-in-Chief of the Pacific Fleet have vitalized or brought into being this air force on orders of his own?

A. I presume so. Ordinarily, it would have been normal procedure for him to have expressed his wishes or his orders to the Commander Naval Base Defense Force. On that point I am not certain, because it never arose.

10. Q. I show you Exhibit 53, which is a document in evidence before this court, and ask you if you recognize it and if so, state what it is.

A. Yes, sir. I recognize it as the basic operations plan of the Naval Base Defense Force.

11. Q. Was the operating plan in effect on 7 December, 1941?

A. To the best of my belief and recollection, after more than two years of not looking at it, this is the one that was in effect.

12. Q. It is noted that on this plan, one of the Task Forces is the Base Defense Air Force, and that paragraph 3 (b) of the Operations Plan, directs ComPat Wing Two, in consultation with the Army, to prepare detailed naval participation air defense plans in annex Baker; is that correct?

A. That is correct.

13. Q. I show you what purports to be Annex B to Operations Plan No. 1-41, and ask you if you recognize it as such.

A. That is correct; this plan was in effect.

[577] 14. Q. Now, does Annex B, at which you are now looking, and which is Naval Base Defense Air Force Operating Plan 1-41, Annex B, bear the title "Naval Base Defense Air Force Operating Plan No. A-1-41"?

A. That's correct.

15. Q. Now referring to Addendum I to this operating plan, No. 1-A-41, what is the general substance or subject matter of this addendum?

A. It is an estimate of the situation, prepared by Admiral Bellinger and General Martin, covering the air situation at the time, which was the end of March, 1941.

16. Q. I will ask you to read paragraph 1, which is entitled, "Summary of the Situation."

A. (Reading:)

(a) Relations between the United States and Orange are strained, uncertain, and varying.

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

(c) A successful, 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.

(d) A strong part of our fleet is now constantly at sea in the operating areas organized to take prompt offensive action against any surface or submarine force which initiates hostile action.

(e) It appears possible that Orange submarines and/or Orange fast raiding force might arrive in Hawaiian waters with no prior warnings from our intelligence service.

17. Q. I will ask you also to read paragraph 3 (a), under the title, "Possible Enemy Action."

A. (Reading:)

A declaration of war might be preceded by:

1. A surprise submarine attack on ships in the operating area.
2. A surprise attack on OAHU including ships and installations in Pearl Harbor.
3. A combination of these two.

18. Q. I will ask you who signed this joint estimate?

A. Rear Admiral P. N. Bellinger, and Major General Frederick L. Martin, U. S. Army.

19. Q. And what is the date of this document?

A. March 31, 1941.

20. Q. I will ask you to advert to the extract which you [578] have just read, "Possible Enemy Action." Did this estimate represent your own views?

A. Yes, sir.

21. Q. I will ask you to read paragraph 3 (b) of addendum I.

A. (Reading:)

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 three hundred miles.

22. Q. Will you state whether this estimate also represented your own views?

A. This estimate—I may say parenthetically that I did not report until after the estimate was prepared. However, in general, I considered and still consider the estimate sound.

23. Q. Adverting to this same paragraph 3 (b), "Possible Enemy Action," will you state the consideration upon which you based your estimate that the most likely form of attack on OAHU would be an air attack launched from one or two carriers?

A. I will have to go slowly, because it is difficult at this late date to distinguish between what I believed prior to Pearl Harbor and what changes in my opinions occurred subsequent to the attack. I served in the same capacity for six months subsequent to Pearl Harbor, and under actual war conditions. My ideas, naturally, were modified. As nearly as I can remember, before Pearl Harbor, I believed that the most likely and dangerous form of attack on OAHU would be an air attack, because I did not believe that it would be possible for the enemy, or any potential enemy, to reach a position from which he could seriously menace our naval position in the Pacific by any other means.

24. Q. Arriving at this estimate, did you consider any particular nation, or was this just a generality for any country—any enemy which might attack without a declaration of war?

A. It was obviously and solely Japan. I use the pre-war phraseology intentionally in trying to get myself into a pre-war frame of mind.

25. Q. Then your conclusion was that if any attack at all were made on OAHU, it would be by air and not by some other means?

A. That is correct.

26. Q. At the time you made this estimate of the situation, did you conclude from the international situation as it [579] existed on that date, that Japan would attack the United States?

A. It is impossible for me to say at this late date, but I do recall having mentioned to Admiral Bellinger, half in earnest and half in pure speculation, that it was my belief that if the Japanese did attack us by an air raid, that the attack would probably come on Christmas Eve or New Year's Day.

27. Q. What I am trying to develop is, would not your estimate have been the same—that an attack by air would have been the only effective means of attack on OAHU, whether it was delivered by the Japanese, the Germans, or the Italians, or any country?

A. That is correct.

28. Q. Do you know whether or not this estimate of the situation that you have been testifying concerning, was ever shown to Admiral Bloch, the Naval Base Defense Officer?

A. I cannot say. The first time I saw the estimate, it was appended to the Naval Base Defense Force Plan, and the Naval Base Air Defense Force Plan I was handed, had three, bound together with binders—and I assumed that they were all one document; that they were parts of one document.

29. Q. Do you know whether or not the Commander-in-Chief of Pacific Fleet had seen or been informed of this estimate?

A. Not to my positive knowledge.

30. Q. I would ask you to advert to addendum I of this Naval Base Air Force Operating Plan No. A-1-41, and read paragraph (d), down to "Material Readiness."

A. (Reading:)

(d) Define conditions of readiness for use with this plan as follows: Conditions of readiness shall be prescribed by a combination of a letter and number from the tables below. The letter indicating the part of a unit in a condition of material readiness for its assigned task and the number indicating the degree of readiness prescribed for that part.

31. Q. Between 27 November and 0755, 7 December 1941, in what degree of material readiness were planes which were available for operation under the Commander Naval Base Defense Air Force?

A. The general condition of readiness was Baker 5, 50% aircraft available ready on four hours notice. Many units—I would have to refer to papers and statements to give you the exact numbers—but many units were on a much higher degree of readiness. Some aircraft were actually in the air.

32. Q. Do you have any data from which you could refresh [580] your memory as to this material condition of readiness for the planes, which I have asked you?

A. No, I have not.

33. Q. I will again advert to paragraph 3 (d) of this same operating plan, and ask you to read paragraph 3 (d).

A. (Reading:)

Degree of readiness.

1. For pursuit and VF types—four minutes. Types other than fighters—fifteen minutes.

2. All types—30 minutes.

3. All types—one hour.

4. All types—two hours.

5. All types—four hours.

The armament and fuel load for each type under the above conditions of readiness are dependent upon the tasks assigned in contributory plans and orders and will be prescribed therein.

34. Q. Between 27 November and 0755 on 7 December 1941, in what degree of readiness were the planes which were available to the Commander Naval Base Defense Air Force?

A. My answer is substantially the same as to the last question: generally, Baker 5, but many units—the exact numbers and designations are beyond my personal recollection at the moment—were in a higher degree of readiness.

35. Q. And do you have any data from which you could refresh your memory as to this degree of readiness?

A. No. I have no records. I can give isolated examples, as for example the planes of Patrol Wing 14 were in the air, conducting a search of the operating area, on the morning of December 7. I do not remember how many—I forget now whether there were three or four. There were approximately six planes, I believe, of Patrol Wing Two in the air, at the time conducting tactics with the submarines in the submarine sanctuary over that island. There was a ready squadron, I forget its number, at Pearl Harbor—planes lined up and presumably ready to take to the air in thirty minutes. That squadron was due to be relieved at 8:00 o'clock in the morning by another squadron over at Kaneohe, at which time that squadron was required to be in that same degree of readiness. We modified that from time to time by permitting these planes on thirty minutes' notice to take the air for training purposes and not to proceed more than 30 minutes' flying time from their base.

36. Q. Whose responsibility was it to prescribe the degree of readiness of aircraft available to the Commander Naval Base Defense Air Force?

A. The readiness question was one which was in fact [581] decided by higher authority. Whether it stemmed directly from the Commander-in-Chief Pacific Fleet or from Commander Naval Base Defense Force, I cannot say. In ordinary practice for drills, and this is the only way I can recollect the details of that problem, we would receive the drill message placing the entire organization in an activated status, from the Commander Naval Base Defense Force, and that "Drill, danger of an air raid exists, drill,"—and then we would send a dispatch to all the units making aircraft available to the Naval Base Defense Air Force, "Assume condition of readiness 1", and immediately start in issuing the various orders for the drill. Planes in the air already were to be sent out immediately to search sectors. At the conclusion of drill, we would send a message—"Resume normal condition of readiness." At least once during my being on this particular job, the condition of readiness was changed to a higher degree of readiness. I am sorry I can't recollect just who sent the message, but it was sent by some higher authority, and at that time was changed, I believe, from Cast to Baker.

37. Q. As I recall the various sources of aircraft which you stated would make up the Naval Base Defense Air Force, when it was vitalized, it seems to me that these planes, under normal operating conditions, were under different commanders; is that correct?

A. That is correct.

38. Q. And then if, for example, you desired to place all planes, while still under these various commanders, in a condition of readiness, how could it be done?

A. We had in our command center several means of communication; where planes were actually in the air, we used radio. For planes of the Marine Corps, based on Ewa, we had to communicate by telephone—field telephone set with specially strung wires. For Army bombardment aviation, we had a field telephone set which had been installed by the Army units and which was our own direct means of communicating to the Army bombardment aviation. We had no means of direct communication, except through the Pearl Harbor, Ford Island, Hickam Field telephone exchanges, to the search and attack groups of the Naval Base Air Defense. It was very difficult

to communicate with General Davidson, who had command of all fighter aircraft on Kanoeha. Our only means of direct communication was the telephone through the Pearl Harbor exchange. In addition to that, we had two or three—I forget which now—teletype page printer circuits, which ran to various localities, but which not on all outlying stations were continuously manned.

[582] 39. Q. If the commander of the Naval Base Defense Air Force desired to put into effect a condition of readiness before his air force was assembled under his command, could he do it?

A. I will have to answer indirectly again because the air force was never assembled under his command. The conditions of readiness were set by high authority and based upon logistic considerations. The Commander, Naval Base Defense Air Force, had no power, except under an actual emergency, to take action toward initiating operation of these aircraft or of increasing or decreasing their degree of readiness.

40. Q. Adverting to this same addendum No. 1 about which you have been testifying, I will ask you to read Paragraph IV (a)?

A. (Reading:) "IV. Action open to us: (a) Run daily patrols as far as possible to seaward through 360 degrees to reduce the probabilities of surface or air surprise. This would be desirable but can only be effectively maintained with present personnel and material for a very short period and as a practicable measure cannot, therefore, be undertaken unless other intelligence indicates that a surface raid is probable within rather narrow time limits."

41. Q. Between 27 November and 7 December 1941, will you state the number of naval aircraft that were available in the Hawaiian area for conducting a distant reconnaissance?

A. A portion of my answer will depend upon the definition of distant reconnaissance. It was my personal opinion that reconnaissance to a distance of less than approximately 800 miles—which would give visibility, we assumed, to approximately 825 miles—would not protect against surprise air raid in that sector, and I therefore believed that the 800 mile figure was the proper one to use for distant reconnaissance. One squadron of planes attached to Patrol Wings One and Two consisted of the obsolete PBV-3s which had not yet been replaced by PBV-5s and which could not, because of their age and service, go to that distance. They could, however, go to 700 miles and were so used for a brief while, a very brief while, subsequent to the attack on Pearl Harbor. I do not remember the starting date of the operation involving the reinforcement of Wake. However, it was approximately within a few days of November 27th. One of our patrol squadrons, VP-21, had been based on Midway since early in October, 1941. At the time it was decided to reinforce Wake with a squadron of Marine fighters, this squadron was transferred to Wake with orders to scout and cover the advance of Admiral Halsey's task force; and a second patrol squadron was sent out from Pearl Harbor to [583] Midway to scout and similarly cover Admiral Halsey's advance and retirement. I am not certain about the exact dates but I remember that VP-22 left Wake on either the 3rd or 4th of December and arrived back at Pearl Harbor on the 5th of December, which left just the one squadron of VP-21 at the Island of Midway. That squadron consisted of these old obsolete planes, PBV-3s, and were approaching their 18 months service and were overdue, in fact, for overhaul, and it was

planned that they would be flown back to the Mainland very shortly, replaced by the PBY-5s. With 9 planes undergoing repair or out of commission for various reasons, to the best of my knowledge I would say that we had 12 planes at Midway and approximately 60 at Pearl Harbor and Kanehoë which could have been used for reconnaissance to the 700 mile point.

42. Q. Then do I understand that the total naval aircraft available for a distant reconnaissance up to 700 miles as a maximum was about 60 planes at Oahu or its environs, and 12 at Midway? Is that correct?

A. That is correct.

43. Q. Can you recall how many Army aircraft were available for conducting a distant reconnaissance?

A. It is my recollection that the last available report we received from the Army was 6, B-17s. These 6 planes were the only planes that the Army reported available to us which could go beyond 300 miles. They could go to 800 miles.

44. Q. With the combined Navy-Army aircraft that were available for operation between 27 November and 7 December 1941, could you have complied with a directive to conduct a long-range reconnaissance through 360 degrees?

A. No. Using the most economical aircraft type of search that we could devise, a single plane going to 700 miles would only cover a sector of 8 degrees. Therefore, with 66 planes, only 50 percent of which could be used continuously from a maintenance and pilot fatigue standpoint, only 264 degrees could be covered daily. 360 degrees could be covered only one day, possibly only two days as an emergency measure, but it could not be maintained. It would only cover about three-quarters of the circle day in and day out until the exhaustion point from not only of personnel but from the matériel standpoint as well was reached. The exhaustion period would have been reached in matériel before it was reached in personnel. As nearly as I could estimate the situation and in view of our almost total lack of spare parts for the PBY-5 planes, I believe that 3 weeks of intensive daily searches would have been approximately a 75 percent reduction in material readiness of the entire outfit and we would have been placing planes out of commission and robbing them for spare parts to keep other [584] planes going. The pilots, I believe, could have kept going approximately a 6-week period, but at the end of that time they would have all required a protracted rest period.

45. Q. Let us suppose, for example, that it was contemplated that this long-range reconnaissance would have been maintained indefinitely. How many planes do you feel would have been available for such a type of patrol?

A. I believe that under the circumstances and with planning, we could have drawn up for daily searches the use of approximately 30 planes each day until the exhaustion period was reached, provided that we were permitted by higher authority to operate that many for the search alone, because that would have left us entirely without any striking group except insofar as the other approximately 36 planes would have been available.

46. Q. With 30 planes, what sector of 360 degrees could you cover?

A. Approximately 240 degrees, to a distance of 700 miles.

47. Q. Do you have any knowledge of the condition of readiness that was being maintained in Army aircraft between 27 November and 7 December 1941?

A. No personal knowledge. The orders for condition of readiness were B-5.

48. Q. And that was what?

A. Fifty percent of aircraft available on four hours notice.

49. Q. Had you heard anything about an Army condition of readiness designed to prevent sabotage?

A. I had heard indirectly and unofficially of various rumors of attempted sabotage and counter-measures against sabotage, none of which appeared at the time to be of great importance.

50. Q. I thought you had answered this question but to make sure it is clear for the record, how many planes could you have safely and indefinitely operated on a daily reconnaissance to 700 miles without exhausting planes or personnel, assuming that all planes suitable for reconnaissance were made available for that purpose?

A. Eighteen, provided a certain supply of critical spares were made available.

[585] 51. Q. And how many degrees of a sector of 360 degrees could these 18 cover?

A. 144 degrees.

The court then, at 11:00 a. m., took a recess until 11:15 a. m., at which time it reconvened.

Present: All the members, the judge advocate and his counsel, all the interested parties and their counsel, with the exception of the interested party, Admiral Harold R. Stark, U. S. Navy, and Rear Admiral Husband E. Kimmel, U. S. Navy, (Ret.), whose counsel were present.

Frank L. Middleton, yeoman second class, U. S. Naval Reserve, reporter.

Captain Logan C. Ramsey, U. S. Navy, the witness under examination when the recess was taken, resumed his seat as witness. He was warned that the oath previously taken was still binding, and continued his testimony.

Examination by the judge advocate (Continued):

52. Q. In your testimony previous to the recess you mentioned to the effect that a squadron of patrol planes was parked on Ford Island in a position for being readily launched. Is that a correct understanding?

A. That is correct.

53. Q. Do you know whether or not the other patrol craft that were at Ford Island were dispersed, or whether they were in a state of repair at the sheds, or what was their position?

A. Some were lined up ready for launching, in the hangars; some were undergoing various maintenance work and in the vicinity of the hangars; some were in the hangars undergoing longer repair or modification. How many of the 9 out of commission and undergoing repairs were in Pearl Harbor and how many in Kaneohe, I cannot state. Broadly speaking, dispersion of patrol seaplanes was impracticable due to lack of handling facilities, boats, et cetera, and the fact that the patrol seaplane is not designed to be moved considerable dis-

tances on land. Dispersal in the water at Pearl Harbor was impracticable due to the congestion of the harbor and difficulty of access in the more remote, uncongested areas.

54. Q. I believe you testified that the patrol planes at Midway were conducting reconnaissance patrols between 27 November and 7 December, 1941; is that correct?

A. That is substantially correct. Actually, on the morning of December 7th, six planes were scouting to cover a task force in the vicinity of Midway and six planes were fully manned on the water loaded with live bombs.

[586] 55. Q. Then there were no other planes other than the six you have mentioned which were covering a task force in the vicinity of Midway, flying a patrol of any description from Midway?

A. Not from Midway.

56. Q. When did you first have knowledge that an enemy was attacking in the Pearl Harbor area?

A. I believe the best way to answer the question is a brief narrative. Our patrol planes covering the operating areas were carrying live depth charges and had specific orders to sink any submerged submarine sighted outside of the submarine sanctuary and without a close escort. At approximately 7:30 on the morning of December 7th I received a telephone call from the staff duty officer who informed me he had received a message from 14-Prep-1 to the effect that they had sunk a submerged submarine one mile off the entrance to Pearl Harbor. I asked him if the message had been properly authenticated, because there was in the back of my mind the feeling that it was quite possible that it was a mistake, a drill message of some variety that had gotten out by accident. So I ordered the staff duty officer to request an authentication of the message immediately. However, that did not stop me from making an immediate report of the information to the staff duty officer of the Commander-in-Chief of the Pacific Fleet. I believe at the time that I did not consider that as definite information of any enemy attack. I went immediately to the Command Center and for no reason that I know of, drew up a search plan for our aircraft under the conditions prevailing that day. I prepared it in dispatch form. Meanwhile, I was waiting for an authentication of this message. There was a slight delay, and approximately 5 or 10 minutes after I reached the Command Center, I saw, together with the staff duty officer, a single plane making a dive on Ford Island. The single plane appeared at the time to both the staff duty officer and myself in the light of a young aviator "flathatting" and we both tried to get his number to make a report of the violation of flight rules. He completed his dive, pulled up and away. We were commenting together on the fact that it was going to be difficult to find out who the pilot was, when the delayed action bomb which he had dropped, and which we had not seen drop, detonated, and I told the staff duty officer, "Never mind; it's a Jap". I dashed across the hall into the radio room, ordered a broadcast in plain English on all frequencies, "Air raid, Pearl Harbor. This is no drill." The detonation of the bomb dropped by that first plane was my first positive knowledge of an enemy attack.

57. Q. Did you give any further orders, or did you give any orders subsequent to making this report, as to any action that was to be taken by the aircraft in your [587] command?

A. Yes. Immediately after the broadcast message I ordered the planes in the air to proceed and search the section 315 to 360 degrees from Pearl Harbor to maximum practical distance, followed up shortly later by an assignment of a sector to the planes which had been conducting joint tactics with submarines off the Island of Lanai. Following that, similar orders were issued in accordance with the search plan that I had previously drawn up to various units by the various means of communication available to me in the Command Center.

58. Q. Prior to 7:55 on 7 December 1941, did you have any information of a flight of Army planes scheduled to arrive on December 7, 1941 from the Mainland?

A. No.

59. Q. Did you ordinarily attend Army-Navy conferences on military matters pertaining to aircraft operations as they were related to defenses in Oahu?

A. Not invariably. Captain C. F. Coe, War Plans officer on the staff of Patrol Wing Two, and myself, to the best of my knowledge and belief, attended all such conferences in which lower echelon commands were present. There may have been conferences in the higher echelons that we did not attend.

60. Q. Who, ordinarily, from your organization, attended the conferences in which the higher echelons of command were meeting together?

A. Admiral Bellinger usually attended such conferences, and whenever practicable it was his usual practice to take either Captain Coe or myself.

61. Q. Adverting to the period from about July 1941 until the Japanese attack on Pearl Harbor, what is your conception of the degree of cooperation between Army and Navy commanders during this period of time in the Hawaiian area?

A. I will have to take time with my answer because it is difficult to distinguish pre-Pearl Harbor and post-Pearl Harbor opinions. As usual in any cooperative effort, or rather, effort requiring cooperation, certain individuals were extremely cooperative. Others required more diplomatic handling. Generally speaking, our relations with Army bombardment aviation, with which I was principally concerned, were excellent. General—then Colonel—Farthing, was commander of the Eighteenth Bombardment Wing, and my relations with him were very close. We frequently held exercises requiring coordination of facilities entirely outside of the structure of [588] the Naval Base Defense Air Force. For example, I was frequently able, during the course of our own towed target-high altitude bombing practice, to make such targets available to the Eighteenth Bombardment Wing. We would bomb the target between, say, the hours of 10:00 and 11:00, and they would have it between 11:00 and 12:00, and so forth. They did a number of favors for us, particularly in the line of small machine shop work. I am using this merely to illustrate that in the echelons of command in which I customarily moved we got along very well generally. There seemed to be a necessity for precise and meticulous wording of orders. There were more difficulties in lack of coordination, as I saw them from my lower angle, in the line of the necessity for jockeying for technical position, for maintenance of integrity of command, and for the increased allocation of the limited aviation facilities on the Island of Oahu itself. If I remember correctly there

were 8 or 10 joint boards of various descriptions and degrees of seniority to decide various joint Army and Navy aviation matters.

Frederick T. Lachat, yeoman first class, U. S. Naval Reserve, reporter, entered. Frank L. Middleton, yeoman second class, U. S. Naval Reserve, reporter, withdrew.

[589] 62. Q. What is your opinion of the cooperation in the exchange of important military information between Army and Navy commanders of aircraft in the Hawaiian area between November 27, 1941 and December 7 of the same year?

A. During that particular period a considerable portion of our effort in the Hawaiian Base Patrol Wings was directed toward the operation involving the reenforcement of Wake. I don't remember at the moment whether or not a naval base defense air raid drill was held during this period.

63. Q. This was exchange of information.

A. Yes. I know of no exchange of information over and above the usual or the customary discussion of details.

64. Q. I show you Exhibit 15, which is in evidence before this court. It is a dispatch of the Chief of Naval Operations dated November 24, 1941, and states in substance that chances of a favorable outcome of negotiations with Japan are very doubtful and that there are indications of a surprise, aggressive movement in any direction, including an attack on Guam or the Philippines as a possibility. Prior to December 7, 1941, had you seen this dispatch or had you been made acquainted with its contents?

A. No.

65. Q. I show you Exhibit 17, which has been called by some witnesses a "war warning message." I ask you to examine it and state whether prior to December 7, 1941, you had seen this dispatch or had been made acquainted with its contents?

A. No.

66. Q. Prior to December 7, 1941, was any patrol plane which you had available for long-range reconnaissance equipped with radar?

A. No.

67. Q. That being the case, do you consider that they were of any value for a night search?

A. No, except in unusual circumstances on bright, moonlight nights.

The interested party, Admiral Harold R. Stark, U. S. Navy, did not desire to cross-examine this witness.

Cross-examined by the interested party, Rear Admiral Husband E. Kimmel, U. S. Navy (Ret.):

68. Q. When you stated in your direct examination, Captain, that there were available for continuous, effective distant reconnaissance, on a daily basis, eighteen planes and that that would cover a sector of 144 degrees, it was on the assumption of a 25-mile visibility, was it not?

A. That is correct.

[590] 69. Q. Was a 25-mile visibility ordinarily prevailing in the Hawaiian area for a distance of 700 or 800 miles?

A. No, a 25-mile visibility was assumed for the search basis on the premise that the visibility around Oahu was either very good or non-existent or so low, rather, that aircraft scouting was impractical, as, for example, in the dense rain areas, tropical storms, and bad weather areas. It was assumed that the most economical expenditure of planes

would be made on the basis of maximum visibility normally expected, and planes would make reports concerning which areas, due to weather or other low visibility, were not covered by the search. That procedure covered not only the period before the war but that subsequent to December 7th and was still in force and was used during the battle of Midway.

70. Q. Is it true in all probability, day in and day out, that there would be certain areas where the effectiveness of the search in the 144-degree sector would be substantially reduced because of weather conditions?

A. That is correct. That varied. On the 360-degree circle from the Island, we took weather reports covering a period of several months and found that approximately 20% in the area for a distance of 700 miles could be expected to have weather conditions where the visibility might go as low as zero.

71. Q. Did you have any percentage estimate of the effectiveness within this 144-degree sector because of weather conditions?

A. Yes, we felt that, except in the single case of a widespread and pronounced front, we stood an excellent chance of detecting any sizeable group of surface vessels on any given day. That belief was borne out by tactical exercise searches in that same area before Pearl Harbor. We might go out in rain squalls and miss them for an hour and get them on the return leg. If there was a widespread front, we might miss them entirely.

72. Q. You spoke about the necessity or desirability of spare parts for the conduct of distant reconnaissance for any continuous program. What was the condition of the availability of critical spare parts for distant reconnaissance planes prior to December 7?

A. For the PBV-5 planes, which had, in the case of several squadrons, just replaced during the months of October and November the obsolete PBV-1, 2, and 3 plane, there was, substantially speaking, a total absence of any spare parts whatever. We had been undergoing the usual, shakedown difficulties with a new type of plane, and there had been considerable difficulty because of the cracking of new engine sections in these planes. A replacement program was under way with the replacement of these cracked engine sections [591] with a new type. In addition, material for installing armor and leak-proof tanks in these PBV-5's was just being received, and the first plane had just been finished in that connection on December 7.

73. Q. Were you in Pearl Harbor during the period subsequent to December 7, when the Roberts Commission was conducting its investigation?

A. I did not leave Pearl Harbor from December 7, 1941, until late in May 1942.

74. Q. Did you testify as a witness before the Roberts Commission?

A. No, sir.

75. Q. Exhibit 59 is a letter from the Commander-in-Chief, U. S. Pacific Fleet to the Commander-in-Chief, U. S. Fleet, dated 7 January 1942. It has as its enclosure a letter written December 30, 1941, from the Commander Naval Base Defense Air Force to the Commander-in-Chief, U. S. Fleet. I direct your attention to the enclosure, Captain, and ask whether you were familiar with and generally assisted in the preparation of that letter?

A. I was generally familiar with this letter. I did not assist in its preparation.

Cross-examined by the interested party, Admiral Claude C. Bloch, U. S. Navy (Ret.):

76. Q. Captain, there was a document referred to here as Exhibit 53. In connection with that exhibit, which is referred to as the operation plan in connection with defense matters in the Hawaiian area, there is one annex here from which you read, being addendum one. In that connection, you read extracts concerning the estimate of the situation and possible enemy action. Now, am I correct in saying that that is really a process of reasoning and that ultimately certain decisions were reached on the basis of that information or reasoning, which then became the decisions made in the document?

A. Yes.

77. Q. Will you please read paragraph 4 of the addendum? It is entitled "Action Open to Us."

A. (Reading) "Run daily patrols as far as possible to seaward through 360 degrees to reduce the probabilities of surface or air surprise. This would be desirable but can only be effectively maintained with present personnel and material for a very short period and as a practicable measure cannot, therefore, be undertaken unless other intelligence indicates that a surface raid is probable within rather narrow time limits."

[592] 78. Q. I take it that you had no more material up to December 7 than you had at this time; is that correct?

A. That is correct. The estimate was dated March 31. I reported in April. There were no changes in the Navy or, as far as I know, in the Army air situation of sufficient importance to justify or require a re-estimate of the situation.

79. Q. Captain, those documents which you have there, insofar as they relate to the air matters, are documents which your superior, Rear Admiral Bellinger, had to do with in communion with the Army officers there at the time; is that not so? They were prepared by the two of them?

A. The estimate was prepared by the two of them. The annex Baker to the Naval Base Defense Air Force Operation Plan was prepared only by Admiral Bellinger.

80. Q. Then, under those plans you did have the drills to actually test out the plans at intervals during the period up to December 7?

A. That is correct.

81. Q. When you had the drills, I take it that if you noted defects they were corrected at the time?

A. That is correct.

82. Q. Improvements that you observed or those that were observed which seemed sensible or desirable were initiated?

A. Yes.

83. Q. It was a growing thing—general improvement clear through in connection with the drills; am I right in that?

A. No, I would say that there was considerable improvement between approximately the 20th of April and the middle of October, during which the major or more glaring errors were eradicated. Subsequent to that time very little improvements were noticed in drills.

84. Q. Was it not the intention to try to have these plans in such a position, by virtue of drills, that when an emergency came along it would be as near an automatic and a working proposition as possible?

A. That is correct.

85. Q. In connection with the Naval Base Defense Air Force, is it not a fact that that entity only came into existence, first, upon a drill? Second, if an attack were actually made, that would vitalize it, because orders would be issued to vitalize it; is that right?

A. If I may leave aside the word "entity" in your questions, I would say the Naval Base Defense Air Force, as [593] a part of the Naval Base Defense Force, was vitalized only by drills and of the occurrence of an actual emergency. No one gave me any orders on December 7. It was unnecessary; it was automatic in the plan.

86. Q. After vitalization became a part of the Base Defense Air Force, Rear Admiral Bellinger was not a Naval Base Air Force person, insofar as the planes were concerned, until there was a drill or until there was an emergency; isn't that right?

A. That is correct and not in the full sense that the term or title implies, even under those conditions. His authority did not extend over fighting planes, radar detection devices, or anti-aircraft guns; and his authority over Army units was limited in that he exercised operational control through mutual agreement, and not command.

87. Q. With reference to the matter of readiness, I take it that the planes we are here discussing are the same planes that are in PatWing One and Two? In other words, it was just the one force of naval patrol planes at the time?

A. There were two separate organizations. However, Admiral Bellinger had a letter from the Commander-in-Chief, Pacific Fleet that Patrol Wing One was to be under his command, and we were using the title for his correspondence—Commander, Hawaiian Based Patrol Wings.

88. Q. Would that be the same as Task Force Nine?

A. Not entirely, because Task Force Nine consisted of Patrol Wings One and Two, attached tenders and such other units as the Commander-in-Chief might detail to that task force for specific operations.

89. Q. Under that, Patrol Wings One and Two were assigned certain tasks in connection with scouting and searching upon deployment schedules approved by the Comandmer-in-Chief of the Pacific Fleet? Is that the way it ran?

A. The situation was very complicated. We were technically designated as Task Force Nine. There were, in addition, certain patrol squadrons assigned for tactical purposes to Task Forces One, Two, and Three; and the only way we could get quarterly operating schedules approved in those cases was to make up a complete one for our own task force and for the three other task forces and get them approved by all three task force commanders before we could submit our own schedule.

90. Q. If condition of readiness A-1 for aircraft was made the order of the day, you would be unable to carry out the missions which were in the other documents to which you refer?

A. Our assigned mission was in order of priority to [594] the various tasks: expansion training, operational training, and spe-

cific operations. In expansion training we were required to train complete flight crews for detachment, to be sent back to the United States to form the nuclei of squadrons just being commissioned. We were given instructions that we were supposed to provide or allow for a 10% reduction of our qualified combat crews—I'm not sure whether it was every quarter or every two months, but it involved a tremendous training program, and the vitalization of the Naval Base Defense Air Force would have involved a practical cessation of that effort.

91. Q. I take it that, in your opinion, as an aviation officer and being on the spot at the time, the conditions of readiness that were in effect were adequate and sensible for the things that were then being done? Is that a fair statement?

A. We were doing the best we could with what we had.

Examined by the court:

92. Q. Captain, I think you said that the Japanese would make an attack by air in case of war.

A. I thought if they made an attack, it would be an air attack.

93. Q. Well, then, in making that mental estimate did you consider the possible attack by submarines in the Hawaiian area?

A. I did, sir, but I did not believe that a submarine attack could, as I tried to point out in answer to the previous question, seriously affect our position in the Pacific.

94. Q. Well, those mental estimates that you just testified to were pre Pearl Harbor?

A. As nearly as I can recall, I believe they were, sir.

95. Q. In considering the whole thing after the attack, do you think that that estimate is correct?

A. I believe so, yes, sir.

96. Q. The court has taken judicial notice of the report of the Roberts Commission. In one of the findings they made this statement: "Means were available for distance reconnaissance which would have afforded a measure of security against a surprise air attack." Do you agree with that?

A. I agree with it contingent upon a definition of the word "measure".

[595] 97. Q. Will you tell the court what your opinion is as to the means available for distance reconnaissance with reference to security against a surprise air attack?

A. The means at our disposal would have provided a certain degree of security, but the means were inadequate for absolute security.

98. Q. Captain, I am referring to paragraph IV (a) of the addendum of Exhibit 53. It is stated that the action proposed therein cannot be "undertaken unless other intelligence indicates that a surface raid is probable within rather narrow time limits." Please elaborate upon that point and cover the feature of intelligence available which would have prompted—

A. The word "intelligence," as it was explained to me later, was used advisedly to include anything that might be received by fortuitous local knowledge or any source of Naval Intelligence from the Chief of Naval Operations, the State Department, or any other agency.

99. Q. You had no such intelligence?

A. I had no knowledge of any such intelligence.

100. Q. You are speaking of knowledge available to you personally and not to Admiral Bellinger?

A. I am speaking personally, sir.

101. Q. Captain, does the court understand that on the morning of December 7 there was no long-range reconnaissance by any planes stationed at Oahu, although there were planes available for this activity; is that correct?

A. Correct as to fact. The word "available" in there involves an implication which lessens the quality of my answer. During the earlier portion of the week we had been engaged for a period, in accordance with our approved operation schedule known as wing tactics. At that particular time, in drawing up the detail plans for that wing tactics period, I drew them up so we would have a constant daily scout on Monday, Tuesday, Wednesday, and Thursday of that week to the northward and northwestward of the island of Oahu. As a primary purpose for training, the distance did not extend beyond 400 miles. However, those searches were made during all of that week. In addition, we had the searches running from Midway every day that week. On Saturday we had the arrival of the squadron returning from the island of Wake—

102. Q. Saturday, the 6th of December?

A. The 6th of December or the 5th. I forget exactly which date it came in. I believe it came in late on the [596] afternoon of the 5th. The 6th and 7th were planned principally as a period of maintenance and upkeep, although we had several squadrons in a high degree of readiness. It was practically the culmination of what has been mentioned before—The search had been made, but we were not going ahead with it continuously in order not to depreciate the material readiness of the planes.

103. Q. That is a very clear explanation. However, will you please answer the question? We will put the question another way. Were there any planes at Pearl Harbor which could have been used and were not used for distance reconnaissance on the morning of December 7?

A. Yes, sir, there were planes that could have been used had such a search been ordered by higher authority.

104. Q. How many of these planes were in that category?

A. For an emergency effort, approximately 60 planes could have been made available in four hours or less.

105. Q. Who would have ordered the distance reconnaissance and under whose authority would the directive have been made?

A. For the full utilization of all aircraft, both Army and Navy, available on Oahu, the orders to us would have come from the Commander, Naval Base Defense Force.

106. Q. Who is that?

A. The Commandant of the 14th Naval District. Orders solely for the Navy planes would probably have come from the Commander-in-Chief, Pacific Fleet.

107. Q. Did you consider in these plans and orders which you had that the Commander of the Naval Base Defense Force was the one who would have originated the idea of distance reconnaissance and would have directed you or Admiral Bellinger to have sent planes out on this mission?

A. I would have assumed it would be the duty of any officer higher in the echelon of command above Admiral Bellinger to have taken action on receipt of the information indicating that action was necessary.

108. Q. Who was the officer who, in studying the general situation, had the direct authority to order out these planes and to give Admiral Bellinger orders to send out these planes on distance reconnaissance?

A. It was the Commander of the Naval Base Defense Force. He was the immediate superior in command in that organization.

109. Q. Who was in command of Ford Island at this time?

A. Admiral Bellinger was the Commander of the Fleet Air Detachment. Captain James A. Shoemaker was Commander of the Fleet Air Station.

[597] 110. Q. On the morning of December 7 when you, as you have stated, went into the room and sent out the signal: "Japanese attack; this is no drill," how long after that was the general alarm sounded by the station and the activities in Pearl Harbor?

A. I cannot say, sir.

110. Q. You stated that in your opinion there might be or could be an air attack on Oahu. Had you ever thought from what direction the air attack would come or the most probable direction?

A. Yes, sir, we had. We had great discussions on it, and in view of the prevailing wind conditions and the presence of outlying islands and other factors, we had decided the northwest sector was the most likely line of approach, and in our drills the squadron in the highest degree of readiness was always ordered to take up that sector from 315 to 00.

111. Q. Then, if you, with your limited number of planes, had sent out distance reconnaissance, you would have sent them to the northwest sector so as to cover that sector?

A. For any single day, yes, sir.

112. Q. Well, let's consider for every day.

A. For every day there would have to be some variation. In other words, it would have become known that the sector was being covered, and it would have been easy to avoid.

113. Q. In part of your testimony you said that on the morning of December 7 there was a search in process from 350 to 360 degrees; is that correct?

A. No, sir, I do not believe I said that.

114. Q. 315 to 360?

A. No, sir, I said I ordered planes already in the air to cover that sector after the attack.

115. Q. Why did you select that sector?

A. Because we had always decided that was the most likely direction of approach.

116. Q. But that sector was not based on the sighting of any Japanese planes?

A. No, sir, it was in accordance with our estimate and pre-conceived ideas. We always selected that sector, 315 to 00, as the first sector. The second sector was from 315 to around 270. We placed other sectors in their relative idea of importance.

[598] 117. Q. Did you gain any information subsequent to the attack of December 7 as to the location of the enemy carriers from which this attack was launched?

A. Yes, sir. To the best of my belief, from the information received, the Japanese came in from the northwest at a distance of approximately 225 miles, turned into the wind, launched, proceeded along that general course, and finally recovered their planes at a distance of approximately 300 miles somewhat east of north of the island—probably Nor'Nor'East.

118. Q. What information, if any, do you have as to the location of the Japanese carriers when the planes were launched to make the attack? What estimated position do you have?

A. My understanding is that subsequent information showed that they were approximately 335 degrees true, a distance of about 225 miles from Oahu.

119. Q. Have you any data as to the number of Japanese planes which made this attack on Pearl Harbor?

A. Yes, sir, I have an estimate based partially or wholly upon subsequent information. I would estimate approximately 200 planes.

120. Q. And the approximate number shot down?

A. To the best of my knowledge and belief, there were from 17 to 20 Japanese aircraft shot down.

121. Q. As the court understands, there were certain planes which were sent out to cover the operating areas for the Fleet on that morning; is that correct?

A. That is correct, sir.

122. Q. And certain planes were left at Ford Island; is that correct?

A. Yes, sir.

123. Q. Would it be possible to give this court the number of planes actually at Ford Island on the morning of December 7, 1941?

A. I may be one or two planes out in each squadron. There were twelve planes of VP-23, thirteen planes of VP-21, and 6 planes of VP-24 on Ford Island. At Kaneohe there were thirty-four.

124. Q. How many of these planes were capable of taking to the air and flying at that time?

A. Approximately sixty-three. There were nine additional planes that were out of commission.

The court then, at 12:35 p. m., took a recess until 1:45 p. m., at which time it reconvened.

[599] Present: All the members, the judge advocate and his counsel, all the interested parties and their counsel with the exception of the interested party, Admiral Harold R. Stark, U. S. Navy, and Rear Admiral Husband E. Kimmel, U. S. Navy, (Ret.), whose counsel were present. Frank L. Middleton, yeoman second class, U. S. Naval Reserve, reporter.

No witnesses not otherwise connected with the inquiry were present.

Captain Logan C. Ramsey, U. S. Navy, the witness under examination when the recess was taken, resumed his seat as witness. He was warned that the oath previously taken was still binding, and continued his testimony.

Recross-examined by the interested party, Admiral Claude C. Bloch, U. S. Navy, (Ret.):

125. Q. Captain, this morning you mentioned the difficulty that there was to disassociate things before Pearl Harbor from those things after. Now, in these questions, I am going to refer specifically to matters before December 7th, and particularly during the period

November 27th to December 7th and not restrict it to just the 7th alone. Now at that time, how many patrol planes capable of doing distance reconnaissance were in the Hawaiian area, as near as you recall?

A. Approximately 83 Army and Navy planes.

126. Q. And of that number there would be 6, B-17's; Army bombers?

A. Twelve B-17s. You asked how many planes were in the area.

127. Q. And of those 12 Army bombers, only 6 of them during that period were capable of actual operation; is that your recollection?

A. No. Presumably all of them were capable of operation. Only 6 were made available to the Naval Base Air Defense, in the last report, which was dated 6 December, or 5 December, I forget which.

128. Q. Now, in respect of the naval planes capable of doing distance reconnaissance, those were in the patrol wings of the Hawaiian area; am I correct?

A. That is correct.

129. Q. And these same patrol planes were also in Task Force Nine; is that correct?

A. That is correct. There is one addition. On occasion, some squadrons were specifically assigned to other task forces, Task Forces One, Two and Three.

130. Q. So that in any event the planes were either in Task Force Nine, or associated in other task forces there in the area?

A. That is correct.

[600] 131. Q. Now, between these same two dates, November 27 and December 7, all these planes, whether they were in patrol wings or in task forces, were conducting operations, they were maintaining upkeep, and they were on operating training schedules that had been approved by the Commander-in-Chief of the Pacific Fleet; is that not so?

A. That is correct.

132. Q. And these operating and employment schedules of those planes were matters that lay between Admiral Bellinger and the Commander-in-Chief of the Pacific Fleet; is that so?

A. Yes, sir.

133. Q. And Rear Admiral Bloch, either as Com 14 or as Naval Base Defense Officer, had nothing to do with that situation in respect of the employment schedules?

A. No, sir.

134. Q. Now, if it were desired to institute security against surprise carrier attack between these two dates, wouldn't a daily distance reconnaissance over 360 degrees to a distance of 700 miles be about the best way to do it?

A. That was about the best that could have been done.

135. Q. I take it, then, from what you have previously said here now, that the Naval Base Defense Officer or Com14, in either of those capacities, didn't have authority to order a complete discontinuance of patrol plane operations and their training and overhaul schedules as approved by the Commander-in-Chief, and to institute continuous long-range reconnaissance on his own authority, did he?

A. I would assume that he did not.

136. Q. So that the remark this morning—and possibly I didn't catch it accurately—that the Naval Base Defense Officer had authority

to issue orders for distance reconnaissance, what you meant, I take it, was that in case of an immediate emergency because of the imminence of an air attack, he could give an order or sound the alarm and then, and only then, these planes came under the control of the Naval Base Defense Air Force for the purpose of carrying out orders for search and attack. Am I correct in that?

A. You are correct in saying about the emergency. There might have been other situations in which he could have done the same thing, for drill, or for something for which he had received information or instructions.

[601] Recross-examined by the interested party, Rear Admiral Husband E. Kimmel, U. S. Navy, (Ret) :

137. Q. Captain, did you know anything about the operation of the Army radar system?

A. To a limited extent. Approximately one week before the attack on Pearl Harbor, or possibly ten days before, General Davidson—I believe he was then Commander of the Seventh Fighter Command—came over to call on Admiral Bellinger, and the purpose of his call was to ascertain as to whether or not the Navy could furnish officer personnel to help the Army place its radar system into 24-hour operation. It was my understanding from the conversation and the general discussion that followed it that the equipment was set up but that General Davidson did not have at his command sufficient officer personnel to run it on a 24-hour basis, and I am fairly positive that he made the statement that if we couldn't help out to the extent of 6 officers for permanent assignment over there at this control center that the Army would only be able to run that during the critical hours of the morning and evening; they couldn't run it all throughout the day or all night long. The final decision, you might say, was that the Navy could not provide the officers required at that time on a permanent basis.

138. Q. That was because they weren't available?

A. That I cannot say. I knew the final decision but not the process of reasoning that led up to it.

139. Q. Now, during the attack, did you undertake to find out from the Army people whether the radar had any information that would be of assistance for tracking the planes back?

A. No, it was more direct than that. During the process of the several attacks, Captain Coe, Admiral Bellinger, and myself, called and made requests by telephone, some direct as we could to the control center, some through the teletype system, some through the telephone exchanges at Pearl Harbor, and even an attempt through the direct field telephones at Hickam Field, and in every case these several requests, we asked the Army radar people to please see if they could track the Japanese planes in retiring and to give us their direction, and even included a caution in one case that I know of to please be sure that they give us a true direction and not a reciprocal bearing; give us the direction of the Japanese retirement. We never received any information that we had asked for.

140. Q. During the attack, I believe that there was one of the Japanese planes that was shot down and a chart was found indicating various retirement courses to the northward. Did you know about that, either then [602] or shortly afterwards?

A. Sometime during the morning we received information that a chart, apparently, from a shot-down Japanese plane had been recovered. It was my understanding, or my recollection at this time without a reference to any document, that the purported rendezvous was to the southwest of Hawaii.

141. Q. At some time, did some Army B-17s go to the northward that morning?

A. Yes, sir. At approximately 12:30 there were four, I believe, B-17s—which was all they reported at that time ready for flight—took off loaded with bombs accompanied by four, A-20s. The instructions that we issued from the Command Center, the Commander of the Search and Attack groups, Naval Base Defense Air Force, were to scout in one of these northerly sectors which we specified narrowly by degrees, giving them about 8 degrees per plane; to scout as far as they could on the available gas supply and then return. They came back after going out approximately 150 miles, for the reason that that was the limit of the radius of action of the A-20s and that the B-17s could not go further without protection.

142. Q. While you were at Pearl Harbor, Captain, did you have occasion at any time to see PBV planes in transit through Pearl Harbor en route to Australia or New Zealand?

A. I believe so. I'm more certain as to the planes destined for the Dutch and headed for the Dutch East Indies.

143. Q. About how many were those?

A. I would say roughly and from memory, approximately 40.

144. Q. At that time there was need for PBVs in Hawaii?

A. Yes, sir.

145. Q. Were those that went through of the most modern type then in production?

A. They were the PBV-5 planes, which was the latest type available to us at that time which we could reasonably expect to be made available to us in quantity.

Re-examined by the judge advocate:

146. Q. Are you familiar with radar as installed on any ships in the Pacific Fleet as of about 7 December 1941?

A. Yes, sir; with the CURTISS, aircraft tender attached to Patrol Wing Two.

[603] 147. Q. Where was she in the period immediately preceding 7 December 1941?

A. On Monday and Tuesday of the week preceding Pearl Harbor, we had sent the *Curtiss* down to Hilo to act as a station ship to play a part in wing tactics, which was the approved schedule for that week. Later on in the week she left Hilo, I believe late Tuesday afternoon, and we used her during our northerly searches on Wednesday and Thursday as a simulated target purporting to be an enemy aircraft carrier. She came into Pearl Harbor, I believe on Saturday morning.

148. Q. What day was that?

A. December 6th. All of this is the week before December 7th.

149. Q. Are you familiar with the capabilities or efficiency of radar operation from ships moored or anchored in Pearl Harbor?

A. I believe so.

150. Q. Will you state what sectors ships moored in Pearl Harbor could search with their own radars, if they could search any sectors?

A. I am stopping merely to try to disassociate my present knowledge of the subject with what I knew then. I believe that the radar of the *Curtiss* could give a fair radar coverage in the sector bounded by a tangent from her anchorage to the southern edge of Diamond Head, all the way around to a tangent of that 4,000 foot mountain to the westward of Oahu; I forget the name of the range. I would say approximately a 150 to 160 degree arc, generally to the southward. The distance would have been dependent upon the altitude of the target.

151. Q. Will you tell the court upon what general principle a radar can search?

A. I can't give the principle. I can give operational features and limitations but I can't tell how it would work.

Recross-examined by the interested party, Rear Admiral Husband E. Kimmel, U. S. Navy, (Ret.):

152. Q. In connection with radar, Captain, you said that the Army told you and Admiral Bellinger during this conference that without the Navy officers the Army could only operate during the critical hours. Was there any agreement between the Army and the Navy as to what the critical hours of the day were in the operation of the [604] radar?

A. There I find it impossible to differentiate between present and post Pearl Harbor knowledge. I knew, and as far as I was personally concerned, I always felt, that the most dangerous period was approximately one hour before sunrise and approximately two hours after sunrise in the morning; and approximately the same period with reverse overlaps in the evening. Whether or not that was a common agreement between Army and Navy before Pearl Harbor, I'm sorry, I just don't remember.

153. Q. Sunrise at Pearl Harbor on 7 December was approximately 6:30?

A. Approximately.

154. Q. So that applying that test of one hour before and two hours afterwards, the period would have been 5:30 a. m., until 8:30?

A. I would have imagined that the most probable time of attack would have been during those hours.

Neither the interested party, Admiral Harold R. Stark nor the interested party, Admiral Claude C. Bloch, U. S. Navy, (Ret.), desired for cross-examine this witness.

Examined by the court:

155. Q. Captain, were the planes which were placed at Ford Island on 7 December armed?

A. Yes, sir. For several months prior to Pearl Harbor no plane of Patrol Wing Two had ever flown without all of its machine guns and the full wartime ammunition allowance. The loading of bombs was a constant and repeated drill, but because of the weight limitation, the actual carrying of live bombs to the maximum capacity was not practiced. All planes on the morning search of the operating areas were required by direct order of the Commander-in-Chief, Pacific Fleet, to carry live depth charges.

156. Q. Did you know of the condition of the Army planes at this time?

A. I cannot speak from positive personal knowledge. My understanding is that they usually carried machine guns and ammunition, but not invariably.

157. Q. Was there a storage place for bombs on Ford Island where they were immediately available for the planes?

A. Yes, sir.

158. Q. When the first attack came in on the morning of 7 December will you please give the sequence of events, [605] what orders were received as to the employment of planes on Ford Island?

A. At 7:58, on my own initiative, I broadcast a message concerning an attack on Pearl Harbor. By 8:05 I had received an acknowledgment from all planes in the air regarding their assignment to search sectors in accordance with the search plan that I had previously drawn. The search plan was drawn up before the attack for no other reason than to occupy myself while waiting for an authenticator on the submarine sinking message. Additional orders were given by me and by other officers on duty in the Command Center at the time, under my direction, reading off the name of each man who would be on the telephone at the different stations and the sectors to be assigned to that particular station. As soon as that had been completed—I'm not entirely certain exactly what time it was but I believe the telephone part was completed before the part to the planes in the air—I telephoned Admiral Bellinger at his quarters to inform him of the air raid and what I had already done. For the next few minutes there was a constant stream of information and requests for information from various sources from Army generals, from the Commander-in-Chief's staff, and from the Naval Base Defense Force headquarters. The first positive order that I recall having received—and I'm not sure what time it was received—was from the Commander-in-Chief, Pacific Fleet, and stated "Locate and destroy enemy", or something to that general effect. At the time of its receipt all possible action had already been taken. In a very few minutes—although at the time it seemed like hours—Admiral Bellinger arrived and approved orders that had already been issued, and immediately thereafter the attacks destroyed, at least temporarily, all means of communication, and for a period of approximately an hour and a half the only thing that we could do was to handle it by runners. We would send runners to one or two of the VJ planes that had radio sets in them which hadn't been destroyed on the ground, turn up their propellers, and use the radio sets of these planes to transmit. We also sent runners over to where the TANGIER, one of our tenders, was anchored, and used the TANGIER's radio facilities until we could get our own back into operation. There was a considerable amount of confusion due to the disruption, the temporary disruption of all communications and the presence of an extremely large amount of black smoke which was practically asphyxiating in its effects. We were able to divert some of the smoke and repair radios, and from then on there was a constant succession throughout the day of small orders to units when one single plane would be reported ready. As fast as we could get that information [606] we would send him out on a new sector. From time to time during the day we would receive, in some cases, orders from the Commander-in-Chief of the Pacific Fleet regarding the searching of specific sectors, and in other cases we would receive merely information regarding purported radio bearings, and so forth.

159. Q. What was your understanding in such an emergency as this as to who would direct the patrol planes in any search, or give orders for general search, or give orders for them to take off?

A. Admiral Bellinger, sir.

160. Q. Well, who above Admiral Bellinger? Was Admiral Bellinger sole authority for that?

A. No, sir; or any higher authority.

161. Q. Did you look to the Commander, Naval Base Defense Force, for any orders to that effect?

A. I would have looked for them normally; owing to the positive knowledge of an emergency, I merely assumed in that circumstance that Admiral Bloch had already sent such a message and I didn't bother to look for it. I figured that the very best thing that could be done under the circumstances was to get things going and check up later on.

162. Q. There was no order received, to your knowledge, to that effect?

A. There may have been, sir. I never looked up to find out. I assumed that it was.

163. Q. Was any order given on the field for planes capable of taking off, to take off immediately, as soon as this attack was made?

A. Yes, sir. All planes that were capable of flight were ordered out as rapidly as possible.

164. Q. Captain, what was the manner in which the officers and men met the situation, so far as your knowledge goes?

A. I have nothing but the utmost praise for every officer and man throughout the day, which came under my personal command, with the single exception of one instance in which I criticize myself. During the course of the attack, the building shook and it looked as though the building was coming down. An authoritative source on the other end of the corridor announced, "The building is coming down; clear the top deck." Without waiting to ask for any more instructions, I went on the double with everybody else and went down on the ground deck. I looked down at the end of the corridor, saw the building was not coming down, and ordered everybody back up to their posts. No harm was done, fortunately, because at the time we were out of communication.

[607] 165. Q. Was there any evidence, so far as you noticed, of any unfitness for duty as a result of perhaps a night out the night before?

A. Absolutely none, sir.

166. Q. In any estimate that you may have made personally or otherwise during the critical days immediately preceding the attack, what was your thought with reference to war being started by an attack on Pearl Harbor?

A. I can only state that on one occasion—the only thing I can state positively about my opinion at that time was that in discussing with Admiral Bellinger the possibility or probability of an attack on Pearl Harbor—this was sometime in November—I stated at the time, half in earnest and half in pure speculation, that if they did attack it would be an air attack on Christmas Eve or New Years Day. I had a strange feeling, a vague feeling, not enough to have been an opinion, that if they did attack us at all it would probably be some-

time during the winter when the hours of daylight would be shorter. That would have been the logical time for the attack.

The question was repeated.

A. I remember reading an article in Time regarding the relative merits of Admirals Hart and Kimmel as life insurance prospects, in which the general precis of that article was that they would prefer to insure Admiral Kimmel, and I remember at the time agreeing with the gentleman.

None of the parties to the investigation desired further to examine this witness.

The court informed the witness that he was privileged to make any further statement covering anything relating to the subject matter of the inquiry which he thought should be a matter of record in connection therewith, which had not been fully brought out by the previous questioning.

The witness made the following statement: I have one item. I have, in various instances, expressed an opinion regarding the duration of effort of the Naval Base Air Defense, generally expressing the opinion of its inadequacy in certain respects. To illustrate how it was able to operate continuously after Pearl Harbor and was not, in our opinion, able to operate continuously on the basis of our pre-Pearl Harbor opinion, I respectfully call the attention of the court to the following facts: Before Pearl Harbor, as my assistant in the various operational jobs, the four or five different tasks that Admiral Bellinger had, I had one officer as assistant. From December 8th on up until shortly before the Battle of [608] Midway I had 42 officer assistants to help man and provide the necessary functioning for the Naval Base Air Defense. Those officers were not available to us before Pearl Harbor and were made available only because of the sinking or placing out of commission of the battleships to which they had been originally attached. As far as the continuous operation of the aircraft is concerned, the only reason that we were able to operate continuously without the exhaustion of our personnel was because a great many of our planes were destroyed on Pearl Harbor but their pilots and combat crews remained alive and unharmed, and when additional planes were flown out from the Mainland we then had the necessary reserve of extra pilots and combat crews to provide for continuous operation from a personnel standpoint.

The witness was duly warned and withdrew.

The court then, at 2:30 p. m., adjourned until 9:30 a. m., Thursday, August 24, 1944.

PROCEEDINGS OF NAVY COURT OF INQUIRY

THURSDAY, AUGUST 24, 1944.

[609]

EIGHTEENTH DAY

NAVY DEPARTMENT,
Washington, D. C.

The court met at 9:30 a. m.

Present:

Admiral Orin G. Murfin, U. S. Navy (Ret), President.

Admiral Edward G. Kalbfus, U. S. Navy (Ret), Member.

Vice Admiral Adolphus Andrews, U. S. Navy (Ret), Member.

Commander Harold Bieseimer, U. S. Navy, Judge Advocate, and his counsel.

Frank M. Sickles, yeoman first class, U. S. Naval Reserve, reporter.

Counsel for Admiral Harold R. Stark, U. S. Navy, interested party.

Admiral Claude C. Bloch, U. S. Navy (Ret), interested party, and his counsel.

Rear Admiral Husband E. Kimmel, U. S. Navy (Ret), interested party, and his counsel.

The record of the proceedings of the seventeenth day of the inquiry was read and approved.

No witnesses not otherwise connected with the inquiry were present.

A witness called by the judge advocate entered, was duly sworn, and was informed of the subject matter of the inquiry.

Examined by the judge advocate:

1. Q. State your name, rank, and present station.

A. William E. G. Taylor, Commander, U. S. Naval Reserve, attached to the staff of the Commander Fleet Air, Quonset Point, stationed at Charleston, Rhode Island.

2. Q. Will you state what duties were assigned you between October 1, 1941, and December 7, 1941?

A. I was assigned to temporary duty, to Commander Air Force Pacific Fleet Staff. My duties were to lecture fighter squadrons on combat tactics and on fighter direction. At the completion of my duties with Commander Air Force Pacific Fleet, at the request of the Commanding General, Hawaiian [610] Air Force, I was loaned to Interceptor Command in an advisory capacity verbally, to assist in an advisory capacity in setting up the air warning system at Fort Shafter.

3. Q. Will you state briefly what your experience was prior to 7 December, in the field of aircraft warning devices, specifically, the radar?

A. Well, I had two years' experience in England, mainly as a fighter pilot; one year with the British Navy, one year with the Air Force, and during which time I had access to and took advantage of learning the British air warning system, both aboard ship and ashore.

4. Q. Had you any intimate acquaintance with the radar equipment in the United States Pacific Fleet between October and December, 1941?

A. Yes, I did, I had an opportunity to see the early equipment on four of the American carriers.

5. Q. Will you state to the court what you consider the matériel efficiency of the radar equipment was before December 7, 1941, that you have just stated you had familiarity with?

A. The radar equipment itself was excellent. It was almost as good as the equipment is today. In two carriers it had just been installed and was not completely operative.

6. Q. After what date?

A. The date I was aboard. The date varied. One was on the east coast in September of 1941, and the other on the west coast in October of 1941, sir.

7. Q. Did you have any contact with the radar equipment on the U. S. S. CURTIS?

A. No, sir.

8. Q. Was the radar equipment on the U. S. S. CURTIS similar to that installed on the other ships that you have stated you were familiar with?

A. Yes, it was.

9. Q. From your contacts with radar equipment in the U. S. Pacific Fleet immediately prior to 7 December, 1941, can you state what the efficiency of radar operators was in general?

A. If you mean by "operators", the fighter director officers, plotters, and actual radar operators—they were, in general, fairly inexperienced.

10. Q. Did you consider them capable of taking bearings of aircraft at a distance?

A. Yes, sir. The operators themselves were quite capable of operating the radar equipment. The fighter director officers were green and inexperienced.

[611] 11. Q. When you reported to the Commanding General of the Hawaiian Department, what duties did you perform?

A. I did not report to the Commanding General, Hawaiian Department. I reported to the Commanding Officer at Wheeler Field, who was acting for the Commanding General, Interceptor Command. My duties were then to assist in an advisory capacity in setting up the aircraft warning system. I spent my entire time working with the Interceptor Command and the Signal Officer, Hawaiian Department, in assisting setting up the aircraft warning system, which consisted of training operators, advising on communication methods. My time was spent at staffs of the various commands in trying to work out liaison between the aircraft warning systems and the commands.

12. Q. As of the date, 6-7 December, 1941, what would you say was the efficiency of this organization that you have just described as having been assisting in organizing and instructing?

A. The radar equipment was adequate to do a fair job of early morning. The communications between the air warning system itself and the other organizations were in, except for the lines to some of the fighter dispersal areas, and the lines to the civilian air warning. The communications between the fighter-director officers', or controllers', positions, and the fighter aircraft, were totally inadequate to control fighters more than five miles off shore.

13. Q. What was your opinion of the efficiency of the operators of the radar themselves, as of 6-7 December, 1941?

A. The radar operators themselves were well-trained.

14. Q. Adverting to the period of between 27 November 1941, and 7 December, the same year, do you know what hours this radar system was in operation under the direction of the Army?

A. I don't remember exactly what hours the equipment was operating the entire time, but some time within ten days of December 7—.

15. Q. Before or after?

A. Before December 7, the information center received instructions, I was told, from General Short, to close down the radar stations except between the hours of 4:00 a. m. and 7:00 a. m.

16. Q. Under what system had these radars been operated prior to the institution of this system of 4:00 to 7:00 in the morning?

A. As I remember, they were operating the radar sets between 8:00 o'clock in the morning and 4:30 in the afternoon.

17. Q. And then when you started to operate them between [612] 4:00 and 7:00 in the morning, do you know the reason why this change was made?

A. I was told that the change was made to save the equipment from breaking down from long periods of use.

18. Q. Do you know why the hours of 4:00 and 7:00 in the morning were adopted in preference to some other hour of the day?

A. No, sir, I do not.

19. Q. Can you add anything further to your testimony concerning the organization of the aircraft warning system?

A. I forgot to mention that the personnel in the aircraft warning center—we had, as I remember, only sufficient numbers of plotters and operators for two watches. There were no liaison officers to man any position. We had no controllers. The controller is the most important man in the information center. We had to use squadron commanders as controllers, and we were in the process of teaching them to control at the time of December 7.

20. Q. Do you know the organization of the information center in the aircraft warning system?

A. Yes, sir, I do.

21. Q. Will you please state it?

A. The organization is headed by a controller, or senior fighter director officer. Under the fighter-director officer or senior controller are several interceptor officers as liaison officers. There are search-light officers, gun control officers, radar officers, bomber command liaison officers, fighter command liaison officers, naval liaison officers, surface; naval liaison officers for air identification; Army ground liaison positions. Under these officers are the plotters, the operators, and the maintenance crews.

22. Q. Where were you at 0755 on the morning of 7 December, 1941, when the Japanese attacked Pearl Harbor?

A. I was in bed at the Hawaiian Hotel.

23. Q. Do you know anything, of your own personal knowledge or contact as to what happened in the aircraft warning system at the time of the attack—after the attack?

A. Yes, sir, I do. I got there between 8:30 and 9:00, and got the general story on what had happened. One of the radar stations was

continuing to operate after 7:00 o'clock in the morning, to train operators. The information he received was sent to the information center, where it was handed to the acting controller, who was a squadron commander spending his first morning in the information center, trying to learn the system.

24. Q. Do you know who the officer was in control in the information center? [613]

A. No, sir, I do not remember his name.

25. Q. On the morning of 7 December 1941?

A. I do not remember his name, sir.

26. Q. When you arrived, as you stated you did, about 0830, was it?—

A. Yes, sir.

27. Q. On the morning of 7 December 1941, what was the condition of the organization of this information center?

A. The information center was in pretty great confusion. In order to man all the necessary positions, the air warning officers had drawn on mess cooks, linemen, every man that they could lay their hands on—all of whom were inexperienced—to man the telephones. The main plot had a paper overlay, ripped off the table, making the scale of the plotting table too large for accurate plotting. The plots that were coming in from the various radar stations were in such confusion it was impossible to determine what was going on.

28. Q. Do you know if there was any attempt made, after you arrived in the information center, to plot either incoming or retiring aircraft from the Pearl Harbor area?

A. All plots that came into the information center from the radar stations were plotted, but the scale of the plotting table itself was so large—so small, that there could be no accurate information plotted. There were also other plots coming in besides the Japanese raid, to add to the confusion.

29. Q. Do you know whether or not a plot was ever made of retiring Japanese planes?

A. There were, as I say, plots made of everything reported by the information centers, but the information center had no way of knowing whether they were Japanese planes or American planes.

30. Q. Was any plot ever made of planes retiring in a northwesterly direction to a distance of as much as 50 to 100 miles from Oahu?

A. Yes, sir.

31. Q. Will you state what that plot was, as best you can remember?

A. Well, the plot of the retiring planes in any one direction also included plots retiring in other directions as well.

32. Q. Can you state what plot was made of the planes that retired, if any did, in a northwesterly direction?

A. There was no single plot of planes in any direction made at the time. Several days later attempt was made to try [614] to assess what had happened from the tracers.

33. Q. What was your opinion as to the efficiency of the personnel in the Army information center in interpreting radar reports?

A. They were very inexperienced.

34. Q. From your own personal knowledge of radar as it was installed in vessels of the United States Pacific Fleet, and the efficiency

of the operators as of 6-7 December, 1941, is it your opinion that these radar sets could have been employed in detecting the approach of planes towards Pearl Harbor?

A. It would depend on where the sets were installed, sir.

35. Q. I Would ask you, for a set that is installed on a vessel of the United States Fleet, and the vessel anchored or moored in Pearl Harbor.

A. The efficiency of the equipment aboard ships was excellent at sea. In a land-locked harbor, particularly with mountains around, only by very good luck would you get any performance out of radar equipment aboard ship.

36. Q. In a sector in Pearl Harbor where mountains did not interfere, would you be able to get efficient results from a ship moored in Pearl Harbor?

A. Regardless of the terrain in the direction that the radar is searching, the mountains to the rearward or the side would still effect radar performance.

37. I would give you the hypothetical case of a ship moored in Pearl Harbor, attempting to locate a plane to the south and west of Pearl Harbor, where I believe there are no mountains interfering. Would this set work from Pearl Harbor in that direction?

A. It might work and again it might not. As I said before, the mountains to the north still affected the performance to the south.

The interested party, Admiral Harold R. Stark, U. S. Navy, did not desire to cross-examine this witness.

Cross-examined by the interested party, Rear Admiral Husband E. Kimmel, U. S. Navy (Ret.) :

38. Q. Whose responsibility was it to operate the radar equipment on Oahu on 7 December, 1941?

A. That was the Chief Signal Officer, Hawaiian Department. [615]

39. Q. The Hawaiian Department of what service?

A. The U. S. Army.

40. Q. In your opinion, did or did not the Navy lend all possible assistance in placing the radar equipment of the Army in efficient condition?

A. That is quite difficult to answer, sir. The assistance that the Navy gave to getting the radar equipment into operation was nil. They were not asked for any assistance in putting the radar equipment into operation.

41. Q. I think I said, "efficient condition."

A. Yes, sir, the Navy gave all assistance they were asked for in setting up the air warning system, except for furnishing liaison officers.

The interested party, Admiral Harold R. Stark, U. S. Navy, did not desire to cross-examine this witness. Neither the interested party, Rear Admiral Husband E. Kimmel, U. S. Navy (Ret.), nor interested party, Admiral Claude C. Bloch, U. S. Navy (Ret), desired to cross-examine this witness.

Examined by the court:

42. Q. You stated in a reference to the operators of the radar system on ships of the Navy that you inspected, that they were green and inexperienced—that is, the officer operators; is that correct?

A. Fighter directors, yes, sir.

43. Q. Was this due to insufficient training or newness on the job?

A. It was newness on the job, sir. The equipment had just been installed.

44. Q. You spoke of the equipment on ships as being of excellent efficiency.

A. Yes, sir.

45. Q. At what maximum distance?

A. The maximum distance would range between 80 and 140 miles, depending on the height, sir.

46. Q. With reference to the Army mobile radar equipment, what was the range of their equipment?

A. Their range was almost the same, but their equipment was much cruder, much slower to operate. There were many more errors in the plotting range and azimuth than there was in the shipboard equipment.

[616] 47. Q. Was it entirely under the control and responsibility of the Army?

A. Yes, sir.

48. Q. Did you have any control or authority beyond your duties as an instructor or adviser?

A. No, sir, my sole duties were in an advisory capacity.

49. Q. So long as this Army radar equipment was operative and efficient within certain limits, to which you have specified, do you know why it was not in operation continuously during the critical period in the days preceding December 7?

A. There were two reasons, sir. One reason was the shortage of personnel to operate twenty-four hours a day. The second reason was it was shut down by, I am told General Short's orders, to save the equipment.

50. Q. Well, in view of the fact that personnel might be taken from other Army organizations, do you not think this was so important that this should have been done in order that they be permanently manned?

A. I feel and felt then these stations should have been operating twenty-four hours a day, and the air warning system fully manned.

51. Q. Do you believe that General Short's orders not to keep in operation continuously because of the deterioration of equipment was a sound decision?

A. Not knowing the Army radar matériel conditions in Hawaii, I would say his decision was not sound.

52. Q. If there was possibility of deterioration of the equipment by having it in constant operation, would not it have been practicable to keep half of the system in operation with some degree of efficiency?

A. With some degree of efficiency. There were just enough radar stations to cover the area of Oahu. Any one set going out would mean the loss of that coverage.

53. Q. Did you ever make any recommendations with reference to keeping the Army system in operation?

A. Yes, sir.

54. Q. What were they?

A. I have a copy of the recommendations I made with me, sir.

55. Q. State briefly what it was and who it was made to?

A. The recommendations were made as a result of a conference held on November 24, and were made to the Acting Commanding Officer, Interceptor Command.

56. Q. And that was who?

A. I can't remember his name now, sir.

[617] 57. Q. Davidson?

A. No, sir. Davidson hadn't come back. He was in the United States then. The recommendations were also made to Colonel Murphy, who was the Acting Signal Officer, Headquarters, Hawaiian Department, who was present; to Lieutenant Commander Coe, who was liaison officer for Patrol Wing Two, to the 18th Bombardment Wing, the 14th Pursuit Wing, the Coast Artillery, and to the 86th Observation Squadron.

58. Q. What is the date of this recommendation?

A. There is no date on this recommendation, but the copy of the minutes of the meeting was in the hands of all present within three days after the 24th of November.

59. Q. Three days after the 24th?

A. Within three days, yes, sir.

The court then, at 10:15 a. m., took a recess until 10:25 a. m., at which time it reconvened.

Present: All the members; the judge advocate and his counsel; all the interested parties and their counsel, with the exception of the interested party, Admiral Harold R. Stark, U. S. Navy, whose counsel were present. Frank M. Sickles, yeoman first class, U. S. Naval Reserve, reporter.

Commander William E. G. Taylor, U. S. Naval Reserve, the witness under examination when the recess was taken, entered. He was warned that the oath previously taken was still binding, and continued his testimony.

Examined by the judge advocate:

60. Q. What is this document that you have in your possession?

A. This document is a memorandum of the minutes of a meeting that I called at the information center on Monday, the 24th of November, 1941. Copies of this memorandum were sent to all present. One copy was sent to the Operations Officer on Commander-in-Chief Pacific Fleet's staff, and one was sent to the Acting Commanding Officer, Interceptor Command.

The judge advocate made the following statement: The judge advocate has examined the document in the possession of the witness, which he feels contains information that should be before the court. He therefore recommends to the court that the document be introduced in evidence for the purpose of reading such extracts therefrom as may be pertinent to this inquiry, and as the court may desire to put before it.

The court then, at 10:30 a. m., took a recess until [618] 10:44, at which time it reconvened.

Present: All the members; the judge advocate and his counsel; all the interested parties and their counsel, with the exception of the interested party, Admiral Harold R. Stark, U. S. Navy, whose counsel were present. Frank M. Sickles, yeoman first class, U. S. Naval Reserve, reporter.

Commander William E. G. Taylor, U. S. Naval Reserve, the witness under examination when the recess was taken, entered. He was warned that the oath previously taken was still binding, and continued his testimony.

Examined by the judge advocate:

61. Q. Commander, at the time you made this memoranda, was the subject matter of it fresh in your memory?

A. Yes, sir, it was. I wrote it the same day, within two hours of the meeting.

62. Q. At the time you wrote the memorandum, did you consider it a correct account of the events of that conference?

A. I did.

The memorandum of the minutes, made by the witness, Commander William E. G. Taylor, U. S. Naval Reserve, of a meeting called by him on November 24, 1941, at the information center, Oahu, Territory of Hawaii, was submitted to the interested parties and to the court and by the judge advocate offered in evidence.

There being no objection, it was so received, copy appended, marked "EXHIBIT 62."

63. Q. Will you read the entire document, please?

Yes, sir.

The witness read the document, Exhibit 62.

[619] Frank L. Middleton, yeoman second class, U. S. Naval Reserve, reporter, entered. Frank Murrell Sickles, yeoman first class, U. S. Naval Reserve, reporter, withdrew.

Examined by the court:

64. Q. Who called this conference?

A. I called it, sir.

65. Q. It was not at the initiation of the Army at all?

A. No, sir.

66. Q. Was any objection made or disagreements expressed by any official to whom copies of the memo were given?

A. No, sir; all were agreed.

67. Q. What action was taken as a result of this conference prior to December 7, 1941?

A. Very little was done as a result of this conference. We managed to complete our communication lines. We were not able to have either the Army or the Navy agree on an aircraft identification system. We were not able to get men to man the information center. We were able to get no more personnel and the information center more or less remained as it was on 24 November. The fact that the radar stations were shut down except for the period of 4:00 a. m., to 7:00 a. m., made it impossible to continue to train plotters and operators for more than three hours a day, which was not enough. That fact alone did more to slow down the development of the information center than anything else.

68. Q. Whose responsibility or duty was it to provide the personnel? Army or Navy?

A. Except for the Navy liaison officers, it was the Army's duty to supply personnel.

69. Q. Was a request made upon the proper naval authorities for the detail of liaison officers?

A. The request was made verbally by me, sir.

70. Q. Upon whom?

A. On Commander-in-Chief, Pacific Fleet, staff, and Com 14's chief of staff, and also Admiral Bellinger.

71. Q. Was any reply made or reason given for failure or inability to supply these liaison officers?

A. The reply was that in all three places there were no liaison officers available. The Commander-in-Chief's staff said that they would order 6 officers as soon as possible to the information center at Shafter. This he said after all other sources failed to produce them.

[620] 72. Q. There was agreement as to the desirability and necessity for liaison officers; there was no opposition to the idea?

A. No, sir.

73. Q. Were liaison officers essential to the operation of this radar by the Army's radar equipment?

A. Not the radar equipment; no, sir. They were necessary in order to get the information that was needed by the information center, and also to disseminate it back where it was needed.

74. Q. Then it was strictly the Army's province to get the information, and the liaison were only to be used for getting the information to the Navy?

A. Yes, sir; that is, Navy liaison people.

75. Q. But their absence in no way acted against the efficient use of the radar as such?

A. Their absence didn't affect the use of the radar but their absence, had the information center been going, would have very definitely affected the function of the information center.

76. Q. Only insofar as getting the information around was concerned?

A. The information that we needed from the Navy was just as important as the information needed from the Army in order to operate the center. In other words, unless the officers of the different activities were able to identify the plots on the board from information that they received from their parent stations, it was impossible for the information center to operate, so each man was vital to the whole system.

77. Q. Well, the absence of the liaison officer didn't absolutely exclude the exchange of information, even though it might have been slower?

A. It would be a case, sir, of being slower, but certain information would never get to the information center that was needed, and important information would never go from the information center to the Navy. As it turned out, inasmuch as there were no liaison officers down at the information center at all, the absence of the Navy liaison officers made very little difference.

78. Q. Lieutenant Colonel Tyler, then a lieutenant in the Army, was sole controller, as I understand it, in the information center from 4:00 a. m., until 8:00 a. m., on 7 December 1941?

A. I don't remember his name, sir, but there was one squadron commander; that was the first time he had [621] ever been in the information center. We were using squadron commanders as the only source of controllers we could lay our hands on. Unfortunately, though, they had their squadrons to train which took up by far the bulk of their time and they would never have worked out satisfactorily in any case.

79. Q. In consideration of your statement that the Army officer in charge of the center on the morning of December 7th had not been on duty in the center before, did the absence of Navy liaison officers in any way affect the results that were or might have been obtained?

A. No, sir, I do not believe it would have made much difference.

80. Q. Am I correct in the assumption or the conviction that the information center simply was not organized and was not functioning on the morning of December 7th?

A. Yes, sir.

81. Q. In summation of the reasons which you have given and the difficulties encountered, was this not due to the fact that the whole system was in the process of being brought to a state of efficiency?

A. Yes, sir. It could have been made operative sooner had there been some impetus behind it with enough power to get the things we needed.

82. Q. Where should this impetus have emanated?

A. It is my opinion it should come from the Hawaiian Department of the Army.

83. Q. Did you remain on duty with the Hawaiian Department after the 7th of December, 1941?

A. Yes, sir, I remained with them for at least one month after December 7th.

84. Q. What was the state of affairs at the end of that month with regard to the completion of the efficiency of the organization?

A. At the end of that month, well, as a matter of fact, at the end of 7 days, the information center was running smoothly with improvised methods. We had only one very bad handicap and that was that the radio equipment was still not adequate for directing the fighters very far off shore.

85. Q. Was part of the deficiency in personnel supplied by reason of the unfortunate fact that they were made available because of the damage to the battleships?

A. It made the liaison officers easier to get.

[622] 86. Q. Commander, how long were you on duty in Hawaii?

A. I don't remember exactly the dates.

87. Q. About when did you report?

A. I reported out in Hawaii, I would say, the middle of October, 1941. I left on the first of February, 1942.

88. Q. In what capacity were you to act in Hawaii?

A. The original intention of sending me out was to talk to fighter squadrons on combat tactics and to talk to the ships' officers on fighter direction of fighters and to bring back to the Bureau of Aeronautics whatever information I could pick up on the way it was used.

89. G. Well, then, you were not sent out there as a radar expert to assist and advise the Army in radar?

A. No, sir. When I completed my work with the Navy, CincPac sent a dispatch to Admiral Halsey's staff saying that the Commanding General, Hawaiian Air Force, wanted my services as a technical adviser.

90. Q. And you were so detailed?

A. I was detailed verbally, sir.

91. Q. As a technical adviser for radar?

A. Yes, sir. To qualify that, I'm not a radar technician. I did know quite a bit about the air warning system as it should be set up.

92. Q. By whom were you detailed to report to the Commanding General at Hawaii?

A. By then Captain R. Davidson.

93. Q. By whose direction?

A. By direction of Admiral Kimmel.

94. Q. As we understand, this request for your detail was made by the Army?

A. Yes, sir.

95. Q. To the Commander-in-Chief, Pacific?

A. Yes, sir.

96. Q. About what time did you assume these special duties?

A. I believe it was somewhere around the second week of November, sir.

97. Q. What prompted you to call this conference on 24 November, 1941?

A. Mainly the hopelessness of getting the information center organized without all hands being present or a representative from each activity being present to discuss the details necessary to set the information center up. We had been having conferences with every commander in Hawaii daily which took up a great deal of time, and in [623] each case we had been able to accomplish practically nothing because the other activities were absent.

98. Q. But as the court understands it, this radar was a primary function of the Army?

A. Yes, sir.

99. Q. And as such you had called the conference to advise and suggest to them the proper installation and operation of radar in Hawaii; Is that correct?

A. Yes, sir.

100. Q. You stated in your testimony that you visited the control center on the morning of 7 December?

A. Yes, sir.

101. Q. This was the only control center?

A. Yes, sir.

102. Q. Did you meet there the officer in charge of the control center?

A. You mean by that, sir, General Davidson?

103. Q. Lieutenant Tyler.

A. Yes, sir; I met him there.

104. Q. Did you have any information as to his knowledge of being the officer in charge of the control center prior to his going on duty?

A. He was not, in fact, the officer in charge, sir. He was understudying the job of controller. There was no officer in charge.

105. Q. But there was no other officer at the control center other than Lieutenant Tyler; is that correct?

A. That is right, sir.

106. Q. So who was there to instruct him in his duties?

A. That I don't remember, sir.

107. Q. Do you know that there was no other officer there?

A. No, sir, I do not.

108. Q. But you just stated there was no other officer there?

A. I stated I did not know that there were no other officers there. There was usually a signal corps officer there during all the watches to instruct the plotters and also instruct the controllers.

109. Q. Upon assuming this duty with the Army, did you make a general survey of radar equipment of the Army?

A. No, sir, only of the radar equipment which was installed and of the actual radar sets that were available.

[624] 110. Q. And how many of these sets were available?

A. As I remember, there were only 5 mobile sets available, all 5 of which were installed.

111. Q. Will you please state where they were installed and in your opinion were they installed in the best positions?

A. I don't remember the exact location, sir, but in my opinion they were as well sited as was possible.

112. Q. Were there any permanent radar installations in the Island of Oahu?

A. No, sir.

113. Q. As we understand, there was no material available to establish those permanent stations?

A. No, sir. My understanding was that there was no permanent equipment there and it would take some months to install it had it been there.

114. Q. Then is the court correct in assuming that the radar equipment of Hawaii was under the direct control of the Army?

A. Yes, sir.

115. Q. And that prior to December 7, 1941, the establishment of the control center and the operation of these radar installations was in a state of being set up to work efficiently?

A. Yes, sir.

116. Q. In other words, it was in a state of working out the different problems in order that they might finally have a radar which would operate efficiently?

A. Yes, sir.

117. Q. Is that right?

A. Yes, sir.

118. Q. Did the Army, to your knowledge, have any officer in the Hawaiian Department who could have done the same as you did in attempting to get action toward bringing the radar system to an operative and efficient condition?

A. They did not have an officer who had the background knowledge of the information center or the air warning system, but they had officers in the Hawaiian Department who could have assisted in getting the action we needed.

119. Q. Would it have been necessary to have that knowledge to get behind this thing and push it along?

A. No, sir.

[625] 120. Q. There is testimony before this court referring to two enlisted men in one of the radar stations on the morning of the attack who got certain results. Can you give us any information about that?

A. You mean the report that the radar operator picked the report up and passed it on to the information center where the report was ignored; is that it?

121. Q. Yes.

A. The radar operators who were being trained and picked up the raid, which was normally to be expected, the information was passed into the information center where the plotters, as I remember, were then off duty. The plotters were only supposed to be on duty between the same hours that the radar stations were operating. Therefore, at 7:00 a. m., the regular plotters and the information center itself was due to close down. Had the information been properly plotted it would have been impossible to decide whether the plots picked up by the radar station were a Japanese raid, an air group from one of our own carriers, or some planes being ferried in from the United States. As a matter of fact, at that time, at the time of the raid, there were American bombers that came in from the States. But without some method of identifying the planes that came in, no one could have told whether the planes were friend or foe, and therefore no action would have been taken. In other words, until better organization had been planned between the Army and the Navy for aircraft identification and aircraft reporting, with all their liaison officers in position, the information that was picked up by the radar station was of no value to anybody.

122. Q. The spotting of those planes on the morning of the 7th of December was not dependent, as we understand it, upon information from the Navy, was it? It was simply a spot or a pip on the radar machine?

A. That is true, sir, but without the Army and Navy working together a system to identify those planes coming in, it would have to be assumed that they were friendly. The information center is set up with its Army and Navy liaison officers for the single purpose of identifying the planes that are coming in. After that time, when one of our carriers was sending in its air group, the information was immediately telephoned in by direct line to the naval liaison officer giving us the direction from which they were coming, when the raid then appeared on the board, and the naval liaison immediately identified it, and when the Army planes were coming in they were immediately identified by the Navy liaison officers. Any which were not identified had to be accepted as hostile, and immediately when they were intercepted as hostile, the air raid siren went on for people to take cover.

[626] 123. Q. If this radar had been properly set up and had been running efficiently, the man who discovered the spot or the plot of these planes, it would have been his duty to report it immediately to find out whether or not they were expected, or friendly planes; is that correct?

A. Yes, sir. He would call immediately on the Army and Navy liaison officer to get them to identify the raid. If they were not able to, then they would check back to the flying activities to check again.

124. Q. Even in the absence of a naval liaison officer, is it not a fact that the flight of a group of B-17s from San Francisco could have been identified by an Army officer as a friendly flight which still would not have determined the fact that there were enemy planes en route?

A. Yes, sir.

125. Q. Referring to the Roberts Report, which is a public document, the findings thereof. The statement is made that 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 degrees around Oahu could have been covered. Will you comment on that with regard to the complete accuracy of the statement, as well as to the possible efficiency of the system had it been able to be fully manned?

A. The first part of the statement is definitely untrue. There were not sufficient numbers of well-trained personnel to operate the radar station, even partially, at any time. The radar equipment was positioned in such a way that we could get fairly good 360 degree coverage around the Island of Oahu. There were times when planes could come in undetected, but not very often. But I believe in no case could a large raid come in undetected.

126. Q. As I understand it, the manning of a station for 24 hours, consistently for 24 hours, would have been for the purpose of rectifying the deficiencies in training. Isn't that what you said?

A. You could train your people during the daytime to operate 24 hours a day, but the point was to get the system going smoothly so that it would work day and night, which takes a regular watch right around the clock. But at the time of December 7th, there was not one complete or even partially trained team.

127. Q. It was a question, then, of the completion of the entire system so that the several parts would operate together efficiently?

A. Yes, sir.

[627] 128. Q. Had all these mobile radars been in top efficient condition they still could not have been operated continuously because of untrained personnel; is that right?

A. Yes, sir.

129. Q. At the time you began your contact with the Army were there in evidence any efforts to organize the information center and bring it to an efficient working condition?

A. By two very junior officers, sir. One was the operations officer for the Interceptor Command, Captain Berquist of the Fourteenth Pursuit Wing, and a captain of the Signal Corps, whose name I cannot remember, both of whom had been to the information center school at Mitchel Field and both of whom were very eager to get the information center set up, and I think it was at Captain Berquist's request that I was asked for from the Navy. The two of them worked very hard and tirelessly the entire time with me in trying to get the information center operating, but they did not have enough force to get what they needed from the various commands to get the station operating.

130. Q. Before you entered into the picture they did make every effort to get some action?

A. Yes, sir.

131. Q. When was the temporary information center building completed and ready for operation, including the internal equipment?

A. The temporary information center was completed, except for communications, radio and telephone, within two or three days of my reporting to the Army which, as I remember, was in the second week of November.

132. Q. When was the permanent, bomb-proof station completed?

A. The bomb-proof information center was still not completed when I left the Islands in February, 1942.

133. Q. Were the communication facilities in the temporary station completed before you left the Islands?

A. Yes, sir, they were completed except for the civilian air warning system and for the lines to several fighter squadron dispersal points before December 7th.

None of the parties to the inquiry desired further to examine this witness.

The court informed the witness that he was privileged to make any further statement covering anything relating to the subject matter of the inquiry which he thought should be a matter of record in connection therewith, which had not been fully brought out by the previous questioning.

[628] The witness stated that he had nothing further to say.

The witness was duly warned and withdrew.

A witness called by the judge advocate entered, was duly sworn, and was informed of the subject matter of the inquiry.

Examined by the judge advocate:

1. Q. Will you state your name, rank, and present station?

A. Joseph L. Lockard, First Lieutenant, Signal Corps, Esler Field, Louisiana.

2. Q. What duties were you performing on the morning of 7 December, 1941, prior to the hour of 0800?

A. I was that morning assigned as an operator on the 270 unit.

3. What is a 270 unit?

A. Radar unit, sir.

4. Q. Where was this radar unit located?

A. In the northern portion of Oahu, at a site called Opana.

5. Q. What was the altitude of your operating antenna at Opana?

A. Approximately 230 feet, sir.

6. Q. What sector of a circle could you cover with your operating set without interference from such obstacles as land or buildings?

A. Due to the nature of the equipment we got interference from all sections. However, we could cover 180 degrees easily.

7. Q. That is, 180 degrees of a complete circle?

A. Yes, sir.

8. Q. And in what direction was this sector of a circle of 180 degrees?

A. From approximately northeast to west.

9. Q. Was this in a direction through north?

A. Yes, sir, we could cover north.

10. Q. What orders or instructions had you received as to what duties you were to perform while at this station on the morning of 7 December 1941?

A. Our orders were to operate the equipment from 4:00 until 7:00 a. m.

[629] 11. Q. Had you received any other instructions as to exactly what to do while so operating?

A. Normal procedure was to track for flights and intercept them and report them to the center, the information center.

12. Q. You had no other instructions as to the operation of your set, in regard to picking up flights?

A. No specific instructions, no, sir.

13. Q. Then will you tell what your routine of operations was between 4:00 and 7:00 a. m.? How did you proceed?

A. At 4:00 o'clock we would put the equipment into operation and all planes that were intercepted would be plotted and their coordinates reported by telephone to the information center.

14. Q. Will you tell us the exact procedure you followed at the radar station in Opana where you were stationed; that is, did you make a plot there of the location of any objects you picked up with your radar?

A. Yes, sir. We kept an overlay and we also kept a log.

15. Q. And do I understand you to say that in addition to making this plot and keeping a log, you telephoned certain information to the information center?

A. All information was telephoned, sir. The overlay was merely to reduce the azimuth and range to grid coordinates.

16. Q. Then what information were you in the habit of telephoning from your station at Opana to the information center?

A. The exact coordinates of the plane, or whatever the object happened to be, and any other information that the station might ask of us which we could supply.

17. Q. What system of coordinates were you using?

A. Regular Army grid, sir.

18. Q. What was the organization of this radar post at which you were stationed?

A. We were a detachment of a company, which was the designation of SCWH, which was under the platoon leader, who was located at Kawaiiloa.

19. Q. Who was in charge of this post where you were stationed at Opana; I mean, physically present and in charge on the morning of 7 December 1941?

A. You see, sir, we didn't live at that site. We lived about 10 miles away at Kawaiiloa.

[630] 20. Q. I will ask you the question in this way: Who was the senior person present at the Opana radar station on the morning of 7 December 1941?

A. I was, sir.

21. Q. What was your rank at that time?

A. I was a third class specialist.

22. Q. There were no commissioned officers at this post at this time?

A. Not on that morning, sir.

23. Q. Do I understand that your unit at the time in question was a part of the aircraft warning system in Oahu?

A. Yes, sir.

24. Q. What sort of communication did you have with the information center?

A. Telephone communication, sir. We also had an auxilliary radio station.

25. Q. What method of communication were you using on the morning of 7 December 1941?

A. Telephone, sir.

26. Q. Was this communication functioning efficiently at that time?

A. Yes, sir.

27. Q. Will you state what your experience was prior to the morning of 7 December 1941 in connection with radar operation?

A. I had operated the sets ever since we put them into operation in August, 1941.

28. Q. Had you been given any instruction in the theory of electronics or radar?

A. A bare smattering.

29. Q. Do you consider that you were a qualified operator from a practical point of view as of 7 December 1941?

A. Yes, sir.

30. Q. How would your set make the operator aware of the presence of aircraft?

A. By producing what we call echoes on the face of the oscilloscope.

31. Q. Were these echoes visual or sonic?

A. Visual.

[631] 32. Q. Can you state how far away from your radar set on this particular morning you estimate you could pick up a single operating aircraft?

A. That can't be stated definitely, sir.

33. Q. Approximately?

A. It is quite variable. The nature of the equipment was such that, subject to change in its efficiency, it was a rather crude construction at that time and produced variances in the tuning.

34. Q. Let us take a specific example. Suppose you had a flight of aircraft at a distance of 100 miles under the conditions that existed on the morning of 7 December 1941. Do you have any estimate of the number of planes that would have to be in that flight for you to have detected it as such?

A. It was possible to pick up one plane at that distance, and it was also sometimes impossible to pick up three or four. It is too inconsistent to give a definite answer.

35. Q. In other words, you can't answer that question specifically?

A. No, sir.

36. Q. On the morning of 7 December 1941, had you been given any information prior to 0800 as to the movement of any friendly aircraft in the area?

A. No, sir.

37. Q. Did you have any means of knowing when you detected an aircraft, by means of your radar equipment, whether or not this aircraft was friend or foe?

A. Not at that time, sir; no.

38. Q. What was the length of your tour of duty on the morning of 7 December 1941?

A. 0400 to 0700.

39. Q. What did you do after 0700?

A. We continued to operate the equipment, sir.

40. Q. Was this done by any specific order?

A. No, sir.

41. Q. Did you get permission to operate it, or how did you happen to continue operations after 0700?

A. Operating with me that morning was Sergeant Elliott, who was rather new to the organization and who we were trying to train as an operator. The truck to take us to Kawailoa had not arrived and probably wouldn't arrive for some time so we decided it would be an opportunity for him to operate the equipment.

[632] 42. Q. How much experience had Sergeant Elliott had up until this particular moment you are speaking about in radar operation?

A. Well, sir, he came to us from the Air Corps. The first occasion I had to meet him was when we moved to Opana, which was in November, around Thanksgiving.

43. Q. Had he been under instruction at this station from the time he arrived around Thanksgiving up until the time of the Japanese attack on 7 December 1941?

A. Yes, sir.

[633] Frederick T. Lachat, yeoman first class, U. S. Naval Reserve, reporter, entered. Frank L. Middleton, yeoman second class, U. S. Naval Reserve, reporter, withdrew.

44. Q. Did you consider him a qualified operator as of the morning of December 7, 1941?

A. That is a personal opinion.

45. Q. That is what I am asking for.

A. No, sir.

46. Q. Had you picked up any important aircraft contacts prior to 0700 on the morning of December 7, 1941?

A. No, sir.

47. Q. Did you make any contacts after that time?

A. Yes, sir.

48. Q. Will you state what this contact was and what you did?

A. We discovered an unusually large response about 0702 at 136 miles in a northerly direction. It was so large, in fact, that I checked the equipment to determine whether it was the fault of the equipment or actually a flight of some sort. We finally decided to call when they had come in to 132 miles.

49. Q. Whom did you call?

A. I was tracking the flight, and I instructed Private Elliott to call the information center and see if there was anyone around.

50. Q. Sergeant Elliott is the one who actually talked to the information center?

A. He talked to them initially, yes, sir.

51. Q. What was the official report, if you know it, that Sergeant Elliott made from Opana to the information center about this flight you have just described?

A. The only person he could get was the switchboard operator, whom we happened to know. We asked him to look around and see if there wasn't someone in the information center to whom we could talk. We told the operator what we had thought we had seen. He left his switchboard and located a person in the information center. This information was passed on to the person in the information center there, but the exact conversation I can't recall. I do know that we were not satisfied with the response, so I got on the 'phone and I asked the switchboard operator to call this person to the telephone, which he did.

[634] 52. Q. Did the person whom you got on the telephone identify himself?

A. The switchboard operator told me he was the liaison officer, and that is as much as I knew.

53. Q. You do not know whether he was Army or Navy or what his position was? Do you know anything about him other than the fact that you had information that he was a liaison officer?

A. I think at the time he was mentioned he was Army Air Corps.

54. Q. Had you asked for the officer in charge of the information center?

A. I asked for whoever was there, and apparently there was no one there with this station.

55. Q. Will you state what conversation you had with this person who identified himself as the liaison officer?

A. I can't quote it word for word, but I gave the information as to distance, apparent size, and direction.

56. Q. What was this information that you gave him?

A. I told him that we had an unusually large flight—in fact, the largest I had ever seen on the equipment—coming in from almost due north at 130 some miles.

57. Q. What response did you get from this so-called liaison officer?

A. No response which was very satisfactory.

58. Q. What happened? Did he hang up the telephone? Was that the end of the conversation?

A. I think I repeated the information, and he then terminated the conversation.

59. Q. Didn't he say anything? Can't you be more specific?

A. I can't honestly be specific on that, because I do not recall.

60. Q. Did you continue to keep this flight target on your radar?

A. Yes, sir.

61. Q. For how long a period of time did this tracking continue?

A. We tracked it in to within a neighborhood of twenty miles of the Island. At that time we lost it in the permanent distortion we had, due to bad echoes from the mountains surrounding us.

[635] 62. Q. Can you state exactly where on the island of Oahu the radar station Opana, at which you were posted, is located?

A. It is located practically on an artillery marker on the northwestern tip, ten miles north of Kawailoa and just back inland a little way from Kawela Bay.

63. Q. What did this middle plot that you got at twenty miles away indicate to you as an operator?

A. As far as the disappearance was concerned, we were accustomed to that due to this distortion that we had, and it only indicated that it had come within such a range of the island that we could no longer track it through the distortion.

64. Q. Did you make any attempt to search visually to see whether or not you could see the object of your radar search at a distance of twenty miles?

A. We did when we closed up the station but not at the immediate time of their disappearance.

65. Q. From your experience in operating the station at Opana, would the confusion of the radar plot which you got indicate a disappearance of planes behind a land area?

A. I don't quite comprehend.

The question was repeated.

A. No, sir. The planes were not behind a land area. They were still at sea, but the distortion produced by the surrounding mountains completely obliterated our view of that section.

66. Q. When did you first become aware that there was an enemy attack on the island of Oahu on the morning of December 7?

A. When we got to Kawailoa. I imagine it was around 8:30.

67. Q. At that time you had secured your station at Opana?

A. Yes. By "secured" you mean, closed the station?

68. Q. Yes. What did you do subsequent to receiving this information at that time?

A. We had breakfast and went back to the unit immediately. The remainder of our crew had gone up to the unit as we were coming down. It was already in operation when we got there, and we continued to keep it on twenty-four hour operation from then until I left.

[636] 69. Q. At what time did you arrive back at your unit at Opana?

A. About 9:30, I imagine, or 9:10.

70. Q. Did you personally observe any plots made of aircraft retiring from the island of Oahu?

A. Yes, sir, there was an enormous amount of activity in the station as we opened it. It was going every which way—away from it and back to it.

71. Q. Did you identify any planes retiring from Oahu at a distance, let us say, in excess of fifty miles?

A. I can't answer positively.

72. Q. Do you recall whether or not an effort was being made to track retiring planes from Oahu at that time?

A. Yes, sir, they were covering more than their sector in order to get every bit of information they could.

73. Q. How long did you remain in that radar station on December 7, 1941, after you reported back there and subsequent to having had your breakfast?

A. We stayed there from then on. We moved our camp then to right at the spot of the unit itself.

74. Q. Did you during the daylight of December 7, 1941, see any plot that was made of retiring planes from Oahu?

A. I can't answer that with any amount of certainty.

Cross-examined by the interested party, Admiral Harold R. Stark, U. S. Navy:

75. Q. You said in your testimony that you picked up this flight about 0702 and tracked it until it was about twenty miles from the station. To the best of your belief, about what time did you lose that flight in the distortion? Was it a half hour later or an hour later?

A. In the neighborhood of 7:30, I should say.

Cross-examined by the interested party, Rear Admiral Husband E. Kimmel, U. S. Navy (Ret):

76. Q. How many people were working in your unit prior to 7 o'clock?

A. You mean right at the station?

77. Q. That is right.

A. There were two of us.

78. Q. You and Elliott?

A. Yes, sir.

[637] 79. Q. Did you have any regulations as to the number of people who were required to operate that unit?

A. No, sir.

80. Q. Hadn't three people been the usual quota for operation?

A. Three had been what we had been using on a shift.

81. Q. When did you change from three to two?

A. You see, sir, that Sunday morning—

82. Q. Was that morning the first morning that there had been but two operating that unit?

A. No, sir, it wasn't.

83. Q. How many times before had there been only two operating it?

A. I can't recall, but I know we had operated it with two before.

84. Q. Did the third one have any specific duties or assignments in connection with the operation?

A. Yes, sir, he was the motor man. He maintained and operated the generator—the Leroy engine and the generator.

85. Q. As a result of his being absent, you and Elliott had to do that in addition to what you were otherwise supposed to do?

A. Yes, sir.

86. Q. I gathered from the way you answered the question that there was some connection between the fact that this was Sunday morning and that there were but two people there; is that correct?

A. Yes, sir.

87. Q. What is that explanation?

A. I would rather not answer it.

The court directed the witness to answer.

A. Very few people like to get up at 4 o'clock on Sunday morning.

88. Q. Was there someone else ordered to be there that Sunday morning?

A. No, sir, it was arranged within the crew that the two of us should operate that Sunday.

89. Q. Did any officer approve that arrangement?

A. I really don't know, sir.

[638] 90. Q. As senior member of the crew, did you report the arrangement to any officer?

A. My name appeared on the roster to work that day, along with Elliott's, and that is what I did.

91. Q. Did the name of anyone else appear on the roster to work that day?

A. No, sir, Elliott and myself.

92. Q. Who made up the roster?

A. That I don't know, sir.

93. Q. Was it an officer?

A. I can't say, sir.

94. Q. The roster was posted on some bulletin board?

A. It was a roster figuratively only. I was told.

95. Q. Who stated that you and Elliott would be the only ones there?

A. My senior non-com.

96. Q. Who was he?

A. Sergeant Murphy.

97. Q. How long did you stay in the island of Oahu after December 7?

A. I left the island the 22nd of February.

98. Q. Did you testify before the Roberts Commission?

A. No, sir.

The interested party, Admiral Claude C. Bloch, U. S. Navy (Ret.), did not desire to cross-examine this witness.

Examined by the court:

99. Q. Who did you say was responsible, if you did, for seeing that the station was manned in accordance with the roster?

A. Lieutenant Kasaros, who was in charge of the unit at that time and had been since we moved it to Opana.

100. Q. What means did he use for seeing that the station was properly manned in accordance with the orders?

A. Well, sir, we had six men to operate the unit, and we were divided into shifts of three, which gave us two shifts. It was decided beforehand which three men would be in each shift, and since there were only two shifts and six men, we didn't keep a written roster, but rotated our hours dependent upon who—

[639] 101. Q. Was it left to the men to get there without any check-up to see that they were on the job?

A. I suppose so, sir.

102. Q. You don't know?

A. No.

103. When were you first detailed for duty on that station? Not that morning but the first time you were detailed for duty?

A. I helped move the station to its location there and helped erect it there.

104. Q. About what date?

A. About Thanksgiving—in November.

105. Q. That had been your duty since that time up to December 7?

A. The operation, yes, sir.

106. Q. What did you say were the specified hours for duty at this station in the morning?

A. On Sunday, sir?

107. Q. Any day?

A. We had a different schedule for Sunday.

108. Q. Upon the morning of December 7?

A. From 0400 until 0700.

109. Q. The place where you lived was ten miles from this station?

A. Approximately, yes, sir.

110. Q. How did you get back and forth?

A. By truck.

111. Q. What time did the truck call, as a rule?

A. Shortly after seven usually.

112. Q. What time did the truck get there that morning?

A. Rather late, sir.

113. Q. Was that the reason then, you happened to be at the station at the time you picked up the flight?

A. Yes, one of the reasons.

114. Q. If the truck had been on time, you would have been on your way to breakfast?

A. Yes, sir.

[640] 115. Q. Were the hours 0400 to 0700 on Sunday different from the hours on any other day of the week?

A. Yes, sir, through the week we operated a normal working day.

116. Q. With the radar set in operation and in connection with the installation center?

A. Yes, sir.

117. Q. Not twenty-four hours?

A. No, a regular working day from seven in the morning until five in the evening.

118. Q. In other words, if this attack had come on any day but Sunday, the full system would have been in operation?

A. Yes, sir.

119. Q. At 0702?

A. Yes, sir.

120. Q. In connection with the statement you just made to the effect that if the truck had been on time, you would not have been at the station at the time you picked up the flight, had you made any request to be allowed to remain at that station that morning after 7 o'clock?

A. No, sir.

121. Q. You never made such a request?

A. No, sir.

122. Q. You have stated that you picked up this large flight of planes at about 0702 on the morning of December 7, 1941; is that correct?

A. Yes, sir.

123. Q. What was the estimated distance at that time of these planes from Oahu?

A. 136 miles.

124. Q. Did you immediately report this to the communications center?

A. Not immediately, sir, no.

125. Q. How long?

A. The time it takes a plane to travel four miles. It was just a short period of time—just long enough for me to make a check or two.

126. Q. Then you reported it to the communications center?

A. Yes, sir.

[641] 127. Q. As we understand, you did not know the officer to whom you were speaking at the communications center?

A. No, sir.

128. Q. Have you stated that you had no knowledge that morning of any flight of planes from the mainland to Oahu?

A. Yes, sir.

129. Q. You had no knowledge?

A. I had no knowledge.

130. Q. Were you aware of the fact that music was playing all night at Hawaii, and did that have any bearing on your information of that morning?

A. I had no knowledge of that.

131. Q. The testimony before this court is that when a flight of friendly planes was expected, music would be played all night in Hawaii. Did you know anything about that?

A. No.

132. Q. What time did you get to your station on the morning of December 7?

A. We went up the night before.

133. Q. Were you up and on the job at 4 o'clock?

A. Yes, sir.

Recross-examined by the interested party, Rear Admiral Husband E. Kimmel, U. S. Navy (Ret.):

134. Q. Do I understand that this Sunday morning, the 7th of December, was the first day that the Opana station had been operated, beginning at 4 o'clock in the morning?

A. I don't think I said that.

135. Q. How long had it been operating from four in the morning prior to December 7?

A. The Sunday prior to that, it was operating from four until seven.

136. Q. Did it operate week days from four to seven?

A. No, sir, week days from seven to five in the afternoon.

137. Q. Sundays only—

A. Sundays and holidays only from four to seven.

[642] Reexamined by the judge advocate:

138. Q. You have stated that there were six men for the detail at Opana and that you had divided yourself up into two sections for the purpose of standing the watches at this radar station; is that correct?

A. Yes, sir.

139. Q. On the morning of December 7, 1941, there were two men from your section on watch, Sergeant Elliott and yourself; is that correct?

A. Yes, sir.

140. Q. Now, where was this other person who was in your section at this time?

A. He was off duty, sir.

141. Q. On Sunday, December 7, 1941, what did the other section do that did not stand duty?

A. They were off duty on Sunday.

142. Q. They had no duties to perform at the radar station at Opana on Sunday, December 7, 1941?

A. No, sir.

143. Q. Well, on week days, when you stood your duties throughout the day, as you have testified, how did these two sections stand the duty?

A. Each group of three—There was no set procedure, sir. We would have four hours at a trick, and the next group would have four hours at a trick. That completed the eight-hour day. That was not hidebound.

144. Q. According to your method of taking this duty, there was always a section of three on post?

A. Yes, sir.

145. Q. From your experience in standing these duties, do you think it would have been possible for your two sections to have stood continuous duty throughout the twenty-four hours?

A. Not over a very long period of time. We operated like that immediately after.

146. Q. How long do you think you could have operated on a 24-hour basis with the six men you had available? How many days in succession?

A. It would depend upon the extent of the endurance of the men.

147. Q. Did you have an estimate of what this endurance might be?

A. Well, sir, we operated for a week under similar conditions, but in addition to the operation, we were also pulling guard, so that is not a fair estimate of the endurance.

[643] Recross-examined by the interested party, Rear Admiral Husband E. Kimmel, U. S. Navy (Ret.):

148. Q. The Roberts Report at page 11, paragraph 13, states: "On November 27, 1941, in connection with the order for alert No. 1, the Commanding General of the Hawaiian Department ordered that this system be operated each day during the period from 4 to 7 a. m." Did you have any knowledge of the issuance of such orders on the 27th of November?

A. No, sir, I did not.

149. Q. Your station in Opana was not operated each day after November 27 from 4 to 7 a. m.?

A. No, sir.

Reexamined by the court:

150. Q. Do you know why this station of yours was operated from 7 a. m. to 5 p. m. week days and from 4 to 7 a. m. on Sundays?

A. No, sir.

151. Q. In other words, you have no reason to know why it was operated at different hours on Sunday from what it was operated during week days?

A. That is right.

None of the parties to the inquiry desired further to examine this witness.

The court informed the witness that he was privileged to make any further statement covering anything relating to the subject matter of the inquiry which he thought should be a matter of record in connection therewith, which had not been fully brought out by the previous questioning.

The witness stated that he had nothing further to say.

The witness was duly warned and withdrew.

The court then, at 12:35 p. m., took a recess until 1:45 p. m., at which time it reconvened.

Present: All the members, the judge advocate and his counsel, all the interested parties and their counsel with the exception of the interested parties, Admiral Harold R. Stark, U. S. Navy, and Rear Admiral Husband E. Kimmel, U. S. Navy (Ret.), whose counsel were present. Frederick T. Lachat, yeoman first class, U. S. Naval Reserve, reporter.

No witnesses not otherwise connected with the inquiry were present.

[644] A witness called by the judge advocate entered, was duly sworn, and was informed of the subject matter of the inquiry.

Examined by the judge advocate:

1. Q. Will you state your name, rank, and present station?

A. George E. Elliott, sergeant, headquarters company, station complement, Camp Lee, Virginia.

2. Q. What duties were you performing on the morning of December 7, 1941?

A. I was performing two duties, sir, at the same time. I was on guard from 12 o'clock noon, the Saturday before December 7; that is, it was not a walking guard post. It was just for security purposes, because it was just peace time at that time. My first duty was the operation of the radar equipment from 4 o'clock in the morning of 7 December until 7 o'clock that morning. My duty was plotter.

3. Q. Will you state where this station was located where you were performing this duty on the morning of December 7, 1941?

A. It was at the north end of the island near Kahuku Point. The name of the station was Opana. The call sign was 6QN.

4. Q. On what island was this station located?

A. On the island of Oahu.

5. Q. Territory of Hawaii?

A. Yes, sir.

6. Q. Will you state what your duties as plotter consisted of on this morning?

A. As soon as the scope operator picked up the target, he would say "Target" and give me the range. I would take the azimuth from the antenna. By taking the azimuth from the antenna and having the plotting board, I was able to locate the position of aircraft as to the direction in which it was approaching the island.

7. Q. Did this plot you have told us about consist of some sort of chart of the island of Oahu with the surrounding water areas?

A. Yes, sir.

8. Q. How did you put this plot on the map or chart?

A. There is a map of the islands. The center point of the compass is the point of the location of our unit, and the radius rule has the mileage compiled on that map. The zero point, true north on the map, is zeroed with the antenna, and as you rotate the radius to the degree that you [645] received and the mileage, you make a point, and that will be the exact position on the map where the target is located in relation to the islands.

9. Q. Did you do anything with this information which you received in making this plot, other than plot it yourself?

A. This plot was not taken during our regular program. It was after 7 o'clock.

10. Q. I have not asked you about any particular one. This is just general.

A. Yes, sir. Since our operating problem was over and there was no one on the other end of the head set that the plotter has—

11. Q. I have not asked you about any particular time or plot. I am asking you what your custom was in the station when you received a radar contact and when you plotted it yourself. Was it your custom then to do something else with the information you had in the way of passing it on?

A. I misunderstood you completely. From the time I made out the plot, I would send it in over the plotter head set to the information center. The information would go directly to the information center.

12. Q. Who received this information on the other end, if you know?

A. Yes, sir, I do know. The plotter on the other end that would plot on the board at the main information center.

13. Q. Had you received any instructions as to how your duties were to be performed?

A. Yes, sir.

14. Q. Were they given to you in written or oral form?

A. Oral form.

15. Q. Were those instructions materially different from what you have already testified your duties were?

A. No, sir.

16. Q. Now, what was the organization of this post at Opana where you were stationed on the morning of December 7, 1941, with respect to personnel?

A. Well, sir, our detachment was located at Kawaihoa with another unit. Kawaihoa was about nine miles from the position where the detector was. We had no camp at the detector. The organization of the—that is, the title was the Signal Company Aircraft Warning, Hawaii, with their headquarters at Fort Shafter.

[646] 17. Q. I am afraid that you have not understood my question. What was the organization of this particular duty station or radar plot at which you were stationed at about 0700 on December 7, 1941?

A. There were only two men there: Private Locard and myself.

18. Q. You have described the duties to which you were assigned at that station at that time. What were Locard's duties?

A. Private Locard's duties were to operate the scope, thereby giving me the information for my plots.

19. Q. How much instruction had you had in the duties that you were performing prior to December 7, 1941?

A. Between a week and a half to two weeks. That is for the plotting.

20. Q. Do you feel that you were at that time perfectly competent to perform the duties that had been assigned you?

A. Very definitely, sir.

21. Q. On the morning of December 7, 1941, had you had any information of the movement of friendly aircraft in the vicinity of Oahu?

A. No, sir, none whatsoever.

22. Q. I ask you specifically, Did you know of a flight of B-17's coming to Oahu from the mainland?

A. No, sir.

23. Q. At what time did you arrive at the Opana station for the purpose of assuming the duties to which you were assigned between four and seven on the morning of December 7, 1941?

A. The time we arrived at the unit at Opana was 12 o'clock noon, December 6. From that time we were expected to be there for a 24-hour tour of duty, as I said, for security reasons. Within that time, from four to seven in the morning, we were to operate our problem. Actually, we were there from December 6 at 12 o'clock noon.

24. Q. Had you been performing duties during this period of time, from 0400 to 0700 in the morning, on the days preceding December 7, 1941?

A. No, sir, not operating duties.

25. Q. Prior to December 7, 1941, at what hours during the day were you performing regularly assigned duties at the Opana station?

A. Well, usually, sir, during the late morning or early afternoon. That, sir, was when I was receiving my training as a plotter. There were no scheduled hours.

[647] 26. Q. There were no scheduled hours?

A. No, sir, there were no scheduled hours.

27. Q. Was the period from four to seven on December 7, 1941, a schedule of operation at Opana?

A. Yes, sir, it was.

28. Q. Do you know of any reason why this should have been a scheduled period on that morning?

A. No, sir, other than the fact that it was just a problem and that we knew at that time that all the plots we sent in were being recorded and checked. That is the only assumption that we had as to our operation.

29. Q. But that period from four to seven in the morning was the first time that you stood a tour of duty that early?

A. That is the first time I ever stood one. They had previously other men operating from four to seven.

30. Q. Had you been at Opana station daily for a number of days prior to December 7, 1941?

A. Yes, sir.

31. Q. Sunday, December 7, was the first morning that you had performed duties between the hours of four and seven; is that correct?

A. That is correct.

32. Q. For a few days preceding December 7, 1941, the duties that you performed at this station were done at some other period of time during the day?

A. Yes, sir.

33. Q. Were the times for performing these duties specifically prescribed as to some particular period during the day, or was it rather discretionary as to when you performed the duties?

A. I can't remember exactly, sir. I don't believe there were any prescribed times.

34. Q. Adverting to the morning of December 7, 1941, did anything out of the ordinary come to your attention after 0700 on that morning?

A. Yes, sir.

35. Q. Will you state what it was?

A. While I was at the scope receiving instructions as to its operation, Private Locard noticed a large echo on the scope. He was looking over my shoulder and could see it also. At first Private Locard thought it was the main pulse and that the mileage scale was off kilter. Checking the mileage scale, I found that it was actually a flight out at a distance of 137.

[648] 36. Q. On what bearing?

A. At 2 degrees, sir.

37. Q. By true azimuth?

A. Yes, sir. Our maps were lined up by true azimuth.

38. Q. Can you recall the time of this observation?

A. Yes, sir, the time by our clock was two minutes after seven. However, sir, at the time I was notified to close down at the end of our scheduled problem, the time by our clock was 0654, and actually when I sent in the reading to the information center over the administrative line, it was about 0706, but in explaining it to him I gave the reading as of 0702.

39. Q. When you received this information to which you have testified, was a plot made in Opana in accordance with what you said was your custom?

A. Yes, sir, it was.

40. Q. Who made this plot?

A. I made the plot, sir.

41. Q. Who did the talking between the station at Opana and the information center?

A. I did, sir, the very first time. You see, sir, at that time, and after we picked up the flight and after recording it on the plotting table, I suggested to Private Locard that we send it in to our information center. At that time Private Locard laughed at me and told me I was crazy for wanting to do it. I kept talking of this flight that we had received and even mentioned the fact that if it was Navy planes coming to the islands, if the Army were to send up interceptors, it would make a very fine problem. After speaking of it for some time, he told me to go ahead and send it in if I liked. At that time I tried to get the information center over the plotter's head set, and there was nobody there, so I called on the administrative line and spoke to the switchboard operator, who was Private McDonald. I explained to him what we had found, although I can't remember whether I gave the actual reading, that is, the code reading and location. I know that I gave the mileage and bearing, but I'm not sure of the other. After explaining to Private McDonald what Private Locard and I had found, Private McDonald stated that he did not know what to do about it, that there was nobody in the information center. I asked Private McDonald to get somebody who would know what to do, so with that I hung up, and Private McDonald called back the unit a few minutes later with the officer that was mentioned in the Roberts Report. I don't know his name, sir, but Locard picked up the 'phone and talked to the officer that was calling through Private McDonald's efforts, and that is when the officer told Private Locard that there was nothing to it and to forget it.

[649] Frank M. Sickles, yeoman first class, U. S. Naval Reserve, reporter, entered. Frederick T. Latchat, yeoman first class, U. S. Naval Reserve, reporter, withdrew.

42. Q. How do you know what this officer on the other end of the telephone told then Private Locard?

A. The only way I know, sir, is by Private Locard relaying it to me.

43. Q. Were any succeeding plots made of this flight of aircraft that was discovered at 0702 on 7 December 1941?

A. Yes, sir, I might mention, sir, that after receiving the telephone call from the officer, Private Locard wanted to shut down and I insisted on operating, and we followed the flight all the way in, taking readings every three to six minutes. I would say, to complete the flight all the way in to about fifteen or twenty-five miles off the island of Oahu, at which time, due to land obstructions on the oscilloscope, it was impossible to follow the flight any further.

44. Q. Was this plot recorded in any manner, a permanent record could have been kept of it?

A. Yes, sir.

45. Q. Do you know what happened to this plot?

A. You mean the chart, sir?

46. Q. The chart, the plot that you made.

A. Yes, sir, a very few days after December 7, it was around December 9—from the information that I heard it wasn't definite—the chart and the record of reading sheet was turned into Army G-2, Military Intelligence.

47. Q. You have no personal knowledge of this yourself, except by hearsay?

A. Yes, sir.

48. Q. After the initial telephone report that you have stated you made and the reply that then Sergeant Locard received from some one in the information center, were any further conversations—were there any further conversations between your post at Opana and the information center relative to these plots that you were receiving at that time?

A. None other, sir, than a personal telephonic conversation between Private Locard and Private McDonald. I might mention, sir, that in correction of your statement, Private Locard, the one you referred to, at the time was not sergeant. At the time he was private third class, specialist.

49. Q. Then so far as your information goes, no further reports were made from Opana to the information center relative to [650] this flight of planes?

A. No, sir, there were not.

50. Q. Had any suggestion been made by either you or Private Locard as to the desirability of keeping the information center informed?

A. No, sir, there was not, because it was understood that there was nobody at the information center to receive our plots if we could send them in.

51. Q. When did you first become aware that there was an attack by an enemy force on the island of Oahu?

A. At 7:45, Private Locard and I were relieved from our duty at Opana by Private Lawrence and Private Hodges. The driver of the truck that came to Opana was Private Farmbeck. Private Farmbeck took us to our camp, which is nine miles from Opana, and upon our arrival at the camp we found the Japs were bombing Pearl Harbor.

52. Q. About what hour of the day was this when you arrived back at camp?

A. It was somewhere near 8:00 o'clock, sir. There was a highway to the camp, although it took at least five to eight minutes to climb down the mountain to get to the highway. It was somewhere very close to 8:00 o'clock, sir, as I remember it.

53. Q. Did you return to the Opana station on 7 December, 1941?

A. Yes, sir. Our purpose for going back to camp was to get breakfast. However, we didn't eat breakfast. We packed our field bags and went right back to Opana.

54. Q. What time did you arrive back at Opana on the morning of 7 December 1941, if you did get back there?

A. Yes, sir, I did get back there, but I don't recall the time it was. It must have been very close around 9:00 o'clock, sir, because we had to pack up our field equipment and take our belongings out to Opana. I don't remember, sir, what time.

55. Q. On your return to Opana about 0900, as you have testified, did you yourself make any more plots of aircraft that day?

A. No, sir, I did not.

56. Q. Did you observe anybody else make any plots from the Opana station on the morning of 7 December 1941?

A. Yes, sir, and the plots were made on the same chart as the original flight that I referred to a while ago. It [651] was made on the same chart, for all of the flights on December 7 were made on this one chart. That is the chart that was turned in to Army G-2.

57. Q. Can you recall whether or not during the time you were making these observations on the morning of 7 December, the plot revealed aircraft retiring from the Island of Oahu to seaward?

A. That I can't say for sure. I just know that there was quite a few plots on that chart. I don't believe they were able to follow the flights, that is, individual flights, because there were so many scattered flights.

The interested party, Admiral Harold R. Stark, U. S. Navy, did not desire to cross-examine this witness.

Cross-examined by the interested party, Rear Admiral Husband E. Kimmel, U. S. Navy (Ret):

58. Q. I understood you to say that you closed your station under directions at 6:54, at Opana, which you were operating?

A. Yes, sir.

59. Q. Who directed you to close then?

A. The plotter on the other end at the information center.

60. Q. Did your clock synchronize with his?

A. Sir, I don't remember as to whether a time-check was made.

61. Q. Did you make a time-check before you started operating that morning?

A. I can't remember, sir, whether we did or not, although, sir, it had been the usual procedure to do that.

62. Q. You had been out there at Opana for a week and a half or two weeks prior to 7 December?

A. Yes, sir.

63. Q. You never had been on the 4:00 to 7:00 watch before this particular Sunday?

A. No, sir, I had not.

64. Q. Do you know whether the station had been operating during those morning hours, before the 7th of December?

A. Yes, sir, I am sure that it was.

65. Q. Every day?

A. I believe so, sir.

[652] 66. Q. Although you hadn't been there?

A. No, sir, the testimony I just gave is what was told me. I mean there were schedules to operate from 4:00 to 7:00.

67. Q. Every day?

A. Yes, sir, and I presume they did.

68. Q. Now how many were there in the unit that was supposed to be operating the station at any one time? How many were supposed to be in the unit that operated the station at one time?

A. At that time, sir, I believe the full crew was four men, possibly five—but I believe it was four at that time.

69. Q. What duties did they perform? You described what you did and what Locard did—and what did the other two or three do?

A. One man would be the crew chief. He would have taken charge of the unit as a whole, one man operating the scope, one man plotting, and one motorman to take care of the gasoline engine for the auxiliary power we had.

70. Q. How many were there operating on this Sunday morning?

A. There were only two of us.

71. Q. Did only two of you go out on this 24-hour watch on Saturday noon?

A. Yes, sir.

72. Q. Who directed that?

A. Sergeant Murphy. Sergeant Murphy was in charge of our detachment at the time of December 7.

73. Q. Were you on the island of Oahu after the 7th of December for any considerable length of time?

A. Yes, sir, for about six months, sir.

74. Q. Did you testify as a witness before the Roberts Commission?

A. No, sir, I did not.

Cross-examined by the interested party, Admiral Claude C. Bloch, U. S. Navy (Ret):

75A. Q. Sergeant, this problem that you were engaged in—was that a set-up that you had handed to you in advance? The problem that you engaged in on this Sunday morning—were you given the set-up before you went on out to the station— [653] that you were to put through the telephones?

A. Yes, sir.

75B. Q. It was a prearranged problem?

A. Yes, sir, the problem was operated from the standard form.

76. Q. Then you hadn't got any planes on which you had data; your data was all imaginary, so to speak?

A. When we had actual flights we sent them in. On this particular morning, we had no flight whatsoever.

77. Q. And those flights that were sent in were on the data that was on your sheet of paper; is that correct?

A. I am sorry, sir, I don't—. We had no data to send.

78. Q. You said you were on a problem, didn't you?

A. Yes, sir.

79. Q. What was the problem?

A. The problem was to pick up targets and send them in to our information center.

80. Q. Suppose you had got no targets; then what did you do?

A. We sent none in.

Examined by the court:

81. Q. Sergeant, were two men all that were supposed to be out there that morning of December 1?

A. Sir, referring back to the gentleman's question here, as I remember, there should have been four men, but I can't—.

82. Q. Before you left your base or your quarters or your organization wherever it was, how many men were supposed to go out to be on duty that morning of December 7, at that station? There was you and Locard, and was anybody else supposed to go?

A. Yes, sir. Private Farmbeck was to go out there for motorman for the unit.

83. Q. And why didn't he go out?

A. That, sir, I don't know.

84. Q. Who was supposed to check up to see that everybody that was supposed to be there actually was there? Whose duty was that?

A. Well, that would have been the duty of Sergeant Murphy, our detachment sergeant.

[654] 85. Q. You don't know whether the morning hours at that station were any different from the Sundays?

A. No, sir, they were the same, 4:00 o'clock until 7:00 in the morning.

86. Q. Opana was about nine or ten miles from your quarters?

A. Yes, sir.

87. Q. And you were supposed to be relieved at 7:00 o'clock Sunday morning, to go back to your quarters?

A. No, sir. There was no definite time that we were to be relieved to go to breakfast. Our original intention was to go to breakfast and come back to the unit and stay til 12:00 o'clock; but that was changed. The two men that came to relieve us at a quarter of 8:00 told us that we need not come back; that they could take over the duties of watching the unit for security reasons.

88. Q. Didn't you know when you left the quarters what time you were to be relieved, the hour you would be relieved? What hour did you expect to be relieved the next morning? You left on Saturday?

A. Yes, sir, at noon.

89. Q. What time did you expect to be relieved on Sunday morning to go back to breakfast?

A. There was no particular time to go to breakfast, sir.

90. Q. You were supposed to close down the station at 7:00 o'clock?

A. Yes, sir.

91. Q. Did you make any request on any higher authority to be allowed to remain there that morning?

A. Yes, sir, we had prearranged permission with the sergeant.

92. Q. Had you made any request for that particular morning, to be allowed to remain there overtime?

A. Well, for the operations purpose, yes, sir. We had asked Sergeant Murphy for permission to operate longer than 7:00 o'clock, for the purpose to instruct me further in the operation of the scope.

93. Q. That was permission for the extra training, but did you ask permission to stay out there in spite of your breakfast, in order that you could continue your operation?

A. No, sir, at that time our—

[655] 94. Q. I just want to know what your previous arrangement in the form of a request was?

A. I am not sure, sir, that I understand you.

95. Q. Well, was then the request you speak of made after you got to the unit?

A. No, it was prearranged. It was made before. We knew the Saturday afternoon that we came out there that we were going to operate longer than 7:00 o'clock.

96. Q. But by orders or by your request?

A. By our request, sir. This Sergeant Murphy who had charge of our unit would give us permission to operate over our scheduled time.

97. Q. Well, ordinarily, wouldn't that interfere if the truck came out there? Would you have to hold the truck up so you could operate when the truck came to take you to breakfast?

A. Well, I don't even recall whether we were even going back to breakfast. I mean, they called and said they were going to send someone out for breakfast, or to relieve us, so we could go back to breakfast—but other than that, I don't recall of having a specified time that we were going to breakfast, or even that we would get any breakfast that particular morning.

98. Q. Had you any intimation of an attack, or had you been advised that war was becoming imminent?

A. No, sir. One thing, sir, I might say that made me a little cautious at that time. I had been in the Air Corps at Hickam Field and there was a sergeant that used to roll us out in the morning by saying, "Get up and get out; the Japs are coming!"—and every once in a while, why someone would say, "The Japs are coming." But it was all in a joking manner.

99. Q. Did you know of the existence of Alert No. 1?

A. At that time, no, sir.

100. Q. Do you know what Alert No. 1 signified?

A. No, sir, I don't.

101. Q. Well, it is a matter of public record that it is a precaution against sabotage. Were any particular precautions taken by the unit to which you were attached?

A. As I have stated, sir, before, we were there for security reasons. We had the 45-pistol and 7 rounds of ammunition. At all times somebody was present at the unit. There were always 2 men present at the unit.

102. Q. When did this begin, this procedure?

A. That began, sir, from the time that we moved out there. This was about 3 weeks to a month before Pearl Harbor.

[656] 103. Q. Those were normal precautions that might be expected to be taken for the preservation of a station of that nature—nothing particular about it?

A. Yes, sir.

104. Q. As I understand it, there were several, at least 5, other stations, on that warning system?

A. Yes, sir.

105. Q. Was there direct communications between the stations of the system, or did they all have to go to the information center?

A. Yes, sir, in order to talk from one unit to another—that didn't hold true exactly. In a unit that was close together like say the unit that was at our quarters and the unit at Opana, the distance of 9 miles, we had a direct line between those two units.

106. Q. I am talking about radar units now. Was there a radar set at the place where your quarters were also?

A. Yes, sir, that was the purpose of it. We moved out to Opana, had no quarters whatsoever and we were quartered with this other unit that had already been there, and it was 9 miles away.

107. Q. When you and Private Locard both found that you could get no satisfaction over this suspicious occurrence—that is, the presence of a large number of pips on the scope—did it occur to you to try to get in communication with any other one in authority?

A. No, sir, I mean after an officer had ordered on it, nothing more was to be done about it. It would have been jumping over his head at that particular time if we tried to do anything more.

[657] Frank L. Middleton, yeoman second class, U. S. Naval Reserve, reporter, entered. Frank Murrell Sickles, yeoman first class, U. S. Naval Reserve, reporter, withdrew.

108. Q. Have you any information acquired since to the effect that any such flight was detected by any of these other units?

A. Yes, the flight was detected by other units, although I believe it was a little later than our particular unit picked it up. The range, I believe, was greater on ours.

109. Q. Well, it was all after 7:00 a. m.?

A. Yes, sir.

110. Q. I am asking you now from your best recollection from subsequent information, because you had no other information at the time what the other stations did.

A. Well, on that morning, sir, that we returned to camp for our breakfast by Pearl Harbor, the particular units that we were quartered with had picked up a part of the flight that we had.

111. Q. Did you have any reason to believe that anybody had reported anything about this flight except your own unit?

A. Well, no, sir, just by hearsay. Other units had reported it, I think.

112. Q. To the information center?

A. Yes, sir.

113. Q. You don't know positively that any of these other four radar stations reported to the information center, do you?

A. No, sir, just by what I heard.

114. Q. You stated that this radar station was manned every morning from 4:00 to 7:00 during the week; is that correct?

A. Yes, sir, I'm sure it was, sir.

115. Q. Well, you are sure, but how do you know it was manned? Were you there to see that it was manned?

A. No, sir, I was not there.

116. Q. In other words, you simply think it was manned; is that correct?

A. That is right, sir.

117. Q. Have you any idea as to the hours this station was manned? Do you know positively when this station was manned during weekdays?

A. Well, yes, sir. At the time I was present, I [658] know it was usually late in the morning or early afternoon on those weekdays.

118. Q. What do you call "late in the morning"?

A. Well, I would say anywhere from 9:30 until 12:00; until probably 3:30. I can't recall correctly just what time we did operate but I know it was about that time.

119. Q. To clear up this reference of your going out there for a problem, which I understood was a problem for Sunday morning. Now, it wasn't a problem, was it?

A. Well, that's what we termed it, yes, sir.

120. Q. Was that what you called it?

A. Yes, sir.

121. Q. Going on duty to guard the surrounding area and report the presence of planes? Was that designated by the term "problem"?

A. Yes, sir, from 4:00 to 7:00. We knew that at that time, between 4:00 and 7:00 that all the plots that we sent in were actually being handled down in the information center and that men from the Navy, Marines, Coast Artillery, and all the different branches were down in the information center to work their problem on targets that we would pick up.

Re-examined by the judge advocate:

122. Q. Sergeant, you stated that during the week preceding 7 December you were at the Opana station working the sets in the late morning and early afternoon. At those times when you were working the set, was the information center functioning? Were you funneling the information in to the information center?

A. No, sir, we were not.

123. Q. In other words, am I correct in saying that any time outside of these 4:00 a. m., to 7:00 a. m., hours it was simply a practice session at the individual units, and the whole system, including the other units and the information center, was not in operation?

A. That, sir, I can't answer with full knowledge. I believe, though, that at that time certain units throughout the day took over picking up and sending in flights to the information center. One reason that we were left out of it was that it was a new unit and we had just put it up and there was quite a bit to be done, although I do believe some of the other units did report in.

None of the parties to the inquiry desired further to examine this witness.

The court informed the witness that he was privileged to make any further statement covering anything relating [659] to the subject matter of the inquiry which he thought should be a matter of record in connection therewith, which had not been fully brought out by the previous questioning.

The witness made the following statement: The Roberts Report, that is, the published report, states, in part, that a non-commissioned officer who was receiving training at that time picked up these planes. That is somewhat the wording. Anyhow, it says a non-commissioned officer. Well, at that time, sir, there was no non-commissioned officer present at our station during the operation. However, when Private Locard went to testify before the Roberts Commission, another staff sergeant, Sergeant Hilton, was put in charge of our detachment the day after Pearl Harbor. Now, he went in with him to the Roberts Commission, although sir, I don't know whether he testified nor whether that could have been where they got the non-commissioned officer, but as I stated before the Commission, Lieutenant Locard was a private at the time of December 7th.

The witness was duly warned and withdrew.

The court then, at 2:45 p. m., adjourned until 9:30 a. m., Friday, August 25, 1944.

PROCEEDINGS OF NAVY COURT OF INQUIRY

FRIDAY, AUGUST 25, 1944.

[660]

NINETEENTH DAY

NAVY DEPARTMENT,
Washington, D. C.

The court met at 9:30 a. m.

Present:

Admiral Orin G. Murfin, U. S. Navy (Ret), President.

Admiral Edward G. Kalbfus, U. S. Navy (Ret), Member.

Vice Admiral Adolphus Andrews, U. S. Navy (Ret), Member.

Commander Harold Biesemeier, U. S. Navy, Judge Advocate, and his counsel.

Frank M. Sickles, yeoman first class, U. S. Naval Reserve, reporter.

Counsel for Admiral Harold R. Stark, U. S. Navy, interested party.

Admiral Claude C. Bloch, U. S. Navy (Ret), interested party, and his counsel.

Counsel for Rear Admiral Husband E. Kimmel, U. S. Navy (Ret), interested party.

The record of the proceedings of the eighteenth day of the inquiry was read and approved.

No witnesses not otherwise connected with the inquiry were present.

A witness called by the judge advocate entered, was duly sworn, and was informed of the subject matter of the inquiry.

Examined by the judge advocate:

1. Q. Will you state your name, rank, and present station.

A. Vice Admiral P. N. L. Bellinger, U. S. Navy, Commander Air Force, Atlantic Fleet, Administrative Office, Norfolk, Virginia.

2. Q. What duties were assigned you between 1 October 1941 and 7 December 1941?

A. In answering that question, I would like to go into considerable detail. On December 6, 1941, and for several months prior thereto, my duties were as follows:

(1) Commander Hawaiian Based Patrol Wings and Commander Patrol Wing Two. Included in the larger command were the Patrol Squadrons, aircraft tenders, [661] attached to Patrol Wings One and Two.

(2) Commander Task Force Nine. This comprised Patrol Wings One and Two, plus other units as assigned by Commander-in-Chief Pacific Fleet for the conduct of specific operations.

(3) Commander Fleet Air Detachment Pearl Harbor. The responsibility of this function included administrative authority in local matters over all aircraft actually based on the Naval Air Station, Pearl Harbor.

(4) Liaison with Commandant, 14th Naval District for aviation development with the district, including Midway, Wake, Palmyra, and Johnston Island.

(5) Commander Naval Base Defense Air Force.

In connection with the above duties, I functioned under the following seniors: (a) Commander Aircraft Scouting Force, who was type commander for Patrol Wings. He was based at San Diego. (b) Commander Scouting Force, the force command of which Patrol Wings One and Two were a part. (c) Directly under the Commander-in-Chief Pacific Fleet in my capacity as Commander Task Force Nine. (d) Under Commandant, 14th Naval District, in his capacity as Commander Naval Base Defense Force, when performing my duties as Commander Naval Base Defense Air Force. (e) Commander of Task Forces One, Two, and Three for operation of patrol planes assigned those forces for specific operations. A change in my status was contemplated in the current Navy Orange War Plan. Under its provisions, the units of my command were expected to make an early move to bases on the outlying islands in case of war, including Midway, Wake, Johnston, and Palmyra. My own headquarters were to be shifted to Midway. That my responsibilities in this connection were by no means light, is evidenced by the fact that just prior to the attack on Pearl Harbor this War Plan was being played as a joint maneuver. Further, the squadron VP-22, designated for maintenance in the highest practicable degree of readiness to expedite the initiation of War Plan move to advance bases, was in fact transferred to Midway in October, 1941, for temporary duty. Reverting to my status on Oahu, the most complicated of my duties consisted of those in connection with the air defense of Pearl Harbor. About 1 March 1941, the Commander-in-Chief Pacific Fleet directed me to report to the Commandant, 14th Naval District, to prepare an air defense plan in conjunction with the Commanding General, Hawaiian Air Force. I so reported and proceeded with the assigned task, working directly with Major General F. L. Martin, U. S. Army, Commanding General, Hawaiian Air Force, who, incidentally, was senior to me. The operations plan for the Naval Base Defense Force included several subsidiary plans. The most important of these was the operations plan of the Naval Base Defense Air Force. In it was outlined the proposed employment of all units made available to the Naval Base Defense Air Force. Insofar as [662] Naval and Marine Corps units were concerned, it was an order requiring definite action when applicable. All the Army orders covering the function of their units in the Naval Base Defense Air Force were the guides for these aircraft. Both Army and Navy orders on this subject were based on the estimate of the situation dated March 31, 1941, and signed by General Martin and me. That estimate was based on the conditions as they existed at the time it was drafted. Changes in the naval air situation between that date and December 7, 1941, were not of sufficient significance to warrant a re-estimate, and information of the Army Air Force indicated an analogous condition. The estimate I believed, and still believe, to be sound, but the orders based on that estimate, like a precept of international law, lacked sanction, and the missing sanction in this case was the absence of unity of command. Specifically, the organization was designed to function through

mutual cooperation between the Army and Navy for the defense of Pearl Harbor against air attack. As such, the Naval Base Defense Air Force could function only in the event of an actual emergency or when proper authority so directed. The composition of the Naval Base Defense Air Force varied from day to day with the number of aircraft made available to it by the various air commanders of both Army and Navy. The determining factor in this technical availability was the daily employment schedule of aircraft belonging to the various air units. Aircraft reported as available were subject to the operational control of the Commander Naval Base Defense Air Force or the Army pursuit commander, in the prevailing category of readiness, only when the Naval Base Defense Air Force was in a functioning status. The normal procedure used for vitalizing this organization for drill was for the Commandant, 14th Naval District, in his capacity as Commander Naval Base Defense Force, to send a dispatch reading, "Drill, danger of an air raid on Pearl Harbor exists, drill." This placed the search and attack groups in a functioning status. On receipt of this message I, in turn, as Commander Naval Base Defense Air Force, sent a dispatch to all air units which made planes available to that organization, except Army pursuit units, ordering them to place all available aircraft in the highest degree of readiness. At this point during such drills, searches were immediately started by planes initially in a high degree of readiness, and their efforts were supplemented by orders to other aircraft as they were reported ready for flight. The term, "Commander Naval Base Defense Air Force," was actually a misnomer, due to the limited composition of that portion of the air forces under his operational control, which included only aircraft for scouting to locate enemy surface units and to attack them when located. It did not include fighter aircraft, radar detection devices, or anti-aircraft guns. The term, "Commander Naval Base Defense Air Force," was even more of a misnomer, as it implied authority over operating units to a degree which did not exist. This authority was non-existent [663] until an emergency was apparent, or until appropriate authority placed the Naval Base Defense Air Force in a functioning status, and when so called into existence was limited in scope in that it consisted only of operational control over Army units based upon mutual cooperation. In addition, my authority, limited as it was, extended only over the search and attack groups of the Naval Base Defense Air Force, and was non-existent so far as Army pursuit aviation and Navy fighter aviation were concerned, which were to function under Brigadier General H. C. Davidson, U. S. Army. To illustrate the lack of numerical strength of aircraft available to the Naval Base Defense Air Force, attention is invited to the report of a joint Army and Navy Board, dated 31 October 1941, convened to prepare recommendations covering the allocation of aircraft operating areas in the Hawaiian area. Paragraph (4) of this report, which was signed by Major General Martin as senior Army member, and myself as senior Navy member, reads as follows: (4) The problem confronting the board as pertains to Army aviation was summed up by the Army representatives as follows: "The mission of the Army on Oahu is to defend the Pearl Harbor Naval Base against all attacks by an enemy. The contribution to be made by the Hawaiian Air Force in carrying out this mission is:

(1) to search for and to destroy enemy surface craft within radius of action by bombardment aviation. (2) To detect, intercept, and destroy enemy aircraft in the vicinity of Oahu by pursuit aviation." It was pointed out that under the Army 54 group program, 170 B-17s and two groups of 163 pursuit planes each would be assigned to fulfill the above missions. Naval planes at that time called for 84 patrol planes and 48, VSO planes to be directly under the Commandant, 14th Naval District, to supplement or function in lieu of the 98 patrol planes of Patrol Wings One and Two, which might be ordered to advance bases on the outlying islands of Wake, Midway, Johnston, and Palmyra. Further, the planes actually present on Oahu were not free until ordered to concentrate on the naval base air defense. Both Army and Navy were in the process of receiving replacements of obsolescent planes. Army B-18s were being replaced by the more modern B-17s, and in Patrol Wings One and Two, PBV-1, 2, and 3 types were being replaced by PBV-5 types. The new types were subject to the usual shakedown difficulties and maintenance problems. In the case of the naval PBV-5 planes, there was an almost complete absence of spare parts; and in addition, a program of the installation of leak-proof gasoline tanks was in progress. Considerable difficulty had also been experienced with the cracking of engine nose sections in the first planes of this type received, and installation of modified engine nose sections was in progress. The major effort of Patrol Wings One and Two during 1941, prior to December 7, was in the expansion training, operational training, security operations, the development and equipment of air facilities—all in preparation for war. Aviation training facilities and output in the Navy at that time were considerably [664] behind the contemplated increase in the number of squadrons. Therefore, particular stress was placed by higher authority on the need for expansion training. This necessitated a planning of operations whereby each squadron could be required to conduct training for the qualification of additional combat crews, not only for their own aircraft, but to form nuclei for new squadrons being commissioned back on the mainland as well. The highest priority was placed upon this feature. Despite this continuing emphasis on training, every effort was being made to increase the readiness for war. Squadron and patrol plane commanders were indoctrinated with the necessity for keeping their planes so equipped and their crews so trained that any time during a flight they could be diverted from their peacetime objectives to combat missions. The placing of the Naval Base Defense Air Force organization into a functioning status would have necessitated the substantial cessation of training activities in order to concentrate on defense. With the patrol planes constantly scouting to a maximum range and the bomber aircraft standing by for attack missions, a situation would have been soon reached wherein the naval planes would have been greatly reduced in matériel readiness and their combat crews approaching an operational fatigue point, while the Army pilots would have been in need of refresher training. Hence, as pointed out in the Martin-Bellinger estimate, the problem has resolved itself into one of timing with respect to the current status of our relations with Japan, and necessity for specific information as to the probability of an air attack within rather narrow time

limits. The Commander Naval Base Defense Force did not have authority to place that organization in a functioning status except in the case of an actual emergency. The Naval Base Defense Air Force assumed a functioning status immediately after the start of the attack on December 7, 1941, without orders from higher authority. Orders to planes in the air were sent and received by 0805, and a message, "Air raid Pearl Harbor. This is no drill", was ordered broadcast at 0758 that morning.

3. Q. You have stated that certain events or directives could vitalize the Naval Base Defense Air Force. I believe among these you mentioned an order for a drill by the Naval Base Defense Officer, and actual emergency, and I believe you said also, "on authority." I would like to have you amplify your answer and say on whose authority could the Naval Base Defense Air Force be vitalized.

A. I think I said, "Proper authority," and by that I meant the Commander Naval Base Defense Force could put the Naval Base Defense Air Force in a functioning status by an order. I would like to go further. I believe that if and when such order might have been given, there would have been required to make sure that it would have been carried out in full, some conversation with the Army command. In other words, two people [665] have got to come to conclusions that it was necessary to do something in the absence of an actual emergency which would be apparent to all hands.

4. Q. Could the Commander-in-Chief of the Pacific Fleet have the same authority to vitalize this air force as you have stated?

A. He would have, as the Commander Naval Base Defense Force was functioning, on the organization as it was set up, under the Commander-in-Chief Pacific Fleet. I would like to add further that the composition of aircraft that composed the force of the air defense were those aircraft that were made available. They did not include all aircraft, and whether or not aircraft were available depended on the commands of the various units which had command of these aircraft groups.

5. Q. Do I understand your answer, then, Admiral, to mean essentially this—that the aircraft that became available to the Naval Base Defense Air Force when it was vitalized would have to be assigned by the Commander-in-Chief of the Pacific Fleet?

A. No, in accordance with the directives then in existence concerning the Naval Base Defense Air Force, the commanders reported planes available to the other commanders concerned daily, and the state of readiness was set by the Commander Naval Base Defense Force. The state of readiness was in terms such as B-5. B meant 50% of the planes available for this within four hours.

6. Q. Were all naval aircraft in the Hawaiian area ultimately under the command of the Commander-in-Chief of the Pacific Fleet—naval aircraft?

A. All naval fleet aircraft were under his command, as a general command. There were only a few planes, such as utility planes attached to the air stations, which came under the commandant, that were not included in those planes. They were not, however, combatant planes.

7. Q. What officer approved in their final form the operating schedules for naval aircraft in the Hawaiian area?

A. The Commander-in-Chief of the Pacific Fleet made the ultimate approval for naval fleet aircraft.

8. Q. I believe you have answered this question, Admiral, but it is so important that I would like to have you set it out as a separate answer to this question: During the last quarter of the calendar year 1941, what was the paramount mission of naval aircraft of the United States Fleet in the Hawaiian area?

A. As a general plan, I would say that what was termed [666] expansion training was the primary objective. Of course, when I say "expansion training" that means preparing for war in all phases. There were other operations required which had to do with certain security and special security measures that may have been in progress.

9. Q. Can you state whether this mission was changed between 1 October 1941 and 7 December, the same year?

A. No, it was not changed.

10. Q. Adverting to addendum No. 1 of the Naval Base Defense Air Force Operations Plan No. A-1-41, which is a part of Exhibit 53 before this court, I ask you what is the date of this addendum?

A. March 31, 1941.

11. Q. Please read for the record Paragraph 1 (e), under the heading, "Summary of the Situation."

A. (Reading) "It appears possible that Orange submarines and/or an Orange fast raiding force might arrive in Hawaiian waters with no prior warning from our intelligence service."

12. Q. Was this your view at the time you signed this document on 31 March 1941?

A. I would like to invite attention to the fact that this joint estimate covering joint Army and Navy air action was based on a study in the event of some hostile action against Oahu or fleet units in the Hawaiian area. It was not an estimate of Japanese war plans.

13. Q. Did the view that you expressed in paragraph 1 (e), that you have just read, change before the attack on Pearl Harbor on 7 December 1941?

A. No.

14. Q. Adverting to paragraph 3 of this same addendum, under the heading, "Possible Enemy Action", will you please read for the record subparagraphs 1, 2, and 3, under 3 (a)?

A. (Reading) "A declaration of war might be preceded by:

1. A surprise submarine attack on ships in the operating area.

2. A surprise attack on OAHU including ships and installations in Pearl Harbor.

3. A combination of these two."

[667] The court then, at 10:25 a. m., took a recess until 10:35 a. m., at which time it reconvened.

Present: All the members, the judge advocate and his counsel, the interested parties and their counsel, except the interested party Admiral Harold R. Stark, U. S. Navy, and the interested party Rear Admiral Husband E. Kimmel, U. S. Navy, (Ret), whose counsel were present. Frank L. Middleton, yeoman second class, U. S. Naval Reserve, reporter.

No witnesses not otherwise connected with the inquiry were present.

Vice Admiral P. N. L. Bellinger, U. S. Navy, the witness under examination when the recess was taken, resumed his seat as witness. He

was warned that the oath previously taken was still binding, and continued his testimony.

Examination by the judge advocate (continued):

15. Q. Am I to understand that this was your view on 31 March 1941?

A. It was my best thought on the subject based on considerable thought which actually was started in the early part of 1941 prior to this plan or estimate. In other words, we had given considerable thought to were we ready for war and what kind of war, and in connection with that I would like to invite attention to a letter which endeavored to express my views of the situation at that time because I felt that we were not ready and not getting ready very fast. The letter I refer to was dated January 16, 1941 from Commander, Patrol Wing Two to the Chief of Naval Operations, via Commander Scouting Force and the Commander-in-Chief, U. S. Fleet, who, at that time, was also Commander-in-Chief Pacific Fleet. In this letter I stated that I had arrived there on October 30, 1940 with the point of view that the international situation was critical, and especially in the Pacific, and I was impressed with the need of being ready today rather than tomorrow for any eventuality that might arise. After taking over command of Patrol Wing Two and looking over the situation I was surprised to find that there in the Hawaiian Islands, an important naval advance outpost, we were operating on a shoestring, and the more I looked the thinner the shoestring appeared to be. I stated that the war readiness of patrol plane squadrons depended not only on the planes and equipment that comprised those squadrons, but also on the many operating needs and requirements at air stations and outlying bases over which the patrol wing commander had no direct control. [668] I refer to a letter from the Chief of Naval Operations, Serial O95323, in which it was indicated to me that there was no intention to replace the present obsolescent type of patrol planes in Patrol Wing Two prior to one year, and that Patrol Wing Two would practically be the last wing to be furnished new planes. I stated that this, together with the many existing deficiencies, indicated to me that the Navy Department as a whole did not view the situation in the Pacific with alarm, or else is not taking steps in keeping with their views. I then endeavored to point out the need for proper planning in the Navy Department in the various bureaus in order to coordinate the procurement of the requirements in the preparation for war, both with reference to the planes and to the facilities and bases from which those planes were expected to operate, and I mentioned Pearl Harbor Air Station, the Kaneohe Air Station, the necessity for expediting the development of Keehi Lagoon, outlying bases at Wake, Johnston, Palmyra and Midway, and also the situation in general.

16. Q. Adverting to Addendum No. 1 to the Naval Base Defense Air Force operation plan from which you read a moment ago, will you read for the record Paragraph 3 b.?

A. (Reading) "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."

17. Q. Other than an air attack delivered from carrier based planes, had you considered any other form of attack on Oahu as possible?

A. Submarines, of course, I considered were what may be present in the operating areas and the vicinity of the entrance of Pearl Harbor and whenever the enemy expected to use them.

18. Q. What I am trying to get at is this, Admiral: What form of attack on the Island of Oahu itself did you envisage?

A. I envisaged an air attack, as that was the most logical or practical method of making an attack by the Japanese on Oahu if they decided to attack Oahu.

19. Q. Could they have made any other form of attack on the Island of Oahu?

A. Not with the same degree of success.

20. Q. Did you mean by an attack on Oahu, to include vessels of the United States Fleet in Pearl Harbor?

A. Yes. I assumed they would take the most likely objectives with the idea of a strike, a fast raid, so to [669] speak.

21. Q. In your estimate that an air attack would be the most likely form of attack on the island of Oahu or the vessels of the United States Fleet which might be anchored in Pearl Harbor, had you considered the form of attack that this air attack might take? In other words, would it be bombing, torpedo plane attack, or what?

A. I was surprised that the Japanese actually, as demonstrated on December 7th, could utilize aircraft as well as they did, and particularly with torpedoes. However, I expected, as the estimate indicates, that the most logical way that the Japanese could make an attack—and by “attack” I mean a strike and run—would be by air bombing, primarily.

22. Q. Why had the torpedo plan attack on the Fleet in Pearl Harbor surprised you?

A. Because of the restricted water surrounding the ships, and the depth of that water. In other words, I think the Japanese were in advance of us considerably with torpedoes at that time.

23. Q. I ask you to examine paragraph 5-d of Addendum No. 1 which we have been discussing, and ask you what condition of material readiness—I repeat, material readiness—had been prescribed for naval patrol type aircraft in the Hawaiian area between 27 November 1941 and the Japanese attack on 7 December 1941?

A. Condition B-5, which means 50 per cent on four hours notice. Now, that means both material and personnel.

24. Q. Who had prescribed the conditions of material readiness and the degree of readiness B-5 that you have just stated?

A. The Commander Naval Base Defense Force, The condition of readiness was prescribed when exercises such as air raid drills were completed and we went back to the normal status, and I think that that condition was ordered after the last air raid drill and was then in effect.

25. Q. Then this condition of readiness B-5 was your normal operating procedure for a condition of readiness?

A. It was the normal readiness prescribed for normal conditions. I would like to elaborate to save time, that in setting a condition of readiness under normal conditions, that the condition of readiness that was set was to permit the required operations from day to day in the schedule to continue without having them tied up standing by.

26. Q. Do you know the condition of readiness of Army aircraft which were suitable for long-range reconnaissance between 27 November and 7 December 1941?

A. I have a copy of the dispatch from the headquarters of the Hawaiian Air Force to Commander, Naval Base Defense Air Force, which stated that the aircraft enumerated therein were in condition Easy Five. This dispatch was on December 5 and prevailed over the weekend.

[670] 27. Q. Did condition of readiness, Easy Five, have the same meaning in the Army as it had in your own addendum No. 1, Naval Base Defense Air Force Operation Plan? In other words, did the Army use the same system as the Navy for designating condition of readiness so far as their aircraft were concerned?

A. The Army utilized the same code as the Navy used because they were all based on the same directives and the "Easy" in this case indicated that all the aircraft were conducting routine operations, none ready for the purpose of this plan. Then the "Five" indicated to me that they could be made ready in four hours.

28. Q. What do you consider was the radius in miles for operation of the plane PBV-3 for long-range reconnaissance under conditions of war-time operation?

A. In answering that question I am referring to practical war-time conditions as a result of experience subsequent to December 7, 1941, and the question which required considerable thought was whether planes on scouting missions and long-range scouting—I mean the longest they could do—should carry bombs, or not. And we worked under two different conditions after December 7th, both carrying bombs and also without bombs, and finally it was decided that we would consider the earliest information more valuable by this extreme range operation than planes were capable of doing than the effort that they might be able to exert with the bombs that they would be carrying. Normally, PBV-5s searched to a radius of 700 miles. We tried to get them out to 800 miles but practically speaking, 700 miles—that is, including the leg on the end of the triangle of the search—was considered their practical normal limit. The PBV-3s were considered to have a practical range for that kind of duty of 600 miles. In other words you may assign a long range to a plane and you may think the plane has gone there, but it is very possible that the plane did not get there, although you thought it had gone there. In other words, what I am trying to bring out is that the commander charged with early information and for scouting wants to be assured at what range he is going to get this information and not base any assumptions on hypothetical cases.

29. Q. Then your estimate for the maximum range of the PBV-3 is 600 miles radius?

A. Yes; and the PBV-5 700 miles radius. The pre-Pearl Harbor estimate was hoped to be 800 miles for the PBV-5s. I would like to recall a conversation I had with General Martin, who made some pre-Pearl Harbor studies wherein he estimated that his mission was scouting and bombardment as well, and that he expected his planes to go 1000 miles radius, but they were not able to do it when they were working for me after Pearl Harbor. We thought the PBV-3

could go to a 700-mile radius. The radius of action that I have given for these planes does not conform to the performance data as put out in technical publications. What I am speaking about is practical operating conditions.

[671] 30. Q. Between 31 March 1941 and 7 December 1941, what can you say from your own experience of the degree of harmonious cooperation between the Army and Navy in military matters relating to the Hawaiian area?

A. My relations with the Army were very pleasant. General Martin arrived in the area shortly after I arrived, and practically on our first meeting we discussed getting together on joint exercises, and we actually did set up a plan wherein we conducted joint exercises, that is, unofficially Patrol Wing Two and the Army Air Force Commander, and they were conducted at times one day a week; at other times one day in two weeks. After the exercise I held a critique over on the air station and many of the Army officers came over to it and attended and I would say that the cooperation between General Martin and myself was very good. Except I would like to say this: that cooperation was good, yes, but there were many times when we could not agree because he was working from directives that emanated from the War Department and through the chain of command, and I was working in connection with the directives that emanated from the Navy Department through the chain of command, and sometimes there was no solution to the problem, such as in the case of this joint Army-Navy Board which I have referred to previously in my testimony.

31. Q. But so far as the local commanders themselves in the area were concerned, is your answer that there was reasonable cooperation?

A. Very good cooperation. I would say that there was very good cooperation insofar as cooperation could go. There was always friendliness. I respected General Martin and liked him; and I think he did me, and when it came to a question of certain effort to be performed, he complied as the conditions fitted his situation, which was perfectly natural. In other words, suppose I wanted to initiate an air raid drill, or suppose the Commander, Naval Base Defense Force, wanted to initiate an air raid drill. Unless it suited the situation with the Army—and which I assumed was bound by their problems—they did not always join in and say, "Yes, for the date mentioned, we would like to participate". In other words, they were bound by certain rules, customs, and regulations connected with their business.

32. Q. Were you not similarly bound so far as your own organization was concerned, to some degree?

A. Yes, but there was friendliness and frequent conversations and meetings and, as a matter of fact, joint boards.

[672] 33. Q. I show you Exhibit 15 in evidence before this court which is a Chief of Naval Operations dispatch of 24 November 1941 and which sets out, in substance, that chances of favorable outcome of negotiations with Japan are very doubtful, that there are indications of a surprise, aggressive movement in any direction, including an attack on Guam or the Philippines as a possibility. Prior to 7 December 1941 had you seen this dispatch or had you been made acquainted with its contents?

A. No. I would like to amplify that a little bit. I remember attending a conference in the Commander-in-Chief, Pacific Fleet's office—I have forgotten the date; I think it was prior to that date—in which a plan for placing Marine squadrons on Wake and Midway was discussed. There was nothing in connection with that dispatch referred to so far as I was concerned, but I assumed that something must have happened to cause this. It may have been, I thought at the time, the result of a letter which I had written to the Commander-in-Chief in October, 1941, wherein I recommended that the Navy take steps to obtain in some form or another—either from the Army or by assignment of aircraft with Army personnel—180, 4-engine, large type bombing planes, and 180 pursuit planes, with the idea of utilizing Midway and Wake for operating these planes and for bombing missions as necessary against mandated islands when the time came.

34. Q. I show you Exhibit 17 in evidence before this court which has been popularly called by some witnesses the war warning message. I would ask you to examine this dispatch, please. Had you seen this dispatch or had you been made acquainted with its contents prior to 7 December 1941?

A. No.

35. Q. Between the period 27 November and 7 December 1941 had there been any occasion for you to confer with the Army Air Force commander on the subject of long-range reconnaissance from Oahu?

A. No.

36. Q. What is your estimate of the sector of 360 degrees that you could have scouted in long-range reconnaissance with Army and Navy planes of the Naval Base Defense Air Force if you made a daily search, commencing on 27 November 1941 and continuing this search daily for an indefinite period of time?

A. I would like to answer that question by stating this: Considering 25 mile visibility and to search to 800 miles, or 700 miles, as the case may be, required approximately 50 planes per day to cover 360 degrees. Therefore, on that basis, it required one plane for 7.2 degrees. Considering the number of planes which were available to me from the Army and without considering any reservation for a bombing group, there were approximately 8 bombardment planes of the [673] B-17 type which were the only ones the Army had that were capable of conducting long-range reconnaissance. So, considering 8 of those available and with the Navy's approximately 54 planes, that makes 62 planes that would be available. The combat crews available for planes were scarcely more than one per plane, and that was the reason for this expansion training I was speaking about. The employment of combat crews on daily operations on searches out to 7- or 800 miles, could only be carried on by dividing your combat crews into groups of 3, and therefore there would be approximately 20 planes available per day, and figuring 7.2 degrees per plane and 20 planes gives 144 degrees. The term "indefinitely" in this case means an undetermined number of days; in other words, not a permanent, continuous operation with no ending. Of course, that is on the supposition that the planes could be maintained in an operating state. We at that time were having great difficulties in getting spare parts for these planes. I would like at this time to give the dates that planes arrived in the Hawaiian area of the PBY-5 type to replace

the obsolescent planes. One squadron of 12 planes, 28 October 1941. One squadron, 6 planes, 28 October 1941. One squadron, 12 planes, 23 November 1941. One squadron, 12 planes, 23 November 1941. Which indicates those 54 planes of the PBV-5 type had arrived since 28 October and those planes were new planes and we were experiencing shake-down difficulties and maintenance difficulties because of the absence of spare parts. That question of spare parts was a subject that had been under discussion for several months. It was due, I think, to the construction program wherein the desire was for numbers of planes or numbers of units, and little provision was made for spare parts because they did not show up in the same category as units. I would like to say this: That we had received some PBV-5 planes of the first vintage, or earlier vintage, and we had considerable difficulty with the cracking of engine nose sections, and it required a redesign and a strengthening of the engine nose section. That was also one of the problems we were involved in in changing those nose sections to eliminate that defect.

The court then, at 11:10 a. m., took a recess until 11:25 a. m., at which time it reconvened.

Present: All the members, the judge advocate, and his counsel, the interested parties and their counsel, except the interested party Admiral Harold R. Stark, U. S. Navy, and the interested party Rear Admiral Husband E. Kimmel, U. S. Navy, (Ret), whose counsel were present. Frank L. Middleton, yeoman second class, U. S. Naval Reserve, reporter.

[674] No witnesses not otherwise connected with the inquiry were present.

Vice Admiral P. N. L. Bellinger, U. S. Navy, the witness under examination when the recess was taken, resumed his seat as witness. He was warned that the oath previously taken was still binding, and continued his testimony.

Cross-examined by the interested party, Admiral Harold R. Stark, U. S. Navy:

37. Q. Admiral, concerning your testimony about the unsatisfactory conditions applying to your command which you found when you assumed that command in Hawaii: Will you state quite briefly what improvements were made in those deficiencies and inadequacies up to 1 December 1941?

A. In my letter I referred to a letter from the Chief of Naval Operations which indicated that I would get replacements for planes in about a year. Actually, I did get replacements in just about a year, and that was one thing I was trying to improve.

The question was repeated.

A. Considerable additions in the way of facilities were added. The question was, Were we getting them as fast as the situation demanded that we should have gotten them?

38. Q. Up to 1 December.

A. I was not satisfied with the situation on 1 December. For instance, the Wake Island development was not ready. Midway had come a long ways. Work was going on at Johnston. The Kaneohe Air Station was in use, but we had many difficulties and deficiencies in connection with the Kaneohe Air Station. The Keehi Lagoon I don't think is completed yet and therefore it is a question of whether

everything was done that could be done. I assume perhaps it was but maybe it was because we hadn't started soon enough, but the situation was not satisfactory, actually, for the conditions in the Pacific.

39. But very considerable improvements in the conditions which you first found had been effected; is that correct?

A. Considerable improvements had been effected.

40. Q. Admiral, as to the estimate by General Martin and you of 31 March: I understand you to say that you held the opinions expressed in that paper throughout the period up to Pearl Harbor. Is that correct?

A. I saw no reason to change any opinions expressed in that, and I held to them.

[675] 41. Q. I will ask you a somewhat hypothetical question: Had you been apprised of those two dispatches of 24 November and of 27 November 1941, when they arrived, or soon afterward, would your mind have reverted to this estimate and would you consequently have given any advice as to steps to be taken?

A. Of course that is a hypothetical question and I would like to think that I would have done it and I hope I would have done it, but whether I would have done it or not is something that God only knows.

Cross-examined by the interested party, Rear Admiral Husabnd E. Kimmel, U. S. Navy, (Ret.):

42. Q. Exhibit 59 is a letter which has been introduced in evidence dated January 7, 1942, from the Commander-in-Chief of the United States Pacific Fleet to the Commander-in-Chief of the United States Fleet. There appears as an enclosure a letter dated December 30, 1941, signed by yourself. Do you recall writing that letter, Admiral?

A. Yes, sir.

43. Q. And that letter expressed as of that date your estimate relative to search group requirements and long-range reconnaissance in general?

A. Yes, it did, and it was written in order to express that opinion to the Commander-in-Chief with the hope that we would get sufficient and adequate equipment to perform the job we were required to do most effectively, which was then our 100 percent job.

44. Q. Are the studies and estimates in that letter the basis on which you answered the judge advocate's question as to the number of patrol planes that were available for distance reconnaissance between 27 November and 7 December?

A. Yes, that was the basis of my answer.

45. Q. This letter, with enclosures, spells out in detail the rationale for your conclusions in answer to the judge advocate?

A. Yes.

[676] Frederick T. Lachat, yeoman first class, U. S. Naval Reserve, reporter, entered. Frank L. Middleton, yeoman second class, U. S. Naval Reserve, reporter, withdrew.

Cross-examined by the interested party, Admiral Claude C. Bloch, U. S. Navy (Ret.):

46. Q. Admiral, in the period from November 27 to and including December 7 there were, as you said, eight B-17's of the Army which were capable of being used in distance reconnaissance at the time?

A. That remark about the eight B-17's was so stated because of a dispatch, which is the only dispatch I have, from the Headquarters Hawaiian Air Force in connection with the availability of planes, and that dispatch, which is dated December 5, gave as available eight B-17's. I believe they had more than eight in their total output, but eight was the number made available under the conditions of Easy 5.

47. Q. I take it that a dispatch like that was the method used in exchanging information between the Army and you in connection with this joint use of aircraft?

A. That is correct, and it is according to an agreed plan between General Martin and me, and it is required in our joint plan.

48. Q. That had been in effect for some time?

A. That had been in effect since the date of the Army plan, which was subsequent to ours.

49. Q. So that you came to know in that fashion the condition of readiness of the Army planes which were available?

A. Yes, I would know the number of planes that were available under the condition of readiness.

50. Q. During the period from November 27 to December 7 there were, as I recall you said, about fifty-four Navy planes capable of and available for long distance reconnaissance during that period.

A. Yes. I would like to amplify that in this way. There was one squadron at Midway during that period, and there was one squadron which had been away over a month approximately and which had just returned to Oahu on December 5, so that that squadron needed considerable maintenance work. Therefore, there were fifty-four remaining planes available, and those planes were the new PBY planes.

51. Q. These particular Navy planes we are speaking about, that is, both the fifty-four and those which had recently come back from Midway, comprised PatWing One and Two?

A. One and Two.

[677] 52. Q. You were the commander of that?

A. I was commander of Patrol Wing Two, and I also was given control of PatWing One.

53. Q. Then those planes were the same ones which were also in Task Force Nine that you referred to?

A. Task Force Nine included everything I had.

54. Q. Now, those Navy planes you speak of during this particular period were operating as either Patrol Wings or as Task Force Nine or were being overhauled and were being used in training and upkeep, extension training, intertype exercises and things of that character; is that correct?

A. Correct.

55. Q. In connection with operating schedules and employment schedules, for example, for intertype training, I take it you would arrange with Task Force commanders, and ultimately the schedules would be approved by the Commander-in-Chief of the Pacific Fleet? Is that how it went?

A. Yes. Sometimes it may have been arranged by higher authorities or the general plan—as a scheme, as the policy set out.

56. Q. Set out by whom?

A. By the Commander-in-Chief, and then the details would be worked out by the Task Force commanders.

57. Q. Other than those planes which were being overhauled and were being repaired during this period, the balance of all such planes were occupied each day in those tasks?

A. Yes, sir, carrying the routine schedule of operations.

58. Q. There being only one crew, of course, all the pilots and crew were so engaged, too; is that correct?

A. Yes.

59. Q. The same thing was occurring with respect to shore-based aircraft? They were carrying out routine operations during the period, too?

A. When you speak of shore-based aircraft, I assume you mean now the other aircraft of the Fleet on shore that may be eligible or available for the Naval Base Defense Air Force.

60. Q. Yes.

A. Yes, under their respective commanders.

61. Q. The operating schedules and employment schedules of the planes we have been discussing were matters which lay between those plane commanders and the Commander-in-Chief of the Pacific Fleet or his subordinates?

A. Yes, through the regular channel of command.

[678] 62. Q. In establishing a condition of readiness in respect to those planes, I take it that if an A-1—There would be such a thing as A-1?

A. A-1 went into effect when the word came out for a drill.

63. Q. I assume if such a thing—

A. For those planes that were available—Excuse me.

64. Q. We can deal only with those which were available. I take it that if such a thing as that had been prescribed there would not have been any further training, that crews would have had to stand by so as to be available, and that planes would have had to have been kept warmed up? In other words, if a high condition of readiness had been prescribed, the training would have to be suspended?

A. Yes.

65. Q. Did you find the condition of readiness which was prescribed at the time sensible and appropriate with respect to the missions that lay before those planes at the time?

A. Yes, for normal conditions that was the suitable state of readiness. In other words, it was suitable from the point of view of interference with operations. I think the Army, for instance, were consulted with as to how much interference with their operations would certain degrees of readiness create.

66. Q. I assume, then, that this Naval Base Defense Air Force was not what is called a firm force, that is to say, that it was standing by twenty-four hours a day subject to orders in connection with defense? It was not that kind of force, was it?

A. It was not.

67. Q. It became a force, as you described it, only upon an alarm for a drill?

A. Alarm for a drill, yes.

68. Q. And an alarm which was based upon an immediate present emergency of an attack?

A. An actual emergency, yes. It came into being in an actual emergency.

69. Q. Or if you received a positive directive, which itself in turn was based upon known information of the imminence of an attack? That is the other one, isn't it?

A. If information was the basis on which it should come into being, then, the orders should come from the higher authority. The question is, Who has the information and what is it?

[679] 70. Q. You had planned with the Army that upon the Naval Base Defense Air Force becoming a force certain preliminary steps and orders would be quite automatic; am I correct in that?

A. This did not take effect until later on, after an effort was made to change the situation or the understanding of the Army in connection with it. In other words, when it was necessary, in actual emergency, for it to go into effect, the idea was that it should go into effect without having to get higher authority to put it into effect. In other words, bomb dropping would put it into effect. The reason for endeavoring to get this question straightened out with the Army was to try to prevent what one time did happen, where the word had to be received from the high Army Command before they could go into action in this force. I prepared a letter on this subject and recommended that it be sent by Admiral Bloch to General Short.

71. Q. And it was sent?

A. Possibly with some corrections or changes.

72. Q. The thing you wished to do was done?

A. Yes.

73. Q. Now, if there was to be undertaken a daily reconnaissance in advance of war and in advance of positive information of the imminence of an attack upon Pearl Harbor, such a reconnaissance would have to be each day and continual, would it not? That is the best way, rather, to do it?

A. It certainly would have to be many hours before the attack.

74. Q. Just in the absence of two features, sir? In the absence of positive knowledge of the imminence of an attack upon Pearl Harbor or in the absence of knowledge that an enemy was at that time at a particular place; and distance reconnaissance to be of use must be conducted each day over the whole period that you have concern about; is that right?

A. That is correct. You might find the definite answer to that question in the details of the battle of Midway.

75. Q. If that had been undertaken, let us say, on November 27 and continued thereafter, I take it, from what you have said, that training, intertype training, expansion training, matériel upkeep and things of that character would have been completely disrupted during the period that that reconnaissance was on; is that correct?

A. If the reconnaissance was made an all-out effort, yes.

[680] Examined by the court:

76. Q. Admiral, had this expansive training to which you have testified as being the primary mission been stopped, say, about October 16, 1941, what would have been the general effect on the war efficiency of the air units under your command on December 7?

A. In answering that question, I would have to consider the withdrawal of personnel by the Bureau of Personnel from our area in order to carry on the expansion of the naval aeronautical organization. I had recommended in this letter of January 16, to which I have pre-

viously referred, to stabilize personnel and leave them until we could get sufficiently manned to meet a war basis.

77. Q. My question is general. If you had stopped all expansive training on October 16, what would you have had in the way of a competent force?

A. A short period would have a small effect. I might say it would have an effect, depending on the time element. It is rather difficult to answer that question.

78. Q. If you had stopped this training and if you had used your planes for defensive purposes, such as daily scouting, would your force on December 1, 1941, have been as efficient and capable of operation as it would have been if you did not have this contingency?

A. No, it would not have been an efficient force. I should like to say that from December 7 on, for some time, all questions of training stopped, and two or three months after December 7 I began to receive pressure as to when and how much training I could do, because we were not able to do training in carrying out this all-out operation of reconnaissance.

79. Q. Reverting to your extended answer about the operation of planes on reconnaissance duties and assuming that you had stopped all training operations and established a continuous, long-distance patrol through 360 degrees beginning December 1, what would have been the probable condition of your planes on December 7?

A. They undoubtedly would have been in a condition where many of them would not have been ready for flight. I would like to add this answer. After December 7 we had what personnel we had prior to December 7. Then, we were reenforced by squadrons that came out from the mainland, so that after December 7, or shortly thereafter, when those squadrons arrived we had spare parts that could be taken from planes that were damaged to help in the maintenance and upkeep of planes, as well as having extra personnel in combat crews, because instead of having, we will say, one [681] crew per plane, we had about one and a half crews per plane later on on account of squadrons being transferred to me after December 7.

80. Q. My question also referred to the planes themselves. If you had that limited number of planes on a continuous search, how many of those planes would be still operating at the end of a week or ten days?

A. If we had replacement parts—

81. Q. Assuming what you had on hand at the time?

A. My estimate is that there would have been a considerable percentage out of commission.

82. Q. If you had conducted this long-range reconnaissance and if one of these planes had reported an enemy force on a certain course and speed, would you have had any aircraft which could have done anything about it?

A. I had this operational control over the Army bombardment squadrons—the heavy bombardment. Whether or not they could have hit the enemy is something I would not want to predict, but what was available was under my operational control to make the effort.

83. Q. I am assuming that they were discovered at a long distance away, which is the only reason for the long-range reconnaissance.

A. The B-17's were able to conduct a search with half a bomb load, if I remember correctly, up to 800 miles.

84. Q. Well, is it not a fact that unless the hostile carriers had been stopped in the act of launching the planes, the attack would have started in, and then it would have been a question of repelling the attack which was en route rather than preventing the attack?

A. Actually, hind-sight indicates we might have had information of it if we had reconnaissance planes spot them at sea, but they undoubtedly would not have been stopped.

85. Q. Was it not a historical fact prior to December 7, 1941, that no airplane attack was completely stopped once it had been launched?

A. I understood that is correct—You are speaking of carriers, I assume?

86. Q. Yes.

A. I understand that is correct, insofar as carriers are concerned.

87. Q. Admiral, covering the entire period of your duty in Hawaii, wasn't there inaugurated at one time and carried out a search of the area around Honolulu?

A. Yes, under special conditions and special orders.

[682] 88. Q. Approximately how many planes did you use in this daily search?

A. I'm not sure. I think it was somewhere between six and twelve to some distance like 300 miles.

89. Q. Was this search carried on daily and if so, when did the planes take off from Pearl Harbor and return to Pearl Harbor?

A. As I remember, during the period when the search was ordered they took off in the early morning.

90. Q. Before daylight?

A. Probably day was breaking.

91. Q. And when they returned?

A. They returned after completion of their search, which meant a flight of about 650 miles, I believe, which would mean approximately five and a little over hours afterwards.

92. Q. Approximately when did this daily search start and when did it end, as to period of time?

A. It is very difficult for me to remember details. I remember it was when Admiral Andrews was in command of the scouting force.

93. Q. But, generally speaking, do you remember when it was discontinued?

A. I think it was discontinued at some time prior to July, 1941.

94. Q. Did Admiral Kimmel, the Commander-in-Chief of the Pacific, discontinue this search, or was it discontinued prior to his taking command?

A. I think it was discontinued after he took command, but I am not positive.

95. Q. Referring to this question of search and distance reconnaissance, did you at any time have occasion to discuss with the Commander-in-Chief the possibilities of such a daily search and the planes that you had to accomplish such a search?

A. No, I don't remember any detailed discussion with him in connection with such a plan.

96. Q. Did the Commander-in-Chief at any time suggest to you or direct you to make a plan for such search covering any sector around Hawaii?

A. When he directed me to report to the Commandant of the 14th Naval District and prepare these air defense plans in conjunction with the Army, the idea was to bring about an effort in some coordinated fashion with the Army, and I was [683] expected to make plans so far as the forces that I commanded were concerned. Therefore, in connection with my plans, I did have search plans.

97. Q. Did you discuss these plans with the Commander of the Naval Base Defense Force?

A. Whether or not I discussed them with the commander personally, I do not remember. I have discussed many things with him and particularly at the very beginning of the effort to bring about this joint agreement with the Army Air Force in Hawaii, but all my plans and directives were forwarded to the Commander Naval Base Defense Force, as he was my immediate superior in connection with these operations.

98. Q. Well, under those conditions at any time did the Commander of the Naval Base Defense Force discuss with you or direct you to make available planes for distance reconnaissance?

A. No, I do not remember his doing that at all.

99. Q. Would you have looked to him to give you a directive for such an activity?

A. I would have looked to him or to the Commander-in-Chief of the Pacific Fleet for a directive to put into effect and start operations in connection with reconnaissance.

100. Q. Did you report to the Commander Naval Base Defense Force daily the number of planes which could be made available for search?

A. No, that was my business, and I did not make such report.

101. Q. As we understand, at no time was there any consideration given to a search of a partial sector of 360 degrees around Hawaii or the entire 360 degrees; is that correct?

A. There was no discussion in connection with that—I assume you are speaking about prior to December 7?

102. Q. That is right.

A. Prior to the discontinuance of the search that was referred to previously as having been ordered, that search, as I remember it, covered a constantly changing sector.

103. Q. In your testimony, Admiral, you have stated that you considered that if an attack were made by an enemy, it would come as an air attack; is that correct?

A. That the most probable attack would come by air.

[674] 104. Q. In view of that and having in mind the assistance in defense of the Pearl Harbor area, did you consider that a daily search would add to the security of the Pearl Harbor base?

A. Undoubtedly a search would have added to the security of the Pearl Harbor base. The question is when to put such search into effect.

105. Q. But you did have enough planes to make a search daily of a part or sector of the 360 degrees without seriously interfering with your upkeep; is that correct?

A. Out of the number of planes that were on Pearl Harbor, certainly a portion of those could be used for any purpose, search included.

106. Q. On Sunday, December 7, was the usual routine of training employment, etc., going on, and was there any reduction in this training activity by reason of its being Sunday?

A. I would like to give you the summation of squadrons and the situation. There were seven planes in the air conducting search between 120 degrees to 170 degrees to 450 miles from Midway.

107. Q. Were those the Midway planes?

A. Those were the planes that were out there in connection with the security of a task force that was bringing about a reinforcement by marine planes at Wake. Four planes were on the surface at Midway, armed with two 500-pound bombs and on ten minute notice. By the way, these planes took departure at 10:30, after information of the attack, and covered the sectors from east towards north. There were twelve planes of VP-11 ready for flight on four hours notice.

108. Q. At Pearl Harbor?

A. On Oahu. VP-12 had six planes ready for flight in thirty minutes' notice and five planes ready for flight on four hours' notice. VP-14 had three planes in the air on security patrol, armed with depth charges; three planes ready for flight on thirty minutes' notice and four planes ready for flight on four hours' notice. VP-22 had twelve planes ready for flight on four hours' notice. VP-23 had eleven planes ready for flight on four hours' notice. VP-24 had four planes in the air conducting intertype tactics with submarines and one plane ready for flight on thirty minutes' notice. Some time about March 1, 1941, I put the Patrol wings on a seven-day operating schedule, arranging details as to when squadrons would have a day off. Sunday was a working day the same as other days. There was this factor in connection with the Sunday work. The commanding officers [685] were instructed to permit personnel to attend church conferences.

109. Q. But there was no let-down in activity in your command by reason of its being Sunday; is that correct?

A. That is correct. I am looking at a schedule dated 25 November 1941, and this particular schedule indicates operations every day, some squadrons being off certain days. On Sunday, December 7, there was one squadron particularly, which had returned from Midway, having been away for quite a while on rather strenuous work also at Wake, and that squadron was left off duty. Therefore, on December 7 I would say that perhaps one squadron more than usual was off duty.

110. Q. Was there at one time an inner patrol consisting of short-legged planes searching daily the inner areas around Oahu?

A. Prior to December 7?

111. Q. Not immediately prior, but wasn't there one?

A. I'm not sure—not under me, anyway.

112. Q. Well, was there any inner patrol, say, of twenty-five, thirty, or fifty miles around the entrances of Pearl Harbor on the morning of December 7?

A. No. After December 7 I did take on the inner patrol with the small planes and even organized and commissioned the unit from those planes obtained from the ships that had been damaged.

113. Q. But there were short-legged planes available at Pearl Harbor on December 7 for such a patrol?

A. No, those planes that were there were assigned to surface ships and may have been on the beach at Pearl Harbor for certain purposes but under the control of the ship's organization to which they were assigned.

114. Q. Did the Army have any planes of this nature which could have been used for this inner patrol?

A. None that they thought were suitable, because they had objected to sending planes out to sea and were loath to do so.

115. Q. Do you know of any time during your service at Hawaii when the Army did have light planes used as an inner patrol around the entrances to Pearl Harbor?

A. No, I don't remember anything about the Army having taken over that job or having had any activity in connection with it prior to December, 1941, or even subsequent to December, 1941.

[686] 116. Q. In your estimate that an air attack on Pearl Harbor or on Oahu was possible did you at any time look into the question of the efficiency of radar installed on Oahu?

A. I knew that the Army was setting up its organization and was installing some sets. General Davidson at some time prior to December 7 made a trip to the mainland primarily to get information with reference to radar organizations and equipment. There was a lieutenant by the name of Taylor, I believe, who had had experience with the British in connection with their interceptor command duties. He was in Honolulu at some time shortly prior to December 7 and had been working in some liaison capacity with the Army interceptor command, which had the radar installations under its control, so that I was slightly informed about their situation.

117. Q. With your knowledge of radar immediately prior to December 7, did you or did you not consider that if properly used it would be an important factor to you in any steps you would take to defend Oahu from plane attack or for the security of your own force?

A. Radar was not in general use prior to December 7. A great deal of effort was being made by everyone concerned who felt that they needed radar installations to get their ships equipped with radar, but there was lacking a great deal of positive information in the service in general about the capabilities of this radar with which we were expected to equip our ships. I remember speaking particularly to Admiral Halsey about it. He was very much interested in getting his carriers equipped with radar. The information from radar would not have benefitted my particular command. It would have had considerable bearing on the interceptor or pursuit command which had control of the fighter planes and also for the anti-aircraft guns, but my particular command, which belonged to the duties of the Naval Base Defense Air Force, involved the patrol planes, which could not have done anything, particularly against a carrier, although we were planning to use them to bomb, if necessary. It came up as quite a moot question whether it was just sacrificing the planes to use them as bombing planes against a carrier.

118. Q. You do not mean to state in your reply that if you had received advanced warning of this attack, you could not have taken steps to have saved a great many planes which probably were destroyed otherwise; isn't that correct?

A. I doubt it very seriously, because the patrol planes are very large. To move them, there must be a concrete surface on which to put them or some very hard surface, or else put them in the water. The question of dispersion of planes had been given considerable thought—that is, patrol planes. The question is how to disperse patrol planes and what do you gain from dispersing them? You can put a patrol plane perhaps where it may not be seen, [687] but the question is, How long would it take to get it in the air from that place? Therefore, it was a give and take proposition, considering the space available to put these planes and the time element involved in connection with delaying operations. Even after December 7 we found it absolutely impracticable to disperse patrol planes other than the way we were doing it prior to December 7. I felt that perhaps anchoring these planes out for dispersal purposes might be a good plan. Buoys were put in Pearl Harbor and Kaneohe for that purpose—not all planes but a portion of the planes. They did not happen to have any planes at the buoy at Pearl Harbor on that day and perhaps it's a good thing. They did have some at the buoys at Kaneohe, and all those planes were sunk and completely ruined. Some of the planes on the beach were damaged too badly to be put in commission, but many of them were put back in commission.

119. Q. Did you have any information on the morning of December 7, 1941, as to the interception of enemy planes?

A. Interception of enemy planes?

120. Q. A notice that certain enemy planes were coming in prior to the action of the bombing attack?

A. No, I did not; I had no information.

Recross-examined by the interested party, Admiral Claude C. Bloch, U. S. Navy (Ret) :

121. Q. Admiral, just so I understand about the estimate which is contained in the document you read before: I take it that was at the time your estimate of the eventuality that might occur at Hawaii if Hawaii were attacked?

A. Yes.

122. Q. That is to say, if Hawaii were attacked, the most logical form of attacking was by aircraft?

A. Correct.

123. Q. That was not your estimate of where the Japanese would strike in the event of war?

A. No, that is not an estimate of the war plans of the Japanese. This estimate was prepared because we were endeavoring, at the direction of the Commander-in-Chief of the Pacific Fleet, to work out a plan for the defense of Pearl Harbor.

Examined by the court :

124. Q. Admiral, in your familiarity with the general condition in the Pacific, did you make, either mentally or otherwise, an estimate as to the probability of an attack by Japan on Oahu?

A. Not actually, no.

[688] 125. Q. Did you think that they would not attack Oahu as a surprise opening to this war?

A. I did not expect, as a probability, that an attack would be made on Oahu as the opening event of a Japanese-United States war.

None of the parties to the inquiry desired further to examine this witness.

The court informed the witness that he was privileged to make any further statement covering anything relating to the subject matter of the inquiry which he thought should be a matter of record in connection therewith, which had not been fully brought out by the previous questioning.

The witness stated that he had nothing further to say.

The witness was duly warned and withdrew.

The court then, at 12:40 p. m., adjourned until 9:30 a. m., August 28, 1944.

PROCEEDINGS OF NAVY COURT OF INQUIRY

MONDAY, AUGUST 28, 1944.

[689]

TWENTIETH DAY

NAVY DEPARTMENT,
Washington, D. C.

The court met at 9:30 a. m.

Present:

Admiral Orin G. Murfin, U. S. Navy (Ret), President.

Admiral Edward G. Kalbfus, U. S. Navy (Ret), Member.

Vice Admiral Adolphus Andrews, U. S. Navy (Ret), Member.

Commander Harold Bieseimer, U. S. Navy, Judge Advocate, and his counsel.

Frank M. Sickles, yeoman first class, U. S. Naval Reserve, reporter.

Counsel for Admiral Harold R. Stark, U. S. Navy, interested party.

Admiral Claude C. Bloch, U. S. Navy (Ret), interested party, and his counsel.

Rear Admiral Husband E. Kimmel, U. S. Navy (Ret), interested party, and his counsel.

The record of the proceedings of the nineteenth day of the inquiry was read and approved.

No witnesses not otherwise connected with the inquiry were present.

The judge advocate made the following statement: The judge advocate has certain documents that he would like to introduce into evidence for the purpose of reading into the record such extracts therefrom as may be pertinent to the inquiry.

The court then, at 9:40 a. m., took a recess until 2:00 p. m., at which time it reconvened.

Present: All the members, the judge advocate and his counsel; all the interested parties and their counsel, except Admiral Harold R. Stark, U. S. Navy, whose counsel were present. Frank M. Sickles, yeoman first class, U. S. Naval Reserve, reporter.

No witnesses not otherwise connected with the inquiry were present.

[690] The proceedings following directly hereafter, pages 691 through 732, have, by direction of the court, been extracted from the record and deposited with the Secretary of the Navy. This action was taken in the interest of national security and the successful prosecution of the war.

[732-A] The court then, at 4:45 p. m., adjourned until 9:30 a. m., August 29, 1944.

PROCEEDINGS OF NAVY COURT OF INQUIRY

TUESDAY, AUGUST 29, 1944.

[733]

TWENTY-FIRST DAY

NAVY DEPARTMENT,
Washington, D. C.

The court met at 9:30 a. m.

Present:

Admiral Orin G. Murfin, U. S. Navy (Ret), President.

Admiral Edward G. Kalbfus, U. S. Navy (Ret), Member.

Vice Admiral Adolphus Andrews, U. S. Navy (Ret), Member.

Commander Harold Biesemeier, U. S. Navy, Judge Advocate, and his counsel.

Frank M. Sickles, yeoman first class, U. S. Naval Reserve, reporter.

Counsel for Admiral Harold R. Stark, U. S. Navy, interested party.

Admiral Claude C. Bloch, U. S. Navy (Ret), interested party, and his counsel.

Rear Admiral Husband E. Kimmel, U. S. Navy (Ret), interested party, and his counsel.

The record of the proceedings of the twentieth day of the inquiry was read and approved.

No witnesses not otherwise connected with the inquiry were present.

The proceedings following directly hereafter, pages 734 through 762, have, by direction of the court, been extracted from the record and deposited with the Secretary of the Navy. This action was taken in the interest of national security and the successful prosecution of the war.

A witness called by the judge advocate entered, was duly sworn, and was informed of the subject matter of the inquiry.

[762-A] The court then, at 12:35 p. m., took a recess until 2:00 p. m., at which time it reconvened.

[763] Present: All the members, the judge advocate and his counsel; all the interested parties and their counsel, except Admiral Harold R. Stark, U. S. Navy, interested party, whose counsel were present. Frank M. Sickles, yeoman first class, U. S. Naval Reserve, reporter.

No witnesses not otherwise connected with the inquiry were present.

A witness called by the court entered, was duly sworn, and was informed of the subject matter of the inquiry.

Examined by the judge advocate:

1. Q. Will you state your name, residence, and present occupation?

A. Stanley K. Hornbeck, Washington, D. C., special assistant to the Secretary of State, Department of State.

2. Q. What was your position between 1 October and 7 December 1941?

A. I was an adviser on political relations, Department of State. Examined by the court:

3. Q. In this position, Doctor Hornbeck, were you kept fully informed on matters pertaining to the diplomatic relations between the United States and Japan?

A. That would depend on the definition of fully, but for practical purposes, I should say, yes.

4. Q. Did you see the important dispatches that came in and went out to Japan during that period?

A. Practically all; that is, State Department dispatches.

5. Q. During this period, did you have occasion to confer with officials of the Navy Department on matters pertaining to these relations?

A. I talked occasionally with some friend among the officer personnel of the Navy. I should not say that I had occasion to confer. It is largely a question of how you define the word "confer".

6. Q. Well, were there frequent conferences at which representatives of the Navy and the State Department were present?

A. There were conferences. There were frequent conferences in the office of the Secretary of State, which dealt with matters of various regions. When the Far East region was involved, I was often present but by no means always.

[764] 7. Q. So you did attend some of these conferences?

A. I attended a certain percentage.

8. Q. Could you state the names, as you remember, of the principal officers of the Navy who were present at these conferences?

A. Well, I remember particularly Admiral Richardson was present at some earlier conferences. Admiral Stark was present at some. Captain Schuirmann was present at some. You mean this limited period from October?

9. Q. Yes.

A. That is all I remember for that period.

10. Q. Could you state briefly, please, the progress of these negotiations between Japan and the United States during this period from October to December 7, 1941, generally speaking?

A. By the end of October, it had become patent that we couldn't have a meeting of minds, couldn't reconcile what the Japanese asked of us with anything that we could commit ourselves to. Early in November the Secretary came to the conclusion that the question could not be solved by diplomacy. The Japanese representatives began pressing their proposals, and ultimately, I think on the 20th of November, they submitted a brief paper which they wanted this government to consider. That paper had in it things that were impossible for us to agree to. There were then conversations which the Secretary had with various officers in this government and with various representatives of foreign governments. On November 26, I think it was, the Secretary of State gave to the Japanese Ambassador and his associate, Mr. Kurusu, a paper—two papers, in fact, one of which contained an outline of the type of agreement that we would be willing further to discuss. The other was an explanation of that, and stated that this was in the nature of the kind of a thing that we could discuss toward

continuing the conversations. At about that time, I think on the next day, the Secretary for the second time said that this thing could not be settled by diplomacy, but he still entertained a hope that the Japanese might come forward with something further in reply to these two documents of November 26 (or 27th). Then I should have to refresh my mind as to what happened between the Secretary of State and the President immediately after that, but from then on until December 7, there were those steps that the President took, sending a message to the Emperor of Japan. For any details, I would have to go back to the record. That is all set out, however, in the State Department published documents.

11. Q. So in your opinion, the possibility of arriving at [765] an agreement tended to worsen from October on—October 1941; is that correct?

A. May I answer that without saying, "Yes," or "No"?

12. Q. Yes.

A. It became more clear that the Japanese would not accept what we could accept. There is another way of putting that. It needs to be kept in mind all the time that the Japanese had come to us proposing a diplomatic settlement with regard to matters in the Far East. There was no necessity that there be any diplomatic settlement. The only thing that was needed for keeping peace in the Far East was for the Japanese to keep within bounds, but they wanted to get from us an assent to the program of conquest on which they were engaged in the Far East. Therefore they came to us as the petitioners for agreement, and, as I said, it became more and more evident that they would not agree to reasonable things in our eyes, and therefore there couldn't be any agreement. That didn't necessarily mean that we couldn't get along without an agreement.

13. Q. Referring to this note of 26 November, which the Secretary handed to the representatives of Japan, which is a matter of record before this court, was there a conference held prior to the delivery of this note or subsequent thereto, with officials of the Navy Department, say with Admiral Stark or with other officials?

A. I would have to look at the record of conferences to be able to place one within that date.

14. Q. You haven't that record here?

A. I can't answer that, no.

15. Q. But this note was generally discussed, and it was public at that time, wasn't it—I mean the fact that it had been sent?

A. Within two or three days it was public.

16. Q. But you don't remember at any time discussing this particular paper with the Chief of Operations, or any other officer of the Navy Department?

A. My personally discussing it with him?

17. Q. Yes, or having knowledge of it.

A. I have no memory of having any discussion of it directly with the Chief of Naval Operations.

18. Q. And this same answer would apply to the Secretary of the Navy, with reference to the discussion?

A. The same answer.

[766] 19. Q. Doctor Hornbeck, after the delivery of this note of 26 November, did you consider this note and its contents such

that there was little chance after that of reaching any agreement with Japan?

A. No, I did not so consider it; that is, I did not consider that the chance was affected by this note.

20. Q. In other words, on November 26 or, say, November 26, did you consider, or did you not consider, that the negotiations had failed?

A. I considered that we were no nearer to an agreement than we had been for a long time.

21. Q. Referring to this note, page 811, I believe it is, of this document, "Peace and War", which document is before this court for reference, and in paragraph three, which reads: "The Government of Japan will withdraw all military, naval, air and police forces from China and from Indo-China." In your opinion, or can you express the opinion of the State Department that this statement precluded the acceptance of any agreement between us as proposed by the United States to Japan, along this line?

A. If that had been a proposal initiated by the United States, I should have said, probably; but it must be taken into account that the things that had to be considered were the Japanese proposals to us. The Japanese were making demands that we agree to certain things that they wanted. In that particular document, we were putting before them a statement of the kind of things to which we could and would agree.

22. Q. Did you consider this note to be an ultimatum to Japan?

A. No, sir.

23. Q. Of course, the same applies to paragraph four of that statement where it states: "The Government of the United States and the Government of Japan will not support—militarily, politically, economically—any government or regime in China other than the National Government of the Republic of China with capital temporarily at Chungking," which is line with paragraph three. I suppose your reply in reference to that paragraph would be the same as to paragraph three?

A. I should like that with the other.

The proceedings following, pages 767 through 772, have, by direction of the Court, been extracted from the record and deposited with the Secretary of the Navy. This action was taken in the interest of national security and the successful prosecution of the war.

[772-A] The court then, at 2:55 p. m., adjourned until 9:45 a. m., August 30, 1944.

PROCEEDINGS OF NAVY COURT OF INQUIRY

AUGUST 30, 1944.

[773]

TWENTY-SECOND DAY

NAVY DEPARTMENT,
Washington, D. C.

The court met at 9:45 a. m.

Present:

Admiral Orin G. Murfin, U. S. Navy (Ret), President.

Admiral Edward G. Kalbfus, U. S. Navy (Ret), Member.

Vice Admiral Adolphus Andrews, U. S. Navy (Ret), Member.

Commander Harold Bieseimer, U. S. Navy, Judge Advocate, and his counsel.

Frank M. Sickles, yeoman first class, U. S. Naval Reserve, reporter. Counsel for Admiral Harold R. Stark, U. S. Navy, interested party. Armiral Claude C. Bloch, U. S. Navy (Ret), interested party, and his counsel.

Rear Admiral Husband E. Kimmel, U. S. Navy (Ret), interested party, and his counsel.

The record of the proceedings of the twenty-first day of the inquiry was read and approved.

No witnesses not otherwise connected with the inquiry were present.

Admiral Harold R. Stark, U. S. Navy, interested party, was recalled as a witness by the judge advocate, and was warned that the oath previously taken was still binding.

The proceedings following, pages 774 through 792 inclusive, have, by direction of the court, been extracted from the record and deposited with the Secretary of the Navy. This action was taken in the interest of national security and the successful prosecution of the war.

[793] Reexamined by the court:

107. Q. Admiral, the following is quoted from the report of the Roberts Commission: "Responsible commanders in the Hawaiian area were aware that previous Japanese actions and demonstrated Nazi methods indicated that hostile action might be expected prior to a declaration of war." Were you also aware of this?

A. We always considered that possible, yes.

108. Q. In view of that, did you consider the Hawaiian area a possible or probable point of attack as a Japanese method of opening a war with the United States?

A. I did consider it a possible spot.

109. Q. Did you consider it probable?

A. I considered it possible. The information which we had did not indicate its probability.

110. Q. What was the quickest form of communication which could have been used by Naval Operations on the morning of December 7 to the Commander-in-Chief, Pacific Fleet?

A. It would have been the telephone. I am just assuming that the telephone would have been normal. I can't say whether we would have been held up by the telephone, but I assume it would have been by telephone.

111. Q. Other testimony has indicated that it would be naval radio. How would you compare naval radio with telephone?

A. Well, naval radio when you are pushing it is awfully fast, but it requires coding and decoding, and I am thinking of the fastest way which I could have gotten it through and that is by telephone.

112. Q. Does the court understand that your first knowledge that a conference with the Secretary of State had been requested by the Japanese diplomats to take place at 1 p. m., December 7, was derived from General Marshall's telephone conversation with you during the forenoon of December 7, 1941?

A. Whether he gave it to me first or whether I had gotten it from Schuirmann, with whom I was talking at that time, I am not exactly clear. I think I had it when Marshall called. We were talking it over.

113. Q. When you finished your conversation with General Marshall, having cognizance of the message he was sending to the Commanding General of the Hawaiian Area, why did you not send a message of similar import to the Commander-in-Chief, Pacific Fleet by the fastest method available?

A. Well, I have stated that that is one regret that I have—that I did not telephone that message.

[794] 114. Q. How did you mean your message, which has been referred to as the "warning message" of November 27, to the Commander-in-Chief, Pacific Fleet to be interpreted by him with reference to the words "warning message"?

A. Are you referring to the words "war warning"?

115. Q. How did you mean those words to be interpreted by the Commander-in-Chief of the Pacific Fleet when he got it?

A. It meant to me—I had assumed that it would mean to him—imminence of war, that now we had to look out. At last everything had lead up to this climax, and this was a warning for war.

116. Q. Then, why did you not add the words "Hawaiian Area" along with the other areas which you specifically mentioned?

A. I gave him, as I gave the Commander-in-Chief, Asiatic, the indications from the best intelligence we had as to where the blow was most likely to fall.

117. Q. Admiral, did you not state in earlier testimony that you considered that the specific areas mentioned did not necessarily exclude the Hawaiian area?

A. I did, and in my earlier dispatch of the 24th I stated that. I deliberately wrote into that dispatch myself the words "in any direction."

118. Q. And did you at that time, on November 24, have in mind that it would strike Hawaii?

A. Not that it would but that it was possible and that Hawaii should be on guard. The dispatch also, as you will recall, went to the Canal and to our West Coast commands.

119. Q. There is testimony before the court that in 1941, in the months before December 7, priority had been given the Atlantic area over the Pacific area with reference to rectifying deficiencies in ships, personnel, matériel, and so forth; is that correct?

A. My answer to that is that we used what we had to meet the urgencies of the situation as we saw it. It was not a case of one over the other. It was the case of what was confronting it and what to do with what we had.

120. Q. Well, didn't the Atlantic have any priority over the Pacific? If you had things which you could not give to both, would you give them to the Atlantic?

A. It would depend on what they were and what ships were involved.

121. Q. How was it working?

A. It is covered in correspondence which is in the record. For example, we were escorting. We had had two destroyers hit in the Atlantic, and sound gear might have been considered more important for them at that time than it would have been if it was a case between certain submarine [795] detection gear for them and the Pacific. When it came to personnel, so far as I can recall, the treatment was pretty much equal. We were shy all around. We just did what we considered to be best, and nobody was satisfied and I least of all.

122. Q. With reference to personnel, there has been testimony in the record that the Pacific Fleet and the Hawaiian Area were not in an efficient condition for war because of the shortage of personnel, matériel, and equipment and that the Pacific Fleet was being used to a certain extent for training personnel, which were then taken and transferred to the Atlantic; is that correct or do you care to comment on that?

A. Regarding the first part, it is my opinion that the Pacific Fleet was in a fine state of efficiency, as I would have expected it to have been under the able leadership of its commander. Regarding the transfer of personnel from the Pacific Fleet for the Atlantic Fleet to the detriment of the Pacific Fleet, I do not think it was done. We were transferring from both for the extremely heavy production program which was coming along, but the Pacific Fleet was, not only from what Admiral Kimmel wrote but from others, in a high state of efficiency in gunnery. I believed its morale to be good, and I was delighted with the work that was being done out there.

123. Q. In the critical weeks, or perhaps days, immediately preceding December 7 if the Navy Department had considered an attack on the Pacific Fleet as probable or even possible, what action would you have taken with reference to tightening up on espionage in Oahu and on facilities for getting information valuable to Japan out of the Island?

A. Well, to have gone the limit and to have stopped communications between Japanese officials in Hawaii and Tokyo might have precipitated what we were trying to avoid, and it would have been necessary to go the limit, I take it, to stop that sort of thing. We stopped Japanese ships going through the Canal. We stopped our ships from taking their regular routes and routed them to the southern. We lost only one ship, and we took a chance on her to get the last few marines out. To have gone further than the steps we did take and to have intercepted what they did get might have precipitated it earlier. Whether or not it would have been a good thing to have done I am not prepared to state.

124. Q. Was Japan doing it from her side?

A. Not that I know of. I think we were in constant touch with Grew.

125. Q. Wouldn't you have considered the stoppage of Japanese ships through the Panama Canal and the breaking of Japanese relations on a parity with stopping communications from Honolulu to Japan?

A. We didn't think so. We knew it was touchy, but [796] we did it in such a way that it was camouflaged to some extent.

126. Q. If, after sending your message on the 27th of November, the Navy Department had considered that conditions were so critical that war was perhaps in the offing, why didn't they disapprove the sending of a carrier and planes to Wake Island after the report had been made to you that the carrier was sailing on November 29?

A. I did not think that inconsistent in any way with the war warning. That a task group which was fast and able to take care of itself in the open sea—

127. Q. The testimony indicates that the carrier carrying those planes which could not be used was handicapped in the war task. She was used as a cargo carrier for planes.

A. I don't know how many of her own planes she had. She probably had some. In an emergency the cargo could have been dumped overboard, and, in any event, it was along toward strengthening the position in the Pacific and a chance which was considered favorable to take.

128. Q. But if you had had the idea that Japan was going to attack Pearl Harbor, it would not have been sound to have carriers withdrawn from the area of Hawaii and to have used them as transports to Wake, would it?

A. If you set the question up that I knew an attack was coming on Hawaii at a definite time.

129. Q. No, we are speaking of a possibility, and you say there was a possibility of an attack in the immediate future on Hawaii. Now, having that in mind, you are cognizant of the withdrawal of a carrier used more as a cargo ship than as a carrier because of the mass of planes on board. You withdraw that ship and send her to Wake and withdraw one of the means of not only protecting Pearl Harbor but of getting information in advance of an attack on Pearl Harbor?

A. Well, I would not say that it was particularly stopping the information in advance. As I recall—and the Commander-in-Chief of the Pacific, who is here, can testify—there was a broad coverage to that movement, which in itself was somewhat of a sweep, and to the best of my knowledge and belief, from the dispatch I sent, he had no objection to it. It was generally strengthening the position. We couldn't stop everything. We couldn't say with a dead certainty that the thing was going to happen, and it was in line with defense.

130. Q. Is it not directed in the Rainbow Plan that this plan was to go into effect upon the declaration of war or upon the orders of the Navy Department?

A. Yes, sir.

[797] 131. Q. Under the critical conditions existing at the time, will you comment on why a directive was not sent to place it in operation immediately on December 6 or the early morning of the 7th or prior to that?

A. I commented on that before. It might have precipitated war had it been put into effect, and it is a pretty difficult thing for the Navy to do or for our country to do—to take the initiative in what appears to be or certainly would be interpreted as an aggressive move toward Japan. The United States certainly was not united, by any means, for war in the Pacific until Pearl Harbor united it.

132. Q. However, the fact that you were executing Rainbow would not have been general information. It would have been simply secret information to the Fleet and to the Navy. It would not have been apparent to the public or even to Japan, because when you give an execute on Rainbow Plan that execute is just as secret as Rainbow Plan. I do not quite understand your answer that by giving the execute on Rainbow we would be disturbing Japan.

A. The plan which was in execution would have become known to the Japs and would have been so reported. I may be wrong.

133. Q. Were you in accord with the directive which required that no movement be taken which might excite the populace or excite Japan?

A. In general, but there is a wide degree of interpretation as to what might incite, and there is a point of judgment there. Certainly we couldn't take a chance of being shot with our hands in our pockets, and I think Marshall's dispatch made that plain. As to the rest of it, you may recall a couple of years earlier the wide sweep for days in the San Pedro area when we thought there were Jap submarines operating off there. It was common knowledge and was common talk in the papers, but it was considered necessary. I would have done what I considered necessary.

134. Q. Admiral, we have had your opinion expressed several times about the possible point of attack by Japan in opening a war. What was the general opinion of your advisors in Operations on this question with particular reference to an attack on the Hawaiian area?

A. So far as I know, there was no dissent from the dispatches which had been sent that Hawaii was a possibility and that the information we had lead to the belief that the Philippines, Guam, and the Kra Peninsula would be struck, because there were definite indications to that effect.

135. Q. I take it that there was a difference of opinion between you and your officers in Operations on that point?

A. No, certainly not as to what we sent out. As to [798] the degrees of possibility, you probably can get that from them directly.

136. Q. The following is a quotation from the report of the Roberts Commission: "It seems that a sense of security resulted 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." May we have your opinion on that general statement?

A. Well, I have stated that I thought, from the information we had, that the blow would most likely fall in the Far East. I have also stated that it was a possibility that it might fall elsewhere. I have also stated that I thought we should be on guard not only in Hawaii but in the Canal and on the West Coast ports. I have also stated that I was surprised at the attack on Hawaii. I did not expect—or, at least, I had not anticipated—the Japs' striking all

the way across the Pacific from the Kra Peninsula to and including Pearl Harbor. Nevertheless, there was the possibility and if the possibility existed, I felt that we should be on guard against it, and it was for that reason I sent these dispatches for action to the Commander-in-Chief, Pacific as well as to the Commander-in-Chief, Asiatic. We could not say the attack would not develop there, but the evidence we had pointed to its being much farther to the westward.

137. Q. What do you mean exactly by the term "on guard"? Mentally alert or physically equipped and ready to prevent damage?

A. My feeling was indicated when I sent those words "war warning," and I pondered over that sentence whether they should be on the lookout for an attack, that it might come.

138. Q. Since there was a deficiency in materiel, equipment, and trained personnel, wouldn't considerable damage have been done in spite of their being on the lookout, other things being equal?

A. An air raid once started is awfully difficult to stop. It is almost certain that some of it is bound to get through. On the other hand, if Army fighters had had a chance at that raid coming in, I feel that it would have been considerably less effective than it was. I was surprised at the effectiveness of that raid.

139. Q. In that connection, if they had received three hours' advance information as to the possibility of a raid, your theory would have proved correct; is that possible?

A. If they had had word which convinced them that an air raid was coming in and that it was a probability three hours before, I feel that the story might have been very different, assuming, of course, they took action.

[799] 140. Q. By saying that the story might have been different you do not mean that there would have been no damage?

A. No, I do not. I covered that in a previous answer. A raid once started in force is very difficult to stop a hundred per cent.

141. Q. It would be impossible even now to estimate what the difference might have been?

A. Yes.

142. Q. Admiral, although we have used the word "possibility" many times in this connection, is it not a fact—and if it is not, the court would like to have an expression of opinion from you—that your opinion and the opinion of practically all official Washington was that the attack would not be in Hawaii but would be in the southern Asiatic waters?

A. Well, I hesitate to say about all official Washington.

143. Q. Well, those with whom you conferred?

A. Yes, I think that is probably true. There may have been certain individuals who held the possibility of an attack on Hawaii greater than others, but, generally speaking, I think your statement is true.

144. Q. Did your opinion and the opinions which you had accumulated here have any bearing on your not picking up the telephone on the 7th of December and telephoning the Commander-in-Chief of the Pacific?

A. Not the slightest. I simply didn't think of it.

145. Q. In other words, you trusted the Army message completely?

A. Yes. You will recall I asked Marshall if he could get it through very quickly, and he said, "Yes, I can get it through just as quickly

as you can." I let it go. The telephone is purely hind sight with me as to wherein I was wrong that I didn't do more to alert them. If the blow had not fallen at 1300 on the 7th, we probably would not have thought of it. We would have had the dates of the 25th and the 29th, but here is something, looking back on it now, that did hook up, and we thought there was that possibility, and I regret that I did not pick up the telephone, regardless of secrecy, as things have turned out, and notified them.

146. Q. And paralleled it with Naval radio?

A. I regret that.

147. Q. That is all post Pearl Harbor?

A. Yes.

[800] 148. Q. The things you are expressing now?

A. Yes, it is all hind sight, and it is a search of my own conscience as to what I might have done.

149. Q. Did you confer with the Secretary of the Navy on the forenoon of December 7, 1941, at any time?

A. I think not. Of course, I saw him later on all day. I don't remember just what time I saw him. The time there in that whole picture is a little confused except for the message to which we had just referred as to when I saw the Colonel and acquainted him with what we had or what we had done and what had happened.

150. Q. You do not remember whether you discussed your conversation with Marshall with the Secretary prior to the attack?

A. No, I don't definitely. I assume if the Colonel came in, I told him, because I kept him rather fully posted.

151. Q. Did you discuss it with the Under Secretary or see him here?

A. I don't recall his being here in the morning. Everybody came in after 1300.

152. Q. Did you consider the advisability or otherwise of keeping the Commander-in-Chief, Pacific Fleet informed in detail of the progress of events and of allowing him to evaluate the information for his own purposes rather than to give him a comprehensive statement based upon your own evaluation, upon which an interpretation different from your own might be placed?

A. No, I didn't. It was our job to evaluate. He had his own job, and we sent him a mass of stuff which was coming in here for him to sift out. I didn't consider it. I thought it was the Department's job. I endeavored to keep him informed of what I thought would be most useful to him in the main trend.

153. Q. Is it not correct, recognized military procedure to furnish commanders in the field with full information rather than mere evaluation?

A. Well, I don't know. It was not here.

154. Q. The idea being, of course, that the man on the spot is the best judge of the relation of the information in its application to his circumstances.

A. Well, we left it to the man on the spot as to what to do after we had given him the picture as we saw it, and we thought the picture we gave was sound. Subsequent events proved them to have been pretty sound.

[810] 155. Q. Is it or is it not a fact that at no time during the year 1941 did the United States have at its disposal sufficient

trained personnel and war equipment to meet a possible threat in one ocean much less simultaneously in both?

A. That is correct, and on that basis as to what we had WPL 46 was drawn.

156. Q. Wasn't the training program which was in effect in both oceans part of an effort to rectify this deficiency?

A. Yes, I think everything possible was being done afloat. I had perfect confidence in all three commanders-in-chief afloat.

157. Q. The court understands that after sending your so-called "war warning" message of November 27 you sent no directive as to action to be taken by the Commander-in-Chief, Pacific. Did you consider that he was already authorized to suspend training operations in his discretion and that such suspension was justified in the light of existing circumstances and in view of the existing deficiencies elsewhere?

A. I did after that warning. As far as I was concerned, anything he wanted to do was all right, unless he sent me something of which the Department might have disapproved. As far as I was concerned, he had a free hand.

The court then, at 12:25 p. m., took a recess until 1:45 p. m., at which time it reconvened.

[802] Present: All the members, the judge advocate and his counsel; all the interested parties and their counsel. Frank M. Sickles, yeoman first class, U. S. Naval Reserve, reporter.

No witnesses not otherwise connected with the inquiry were present.

Admiral Harold R. Stark, U. S. Navy, the witness under examination when the recess was taken, and an interested party, resumed his seat as witness. He was warned that the oath previously taken was still binding, and continued his testimony.

Examination by the court (Continued):

158. Q. Admiral, you stated this morning in reply to a question about shifting the Fleet from Pearl Harbor to San Francisco, during this very critical period, the latter part of November 1941, that this was out of the cards. We presume insofar as you are concerned; but you added, the Commander-in-Chief Pacific had authority to shift the Fleet, is that correct?

A. Well, I didn't mean to convey by that that he had the authority to come to the West Coast. I meant that he had a free hand in what to do with the Fleet in the Hawaiian area. I would have considered that he wanted to come to the West Coast he would have asked permission.

159. Q. But in view of the conditions existing at that time, you didn't consider the shifting of the Fleet; is that correct?

A. I did not consider shifting the Fleet to the West Coast; that is correct.

160. Q. Was there any discussion as to the shift?

A. I think not.

161. Q. I think this is clear in the record, but just to repeat, perhaps, when this message of 27 November was sent to the Commander-in-Chief Pacific—the message that you called the "war warning message", and a similar message was sent to the Commanding General, Hawaii—

the Commanding General in answer to that stated that he was on Alert No. 1, and that, in other words, his reply showed Alert No. 1 was alert against sabotage. Did you have any knowledge of this reply or did you discuss that with any Army official as to the interpretation that the Commanding General, Hawaii, had placed on this message?

A. I had no knowledge of it until after December 7.

162. Q. In the light of existing circumstances, existing at the time of the critical period between 27 November and [803] 7 December 1941, it is possible a wholesale exodus of the Pacific Fleet from Pearl Harbor might be interpreted by the Japanese as an aggressive move on the part of the United States, and possibly precipitated action by the Japanese?

A. It might have been so considered, and it might have precipitated action.

Recross-examined by the interested party, Admiral Harold R. Stark, U. S. Navy:

163. Q. Admiral, you were asked this morning whether or not you considered the note of November 26, that was handed by the State Department to the Japanese a very important note, and you answered, "Yes." Now when you were explaining to the court whether you meant by that it was an important note in the sense that it meant negotiations with Japan were continuing, or was it important in the sense that it indicated that this was a final clearance of the record; what was it you meant?

A. What I meant was that it indicated the final clearance of the record.

164. Q. With respect to the movement of planes to Wake by carrier, concerning which you had sent the dispatch to the Commander-in-Chief Pacific about the same time as the war warning dispatch was sent, isn't it true that the planes which were being ferried to Wake were twelve fighter planes, and that it didn't necessarily require that any of the carrier's complement be left behind at Pearl Harbor?

A. It is true—that is, twelve carrier planes, and in my reply this morning I said I wasn't sure, and am not now, if any reduction was made in the carrier's planes. The twelve fighters could have been used as fighters. I doubted if they displaced very much, if anything. They may actually have added to the carrier's complement, and to that extent I would say probably did not weaken her in any way.

165. Q. Did you consider the trip of the carrier to Wake in any way impaired the ability of the Commander-in-Chief of the Pacific Fleet to carry out long-range reconnaissance?

A. No.

166. Q. Admiral, did you see the Secretary of the Navy after the attack on Sunday, December 7, 1941?

A. I did.

167. Q. Did you see him during the days intervening between Sunday, December 7, 1941, and his investigation trip to Pearl Harbor?

A. Yes.

168. Q. You are familiar with the information that on [804] 7 December, the Japanese Ambassador asked for an appointment with the Secretary of State at 1300, for the purpose of delivering a note, are you not?

A. Yes.

169. Q. At any time on Sunday, December 7, after the attack, or at any time during the period intervening between that time and his trip to Pearl Harbor, did the Secretary of the Navy ever mention to you his having received on Sunday morning, the 7th of December, at the State Department, a memorandum of this information concerning the Japanese Ambassador asking for a conference, and did he ever mention to you that there was pinned to this memorandum a note to the effect that 1300 was dawn at Pearl Harbor or midnight at Manila, and that an air raid on Pearl Harbor was indicated within a few hours?

A. He did not.

170. Q. Did he ever say anything to you which might have indicated that he had such information prior to the attack on 7 December?

A. No, he never did, and I feel reasonably certain that had he had such information, he certainly would have acquainted me with it. Moreover, I feel that if he had the information, he would have probably asked me why I didn't act on it. Colonel Knox didn't mince words, and if that information had been available to us at that time and not sent to Pearl Harbor, I think he would have impressed it on me in a way that I never would have forgotten it.

171. Q. Between 7 December and the time he left for Pearl Harbor, or any time after that?

A. Yes.

172. Q. Along the same line, Admiral, I'd like to read from the record page 566, question 182, and 183:

182. Q. Specifically, did the deficiency in information which the Navy Department was furnishing him have any effect on what actions he took or might have taken with respect to possible action by the Japanese in the Hawaiian area?

A. Yes. I would like to state, for example, that a few days after Pearl Harbor the late Secretary of the Navy Knox arrived in Pearl Harbor to conduct an investigation. He was with Admiral Kimmel, General Short, and I believe Admiral Bloch all morning. I wasn't there, but I was invited to join them at 12 o'clock for lunch. After I arrived I believe I remember the exact words of Secretary Knox. Present at this conference were Admiral Kimmel, Admiral Pye, Admiral Bloch, General Short, Captain Beatty, who was aide to the Secretary, and I. Secretary Knox said, "Did you not get a warning on the 6th of December?" We all answered in the [805] negative. He stated, "We learned surreptitiously on the 6th of December that Nomura and Kurusu had orders to hold their last conference with Secretary Hull at 1 p. m. on Sunday, the 7th." 1 p. m. in Washington was about 7:30 in Pearl Harbor, shortly before the attack. He said, "I know that that information was sent to Admiral Hart, and I thought, of course, it was sent to you." Now, had we had that information on Saturday, the 6th of December, it would have been very valuable. The Army received that message on the afternoon of Pearl Harbor. The Navy never did receive it. The Commander-in-Chief had no message on the order of that mentioned by Secretary Knox.

183. Q. Did Secretary Knox say when this information first became available?

A. My recollection is on Saturday, the 6th of December.

Did Secretary Knox ever mention to you the fact that he knew on the 6th of December, as distinguished from the 7th of December when you first learned of this message, the fact that he knew that the Japanese Ambassador was to ask for an appointment with the Secretary of State at 1 o'clock Sunday?

A. He did not.

173. Q. Do you feel that if he had had that information, he would have brought it to your attention?

A. I certainly feel that he would have.

Recross-examined by the interested party, Rear Admiral Husband E. Kimmel, U. S. Navy (Ret):

174. Q. Referring to one of the questions asked you, Admiral, did you know whether or not the report that General Short made to the War Department subsequent and as a result of the message to him under date of 27 November was ever sent to the Navy Department—in particular, the War Plans Division of Chief of Naval Operations?

A. No, I don't. My earliest recollection of that is at the time of the Roberts Commission.

175. Q. You said this morning in substance that if the Army had had more fighter planes in the air Sunday, 7 December, the results of the Jap attack might have been mitigated to some extent?

A. That's right.

176. Q. On the 26th of November, in a dispatch to the Commander-in-Chief of the Pacific—this dispatch is Exhibit 18 in the record—you stated: "OpNav has requested and Army has agreed to station 25 Army pursuit planes at Midway and [806] a similar number at Wake, provided you consider this feasible and desirable." When you sent that message, when you took the action stated in this message, did you have in mind the possibility of the effect of more pursuit planes to which you made reference this morning?

A. The answer I made this morning was that if the Army had word that an attack was coming in and if they had used the fighters they had to intercept it, that the damage resulting from the Jap attack would probably have been far less.

177. Q. Diminution of the number of fighters that they had had by fifty would have reduced the effectiveness of their defense, would it not?

A. If the planes had been taken from Oahu without replacement, it would have.

The proceedings following, pages 807 through 808, inclusive, have, by direction of the court, been extracted from the record and deposited with the Secretary of the Navy. This action was taken in the interest of national security and the successful prosecution of the war.

[809] Examined by the court:

186. Q. Referring to this memorandum which has been mentioned in testimony here which the Secretary of the Navy had, noting that 1 o'clock, 1 p. m., was dawn at Honolulu and midnight in Manila, did you discuss this, or did this fact come to you, or did you consider this fact on Sunday morning, December 7?

A. Taking the first part of your question, yes. I never heard of the memorandum until my present visit to Washington. Of course, when we talked of the possible coincidence of 1300 with an attack, although the message contained nothing regarding an attack or where it would fall, naturally I made a quick mental guess of what time it would be in Pearl Harbor, which was 0730.

187. Q. But this did not influence your decision to confer with Admiral Kimmel as soon as possible?

A. By telephone, no, it did not. I didn't think of the telephone. We thought only in terms of the radio. I say, "we." I did not, and nobody else mentioned telephone to me.

188. Q. These questions are in order to clear the record. In previous testimony, when this note of the 26th of November—the note of

the Secretary of State to the Japanese—was handed to the Japanese, this question was asked you—were you familiar with this note? You said in substance, “this is the first time I have ever heard of this note.” This is the note from the United States Government to Japan. It seems now the statement has been made that you considered this note as more or less the final culmination of these negotiations.

A. Well, since then my attention has been called to the note and I have read it and I now know all about it. At the time the question was asked me, I hadn’t seen it and did not know about it. I also believe that I stated that the general tenor of it might have been discussed with me, as a result of the question you asked me this morning regarding Admiral Schuirmann, but when the question was first asked me, I want to make it plain—I did not recall it.

189. Q. The question was asked, having knowledge of the testimony in which you were shown the note and asked to read it, and after you had read the note, you said, “No,” you had no knowledge of it, and this was the first time you had any knowledge of it—and that is why this question was asked—in order to clear the record.

A. Well, it was certainly the first time I had ever read it.

None of the parties to the inquiry desired further to [810] examine this witness.

The court informed the witness that he was privileged to make any further statement covering anything relating to the subject matter of the inquiry which he thought should be a matter of record in connection therewith, which had not been fully brought out by the previous questioning.

The witness stated that he had nothing further to say.

The witness resumed his seat as interested party.

The court then, at 2:25 p. m., took a recess until 2:35 p. m., at which time it reconvened.

Present: All the members, the judge advocate and his counsel; all the interested parties and their counsel, except the interested party, Admiral Harold R. Stark, U. S. Navy, whose counsel were present. Frederick T. Latchat, yeoman first class, U. S. Naval Reserve, reporter.

No witnesses not otherwise connected with the inquiry were present.

[811] A witness called by the judge advocate entered, was duly sworn, and was informed of the subject matter of the inquiry.

The proceedings following, pages 812 through 815, inclusive, have, by direction of the court, been extracted from the record and deposited with the Secretary of the Navy. This action was taken in the interest of national security and the successful prosecution of the war.

[815-A] The court then, at 2:45p. m., adjourned until 9:45 a. m., August 31, 1944.

PROCEEDINGS OF NAVY COURT OF INQUIRY

AUGUST 31, 1944.

[816]

TWENTY-THIRD DAY

NAVY DEPARTMENT,
Washington, D. C.

The court met at 9:45 a. m.

Present:

Admiral Orin G. Murfin, U. S. Navy (Ret.), President.

Admiral Edward G. Kalbfus, U. S. Navy (Ret.), Member.

Vice Admiral Adolphus Andrews, U. S. Navy (Ret.), Member.

Commander Harold Bieseimer, U. S. Navy, Judge Advocate, and his counsel.

Frank M. Sickles, yeoman first class, U. S. Naval Reserve, reporter.

Counsel for Admiral Harold R. Stark, U. S. Navy, interested party.

Admiral Claude C. Bloch, U. S. Navy (Ret.), interested party, and his counsel.

Rear Admiral Husband E. Kimmel, U. S. Navy (Ret.), interested party, and his counsel.

No witnesses not otherwise connected with the inquiry were present.

The record of the proceedings of the twenty-second day of the inquiry was read and approved.

One of counsel for an interested party was called as a witness, was duly sworn, and was informed of the subject matter of the inquiry.

Examined by the judge advocate:

1. Q. State your name, rank, and present station.

A. Royal E. Ingersoll, Admiral, U. S. Navy, Commander-in-Chief, U. S. Atlantic Fleet.

2. Q. What duties were you performing during the year 1941?

A. I was Assistant Chief of Naval Operations until the last two or three days of 1941. I do not recall the date on which I was detached as Assistant Chief of Naval Operations.

3. Q. As Assistant Chief of Naval Operations, what duties had been assigned you by law, regulation, or superior authority?

A. There were no duties assigned to the Assistant Chief [817] of Naval Operations by law or by regulation. The duties of the Assistant Chief of Naval Operations were prescribed in Office Orders issued by the Chief of Naval Operations. They were also described in a general order which established the Joint Board, of which the Assistant Chief of Naval Operations was a member. The duties prescribed in the orders of the Chief of Naval Operations I have not seen for some time, so I cannot quote them exactly, but in general they required the heads of the different divisions of Operations to take up matters of policy with the Assistant Chief of Naval Operations, before presenting them to the Chief of Naval Operations. He had general charge of the administration of the Office of Chief of Naval Opera-

tions. In carrying out those duties, during the time that I was Assistant Chief of Naval Operations, I endeavored to relieve the Chief of all of the details and onerous part of his duties that I could. Once he had established a policy, I endeavored to carry out the details, to sign correspondence in regard to it, to release dispatches in regard to it. However, if anything came in of which I thought he should have knowledge, I told him about it.

4. Q. Did you also act in an advisory capacity to the Chief of Naval Operations?

A. Yes, the Chief of Naval Operations often asked my advice, and on many occasions I considered it necessary to offer advice.

5. Q. Generally speaking, to what extent do you feel you knew what matters were transacted in the Office of the Chief of Naval Operations?

A. I knew in a general way what was being transacted in all of the sections of Operations.

6. Q. In matters which mutually concerned the State Department and the Navy Department, did you feel that you were in general familiar with what was going on?

A. In general, yes.

7. Q. Were you familiar with the sources of information available to the Chief of Naval Operations on political and military matters as they related to Japan?

A. In regard to political matters, I knew that the Chief of Naval Operations had a very close touch with the State Department, both by his personal contact with the Secretary of State, and other officers in the State Department, and through his liaison officer with the State Department, Captain Schuirmann. He received copies of the dispatches received by the State Department from our ambassador in Japan. We also received messages received from secret sources which bore on the political situation. In regard to the military situation, the amount of information regarding the military situation was not very much. For years it had been difficult to obtain any [818] information regarding the military situation, particularly in regard to the naval situation; and in some cases it was almost impossible to obtain the information as to where Japanese ships were. Two units had been set up—I don't know when—one in Cavite, and one in Pearl Harbor, with the object of obtaining information regarding the whereabouts of Japanese ships through radio intelligence and radio direction finders; and that, during the last part of 1941, was practically the only source of information that we had regarding Japanese ships, and it was in many cases not complete. Occasionally we got an intelligence report from the Chinese which gave the location of ships sighted in China, and occasionally we got a bit of information from the British or other nations.

8. Q. Do you feel that you were acquainted as a matter of general principle with this information when it arrived in the Navy Department?

A. In regard to the political information, yes. In regard to the military information, no.—I mean naval and military—because the mechanics for obtaining the military information were very complicated and only the results or the estimate made, after the receipt of bearings and analyses of radio traffic had been made, were given from

time to time to the Chief of Naval Operations. Those estimates were usually made in the War Plans Division, which followed the situation as best they could from the more or less meager information which was obtained.

9. Q. Did you see these evaluations or estimates that were finally produced as a result of receiving all this information in the Navy Department from whatever source it might have originated?

A. I don't know that I saw them all. I used to examine the plot in the Ship Movements Division on which the location of Japanese ships and other Axis ships were plotted. Whenever there was a significant move, I believe I was informed by Admiral Turner or by the Office of Naval Intelligence, but I did not see the daily intercepts on which this information was based.

10. Q. Will you state in general what was the method of processing information that came in through these sources or through the Office of the Chief of Naval Operations?

A. I do not know the details of how the information was handled in the communications office before it was presented to the Director of Naval Intelligence and to the Director of War Plans. As I have stated before, the information, when it was received, was evaluated and prepared in the form of memorandum estimates of the situation and were given to us when there was any significant change of which we should be informed. Also the positions were plotted on the Operations [819] plotting sheet when they knew where anybody was.

11. Q. What I am trying to get at specifically, Admiral, is did you see these final evaluations or estimates after they were made in War Plans or by the Director of the Office of Naval Intelligence?

A. I saw some of the estimates on some occasions. At the Secretary's conferences in the morning, the question of the location and dispositions of the Japanese Fleet, the German and Italian Fleet, as we knew it, were sometimes presented either by the Director of Naval Intelligence—sometimes the Director of War Plans would comment on them. Political developments were discussed at various times. There was no set routine method by which the information, either political or military, was processed daily or at any routine time. It was distributed and given to the officers when there was anything important enough to give.

12. Q. Do you recall Lieutenant Commander Kramer, who appears to have had some liaison duties in this connection?

A. Yes, I recall an officer who had liaison duties in this connection, and I believe the officer who used to bring messages to me was Lieutenant Kramer.

13. Q. How did the Chief of War Plans Division assist the Chief of Naval Operations in the performance of the Chief of Naval Operations' duties?

A. The duties of the Director of the War Plans Division are enumerated in the Office Orders to which I have referred. From memory, the orders required the office of War Plans, as a primary duty, to prepare war plans, to review the contributory plans which were submitted to the commanders of fleets and naval districts. The Director of War Plans was also a member of the Joint Board, Admiral Turner, who was then Captain, who was the Director of

War Plans, conferred frequently with the Chief of Naval Operations on both the political situation and on the military-naval situation as he saw it, and kept him advised.

14. Q. Do you know whether the War Plans Division maintained a current estimate of the situation as it related to the Japanese-United States relations?

A. It made a current estimate, or it kept a current estimate of the military-political situation. To what extent it kept a political estimate my recollection is not so good, except that I do recall that Admiral Turner conferred frequently with Admiral Stark on the political situation, also accompanied him to various conferences from time to time in the State Department, on the political situation. In general, you can say that the War Plans Division did keep in touch with the political situation.

[820] 15. Q. As you look back on these circumstances and these estimates, how do you characterize them from the standpoint of their accuracy and helpfulness to the Chief of Naval Operations?

A. As I stated in answer to a previous question, the military-naval information was meager, and there were sometimes differences in the opinion of the agencies who collected the information. The Navy Department itself had no other means outside of the two agencies for collecting naval information except an occasional dispatch from the British or the Chinese. That information, incidentally, was always available at the same time to the Commander-in-Chief of the Asiatic and the Commander-in-Chief of the Pacific Fleet. The CNO's contact with the Secretary of State should have given him the most accurate information regarding the political situation that anybody could have had.

16. Q. Do you feel that you were acquainted with the major problems of the Pacific Fleet during the year 1941, as they related to personnel, matériel, and operations?

A. Yes, in a general way, although I was more acquainted with the details of operations than I was with the details of personnel and matériel. I might add in amplification to my answer to the question regarding the duties of the Chief of Naval Operations that I had no original cognizance of any matter, that all original cognizance was taken up by the Chiefs of Sections. I only endeavored to keep in general touch with the whole thing, and to assist the Admiral as I could in taking the load of details off of him.

17. Q. During the period 1 October, say to 7 December 1941, what did you consider to have been the paramount mission of the United States Pacific Fleet?

A. The Pacific Fleet was assigned certain tasks in the current war plan. The war plan, of course, was not to be executed until there was a declaration of war or until a message had been sent executing the war plan. Until that was done the primary mission of the Pacific Fleet, as well as all of the other fleets of the United States, was to prepare to carry out their tasks which were assigned in the plan, which included training and preparation of subordinate plans to carry out the war plan, also getting the ships in the best material condition, making alterations to them to bring them up to date. In general, to prepare for war.

18. Q. Did any development of United States-Japanese relations take place prior to 7 December 1941, which caused a change in this peace time mission that you have just described?

A. From what date?

[821] 19. Q. Any time prior to 7 December of that year,

A. On November 27, the Chief of Naval Operations sent a dispatch to all commanders-in-chief which stated that the diplomatic relations or negotiations with Japan had ceased, that he thought war was imminent, and that dispatch was prefaced by the words, "This is a war warning." From that time on, it seemed to me that the mission of all fleets was to get ready for war—that the training and material preparations were of secondary importance to security and deployment for war.

20. Q. While we all know that the air force of the Pacific Fleet was a part of the Fleet, and what you have previously testified as to the general mission of the Fleet in war time probably did apply as well to aircraft as to ships, but I want to bring out specifically what your opinion was to whether or not the mission of the air force of the Pacific Fleet was any different from that of the ships constituting the fleet?

A. Since the air force of the Pacific Fleet was a part of the Fleet, I consider that in general the tasks of the air force of the Pacific Fleet would have changed in the same manner as the ships, except that there were certain parts of the air force of the Pacific Fleet that were to be used in connection with the coastal defense, or frontier defense, of the Hawaiian District.

21. Q. Prior to 7 December 1941, what was your view of the possibility of a Japanese surprise attack on the United States in the Hawaiian area?

A. It was always a possibility.

22. Q. What was your view during this same period of the possibility of a surprise attack on the United States Fleet in Pearl Harbor?

A. It was a possibility.

23. Q. What was your view at that time of the possibility of a surprise torpedo plane attack on the ships of the United States Fleet in Pearl Harbor?

A. It was a possibility, and it occurred.

24. Q. From your discussions with the Chief of Naval Operations during the latter part of the year 1941, did he express to you at that time his views of the possibility of a surprise torpedo plane attack on ships of the United States Fleet in Pearl Harbor?

A. The first time of which I have any recollection, and of course it is now hindsight, was that a letter was prepared in the War Plans Division of Operations, to the [822] Secretary of War, in which was enumerated the various forms of attack that might be made on the United States Fleet in Pearl Harbor, and among those was a torpedo plane attack, a bombing plane attack, and others. Admiral Stark most certainly must have discussed that letter with the Secretary before it was signed, and I do know that there were discussions at Joint Board meetings regarding the vulnerability of Pearl Harbor, subsequent to the time this letter was dispatched and

subsequent to the time that the Secretary of War's reply to the letter was received.

25. Q. Do you know if there was any consensus of opinion in the circle of officers in the responsible positions in the Office of Chief of Naval Operations or in the Navy Department, who had any decided views on the possibility of a surprise torpedo plane attack on the Fleet at Pearl Harbor about this time, during 1941?

A. I think it was considered by officers in Operations that a torpedo plane attack on the ships at Pearl Harbor was a possibility.

26. Q. Can you recall whether or not this matter was discussed with frequency?

A. I can't remember how often it was discussed, but I do recall that after the receipt of the reply of the Secretary of War there were discussions regarding the security of ships at Pearl Harbor. The thing that I recall most is arguments about balloon barrages and the use of smoke; but I do recall the question of security did come up from time to time—but how often and just when, I do not now remember.

27. Q. Had the question of anti-torpedo nets been discussed in connection with the protection of the fleet at Pearl Harbor?

A. There was correspondence with the Bureau of Ordnance which was transmitted to the Fleet, regarding torpedo nets and the depth of water in which torpedoes launched from planes could run.

28. Q. Can you recall whether or not the matter of supplying anti-torpedo nets for the protection of ships in Pearl Harbor was pressed by the Office of Chief of Naval Operations prior to 7 December 1941?

A. Without looking up the correspondence on the matter, I recall at the moment that inquiries were addressed to the Fleet, or possibly to the 14th Naval District, regarding the use of torpedo nets to protect ships moored at Pearl Harbor from airplane torpedoes. At first I believe that the Bureau of Ordnance was of the opinion that the water in [823] Pearl Harbor was too shallow for torpedoes to run, and also there was objection from Pearl Harbor—I do not recall now whether from the Fleet or from the 14th naval district—that torpedo nets were objectionable from the standpoint of making it difficult for ships to get clear of the nets in going out in an emergency, also that they would interfere with the take-off of seaplanes in the very restricted areas of the harbor. I also recall that at some subsequent time the Bureau of Ordnance modified their previous estimate regarding whether or not torpedoes would run in waters as shallow as that in Pearl Harbor; and their second estimate was more or less to the nature that it was possible for torpedoes to be launched successfully, provided they had a sufficient distance to run in which to arm themselves. I can't be definite on these things, because I haven't examined the correspondence recently.

The proceedings following, pages 824 through 842, inclusive, have, by direction of the Court, been extracted from the record and deposited with the Secretary of the Navy. This action was taken in the interest of national security and the successful prosecution of the war.

[843] Cross-examined by the interested party, Admiral Harold R. Stark, U. S. Navy:

118. Q. Admiral, do you recall whether or not there was a scrambler telephone in the Office of Chief of Naval Operations which connected with the Office of the Commander-in-Chief, Pacific Fleet, during the period between 27 November and 7 December, 1941?

A. I have no knowledge that there was any telephone of that character installed in the Chief of Naval Operations office on or prior to December 7th. So far as I know of my own knowledge the scrambler telephones were not connected with Fleet commanders until sometime after the first of January.

119. Q. Were there any so-called scrambler telephone facilities in Washington which would have been available to the Chief of Naval Operations had he desired to call the Commander-in-Chief of the Pacific Fleet in Honolulu or Pearl Harbor?

A. I understood that the War Department was connected with scrambler telephones with all of their Department commanders overseas and with their principal commanders within the United States. Whether they were corps area commanders or Army commanders, I am not certain.

120. Q. Would you tell the court whether or not you considered this means of communication a secure means of communication?

A. I have a scrambler telephone on my flagship at the present time and have had since early in 1942. I was informed, in regard to its use, that it would probably defy an amateur but that an expert could read the scrambled telephone conversation without difficulty.

121. Q. Do you know whether or not you or Admiral Stark, or both of you, had information of this type with respect to scrambler equipment before 7 December 1941? That is, specifically, did you have any information bearing on the security of the facilities between the War Department and the Commanding General in the Hawaiian Area?

A. The exact moment at which I learned that a scrambler telephone was not a secure means of transmission I have forgotten. I probably knew it when I was in Washington.

122. Q. Do you recall whether the Office of Chief of Naval Operations made use of scrambler facilities much at that time?

A. As far as I know, the Navy Department did not install scrambled telephones until sometime early in 1942.

123. Q. And didn't make use of the War Department's facilities at that time?

A. So far as I know, Admiral Stark did not, prior to December 7th or prior to my detachment, use the scrambled telephone in the War Department. Whether anybody else in [844] the Navy Department used it, I don't know.

124. Q. Admiral, I hand you Exhibit 4, which is WPL-46, and ask you to refer to Articles 3721 and 3722, and to read those two articles to the court?

A. (Reading):

3721. a. Mobilization comprises two steps, viz:

1. Timely assembly at assigned Mobilization Districts of the forces to be mobilized preparatory to 2;

2. Preparation for war service. This is a function of the Shore Establishment assisted to the extent practicable by the forces being mobilized, and is provided for in Part IV of this plan.

b. Under this plan the term "mobilization" is applied only to the Operating Forces and the Services, including their units ashore. The Shore Establishment does not mobilize, but, as stipulated in Part IV, increases its personnel and facilities as required to perform its assigned task.

c. Mobilization is thus not a process confined exclusively to the initial days of the war but continues as long as there are additional forces to be mobilized. During and subsequent to mobilization, vessels and units are supported through the operation of the maintenance provisions of Part IV.

3722. Most of the Naval Forces listed in the current Operating Force Plan have already been mobilized at the time of issue of this plan. Vessels so listed, even if not completely mobilized on M-day, will be considered available for immediate war service within the limits of their capabilities. They will complete their mobilization progressively as opportunity permits, and as directed by their superiors in command. Exceptions may be made by direction of the Chief of Naval Operations.

125. Q. I refer you now to Page 7, Articles 0222 and 0223, and will ask you to read those two articles to the court. That is Exhibit 4, which is WPL-46.

A. (Reading):

0222. Mobilization may be directed prior to directing the execution of this plan or any part thereof. The order to mobilize does not authorize acts of war.

[845] 0223. This plan may be executed in part by a despatch indicating the nations to be considered enemy, the tasks to be executed, or excepted, and the preliminary measures to be taken in preparation for the execution of the entire plan or additional tasks thereof.

126. Q. Referring to Article 0222. Would you explain why it was that mobilization of the Fleet was not ordered prior to 7 December 1941?

A. There were two principal reasons why mobilization, according to the provisions of this plan, was not directed prior to the 7th of December. One was, as stated in the subsequent part of the plan, the Fleet was practically mobilized during the latter part of 1941. Every ship that could be gotten ready was being commissioned, and as far as ships and planes were concerned, the Fleet was mobilized as much as it could be. There was another very definite reason, and that was the one to which I have referred before, that this government did not wish to take any action which could be construed as an overt act by this government leading to war, and mobilization has always been recognized as one of the steps preliminary to war and that usually prior to a declaration of war. There are also some other reasons. There were certain provisions which could not be carried out legally until war was declared.

127. Q. Referring, then, to Article 0223 on the same page. Would you explain the reasons for not executing WPL-46 in part prior to 7 December 1941, or not ordering the execution of WPL-46 in part prior to 7 December?

A. I can't now think of any reasons why it should not have been done. On the other hand, I can think of no reason why it should have been done. May I amplify that by saying that I can think of no technical or mechanical reasons so far as putting the Plan in operation was concerned as to why it should not have been done, nor can I think of any reason why it should have been done. The reasons for not directing the mobilization or a partial mobilization were, as I have stated in the answer to the previous question, the Fleet was already mobilized for all practical purposes, and the other reason for not ordering the mobilization was political.

128. Q. Admiral, do you think that the plan as it was written was designed for partial execution? Perhaps I can state what I am driving at in a different way. Do you think that the war warning dispatch was more likely to get the results which the Chief of Naval Operations wanted than would an order to partially execute WPL-46?

A. The intent of the war warning dispatch was to place everybody on the alert and to indicate to them that the Chief of Naval Operations then considered that war was imminent.

[846] Cross-examined by the interested party, Rear Admiral Husband E. Kimmel, U. S. Navy, (Ret):

129. Q. Who prescribed the policy, Admiral, that the first overt act should rest with the Japanese?

A. I'm quite certain that that was a policy of the State Department, but whether they received their directive from a higher authority I am unable to state.

130. Q. Was that policy of not having the United States commit any overt act, or the first overt act, related in any way to the lack of dissemination of some information to the Commander-in-Chief?

A. I think not. I think the reason is the same reason as I have stated before, viz, to keep the record clear and to put the onus for the declaration of war on the Japanese.

131. Q. I'm afraid you didn't quite get the question, Admiral. Was this policy of extra-ordinary caution that the United States not commit the first overt act in any way related to the fact of not disseminating certain information to the Commander-in-Chief of the Pacific Fleet?

A. I don't see any connection.

Cross-examined by the interested party, Admiral Claude C. Bloch, U. S. Navy, (Ret):

132. Q. Admiral, I show you Exhibits 54, 55, 45 and 49, and ask you if those are the letters that you were speaking about in your direct testimony on the subject of torpedo nets? Are those the letters that you had reference to this morning?

A. Yes, they are the letters to which I referred.

133. Q. Just one other question. In WPL-46, Sections 0221 and 0222, Exhibit 4, it is also provided that a preliminary period of strained relations of uncertain duration is anticipated during which time certain preliminary steps provided for in this plan may be directed by the Chief of Naval Operations. No such orders were given during the period up to December 1941, were they?

A. The period of strained relations had been going on for a long time. It was getting worse. On October 16, when the dispatch regarding the resignation of the Japanese Cabinet was sent to the three commanders-in-chief, that dispatch contained these words, "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." The dispatch of November 27th stated, "Execute an appropriate defensive deployment preparatory to carrying out the tasks assigned in WPL-46." I consider that those two directives taken together constitute the part of 0221 which states that "certain preliminary steps provided for in this plan may be directed by the Chief of Naval Operations."

[847] 134. Q. You were not familiar at the time, were you, Admiral, with what Admiral Stark wrote on, I think, the 17th of October as to his interpretation of the October 16th message which he wrote to the Commander-in-Chief, Pacific Fleet?

A. I saw some of Admiral Stark's personal letters to the various commanders-in-chief. Whether I saw that particular letter before

it was sent, or a short time after it was sent, I do not now recall. The first definite information of seeing that letter was since I have been counsel for Admiral Stark. I probably did see it.

Examined by the court:

135. Q. If the correspondence in question were handed you—it now being Exhibit 38 before the court—will you kindly read the reference to Admiral Bloch's question?

A. It is the second paragraph of the October 17th letter to Admiral Kimmel, from Admiral Stark, Exhibit 38 in evidence (reading):

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 to me considerably. Perhaps I am wrong, but I hope not. In any case after long pow-wows in the White House it was felt we should be on guard, at least until something indicates the trend.

The court then, at 12:30 p. m., took a recess until 1:45 p. m., at which time it reconvened.

Present: All the members, the judge advocate and his counsel; all the interested parties and their counsel, except Admiral Harold R. Stark, U. S. Navy, interested party, whose counsel were present. Frank M. Sickles, yeoman first class, U. S. Naval Reserve, reporter.

No witnesses not otherwise connected with the inquiry were present.

Admiral Royal E. Ingersoll, U. S. Navy, the witness under examination when the recess was taken, entered. He was warned that the oath previously taken was still binding.

Examination by the court (Continued):

136. Q. Admiral, you have spoken of the areas of possibility of attack. In fact, if we remember correctly, in a part of your testimony you said that an attack on Hawaii was possible. Now, referring again to this war warning: Did you or the Office of Operations think that an air attack or other form of attack was probable on Hawaii or Oahu?

A. Answering first for myself, I did not think that an air attack on Hawaii was probable. I did think that whenever war came and regardless of how it was precipitated, that there would be numerous submarines around Hawaii, on the line of communications between Hawaii and the West Coast, possibly on the West Coast, and I expected that there might be raids against the outlying islands in the 14th Naval District.

[848] 138. Q. In view of this, Admiral, did you think that the probable attack, if any, in the Hawaiian area and especially Pearl Harbor, would be confined to an attack other than that of air?

A. I did not expect that the attack on Pearl Harbor or Oahu would be an air attack. I expected that any attack that might be made on Pearl Harbor or the Hawaiian group would be other forms of attack—submarines, or raid by surface forces.

138. Q. You have spoken of conferences in the Secretary's office relative to the political as well as naval situation vis a vis Japan. Do you remember if in any of these conferences the question of unity of command of Hawaii was brought up?

A. No. Questions of that kind would ordinarily not have been brought up at a gathering of this kind, because here gatherings were purely for the purpose of acquainting those present with the political and military situation, and they included such officers as the heads of bureaus and others who had nothing whatever to do with questions of that kind. I think it was not the proper place to bring that up.

139. Q. We are not referring to that specific type of conference, but we understood that from time to time you were in on conferences with the Secretary and Chief of Operations regarding the general situation; is that correct?

A. When I spoke of conferences in the Secretary's office, I referred without exception to the morning conference which was held for the benefit of everybody in the Department. I was not referring to a special conference for a particular purpose.

140. Q. Well, at any time was this question of unity of command ever discussed by the Chief of Operations with you as to a possible action of placing unity of command in effect in Hawaii?

A. I recall no conference with the Chief of Naval Operations, in which the Secretary was present, where that subject was discussed. In drawing up the war plans, there had always been the question of command relations as between the Army and Navy. I think the Navy would have agreed to unity of command in any area had it been vested in the Navy, and the Army would have agreed to unity of command in any area had it been vested in the Army, but I don't know of any occasion where those two points of view could have been reconciled. I am certain that the Navy would not have agreed to unity of command in the Hawaiian area under the Army.

141. Q. Are you familiar with the Army and Navy Joint plans for defense of Honolulu and Pearl Harbor?

A. Do you mean the provisions in Joint Army and Navy action, or do you mean the specific subordinate plans which were prepared in accordance with the war plan?

[849] 142. Q. No, Joint Navy and Army action.

A. Yes, I am familiar in a general way with that.

143. Q. In that plan, who do you consider was responsible for the defense of Oahu and Pearl Harbor?

A. May I read from the pertinent parts?

144. Q. I am asking your opinion.

A. There is no question about it. The Army was responsible, under Joint Army and Navy action, for the defense of the Pearl Harbor Naval Base.

145. Q. Admiral, you stated this morning, referring to the war warning dispatch of November 27, that after this war warning dispatch was sent, that you considered that this dispatch of 27 November changed the status in that training and materiel were secondary to training for war; is that correct?

A. As I recall the question, it was phrased in this manner—was there anything after the 27th of November which changed the mission of the Pacific Fleet? I do not think that is the meaning that I intended to convey.

146. Q. In general, then, if I may put it another way, did you think this dispatch of 27 November, having been sent, would change the general policy of the Fleet in its training, as existed prior to the receipt of this dispatch?

A. I considered that the receipt of that dispatch would require additional tasks by the Fleet; that is, security of itself, readiness for any eventuality, and to that extent training or other readiness might have to suffer to some extent. I do not wish to give the impression that all training should have stopped or all efforts to increase the

materiel readiness of the ships should necessarily stop; but in order to do things of that kind, the training which had been carried out might have to suffer to some degree.

147. Q. Do you consider that the dispatch of OpNav to Commander-in-Chief Pacific Fleet, as of October 16, implied the same in that regard as this war warning message?

A. The dispatch of October 16 had directed the Commander-in-Chief of the Pacific Fleet to make certain dispositions and it is my recollection that he informed the Chief of Naval Operations of what dispositions he had made and which were considered satisfactory.

148. Q. But did you consider after November 27 that additional measures should be taken, in addition to what he had already reported?

A. I considered that after November 27, that any measures necessary to be on guard against any eventuality—that is of security of the Fleet—were then of primary importance; and those measures applied not only to the [850] Pacific Fleet but the Asiatic and Atlantic Fleets as well.

149. Q. Did not the war warning message enjoin the assumption of a state of readiness to conduct offensive operations in accordance with WPL-46?

A. That dispatch stated: "Execute an appropriate defensive deployment preparatory to carrying out the tasks assigned in WPL-46." There were numerous tasks assigned in WPL-46, some of which were offensive, and some of which were defensive.

150. Q. Would you expand the meaning of the term, "defensive deployment"?

A. If I may read from the tasks assigned to the Pacific Fleet, the following tasks are defensive in character:

- 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.

That last phrase might be considered as offensive. Another task was to (reading):

- h. Protect the territory of the associated powers in the Pacific area and prevent the extension of enemy military power into the western hemisphere by destroying hostile expeditions and by supporting land and air forces in denying the enemy the use of land positions in that hemisphere.
- i. Cover the operations of the naval coastal frontier forces.
- k. Route shipping of associated powers within the Fleet coastal zones.

All of those tasks are defensive in character. The deployment to carry them out would have been the movement of the ships to carry out those tasks.

151. Q. But they do involve movement of ships. The word "deployment" involves that.

A. But also for the security of the Fleet at Pearl Harbor, it might require the stationing of patrols or the moving of aircraft squadrons to outlying islands, the stationing of submarines to detect the enemy's approach. All of such things might be termed "defense deployment."

152. Q. Admiral, on the morning of 7 December, was there any discussion as to 1 p. m. of that date being dawn at [851] Honolulu and midnight in Manila?

A. I do not recall any discussion regarding time until after we had received word that the attack had been delivered on Pearl Harbor, and then figured out what time it had been delivered.

153. Q. Do you remember about the hour that Admiral Stark entered his office on the morning of 7 December?

A. I do not remember the exact hour.

154. Q. Do you know the approximate time that he came in?

A. No, I do not remember the time that he arrived at the Department that morning.

155. Q. Referring to this note of November 26, which the Secretary of State is supposed to have handed the Japanese representatives, were you familiar with that note at that time, or immediately subsequent thereto? This note was presenting the position of the United States to any future agreement.

A. On November 27, a dispatch was sent to the commanders of all fleets stating that negotiations with the Japanese had terminated. I presume, without a definite recollection of what transpired—I do not know that I was told in detail what had transpired—I believe that dispatch was sent because of the delivery of the Secretary's note to the Japanese, which could not be accepted by the Japanese. I am not able to determine how much of it I knew at the moment and how much of it I have learned since. I cannot differentiate between my knowledge of the two times.

None of the parties to the inquiry desired further to examine this witness.

The court informed the witness that he was privileged to make any further statement covering anything relating to the subject matter of the inquiry which he thought should be a matter of record in connection therewith, which had not been fully brought out by the previous questioning.

The witness stated that he had nothing further to say.

The witness was duly warned and resumed his seat as counsel to an interested party.

The court then, at 2:15 p. m., adjourned until 10:15 a. m., Saturday, September 2, 1944.

PROCEEDINGS OF NAVY COURT OF INQUIRY

SEPTEMBER 2, 1944.

[852]

TWENTY-FOURTH DAY

NAVY DEPARTMENT,
Washington, D. C., September 2, 1944.

The court met at 10:15 a. m.

Present:

Admiral Orin G. Murfin, U. S. Navy (Ret), President.

Admiral Edward G. Kalbfus, U. S. Navy (Ret), Member.

Vice Admiral Adolphus Andrews, U. S. Navy (Ret), Member.

Commander Harold Bieseimer, U. S. Navy, Judge Advocate, and his counsel.

Frank M. Sickles, yeoman first class, U. S. Naval Reserve, reporter.

Counsel for Admiral Harold R. Stark, U. S. Navy, interested party.

Admiral Claude C. Bloch, U. S. Navy (Ret), interested party, and his counsel.

Rear Admiral Husband E. Kimmel, U. S. Navy (Ret), interested party, and his counsel.

The record of the proceedings of the twenty-third day of the inquiry was read and approved.

The court then, at 10:20 a. m., took a recess until 10:25 a. m., at which time it reconvened.

Present: All the members, the judge advocate and his counsel; all the interested parties and their counsel except Admiral Harold R. Stark, U. S. Navy, interested party, whose counsel were present. Frank M. Sickles, yeoman first class, U. S. Naval Reserve, reporter.

No witnesses not otherwise connected with the inquiry were present.

A witness called by the judge advocate entered, was duly sworn, and was informed of the subject matter of the inquiry.

Examined by the judge advocate:

1. Q. Will you state your name, rank, and present duty.

A. George C. Marshall. General, Chief of Staff of the Army.

2. Q. What was your station and duty during the year 1941?

A. Washington, Chief of Staff of the Army.

[853] 3. Q. How long have you been performing this duty?

A. Since the first of July, 1939.

4. Q. Were you acquainted with the professional qualifications of Major General Short, who was assigned to the duty of Commanding General, Hawaiian Department, during the year 1941?

A. Yes.

5. Q. What was your estimate of his qualifications for the position he held?

A. Very superior officer.

6. Q. As Chief of Staff during the year 1941, had the military problems connected with the defense of Oahu and Pearl Harbor been brought to your attention?

A. They had.

7. Q. General, I am going to show you Exhibit 9, which is a letter from the Secretary of the Navy to the Secretary of War, under date of January 24, 1941. This letter sets forth the Navy's view regarding some of the major problems connected with the defense of Pearl Harbor. I ask you, were you made familiar with the contents of this letter shortly after its receipt in the War Department?

A. Actually, I returned from one of my inspection trips the morning the letter came over my desk, with the proposed reply to be submitted to the Secretary of War. The reply was not satisfactory to me, for the reason that it offered no help for some time to come; and I felt, speaking very frankly, that the letter from the Secretary of the Navy, in view of our tremendous shortages, was putting the Secretary of War in a very embarrassing position, and that under the circumstances we had to do something drastic to meet the situation. Therefore, I started in that morning, on my return, in relation to this letter, to see what things we might do without too ruinous results elsewhere. Do you wish me to go ahead?

8. Q. Yes, sir, go ahead, General.

A. I talked to General Arnold about the air part of the requirements; and at that time they had in Hawaii a small number of planes—50 fighter planes that were quite obsolete of vintage, and only 10 P-36's, which while more than an obsolete plane today and inferior to Japanese planes of that date, was the best we had, largely, in our air service. We arranged to take from our squadrons in the United States 36 of these planes, which reduced most of our fighter squadrons, if not all of them, down to two or three planes. That is my recollection at the time; and to that extent almost stopped training. I talked to Admiral Stark over the telephone [853-A]—I had to find out if we could get a carrier to take these planes out, because we had to take them down, pack them, and ship them, and it was the definite procedure. This occurred, as I recall, about the first week in February, 1941. I might add that we had a more modern plane, a P-40, but it was inadvisable to send out that because it had some deficiency in the engine which was producing a great many forced landings, and they thought that it would be a bad plan to have them in Hawaii with the over-water work, and they would have too many losses for peacetime operations. Some P-36's were sent on this carrier, which also took some marine equipment and some other equipment, and brought the Hawaiian Department at that time in February up to fifty P-36 planes. Further, I had General Arnold see the president of the Curtiss Plane Company, which was making the P-40's, and was bringing out a more modern, reliable-type, and he had him down here to see if they could turn out these planes at an earlier date than was then on the schedule. Whoever was the head of the Curtiss plant at the time did not feel that they could change the production program. When General Arnold reported this, I had him go to Buffalo and see the Curtiss people personally, and talk to a number of men in the plant as well as, of course, the president. They put on a sort of inspirational campaign there and moved their program up, I think, four weeks, maybe five. Meanwhile, I talked to Admiral Stark about an additional carrier, and he had, I think some naval requirements in relation to a carrier

if it came to the coast, and a particular time when it had to come if it was to come, which was March 15. Therefore our deadline at the Curtiss Plant was March 9, and they made it. We got the planes to San Diego and sent out these, the first of our most modern fighter planes, the P-40. I think it was 50 of these planes. However, that may be determined by the record. Furthermore, we went into the question of additional material—anti-aircraft, that nature. The reply of the Secretary of War gives what we said could be done in that relation. Now regarding the entire matter, at that time Hawaii was far and away the most heavily provided installation of ours in or out of the country, for defense. It had had first priority in the Army for years, and as to the number of troops and as to equipment, it was far beyond anything else we had. We had nothing in Alaska, and we were trying to provide something for Anchorage vicinity and Kodiak Island, and the Panama defenses were very seriously deficient. I would say off-hand if Hawaii was measured at that time as 100%, Panama was about 20%; so we had, aside from our commitments in the United States, to build up in Panama, and to make a complete start in Alaska. Along with that, a matter that pertains to this and was one of the personnel factors, was the fact that if we took this matériel away nobody could train; therefore, there was no expansion. Therefore we couldn't create units. Our great dilemma at that time was taking away the fighter planes, we couldn't have combat fighter training adequate to the needs. When we put additional aircraft into Hawaii, we [854] denied ourselves a very large training base for the tremendous expansion of some, I think, about 5000% that we were confronted with, so it was not only the ordinary consideration of availability of equipment, but it was the fact that we couldn't create an Army if we had nothing to train with. Of course, we had the same difficulties with ammunition, and again there we gave to the Navy the priority on the anti-aircraft, because they had to be prepared to go to sea on a moment's notice, which resulted in our own availability being so seriously reduced that we sent our anti-aircraft and some of our other units—particularly anti-aircraft—in the Tunisian campaign, deplorably deficient in their ability to shoot, because they had no ammunition with which to conduct practice in this country, because the priority had to go to the Navy, and those proportions to Great Britain and others to save the various crises throughout the world. All of that related to this letter. Does that answer your question?

9. Q. It does, very well, General. I would like to ask you further, if that takes you up to about the end of the year 1941, so far as the augmenting of aircraft in Hawaii is concerned?

A. There was additional aircraft sent to Hawaii the minute the quantity production came into being. I didn't refer, as I should have in my previous answer, to the fact that in the Philippines we had little or nothing in the way of aircraft. We didn't push the Philippines at all. We denied the Commander in the Philippines increases because we couldn't jeopardize things here at home and Hawaii for something at that distance, and we were also considering the Atlantic side and considering the threat of all the fifth column movement in Latin America, and the approaches of the Germans through Casablanca and Dakar, with ominous forebodings that we had in regard to that region; so we

came to a time between this February period I spoke of and December 1941, when we turned to shipment to the Philippines to try to give them some adequate defense. I think the first materiel shipments of any kind went—were actually started—in about April, and those were some pursuit planes that we got out there, and then we began to send a few other things. It was not until the latter part of August that we started the big planes through to the Philippines—the four-engine bombers—and then we were accumulating supplies to try to put them in a state of defense that would deter Japanese action to the south of the Philippine Archipelago. I might add that it had been the desire—it was pressed by Admiral Stark on several occasions, on numerous occasions—to have us increase the garrison, the strength of our Army, in the Philippines. I think the general expression that I used in declining to agree with him in that action was that what we sent to the Philippines was seed corn, and that left us nothing back here at all—if we sent [855] the regular troops we had literally nothing for any expansion, and we had to send regular troops. There wasn't anything else we could send. We had a great many limitations on personnel at that time, but the main factor was the complete lack of adequate equipment, and until we had quantity production in full blast for a period of time, we were estopped from making these various moves; so this letter from the Secretary of the Navy was a very difficult one for the Secretary of War to answer, as it only related to one place, and that place was the one spot where we had done more during the preceding years than at any other place.

10. Q. You have touched, General, on the subject of antiaircraft guns in the Hawaiian area, and what you did immediately after the receipt of the Secretary of the Navy's letter, Exhibit 9, which you were shown. Would you briefly carry us through the year 1941, of the efforts of the Army to bring its anti-aircraft groups up to requirements?

A. There had been ordered for Hawaii 110 3-inch, 144 37-millimeter, and 516 50-calibre. This project was about four-fifths complete in 3-inch anti-aircraft guns and about one-fifth complete in the lesser calibres, by December 7.

11. Q. State what the general requirements were in the Hawaiian Department for pursuit ships and long-range bombers?

A. The Hawaiian project called for 148 pursuit planes. The Air Force Commander asked for 180 long-range bombers. Our shortages prevented our reaching any such figures. In May, 1941, we had considered the B-17's a major objective. Our records show that on December 7 there were 12 B-17's, 99 P-40's, 46 P-36's—the last two being pursuit planes—in Hawaii. These numbers were attained, to a great extent, by stripping the squadrons in the United States.

12. Q. What service was charged under current orders, plans, and joint agreement, for the defense of the Naval Base at Pearl Harbor?

A. The Army was to hold the land, seacoast, and air against attack. The Joint Coastal Frontier Plan of April, 1941, stated the Commanding General, Hawaiian Department, should provide for beach and land, seacoast and anti-aircraft defense of Pearl Harbor and the Navy and Army installations of Oahu, as well as for anti-sabotage measures and aircraft warning service for the Hawaiian Islands.

13. Q. Can you state what the Navy responsibility was in connection with this plan?

A. The Navy was charged with certain security measures which included the maintenance of long-distance plane patrol and searching operations, establishment of inshore patrol, destroyer patrol, boom patrol; the organization of minesweeping patrol; the organization of an air striking force to search for an attack hostile surface ships; the organization of air defense groups for the control and distribution of anti-aircraft fire of all ships anchored in Pearl Harbor.

[356] 14. Q. During the year 1941, were there frequent conferences between yourself and Admiral Stark on questions affecting the defenses in the Hawaiian area?

A. Yes.

15. Q. What can you say of the freedom of discussion of these problems and the spirit of cooperativeness between the Army and Navy, as you saw these matters?

A. The discussions were entirely free. The desire, certainly between Admiral Stark and myself, was pronounced along the line of cooperation. At the same time when you came to these things you found within the machine all sorts of difficulties which are inherent in the present organization, with which I am not at all in agreement.

16. Q. What is your knowledge of the spirit of cooperation between the Commander-in-Chief of the Pacific Fleet and the Commanding General of the Hawaiian Department in relation to military matters of mutual interest in the Hawaiian Department during the year 1941?

A. At my end of the line it appeared that they had an excellent understanding. I have here a letter from General Short, of February 1941, to me personally. He says: "Since assuming command I have had two conferences with Admiral Kimmel and two with Admiral Bloch. I have found them both approachable and cooperative in every way. A series of joint committees consisting of Army and Navy officers has been appointed with a view to the study of cooperation of the Army and Navy especially with reference to employment of air and aircraft." On the 14th of April, again, "I have found both Admiral Kimmel and Admiral 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. The Navy has felt very much encouraged by the increase in our air and antiaircraft defense." Now, that letter I replied to on May 5, "It is evident that you have been on the job, and I know that the Navy is delighted to have such generous cooperation." Later, reporting on recent maneuvers, General Short stated in a letter on May 29, "The Navy cooperated very fully during this phase and I believe we learned more about the coordination of Army Air Force, Navy Air Force, and antiaircraft than we had during any previous exercise.

17. Q. In the light of all you now know, have you any criticism to offer of this cooperation between General Short and Admiral Kimmel?

A. I know of nothing. I might say in that connection that when that tragedy occurred, my whole attention was turned to other things from that instant, and I didn't see a record or look at a thing until, as a matter of fact, the last day or two, trying to get something for this board—so I haven't probed into the matter. I was busy with something [357] else. That was water over the dam.

18. Q. Prior to 7 December 1941, and I mean by that, say the last three or four months prior to that time, what was the state of development of the aircraft warning system in the Army in Hawaii? I mean as judged by present standards.

A. The equipment was the best available, and has not been greatly improved since. I make that statement with some hesitancy. It was provided for me, and I assume it is correct. Twelve detector stations were projected for the Hawaiian Department; three fixed and six mobile had been shipped by December 7, 1941. I have not the dates of the arrival of the installations, but the structures in which they were to be installed were under the urgent requirement of being completed in June. It should be easily possible to obtain the dates of the receipt and installation in the Hawaiian Department, or here in the War Department. With further reference to the matter of radar, or the air warning service. In August of 1940 the War Department approved a plan for complete air warning service for Hawaii, for five mobile and three fixed stations, which was later increased to six mobile and six fixed stations, the increase being agreed to on May, 1941. Preliminary arrangements in 1940, looking toward installation of the detector stations, were going forward when General Short took command on February 7, 1941. On March 6, General Short, in a personal letter, emphasized the need for expedition in setting up the aircraft warning service and stated that, "in 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." He went on to say that difficulty had arisen with the Interior Department in obtaining the authority to set up the detector station in the national park of Halekulai. That particular difficulty was settled in May, 1941, but only after I had personally taken it up with the Interior Department. In preparation for the aircraft warning service in the areas to which it was assigned, a course of instruction in air defense tactics and doctrines was conducted by the Air Defense Command in April, 1941. The course was based upon the lessons learned by observers in England, and on the experience of the Air Defense Command during the exercises in the northern United States in January, 1941, and represented the latest thought on air defense, including air warning service plans and operations. On March 5, 1941, I wrote to General Short stating that I "would appreciate your early view of the situation in the Hawaiian Department with reference to the defense from air attack," and that it was highly material for representatives from Hawaii to be present to observe air defense exercises planned for the west coast in the spring. General Short answered on March 15, outlining the situation in his department in re- [858] gard to air defense in some detail, and stating that he proposed to send both General Martin, Commanding Hawaiian Air Force, and General Gardner, Commanding the Hawaiian Coastal Defense, or as alternates their executives. This letter I answered on March 28: "Anti-aircraft and aircraft warning service matériel to meet your project requirements is expected to be available for delivery as follows: 16 3-inch anti-aircraft guns, December 1941; 115 37-millimeter anti-aircraft guns, February 1942, and a blank number of 50-calibre guns." (The number is missing from the record here) "4 SCR No. 268 radar, in April of 1941; 5 SCR No. 270; and 3 SCR No. 271, in April and May 1941. I am hopeful arrange-

ments for materially augmenting your anti-aircraft artillery to provide for full strength of units of armament available to you can be made. Coastal artillery reinforcements will be held in the United States unless the situation in the Pacific becomes more acute." I might insert there that as we took them out of the United States, we lost the power of training people. That is the reason we were hesitating between the shipment of it and the proposal to send General Martin and General Gardner, or their executives, to the west coast defense exercises. Due to various reasons the exercises were postponed until Fall.

19. Q. Prior to 7 December 1941, had you given any consideration to the matter of effecting unity of command in the Hawaiian area?

A. Yes, almost continuously.

20. Q. Had you discussed the matter with Admiral Stark or other responsible naval officers, and if so, what were the results?

A. We discussed it on a great many occasions, and these discussions usually developed a multiplicity of complications. I recall that I first proposed a unity of command under the Navy in Alaska and the Aleutians, as a first step toward getting straightened out in Hawaii and the Panama Canal. In each case, there were always so many minor objections or complications that we failed to arrive at a decision. I might say always that under unity of command, you can get immediate agreement if the other fellow exercises the command, and that refers to the British and ourselves also; and that is something I have become somewhat of an expert in dealing with all over the world. But it is the minor objections that create the great difficulty, because there are a multiplicity of those. However, in my opinion they were always exceedingly minor, and the great practical factors are hidden behind this screen of complications, suspicions of one service of the other. Stark and I were pretty much in agreement all the time, but in great departments like the War and Navy Department, you don't do things like that by ukase.

21. Q. I refer you to the publication, "Joint Action of Army and Navy 1935," with special reference to section 3, [859] article 31, subparagraph (D), the last sentence of which reads, "Long-range air reconnaissance will be provided and plans made for the use of the General Headquarters Air Force." We have had in this court some difficulty of understanding what this General Headquarters Air Force is and what it was to be used for.

A. The G. H. Q. was established in March 1935. It was the air force in the continental United States. In June 1941, when the Army Air Force was created, the G. H. Q. Air Force became the Air Force Combat Command, under the Commanding General of Army Air Forces. It was comparable to the present Army Air Force organization in the United States. I was not here at the time it was created, but the purpose was to bring all the combat air forces together under one control in the continental United States in order to develop efficiency in operations, in maintenance, bombing, and everything of that sort. General Andrews was made the head of it, and created as a beginning, really, the technique of handling large air forces.

22. Q. In the event of an emergency, such as arose in the latter part of 1941, could any of this General Headquarters Air Force have been made immediately available in the Hawaiian area?

A. Well, we were making it available in pieces all the time. We were taking planes from it and we were taking personnel from it, but the air force, as a tactical organization, was a continental United States establishment, and I might say that the grief at the moment was that we were wrecking it for the overseas theaters, and our daily struggle was meeting the recriminations of the commander of G. H. Q, who was being denied the necessary matériel and personnel to operate.

23. Q. Then am I to understand that in case a sudden emergency arose in the Hawaiian theater, it would not be possible to transfer a large part of that force out there in order to meet such an emergency?

A. Not at that time, because they didn't have the planes or the personnel or the state of training. I might add that before the situation in the various parts of the world grew very critical, this was a highly-trained unit, but the minute we started expansion and sending planes here and sending planes there and all, we for the time being largely wrecked the G. H. Q. air force.

24. Q. From your knowledge of the situation as it existed in 1941, at what time during the year, or in reference to what political event, can you state that relationship with Japan approached the critical stage?

A. Well, I would have to answer that, I believe, by saying that our relations with the Japanese appeared to [860] degenerate progressively throughout 1941, as indicated by the succession of actions taken. One of the early decisions of the War Department, and the Navy Department, too, I believe, was to take all of the women and children out of the Philippines. That was in February, I think, of 1941. We did that because of the growing storm in the Pacific. Another was the fact that I succeeded in getting authority to double the size of the Philippine Scouts. That was in January or February, 1941. Another indication was our refusal to permit the men to return home at the end of two years, and to hold them in the Philippines. These things just grew from one period to another, from the indications, which were from a multiplicity of sources.

25. Q. It is the understanding of the judge advocate that your answer is that this situation became progressively worse, and you don't feel able to put your finger on any one event, and say that was the start of a critical situation?

A. Well, I might be correct to say that in July and August the situation became conspicuously critical. That was the time, as I recall, of the enforcement of the economic sanctions against Japan, and apropos of that, on July 7 and again on July 25, the Army Overseas Command was warned of these developments.

26. Q. Can you state whether or not at any time during the year 1941, you felt that war between the United States and the Imperial Japanese Government was imminent?

A. Yes. I thought for some time that war was imminent; and our state of mind in that period—I am referring now to both Stark and myself—was to do all in our power here at home, with the State Department or otherwise, to try to delay this break to the last moment, because of our state of unpreparedness and because of our involvements in other parts of the world.

27. Q. Did you lay any special emphasis, after forming this opinion, on augmenting the defenses in the Hawaiian area?

A. We did everything possible consistent with the meeting of the other demands of greater urgency, such as those of the Philippines, I spoke of, and the Panama Canal and Alaska.

28. Q. As of the time you considered war imminent, what was your estimate of the probable intention of the Japanese, or was that a changing situation?

A. The information that we obtained from the Japanese actions in China, and particularly as they approached Indo-China, as well as from our most secret sources, pointed to an evident intention to move into Thailand, whether to pass on through or whether to pause there was a matter of conjecture. It seemed to us that they were definitely going to take some action to cut the Burma Road, possibly closing the port of Rangoon. It seemed evident to us [861] that Malaysia—the Malay-Kra Peninsula—was very definitely threatened. It was plainly evident to us that they were accumulating supplies to go into Indo-China, and apparently were going into Thailand. We had no specific indications that I recall at the moment, of their intentions regarding the Philippines other than those which automatically suggested themselves to us geographically. I recall that in November, possibly in October, we had reports of movements of convoys down the coast of Indo-China, and as these movements accumulated, it was quite evident they were on the verge of very definite action. I think I am sure the record shows that the Chiefs of Staff, or rather the Joint Board, proposed that any movement of the Japanese out of 10 north would be considered as leading to war, because we felt that if they entered the Gulf of Siam, there could be no other possible interpretation of what they were doing or what they had in mind. As I recall, we had no indication of any Japanese plans in preparation for an assault on Hawaii. I recall that, I think it was in August, that we discovered that all Japanese shipping on the east coast of the United States had been directed to proceed immediately to the Caribbean, through the Panama Canal, certain boats on certain days, and finally sizeable numbers of boats in a very short period of time. Just what that meant we didn't know, of course. Since the canal has been developed we have always thought of sabotage there as being our greatest menace, and this had that possibility connected with it; so the President authorized the closing of the canal to such traffic, and it was closed, the records will show when that was. I don't remember. So there were these various indications, in addition to those that came out of the diplomatic conversations, which plainly indicated a crisis approaching, and which we were most anxious to stall off in some way or other until more equipment, matériel, and trained men, were available. I recall, I think, in early September, Mr. Hull at a meeting with the Secretary of War and the Secretary of Navy, at which Admiral Stark and I were present, asked Admiral Stark and I how soon we thought we could be in a sufficiently strong posture of defense in the Philippines. We had just begun to move sizeable quantities of equipment to the Philippines, really, in August; we were just getting started. We were collecting this material as it came from the first quantity production and endeavoring to get the ships to furnish transportation. I gave him a date of either December 5 or December 10, 1941, I have forgotten just which—as being the earliest moment that we could hope to have any reasonable defense. Admiral Stark felt

that on the naval side he couldn't be adequate far into January or early February, 1942. What actually happened, so far as the date that I had hazarded in September, was that two things intervened and very much delayed procedure. One was that heavy bombers, to which we attached great importance at that time—there was a delay in delivering from the plants, but what was far more serious, after they were delivered— [862] and we had 45 to follow the original 35 accumulated on the West Coast—adverse winds to Hawaii at a period when they were not normally expected kept those planes on the ground there, I think, three weeks. As a matter of fact, the initial squadron arrived in Hawaii in the middle of the Japanese attack to add to the complications of the moment. The other was that we had great trouble in getting ships. At that time we couldn't commandeer things the way we could the day war was declared. We had already taken in a great many passenger vessels from various runs, which was creating, according to statements of the Under Secretary of State, as I recall, a very embarrassing situation throughout Latin America, as we were cutting down on all their ordinary shipping; and we had to get those vessels—I believe Matson line vessels—or we couldn't carry out our purpose. We finally succeeded in getting the shipping, but we were about three or four weeks late in getting through the various moves, governmental and otherwise, to make that shipping available—and as the records, I believe, show, at sea at the time of the crisis, when it should have completed its voyage before that time.

[863] Frederick T. Lachat, yeoman first class, U. S. Naval Reserve, reporter, entered. Frank M. Sickles, yeoman first class, U. S. Naval Reserve, reporter, withdrew.

29. Q. Did you, prior to December 7, 1941, consider that the Japanese might make a surprise attack on United States territory without a prior declaration of war?

A. Do you mean by United States territory Hawaii, the Panama Canal, and Alaska?

30. Q. Any United States territory.

A. I was always in fear of that.

31. Q. Did you have an estimate as to what territory would be the objective if they should deliver this form of attack?

A. We thought, as I recall at the time, that the probabilities pointed to the Panama Canal and to the Philippines before Hawaii.

32. Q. From the information that you had between the specific dates of November 28 and December 7, 1941, what was your estimate of the situation as to the intentions of the Japanese with respect to delivering a surprise attack in the Hawaiian area?

A. As I recall, we had no Army indications—and I am quite certain we received no report from the Navy—which showed a threat against Hawaii. We did have, as I previously mentioned, indications of a very curious procedure in the Panama Canal. We did have very serious threats in the Far East which might immediately relate to the Philippines and certainly were directed farther south. I don't recall any specific indications regarding Hawaii. I do recall, within forty-eight hours after the attack of December 7, we obtained certain messages that came in late, which very plainly showed what was probably going to happen.

33. Q. In the light of developments to date, what is your opinion of the soundness of the Japanese decision to make this surprise attack on Pearl Harbor?

A. Well, a surprise, if it is successful, is a triumph; if it fails, it is a catastrophe. This was a success. We have several problems like that in the conduct of the war at the present moment.

34. Q. What was the paramount mission of the Army Air Force in the Hawaiian Department during the year 1941?

A. To defend the island of Oahu against attacks by enemy aircraft, in cooperation with the Fleet aircraft, and to attack hostile vessels. That is set forth in Field Orders No. 41, Headquarters Hawaiian Department, on the subject of Army Operating Defense Plans as of April, 1941.

[864] 35. Q. Did you have any peace time missions, such as training the Army Air Force, during this period of time?

A. I presume they were at that all the time. I recall bringing up with the air people at one time the sending of new heavy bomber pilots out there to fly these reconnaissance flights, because we had such few planes in the United States, and they were burning up their engines, particularly the previous summer when they flew from June to some time in August in heavy reconnaissance—I think they were B-18s at that time—out to sea to Hawaii; so I would say that training was going on all the time.

36. Q. Do you consider during the critical period preceding December 7, 1941, that you were in possession of most of the available political and military information so far as Japanese-United States relations were concerned?

A. So far as I was familiar with important political and military information available to the State, Navy, and War Departments.

37. Q. What is your view of the cooperation of the Army and Navy in the exchange of intelligence in Washington during the critical period preceding December 7?

A. The exchange of intelligence is much more accurately complete today than it was. Our field intelligence agencies were not nearly as well coordinated as they are today. I think that all pertinent Army intelligence was given to the Navy. That is the case so far as I can find in the records. We received intelligence from naval sources but did not, as we do today, receive detailed information regarding Japanese naval movements or deployments. In other words, what we did not receive as a matter of routine then was the movement of Japanese naval craft.

38. Q. I show you Exhibit 19, which is in evidence before this court and is a dispatch from the Chief of Naval Operations under date of 28 November 1941, purporting to quote an Army dispatch which was sent to the Commander of the Western Defense Command. Were you familiar with that part of this dispatch in which the Navy set out what the Army sent to its commander?

A. This message which you have handed to me quotes an Army message to the Western Defense Command. A similar message was sent to the Hawaiian Department, the Panama Canal, and to the Philippine Department of the Army. I personally was absent from the War Department from about noon of the 26th until the morning

of the 28th, and the message of the War Department is dated the 27th. General Gerow, the head of the War Plans Division at that time. I believe stated that I did not see the message. I personally have a distinct recollection that I did see it. It may have been either before it was sent in its final draft or upon my return to the War Department on the morning of the 28th. My recollection [865] is stimulated by this portion of the message: "If hostilities cannot be avoided, the United States desires that Japan commit the first overt act." I have a very clear recollection of that. It was the instruction of the President. I also have a rather clear recollection of the following sentence: "This policy should not be construed as restricting you to a course of action which might jeopardize your defense." My dimmer recollection is that I discussed that with General Gerow. He thinks I did not see the message. I may not have, but my recollection is quite clear in relation to the President's instructions, because as I recall that, they came to me personally, and therefore I would have had to translate this into this message rather than General Gerow, who would not have known.

39. Q. This message contains the injunction: "Undertake such reconnaissance and other measures as you deem necessary." What did you expect these Army commanders to do with respect to the directive? Did you expect them to make long-range reconnaissance flights with bombers?

A. I am having difficulty in answering that, because I don't know whether I'm talking from hind sight or not. The message, in part, had to be written around the directive that we were to avoid an overt act and at the same time provide for the necessary security measures. They had plans out there as to who was to do what, and, as I say, I don't know whether I am talking from hind sight or foresight. The point is that we wanted to make clear that we were not restricting them in their security measures, and reconnaissance, of course, is the foremost security measure.

40. Q. In reply to one of my former questions, I believe you included in your answer a statement to the effect that the President directed that these measures be carried out so as not to alarm the civil population; is that correct?

A. I don't recall that. I don't recall that that was the President's direction. It may have been; I don't recall. It may have been ours, meaning the War Department's. I might say, in connection with all of this, that we started with these alerts about 1907 and went through a series of them in the Philippines and so on. I think in 1913 when I was there we moved the troops to Corregidor. The orders were to occupy Corregidor under the pretext of maneuvers. This thing has been going on through the years. The pretext of maneuvers was, as in this case, not to alarm the civil population. As I recall—and I may be wrong in this—the State Department was very desirous that we do nothing to upset the apple cart in the middle of these negotiations. We were hoping that they could stall any precipitate action by the Japanese of a war-like nature. That is my recollection, and I am hesitant about expressing that. That is my dim recollection. I would like permission of the court to include in the record here a letter that I wrote to General Short on February 7, 1941. [866] Perhaps it is already in the record. I wrote the

letter on February 7, 1941, in which I informally expressed my own personal views. I said:

MY DEAR SHORT: I believe you take over command today. However, the reason for this letter is a conversation I had yesterday with Admiral Stark.

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. Of course, the facts are as he represents them regarding planes, and to a less serious extent regarding caliber .50 machine guns. The 3-inch antiaircraft gun is on a better basis. 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. For example, as I told Stark yesterday—He had been pressing me heavily to get some modern antiaircraft guns in the Philippines for the protection of Cavite, where they have collected a number of submarines as well as the vessels of the Asiatic Fleet—at the present time we have no antiaircraft guns for the protection of Cavite, and very little for Corregidor. By unobtrusively withdrawing 3-inch guns from regiments now in the field in active training, we have obtained 20 3-inch guns for immediate shipment to the Philippines. However, before the shipment had been gotten under way the Navy requested 18 of these guns for Marine battalions to be specially equipped for the defense of islands in the Pacific. So I am left with two guns for the Philippines. This has happened time and again, and until quantity production gets well under way, we are in a most difficult situation in these matters.

I have not mentioned Panama, but the Naval requirements of defense there are of immense importance and we have not been able to provide all the guns that are necessary, nor to set up the Air units with modern equipment. However, in this instance, we can fly the latest equipment to Panama in one day, some of it in four hours.

You should make clear to Admiral Kimmel that we are doing everything that is humanly possible to build up the Army defenses of the Naval overseas installations, but we cannot perform a miracle. I arranged yesterday to ship 31 of the P36 planes to Hawaii by aircraft carrier from San Diego in about ten days. This will give you 50 of this type of plane, deficient in speed compared to the Japanese carrier based pursuit, and deficient in armament. But at least it gives you 50 of the same type. I also arranged with Admiral Stark to ship 50 P40-B pursuit planes about March 15th by Naval carrier from San Diego. These planes just came into production this week and should be on a quantity basis of about 8 a day by the first week in March.

[867] The Japanese carrier based pursuit plane, which has recently appeared in China, according to our information has a speed of 322 miles an hour, a very rapid ability to climb and mounts two .20 mm and two .30 cal. guns. It has leak-proof tanks and armor. Our P40-B will have a speed of 360 miles an hour with two .50 cal. machine guns and four of .30 caliber. It will lack the rapidity to climb of the Japanese plane. It will have leak-proof tanks and armor.

We have an earlier model of this plane, the P40, delivered between August and October, but the Chief of the Air Corps opposes sending it to Hawaii because of some engine defect which makes it unsafe for training flights over water. Up to the present time we have not had available a modern medium bomber or a light bomber. This month the medium bomber will go into production, if not quantity production. This plane has a range without bombs of 3,000 miles, carries 2,000 pounds and has a speed of 320 miles an hour—a tremendous improvement on the old B18 which you now have. It can operate with bombs 640 miles to sea, with a safe reserve against the return trip. We plan to give you first priority on these planes. I am looking into the question of providing at least a squadron of Flying Fortress planes for Hawaii.

I am seeing what can be done to augment the .50 caliber machine gun set-up, but I have no hopes for the next few months. The Navy approached us regarding barrage balloons. We have three now under test, and 80 in process of manufacture, and 3,000 to be procured if the president will release our estimates.

However, this provides nothing against the next few months. I am looking into the question of possibly obtaining some from England, but they are asking us and not giving us these days. The first test of the first forty deliveries in June will probably be made in Hawaii.

You, of course, understand the pressures on the Department for the limited materiel we have, for Alaska, for Panama, not to mention the new leased bases. 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 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.

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 [868] appropriations, with the usual fallacious arguments on both sides, still persist in confusing issues of national defense. We must be completely impersonal in these matters, at least so far as our own nerves and irritations are concerned. Fortunately, and happily I might say, Stark and I are on the most intimate personal basis, and that relationship has enabled us to avoid many serious difficulties.

The proceedings following directly hereafter, Pages 868 through 884, have, by direction of the court, been extracted from the record and deposited with the Secretary of the Navy. This action was taken in the interest of National security and the successful prosecution of the war.

[885] None of the parties to the inquiry desired further to examine this witness.

The court informed the witness that he was privileged to make any further statement covering anything relating to the subject matter of the inquiry which he thought should be a matter of record in connection therewith, which had not been fully brought out by the previous questioning.

The witness stated that he had nothing further to say.

The witness was duly warned and withdrew.

The court then, at 1:00 p. m., took an adjournment subject to the call of the president.

PROCEEDINGS OF NAVY COURT OF INQUIRY

SEPTEMBER 9, 1944

[886]

TWENTY-FIFTH DAY

NAVY YARD, PEARL HARBOR,
Territory of Hawaii.

The court met at 10:30 a. m.

Present:

Admiral Orin G. Murfin, U. S. Navy (Ret), President.

Admiral Edward G. Kalbfus, U. S. Navy (Ret), Member.

Vice Admiral Adolphus Andrews, U. S. Navy (Ret), Member.

Captain Harold Bieseimer, U. S. Navy, Judge Advocate, and his
counsel.

Frank M. Sickles, yeoman first class, U. S. Naval Reserve, reporter.

Counsel for Admiral Harold R. Stark, U. S. Navy, interested party.

Admiral Claude C. Bloch, U. S. Navy, (Ret), interested party, and
his counsel.Counsel for Rear Admiral Husband E. Kimmel, U. S. Navy (Ret),
interested party.The record of the proceedings of the twenty-fourth day of the inquiry
was read and approved.The court then, at 10:40 a. m., took a recess until 2:00 p. m., at which
time it reconvened.Present: All the members, the judge advocate and his counsel; all the
interested parties and their counsel except Admiral Harold R. Stark,
U. S. Navy, interested party, and Rear Admiral Husband E. Kimmel,
U. S. Navy, interested party, whose counsel were present.

No witnesses not otherwise connected with the inquiry were present.

A witness called by the judge advocate entered, was duly sworn, and
was informed of the subject matter of the inquiry.

Examined by the judge advocate:

1. Q. State your name, rank, and present station.

A. C. H. McMorris, Rear Admiral, U. S. Navy, Chief of Staff of
Pacific Fleet and Pacific Ocean Areas.2. Q. Will you state the duties you were performing in the latter
half of the year 1941?A. War Plans Officer on the Staff of Commander-in-Chief of Pacific
Fleet.[887] 3. Q. As War Plans Officer under the Commander-in-
Chief of Pacific Fleet, was it your custom to maintain a current estimate
of the situation on Japanese-United States relationships?

A. No formal written estimate was maintained.

4. Q. Did you maintain some sort of mental current estimate?

A. Yes, and there was a vast amount of information with regard to
that situation maintained in the files.

5. Q. Would you say in a few words, in general, what the estimate of the situation was about the first of October, 1941, if you remember?

A. The relationships between the United States and Japan were considered strained, and a possibility was estimated that the United States and Great Britain might become involved in a war with Japan. About that time, however, it was considered at least a possibility that the Japanese might become involved in a war with Russia, and it was our estimate that in that event the United States would not become so involved. We also estimated that conflict between Japan on the one hand and Great Britain and the Dutch on the other was distinctly possible without the United States becoming, initially, involved.

6. Q. I show you Exhibit 13 before this court, Admiral, which is the Chief of Naval Operations' dispatch of October 16, 1941, of which the Commander-in-Chief of Pacific Fleet is an addressee, and ask you to just read it to yourself, please. Were you familiar with this dispatch in the neighborhood of 16 October, 1941?

A. I recall this dispatch and about that time was doubtless familiar with it at that time.

7. Q. Did the receipt of this dispatch change in any material way the estimate of the situation that you described a moment ago, that you had as of about 1 October 1941?

A. I would say that it tended to confirm the belief that I had just expressed, but that it increased the probability in my mind that we might become engaged or might become a belligerent.

8. Q. What was your estimate of the possibility of a Japanese attack in the Hawaiian area as a result of the information you received in this dispatch?

A. I don't know that this dispatch alone resulted in any conclusion, but certainly about that time—possibly earlier, possibly somewhat later—I felt that sabotage or submarine attacks were a distinct possibility in the Hawaiian area.

9. Q. What form of attack did you consider that the Japanese would deliver in the event that they did make any attack in the Hawaiian area at this time?

A. Submarine.

10. Q. Prior to 7 December 1941, what was your estimate of [888] the possibility of an aircraft torpedo attack on ships in Pearl Harbor?

A. Up to the time of the actual attack, I considered the probability very remote.

11. Q. Will you state what fundamental considerations determined this view?

A. There had become increasing evidence of Japanese movements toward the Kra Peninsula, of the concentration of troops in the South China Sea area, and in the movement of combatant ships from the Empire to the South. While not recalling now any specific letters or dispatches, my general recollection is that some of the warnings from the Navy Department indicated possibility hostilities breaking out in that area, and the possibilities of an attack on the Philippines, or the movement of Japanese forces into Halmahera. The possibility of an air attack in the Hawaiian area by Japanese forces had been given consideration, and the probability of it was greatly discounted because of the distance involved and the logistic problems that would have to

be met; that although torpedo attacks within the Pearl Harbor area had been considered, particularly after the British attack on the Italian Fleet in southern Italy, I deemed it doubtful that such an attack could be successful in Pearl Harbor, partially because of the depth of war, partially because of the short distance the torpedo would have to run, and partially because of considerable confidence in the AA defenses against torpedo planes. I did not believe that we could effectively make a profitable attack against the Japanese homeland by such means, and I did not believe that the Japanese could successfully inflict great damage upon us.

12. Q. Admiral, I show you Exhibit 17, which is Chief of Naval Operations dispatch of 27 November 1941, and ask you if you will read it to yourself. Will you state at about what time the contents of this dispatch came to your attention?

A. It must have been the 27th of November, possibly the 28th. I do not recall the exact date.

13. Q. Will you state what action, if any, the Commander-in-Chief of Pacific Fleet took on the receipt of this dispatch?

A. Discussion took place between the Commander-in-Chief and his principal advisers, of his staff, of which I was one. I do not recall who else may have been brought into the discussion; but in any event, the determination was made that the directions were largely in effect already. It was about this time, however, and either in connection with this dispatch or with others received about this time, that defensive aircraft was sent to Wake and Midway, being transported by carriers. I recall that special injunction was given to the forces then at sea, to be particularly alert with regard to detection of submarines, and I believe that it was in connection with this dispatch that directives were issued to depth charge any submarine contact believed to be hostile. The practice was initiated about this time of furnishing the Commander- [889] in-Chief, either daily or every other day, a recommendation as to the specific action to be taken in case hostilities broke out within the ensuing 24 hours. While I cannot say definitely, it is my impression that the Commander Hawaiian Sea Frontier was verbally directed to be particularly alert against sabotage. It was shortly after receipt of this dispatch that a discussion took place in Admiral Kimmel's office between him and the Commanding General of the Hawaiian Department with regard to the utilization of Army aircraft from Oahu to strengthen the defenses of Midway and Wake. There was also discussed a proposal to utilize some of the troops from Oahu to replace the Marine Defense Battalion units at those two places.

14. Q. Can you state whether any consideration had been given at this time to the desirability of clearing Pearl Harbor of all United States ships?

A. I think not. Consideration was given to moving all combatant ships from Pearl Harbor as early as possible if hostilities commenced, but not as a defense measure, but toward a movement to initiate offensive operations towards the Marshalls. They thought to initiate matters toward putting into effect the War Plan as promptly as possible.

15. Q. Do you feel that this dispatch, Exhibit 17, that you have just read, added anything to your information on the imminence of war between the United States and Japan, that you didn't have prior to its receipt?

A. It indicated that the probability of war was increasing.

16. Q. What did the words at the beginning of this dispatch, "This dispatch is to be considered a war warning," mean to you?

A. It would be difficult to say what my mental reaction was at the time, but certainly it indicated to me that the authorities in Washington believed there was great probability of the United States and Japan becoming engaged in war with each other.

17. Q. This dispatch also contains the words "An aggressive move is expected by Japan within the next few days." What did these words mean to you in reference to the imminence of war between the United States and Japan?

A. Just what the words said.

18. Q. Can you recall what your estimate of the situation was as to the Japanese objective of attack against the United States, if one were made?

A. I felt the greatest probability of attack would be in the Philippines, but felt that it was possible that raids might be made against Wake and possibly but less probably, Midway, and Guam would be seriously endangered.

19. Q. Did this dispatch indicate to you any possibility of [890] an attack further eastward than Guam?

A. I considered it unlikely that there would be an attack further eastward than Guam, except as I said, possible raids on Wake or Midway. I would like to add that we felt submarine attacks within the Hawaiian area, or even toward the Pacific Coast, were highly probable.

20. Q. I show you Exhibit 19, which is the Chief of Naval Operations' dispatch of 28 November 1941, and purports to quote a dispatch the Army sent to the Commander Western Defense Command. I ask you to read this dispatch to yourself.

A. I recall having seen this dispatch before.

21. Q. I will ask you, Admiral, did the information contained in this dispatch, although it is merely quoting an Army dispatch, have any influence on your estimate of the situation, in view of its directive to conduct reconnaissance?

A. No, with the addressees for that dispatch, I considered the reconnaissance to be expected would be that by aircraft who would look for submarines or a possible cruiser that might be there for a hit and run action.

22. Q. Did you or did you not at this time consider the advisability of conducting a long-range air reconnaissance from Oahu?

A. Yes, not only at this time, but had the greater part of the previous year. The matter was discussed in conjunction with the various dispatches that came in about this time, of increasing the search from Oahu and various factors were weighed—the availability of patrol planes, the status of the training of those planes, the employment which they might be called upon to carry out, the offensive operations laid down in the War Plans, the importance of covering the surface ship training areas against submarine attack, the necessity for supplying personnel for new squadrons, and various factors of that nature. From time to time during the preceding year or two certain long-range searches had been made from Oahu, but always through narrow sectors because of the limited number of planes available, or of plane

crews available. These sectors had been rotated from day to day. After due consideration, it was determined that the searches would not be initiated. It was my opinion that they would be largely token searches that would give only limited effectiveness, and that training would suffer heavily and that if we were called upon to conduct a war, that we would find a large proportion of our planes needing engine overhaul at the time we most required their services. At any rate, the matter was given considerable thought, and the searches were not established. I should say in this connection that I do not recall any formal conference or detailed conversation with the Commander-in-Chief on the subject, although it is highly probable that the matter was discussed between Admiral Kimmel and Captain DeLany, the Operations Officer, Captain Davis, the Aviation Officer, and myself; but what I have just outlined expresses my personal views, and the discussion that we had within the War Plans section as to whether or not to make any recommendation to the Commander-in-Chief with regard to utilizing available patrol planes for long- [891] range search. We were of the opinion that the danger of a raid in the Hawaiian area was not very great, and were most anxious to get all patrol planes that we could in readiness to move to the Midway-Wake area, to support offensive operations which we anticipated might be necessary in the near future, in the event of war.

23. Q. Adverting again to Exhibit 19, which you have before you. Admiral, there is an injunction in this dispatch, although it is addressed to Army Command, which directs that Operations be conducted so as not to alarm the civil population. Did this consideration not to alarm the civil population have any bearing on any action that you took about that time in regard to reconnaissance or other war preparations?

A. I think not.

24. Q. I show you an exhibit, which is Chief of Naval Operations dispatch of November 26, of which the Commander-in-Chief of Pacific Fleet is an addressee, and which has reference to transferring of planes to Wake. Can you state what your views were at that time on the imminence of war between the United States and Japan as a result of any information contained in this dispatch?

A. There were a number of dispatches, including this one, received about the same time, and whatever views or ideas resulted, probably came from the series of dispatches and all the attendant background; but the question of moving Army planes into this advanced area was given extensive consideration, and the determination was made that the defensive planes should go into Midway and Wake, and that it was preferable to send Marine planes. It is probably not worth while to discuss here the considerations that prompted the decision to use Marine planes. I should say, however, that it was only the lack of facilities at Wake that had prevented defensive planes being placed there earlier; and that it was about this time that the situation was regarded as so serious that it was felt the time had come when other handicaps must be accepted and some planes for defensive purposes put in Wake, because we anticipated operating a number of patrol planes from the base if war should start, and we felt it imperative that they had some protective fighters there.

25. Q. Did you feel there was any danger in sending a carrier to this area at this time, in view of all the information you had on the imminence of war with Japan?

A. We felt that there was a possibility that the carrier might encounter a Japanese combat craft, and that some clash might result. It was one of the considerations that prompted leaving the battleships attached to the task force, that included the carrier, behind, so that the slower speed of the battleship would not handicap the carrier with its attendant light forces. I might add that when this carrier was sent to [892] Wake, a squadron of patrol planes was moved there in advance of the carrier to maintain a search over her path of advance and of the surrounding area while she was discharging her planes. Because of the inability of Wake to sustain any considerable number of planes for any but a brief time, that patrol squadron was withdrawn immediately after the carrier had discharged her planes to Wake. The possibility of a fight was realized, and considerable discussion was had with Admiral Halsey as to what reduction, if any, of the carrier group might be necessary in order to carry the Marine planes. It was determined, however, that the effectiveness of the carrier would not be unduly reduced since only twelve fighters, Marine fighters, I believe, were to be left at Wake. It was believed that if chance encounter occurred, that it would likely be with a raiding force rather than with a very strong enemy force, and that the speed and capabilities of the carrier and its light forces would permit us to profit rather than to lose by such contact as we thought might occur.

Frederick T. Lachat, yeoman first class, U. S. Naval Reserve, reporter, entered. Frank M. Sickles, yeoman first class, U. S. Naval Reserve, withdrew.

[893] 26. Q. There has been some comment in the press since this court of inquiry has been convened, Admiral, which is to the effect that the Navy Department or some other persons in authority had directed the United States Pacific Fleet to be in Pearl Harbor over the period in which the Japanese attack took place. From your own knowledge of the directives to the Pacific Fleet and as to the reasons for their being in any particular place, will you state whether or not the Fleet was operating under any orders other than your quarterly schedule?

A. The Pacific Fleet, as a whole, had been in the Hawaiian area for well over a year prior to 7 December 1941. The presence or absence of any units from Pearl Harbor at any particular time was entirely in the hands of the Fleet Commander. There was no directive received to have any portion of the Fleet in Pearl Harbor at the time in question.

27. Q. Did the Commander-in-Chief of the Pacific Fleet receive any information after the 27th of November, 1941, which indicated that Japanese-United States negotiations were still being continued? I would remind you that the dispatch of 27 November stated, "Negotiations with Japan looking toward stabilization of conditions in the Pacific have ceased."

A. I don't recall any subsequent dispatches indicating a resumption of negotiations.

28. Q. Did you have any information from any other source that negotiations were continuing?

A. I don't recall now, but it is my recollection that the press may have so indicated, but frankly I don't know.

Cross-examined by the interested party, Admiral Harold R. Stark, U. S. Navy:

29. Q. Admiral, do you still remember what WPL-46, Rainbow 5 meant? Do you remember the documents?

A. In substances, yes.

30. Q. Do you recall, during the weeks preceding 7 December 1941, whether or not you feel that the forces available to the Commander-in-Chief, Pacific Fleet for his initial tasks under that plan were sufficient or otherwise?

A. There was, of course, keen realization of all deficiencies, real and fancied. We were lacking in amphibious craft and felt in need of various other vessels, but none the less, I felt that the forces we had available could be used with a considerable degree of effectiveness to carry out the mission of WPL-46.

31. Q. Do you recall if WPL-46 was written with the expectation that we or the Japanese would initiate a Pacific war?

A. Doubtless the Japanese.

[394] 32. Q. Now, in regard to your own plan contributory to Rainbow 5, the Pacific Fleet WPL-46, was it contemplated as that plan was prepared and subsequently studied that any part of it, or even all of it, would ever be executed prior to the start of actual hostilities?

A. I think not, but without refreshing my memory as to just what was in that plan in detail, I hesitate to give a positive answer.

33. Q. Assuming that you see no reason to make any change in that answer, do you recall how it was proposed to alert the ships of the Pacific Fleet, including all of the task forces, when the situation became tense and war seemed to be imminent?

A. Probably by dispatch.

34. Q. You mentioned that the practice was discarded of letting the duty officer, I believe, have notes as to what to do if war occurred in very short notice. Can you tell us what was provided in the way of alerting the Fleet under the command of the Pacific Fleet Commander?

A. While a copy of the notes to which I have referred was given to the duty officer, they were primarily for the Commander-in-Chief himself. Either the Commander-in-Chief or I or Captain DeLany, the Operations Officer, or, more frequently, all of us were in immediate touch with the office, and it was not contemplated that anything so important would be left entirely in the hands of the duty officer. Those notes to which I have referred may or may not have included the sending of a notification to the Fleet of hostilities. Very possibly they did as something of a check-off list.

35. Q. But you do not remember any specific method, which was in mind in the offices of the Commander-in-Chief, of alerting the Fleet at very short notice?

A. I think not, because we doubtless considered axiomatic that it would be done by an urgent dispatch. I have taken this question to mean—means of apprising the Fleet of the commencement of hostilities. If, however, it meant advising the Fleet that the situation was tense, that had been done for some time. In fact, I do not now recall when the Fleet was, to all intents and purposes, on a war footing, whenever ships left the harbor. Certainly when Admirals Halsey

and Newton moved to Wake and Midway for delivery of marine aircraft, they were well aware of the fact that hostilities might commence before they again entered port. The ships in training in the Hawaiian area had long since carried on provisions for water-tight integrity and for certain watches far more rigorous than would have been carried on in normal times. In point of fact, I recall that discussion was had after the receipt of the message of 27 November as to whether or not any general message should be sent to the Fleet, particularly those in the training and [895] operating areas, and it was felt that the situation was already well in hand and would, in effect, be a message to keep doing what you are doing now. To the best of my recollection, the only message was an injunction to be particularly alert for possible enemy submarines.

36. Q. Then, Admiral, would it be correct to say that no partial execution of the Navy Department's WPL-46 or of your own contributory plan was necessary during those last few days in order to put the Fleet upon a war footing?

A. Without reference to the publication in question, I would say that the Fleet was on a war footing.

37. Q. I hand you Exhibit 20 before this court, which is an OpNav dispatch of 3 December 1941, advising that the Japanese were taking certain steps toward destroying codes and ciphers, etc. Will you read it and please note that the last sentence which was scratched off there was not received by you? Do you remember having seen that dispatch?

A. Yes, sir.

38. Q. Was that a particularly significant piece of information to you at the time?

A. Yes, I felt that that message, more definitely than anything that had gone before, indicated the probability of a war with Japan that would involve the United States.

39. Q. Admiral, recalling the conversations upon the receipt of that message, insofar as you can, can you state whether or not the reaction which you have just expressed was prevalent on the staff of the Commander-in-Chief and in the Commander's-in-Chief own mind?

A. I don't know that I can. In the early days of December certainly the general thought within the staff—and I believe in the mind of the Commander-in-Chief—was that war was extremely probable, although many of the discussions still indicated some doubt on the part of some individuals as to whether the Japanese would initially take the Philippines or whether some overt act of a minor nature might be seized upon to bring about a state of war.

40. Q. Going back to the proposal from Washington to send Army planes and troops into Midway and Wake, do you recall whether, in regard to the carrying on of your own work, those instructions in any way weakened what was said in the war warning message?

A. No, as far as I was concerned, it did not weaken the war warning message. My views remained the same in that connection, but because I considered that the outposts of Wake and Midway were highly important for us and might be subject to attack, I felt that it was a most inauspicious time to effect a change and was

rather surprised at what I regarded as a lack of appreciation on the part of the Navy Department of the importance of those places and of the [896] serious weakening of their defenses that would necessarily result from such a change at that time.

41. Q. Wasn't the change, however, considerably a matter of reinforcement rather than substitution? To refresh your recollection, I will show you dispatches, exhibits 18 and 40.

A. Partially, yes, but it would have involved a mixed command, and some of the ground units to support planes were, to the best of my recollection, already in those advanced positions.

42. Q. Also is it not a fact that no directive was contained in those dispatches? It was a proposal and a request for advice; is that correct?

A. That is correct, and the recommendation was against the proposals and the recommendations were accepted. In connection with the possibility of reinforcements, however, it was agreed that the Commanding General of the Hawaiian Department would prepare and equip certain units along the lines of marine defense battalions, so that they could be moved forward. At the time these proposals were made, the Army had no organization in the Hawaiian area that combined the various elements for small garrisons, such as constituted a marine defense battalion.

43. Q. Admiral, if you can recall it well enough, will you state what your opinion was during the last half of 1941 as to the advisability of basing the Fleet in Hawaiian waters?

A. It was a moot question. I personally felt that the Hawaiian waters were the proper place to base the Pacific Fleet.

44. Q. Where did the real responsibility actually rest for the defense against air raid attack on installations at Pearl Harbor and on ships berthed in the harbor?

A. On the Commanding General of the Hawaiian Department.

45. Q. Were you in any way familiar with the ability of the Hawaiian Department during, say, November, 1941, to defeat an attack through the air?

A. I had some general familiarity with the scheme of defense and, on the whole, personally felt that it was pretty good. I had at one time made a tour of the defenses of Oahu, including the anti-aircraft defenses, and attended a presentation on the subject by general Gardner, who at that time was charged with the AA defenses. I knew that radar had been installed since my inspection and that additional guns and communication facilities had been installed. I had never felt that AA guns could give immunity, and although there was definite need, as expressed by the Commanding General and by Admiral Kimmel at one time or another for additional air power, I believed from my limited knowledge that danger was not very great from enemy aircraft.

A. No, sir, I did not.

[897] 46. Q. I have a hypothetical question which I should like to ask you because of your very long and exceedingly varied experience in Hawaii and its waters. On your assumption that you had known, in early December, 1941, what would be the actual performance of the Army, in the light of what did occur, what would have

been the correct measure for the Commander-in-Chief of the Pacific Fleet to have taken as regards the disposition of his Fleet?

A. On the assumption that some few days before the arrival of enemy forces in this area I had been aware that they were en route to attack and on the assumption that I knew at that time that the AA defenses would not be effective, either because of not being manned or because of lack of proficiency, I should certainly have had the harbor clear of ships; but if I had had knowledge of such an approach and had known beyond doubt that the AA defenses would have shot down every plane that arrived before they could get in and attacked, I would also have had the Fleet at sea in an endeavor to get them in a position where they would inflict damage on the attacking forces.

The interested party, Rear Admiral Husband E. Kimmel, U. S. Navy (Ret.), stated that he did not desire to cross-examine this witness.

The interested party, Admiral Claude C. Bloch, U. S. Navy (Ret.), stated that he did not desire to cross-examine this witness.

[898] Frank L. Middleton, yeoman second class, U. S. Naval Reserve, reporter, entered. Frederick T. Lachat, yeoman first class, U. S. Naval Reserve, reporter, withdrew.

Examined by the court:

47. Q. Admiral, in answering the hypothetical question, would you mind distinguishing, or stating, whether your action would have been the same regardless of whether or not a state of war existed?

A. In the general strained situation that existed at that time I would not only have recommended, I would have urged that we take the action which I have outlined. There would, in point of fact, of course, have been time to apprise the Navy Department that such action was being taken, but it would certainly have been unwise, even under our Constitution, to defer action.

48. Q. This assumes, however, that the warning came to you in time for you to vacate the harbor and make the proper dispositions outside. Would not that have required that you have advance information for a considerable time ahead and which would, in turn, require some intelligence?

A. Unquestionably.

49. Q. On the evening of December 6th, had a long-range search been in effect, and had a detachment of carriers been sighted at a distance, say, of 700 miles standing toward Hawaii, what steps could the Commander-in-Chief have taken, either offensive or defensive, to prevent an enemy carrier attack on Pearl Harbor at that time?

A. He probably could not have prevented the attack. He doubtless would have sent the ships in Pearl Harbor to sea to intercept the enemy, if possible. He doubtless would have diverted the two carrier task forces that were then at sea enroute to Pearl Harbor to intercept. He doubtless would have had the shore based aircraft of his command made available to the Sea Frontier Commander in accordance with the existing plan. But I might add that in my opinion had that been done, our losses might well have been more serious than those that actually occurred.

50. Q. Well, would not the shore based aircraft to which you refer be the planes which had located the hostile vessel? In other words, were there enough planes to have made this long-range search and also have some back in Pearl Harbor to take the air?

A. Doubtless the patrol planes would have been out for search the next morning, even though the crews had been employed the day before, and single double crews were not available for planes, some of the patrol planes would have been inoperative the day before. There were also here, I believe, some small number of Marine planes and it is probable [899] that there were a few carrier planes shore based. The total number, however, would have been small. On the other hand, of course, the Army planes, too, would have been alerted and undoubtedly would have done some damage to the enemy but that damage, in my opinion, would have been principally by Army fighters to enemy attacking planes, and I doubt very much if the enemy carriers would have suffered very seriously.

51. Q. Now, in your previous testimony concerning the inadvisability of conducting this long-range search, were you not referring to the patrol planes attached to the Fleet?

A. Yes. All patrol planes were attached to the Fleet, but either by the Pacific Fleet War Plan or by the Navy Department's plan, I do not recall which, there was a minimum number of patrol planes that were to be left at all times under control of the Hawaiian Sea Frontier Commander.

52. Q. Is it not a fact that the planes that were left under the control of the Hawaiian Sea Frontier Commander were not the same ones each day? In other words, they were not under his exclusive control every day; they still continued to be Fleet planes made available to him in emergency?

A. That is correct. Admiral Bellinger, commander of the Fleet Air Wing, operated in something of a dual capacity and the planes were, to the best of my recollection, rotated.

53. Q. Then is it not a fact that it is not the function of the Fleet or of the units thereof to provide its own protection while within the limits of a permanent naval base?

A. In general, yes. But the Commander-in-Chief is always concerned over the safety of his forces, and in Pearl Harbor he felt that responsibility of repeatedly urging strengthening of defense in particular which he regarded as necessary.

54. Q. Is it not a fact, then, that he was forced to a make-shift arrangement because of the inadequacy of the forces supplied the commander of the Hawaiian Sea Frontier? In other words, had this deficiency not existed he would not have been under the necessity of having undue concern?

A. Yes. If he had been satisfied that all defenses were ample he would not have felt called upon to make improvised or supplementary arrangements.

55. Q. Admiral McMorris, did you feel, after conferring from time to time with the Commander-in-Chief of the Pacific Fleet, that he was kept fully and adequately informed of the conditions existing in Washington relative to the status of Japan and the United States subsequent to 27 November 1941?

A. I was not then, nor am I now, in position to judge the adequacy or fullness of the information that was supplied. Such information that was received was taken at its face value and the presumption was that we were being furnished such information as was available that would assist the Commander-in-Chief to carry out his duties.

[900] 56. Q. Did you have any information as to Japanese carriers being in the Marshall Islands at about the latter part of November or the first part of December, 1941?

A. No.

57. Q. Were you, in your position as War Plans Officer, familiar with what had been done on the Island of Oahu regarding radar equipment and installation of radar?

A. Not in any considerable detail. In fact, I was not as concerned as was the Commander-in-Chief and possibly some other officer on the staff as to the adequacy of the local defenses. It may be that because my own interests and duties lay in other fields but I knew that the radar equipment had been very materially improved during the course of 1941.

58. Q. Were you familiar, or did you hear of any reply made by the Army to the dispatch from the War Department similar to the one sent by the Navy Department as of November 27th to Commander-in-Chief, U. S. Pacific Fleet?

A. I do not now recall.

59. Q. Was it general information in the staff of the Commander-in-Chief, Pacific Fleet, that a squadron of plans had departed from Hamilton Field on 6 December for Oahu?

A. Certainly several of the senior members of the staff were aware that some large bombers were flying from California to Oahu at that time.

60. Q. Did you at any time in your War Plans or in your considerations think that Japan would make a surprise attack by air on the Island of Oahu or on Pearl Harbor?

A. I did not.

61. Q. And from your testimony the court presumes that you had in mind the expression of the staff's opinion that if any attack occurred it would be by submarine?

A. I felt that the only serious danger to the Fleet in this area was by sabotage or by submarines.

62. Q. Admiral, because of your close association with the Commander-in-Chief of the Pacific Fleet just preceding the attack on Pearl Harbor, will you state your opinion as to the personal and official relations between the Commander-in-Chief, Pacific, and the commander of the Hawaiian Area, and the cooperation that existed between them?

A. I felt that the relations between the two were cordial and cooperative. The Commanding General was frequently in conference with the Commander-in-Chief; sometimes only with the Commander-in-Chief and members of his staff; sometimes with other flag officers present, including the commander of the Hawaiian Sea Frontier and various flag officers from the Fleet. In the development of plans for local defense and of plans for utilization of Fleet units in port for local defense, there may, from time to time, have been differences of opinion, but the relationships were habitually pleasant. For instance, in late November or early December [901] when discussion was taking place with regard to re-enforcement of Midway by moving Army troops from this area to Midway, the Commanding General very positively expressed the idea that Midway would then, of necessity, be under the command of an Army officer. The Commander-in-Chief considered that a naval officer should continue in

command. It is my recollection that each of those officers made such recommendations to their respective departments, but there was a free interchange of views, a difference of opinion, but no friction or unpleasantness in regard thereto.

63. Q. Referring to the conferences between the two officers, Admiral Kimmel and General Short, and with special reference to the dispatches of October 16 and November 27, were conferences frequent on these messages coming in at various times?

A. I don't remember particular conferences following particular dispatches after this lapse of three years, but I do remember participating in numerous conferences between those two officers during 1941 up to and including the last critical days preceding the war.

64. Q. Did you detect in the attitude of either Admiral Kimmel or General Short any lack of interest in the measures undertaken by the other to carry out the responsibilities assigned for the joint defense in view of the warnings and directions to take appropriate action between November 27 and December 7?

A. No, I did not detect any lack of such interest. There was, to my mind, a general feeling of mutual confidence and respect, and a proper regard on the part of each for the duties and prerogatives of the other. As can well be understood, the greatest difficulties envisaged were with regard to communications, and while certain arrangements had been made and promulgated between the Commander of the Hawaiian Sea Frontier and the Commanding General with regard to communications and exercise of control, the defenses were still being improved and arrangements made as to command posts, and interchange of information and so forth were still being developed.

Cross-examined by the interested party, Admiral Claude C. Bloch, U. S. Navy:

65. Q. Admiral, in connection with the War Plans: I think the observation was made that when the War Plans were executed it was planned that a certain minimum number of patrol planes would be left here at Pearl Harbor for that sort of work; is that correct?

A. That is my recollection, that War Plans called for the greater part of the patrol planes operating directly under the Commander of the Fleet being advanced to the Wake-Midway area for certain operations, but that there was a minimum number that were to be left under the control of the sea frontier based on Pearl Harbor.

[902] 66. Q. And that would be when the War Plans were executed?

A. That is correct.

67. Q. And War Plans were not executed up to December 7th?

A. That is correct.

None of the parties to the inquiry desired further to examine this witness.

The court informed the witness that he was privileged to make any further statement covering anything relating to the subject matter of the inquiry which he thought should be a matter of record in connection therewith, which had not been fully brought out by the previous questioning.

The witness stated that he had nothing further to say.

The witness was duly warned and withdrew.

The court then, at 4:10 p. m., took a recess until 4:20 p. m., at which time it reconvened.

Present: All the members, the judge advocate and his counsel; all the interested parties and their counsel except Admiral Harold R. Stark, U. S. Navy, interested party, and Rear Admiral Husband E. Kimmel, U. S. Navy, interested party, whose counsel were present.

No witnesses not otherwise connected with the inquiry were present.

The proceedings following directly hereafter, Pages 903 through 910, have, by direction of the court, been extracted from the record and deposited with the Secretary of the Navy. This action was taken in the interest of national security and the successful prosecution of the war.

[910A] NOTE: The witness on the stand at this point is Captain Edwin T. Layton, U. S. Navy.

[911] Recross-examined by the interested party, Admiral Harold R. Stark, U. S. Navy:

38. Q. I show you Exhibit 17, known as the War Warning dispatch. Will you state what your own reactions were when you first saw that dispatch?

A. It is pretty hard to remember your exact reactions after the passage of so many months, but as I recall it, it seemed to fit in with the picture as we saw it from the various reports—from the China coast, from the C and C Asiatic, and from other secret sources, regarding the development of a Japanese amphibious expedition headed to the south. Movements of troops, tanks, and amphibious boats, landing craft, transports, and naval vessels, were all sighted—forming and moving to the south. The use of the words “Kra Peninsula” fitted in with some information from secret sources regarding intrigues in Malaya, and the attempt on the part of the Japanese to entice the British to cross the frontier from Malay into Thailand, so that Thailand could then call the British an aggressor, and call upon Japan for aid, thereby facilitating the Japanese entry into Thailand as a full-fledged ally, and making air bases in the Kra Peninsula available, maintaining their position and carrying out any further operations along Malaya if planned.

39. Q. I show you that same document, Exhibit 20; when you saw that, Captain, were you in any way influenced while you were evaluating what it said, by what you had seen in the local press or heard over the public radio?

A. I believe that no one can read these highly important messages that deal with the nation, and hold them alone in the mind, without listening to the local press and radio regarding negotiations under way, or without regarding news commentators' think-pieces. I wouldn't say the news or the radio influenced me, but I think it would have an influencing part on one's judgment.

40. Q. During the last two weeks, say, before 7 December 1941, did you hold any personal apprehension of an attack upon Hawaii similar to the one that did occur on 7 December?

A. I don't believe I did.

41. Q. Had you at one time studied the document, or a publication, issued by the Japanese Navy, secret probably, in which they talked about such an attack?

A. Yes, I translated a novel published in Tokyo to inflame public opinion toward larger armament money in the Diet, in which they discussed the great Pacific war, and wherein an attack on Pearl Harbor with carriers, battleships, and cruisers was academically discussed. I showed my translation of this to Admiral Kimmel, and the matter had been discussed at some time. The time that I showed it to Admiral Kimmel, however, was, I believe, three or four months, possibly, before December 7.

[912] 42. Q. Did you receive any information in the latter part of November concerning the reported presence of two or more carriers in the Marshall Islands?

A. Yes.

43. Q. Had you ever had any information of, say equal value to that, previously, which showed carriers as far from the homeland as that?

A. Yes.

44. Q. Do you recall when, and where they were?

A. Late May and early June, 1941, I reported to the Commander-in-Chief that there were good indications that part of the Japanese Navy was holding maneuvers in the mandated islands, and that some carriers were present, and that the maneuvers would extend into the Marshall Islands, but the main base would probably be at Truk.

45. Q. Concerning that information about the two or more carriers in late November, was its receipt somewhat concurrent with the date of the war warning message?

A. I believe that information, plus information from other sources at the same time, was the source of the war warning message, since the war warning message followed those very closely.

Examined by the court:

46. Q. Captain, you stated, I believe, your interpretation of this war warning message of November 27; from this war warning message and your information at that particular time, where did you think Japan was going to attack?

A. Thailand, sir.

47. Q. Did you think it at all probable that Japan would attack the Hawaiian Islands either by carrier or otherwise?

A. The matter was under considerable discussion, hinging on whether or not Japan could afford to leave the Philippine Islands on their flank. I was inclined to believe they could not afford to leave the Philippine Islands on their flank; and in the course of these discussions I expressed the opinion that, after the Japanese forces had been sighted by our search planes from Manila—these Japanese forces were sighted off Cameron Bay and in the Gulf of Siam—that the war warning message therefore was being brought out by the presence of these forces in the place where we had every intelligence indication to show they were going to be there. Therefore, the situation was unfolding in accordance with the evidence. I believe Admiral Kimmel made the decision to count all submarines in this area as enemy, as a precaution based first on intelligence, second, on reconnaissance, and third, on a summation of the whole picture.

[913] 48. Q. And did you so report your estimate to the Commander-in-Chief—this estimate that you just expressed?

A. I did, sir.

49. Q. And do we glean from that in your opinion an attack on Pearl Harbor was remote?

A. I thought the possibility at that time was remote. It was a capability of the Japanese, but the possibility of its execution at that time was considered remote.

50. Q. In your studies of the Japanese character and the translation of your book, what opinion or estimate did you form as to the possibility of a surprise attack without a declaration of war?

A. As one of their capabilities, and which had historically been seen before.

51. Q. And did you think in all probability they would follow their historical movements, as to surprise attack?

A. Aside from these capabilities, we have to consider his forces available. On 1 December 1941, at Admiral Kimmel's request, I submitted to him my estimated locations of all major units of the Japanese Navy. After I had drawn this message and had it typed, more recent information at hand caused it to be changed in red; and it showed available in the Empire, 4 aircraft carriers, 6 battleships, with a question mark after them, 4 heavy cruisers, with a question mark after them, and 12 destroyers—available for use in the home area. This force was but a portion of the entire Japanese Navy, the majority of which was shown as disposed to the south and implicated in the impending moves, from our sources of information. To go back to the translation of the book, the Japanese in this translation, stated it would be a very dangerous venture—that a surprise attack on Pearl Harbor, using carriers, battleships, and cruisers, would be a very dangerous venture, fraught with the possibility of considerable losses; and with Japan staking its national existence on this move to the south which had been its lifetime policy, it could not afford to gamble the defenses required to maintain a long-time war by the sending of some of these 4 carriers, 6 battleships, and 4 heavy cruisers on a raid wherein the Empire was completely denuded of vessels. That was, generally, the line of my reasoning.

[914] Frederick T. Lachat, yeoman first class, U. S. Naval Reserve, reporter, entered. Frank M. Sickles, yeoman first class, U. S. Naval Reserve, reporter, withdrew.

52. Q. Referring again to this critical period of November 27 to December 7, were you impressed with the importance of guarding against sabotage in these islands in counter distinction to an outside attack and how did you place them in order of priority?

A. Continental naval districts, plus Guam and Samoa, were warned against sabotage, and I did not receive any distinct impression that warnings against sabotage were underlined. My concern was only with the Fleet itself, and I left the matter of local sabotage in the hands of the District Intelligence Officer.

53. Q. Well, was there any discussion in higher authority, to your knowledge, as to the importance of guarding against internal sabotage here?

A. If there was, I was not present.

54. Q. Were you at any time familiar with the note of November 26, handed by the Secretary of State to the Japanese officers in Washington, as to the decision of this government toward Japan?

A. As far as I know, the Commander-in-Chief was at no time apprised of the details or outline of the negotiations that were being carried on in Washington.

55. Q. Are you familiar now with that note of November 26?

A. I haven't seen it, sir.

56. Q. As intelligence officer, is it your opinion that the Commander-in-Chief, Pacific was kept fully informed as to what was going on in Washington relative to Japan, which knowledge would have had any influence upon his action in this area?

A. I can answer that by quoting, as I recall, Admiral Kimmel's words, "I wish they would let us know more what is going on back there." I myself feel that the Commander-in-Chief should have been kept more fully aware of the broader pictures concerning the national destiny.

57. Q. Aside from the national destiny, do you feel that he could have been kept more fully informed?

A. Yes, sir.

58. Q. In view of the knowledge up to the present time and if that knowledge had flown to him from Washington, do you feel he would have had a clearer picture of the situation as regards Japan?

A. I feel, with the additional information, he would have had a clearer conception of the state of affairs versus Japan.

[915] 59. Q. Well, even with that additional information which he might have received, would that have had any effect upon his preparations for a surprise attack by air without a declaration of war?

A. I can't say that it would or would not, but it is my opinion that it would not have greatly changed the present state of mind of the American people of which we were a part.

60. Q. Wasn't the trend of the information, as time went on, merely to the effect that war was becoming more and more imminent?

A. War was becoming more and more imminent.

The proceedings following directly hereafter, pages 916 through 918, have, by direction of the court, been extracted from the record and deposited with the Secretary of the Navy. This action was taken in the interest of national security and the successful prosecution of the war.

PROCEEDINGS OF NAVY COURT OF INQUIRY

SEPTEMBER 11, 1944

[919]

TWENTY-SIXTH DAY

NAVY YARD, PEARL HARBOR,
Territory of Hawaii.

The court met at 9:30 a. m.

Present:

Admiral Orin G. Murfin, U. S. Navy (Ret), President.

Admiral Edward G. Kalbfus, U. S. Navy (Ret), Member.

Vice Admiral Adolphus Andrews, U. S. Navy (Ret), Member.

Captain Harold Bieseimer, U. S. Navy, Judge Advocate, and his counsel.

Frank L. Middleton, yeoman second class, U. S. Naval Reserve, reporter.

Counsel for Admiral Harold R. Stark, U. S. Navy, interested party.

Admiral Claude C. Bloch, U. S. Navy, (Ret), interested party, and his counsel.

Counsel for Rear Admiral Husband E. Kimmel, U. S. Navy (Ret), interested party.

The record of the proceedings of the twenty-fifth day of the inquiry was read and approved.

The court then, at 9:45 a. m., took a recess until 9:50 a. m., at which time it reconvened.

Present: All the members, the judge advocate and his counsel; all the interested parties and their counsel except Admiral Harold R. Stark, U. S. Navy, interested party, and Rear Admiral Husband E. Kimmel, U. S. Navy, interested party, whose counsel were present.

No witnesses not otherwise connected with the inquiry were present.

The proceedings following directly hereafter, pages 919-A through 930, have, by direction of the court, been extracted from the record and deposited with the Secretary of the Navy. This action was taken in the interest of National security and the successful prosecution of the war.

[931] A witness called by the court entered, was duly sworn, and was informed of the subject matter of the inquiry.

Examined by the judge advocate:

1. Q. State your name, rank, and present station?

A. W. L. Calhoun, Vice Admiral, U. S. Navy, Commander Service Force, Pacific.

2. Q. Will you state what duties you were performing during the year 1941?

A. Commander Base Force, United States Fleet.

Examined by the court:

3. Q. Admiral, for the month or perhaps two months preceding December 1941, will you state in general what specific duties you had?

A. I was Commander Base Force, United States Fleet, charged with the logistic support of the Pacific Fleet, assisting Commandant 14th Naval District with services in Pearl Harbor and, as necessary, to the outlying island bases of the 14th Naval District. I was in command of Fleet security measures until relieved by the Commandant of the 14th Naval District in the latter part of 1941—August or September. We had specific orders from the Commander-in-Chief U. S. Fleet to cooperate fully, placing whatever services were in the base force at the disposition of the Commandant 14th Naval District as were necessary to support the Fleet, and support and construct outlying island bases; also Senior Patrol Officer in charge of all naval Shore Patrol.

4. Q. You were aware, were you not, of the increasingly critical state of negotiations with Japan during these two months, of October and November?

A. I feel that I was fully aware of this situation as described to the commanding officers of the Fleet here. Admiral Kimmel kept us fully informed at all times.

5. Q. You were also informed, were you not, of the provisions of WPL-46?

A. Yes, sir.

6. Q. Were you also familiar with the preparations that were being made by the Commander-in-Chief of the Pacific Fleet as preliminary to the execution of tasks assigned in that document?

A. Yes.

7. Q. Did you consider that the logistic support that was provided was adequate for the support of those operations?

A. They were not adequate in all types of naval auxiliaries. I have here Base Force schedule of employment, second quarter of 1941, which itemizes the ships of my command [932] at that time. Realizing the size of our Fleet, it would have been inadequate to support advances forward. I served with three Commanders-in-Chief up to December 7, 1941: Admiral C. C. Bloch, U. S. Navy; Admiral Joseph Richardson, U. S. Navy; and Admiral Husband Kimmel, U. S. Navy—all of whom had made every possible effort to increase the Fleet auxiliaries; and referring to the Base Schedule of employment for the second quarter of 1941, it will be seen that a number of Fleet units were being added to the Fleet—a number of auxiliary Fleet units were being added to the Base Force, but had not yet reported.

8. Q. Do you not consider that it was the understanding of responsible officers that it was the inability of the national government to supply these deficiencies in the short time that they had available?

A. Definitely so, sir.

9. Q. With particular reference to fuel, were the supplies in Pearl Harbor adequate for the support of a Fleet based solely on Pearl Harbor?

A. Entirely adequate, sir.

10. Q. There was no trouble about the supply from the mainland to Pearl Harbor?

A. The best answer to that is that our storages here were almost filled on December 7, 1941. We had received excellent assistance from

the Commandant of the 12th Naval District, to whom vessels had been made available for filling our fuel supply at Pearl Harbor. I refer to diesel, gasoline, aviation gasoline, and fuel oil. The real shortage in storage at that time existed only in aviation gasoline, but the Commandant of the 14th Naval District took very prompt action in obtaining certain civil tankage which we rapidly filled.

11. Q. How many tankers did the Base Force have at its disposal for use in connection with the Fleet operating from Pearl Harbor?

A. There were eleven tankers attached to the Base Force; four of the Kanawha type, 14 knots, about 40,000 barrels; three of the Ramapo type, 10 knots, about 65,000 barrels; four of the new Cimarron class of Fleet tanker, 18 knots, 105,000 barrels—total, eleven tankers.

12. Q. Were any or all of these tankers equipped for fueling vessels at sea?

A. All tankers were equipped for fueling vessels at sea and had had considerable experience in fueling all ships. The new Cimarron class of Fleet tanker had proved very adaptable and was an excellent type of tanker for this work, able to fuel from four stations at one time.

13. Q. Do you consider that the eleven tankers under your command were sufficient to have supplied the Fleet if the [933] Fleet had vacated Pearl Harbor, in addition to keeping the Pearl Harbor supply up?

A. Eleven tankers alone were not sufficient for the needs of a Fleet operating any considerable distance to the westward of Pearl Harbor, particularly if carriers and cruisers and destroyers operated at high speeds. None of the tankers would have been available for keeping up the Pearl Harbor storages. The eleven tankers would not have been sufficient to have maintained the Pacific Fleet in this area on a campaign into the Western Pacific. There were in the Atlantic the approximate number of tankers that there were in the Pacific, and four of them were also of the new fleet tanker type. Had they been rushed into this area, with the limited number of carriers we had at that time in this area, with that assistance we could have supported the fleet probably as far as Wake. There were only three provision ships in the Pacific, two, the Arctic and Boreas, capable only of about 10 knots; the Bridge, capable of about 12 knots. These three would have been hopelessly inadequate to supply fresh provisions to the Pacific Fleet as it existed at that time. The first of the new 15-knot provision ships of the Aldebaran type was on her way, but arrived after December 7. There was assigned to the Base Force at that time only one ammunition ship, the Pyro. There were assigned two AKS of Fleet issue store ships, the Castor, the Fleet sea-going type, and the Antares, which could have been used only between Pearl Harbor and the mainland, due to the fact that her speed was around 9 knots. There was one hospital ship, two repair ships, and two fleet salvage tugs.

14. Q. That answer, I take it, Admiral, which is rather complete, refers to only supplying the Fleet in advance movement, without taking consideration into the logistics, particularly between the mainland and Pearl Harbor?

A. That is correct, sir.

15. Q. Admiral, in view of the logistic requirements as you have stated, did you have the ships available to supply this Fleet if an-

chored in the Hawaiian Islands at another place than Pearl Harbor?

A. Yes, the Base Force had supported the entire Fleet anchored in Lahaina, and by making use of the facilities of the 14th Naval District, could easily have supplied the Fleet in any other Hawaiian anchorage with almost the same facilities as here, except for fresh water and for hospitalization.

16. Q. You stated that you were familiar with the general policy of the Commander-in-Chief Pacific, and we presume that you were also familiar with the strategical set-up and information regarding Japan.

A. Yes, Admiral.

17. Q. Did you form in your own mind an opinion as to the [934] possibility of attack on these islands by Japan?

A. I believed that some day war with Japan would come, and at no too-far-distant date. I am one of the people that were deceived by the envoy of peace in Washington, and I did not believe that Japan would strike while the envoy of peace was in Washington. I did not believe that Japan could get a fleet of carriers and the necessary supporting ships across the ocean to attack Pearl Harbor as they did, with the complete secrecy and surprise as they did. I had formed the opinion that our intelligence would undoubtedly have caught that. Once before the Fleet went on a war footing because certain units of the Japanese carrier and submarine force had disappeared. That led me to believe that we were following Japanese forces very carefully. Everybody in Pearl Harbor under Admiral Kimmel's command was making every possible effort to be ready for any eventuality. As Calhoun, I did not expect any attack on Pearl Harbor at the time. It came at a time when I did not expect it at the time, or in the immediate vicinity of that time; although I knew from conferences with Admiral Kimmel, which I attended daily, that the situation was very strained, and that we were all supposed to be ready for any sudden orders or emergency that might arise. We were not on a war footing in Pearl Harbor, inasmuch as liberty was permitted over week-ends. We were not in the higher conditions of readiness, and the security patrols of which I was in charge up to the time I was relieved by the Commandant of the 14th Naval District, were based on the acts of irresponsible nationals in committing sabotage, rather than any direct attack by a national. Those security orders had been in effect in the Fleet since the arrival in May of 1940, and the basis on which they were issued was to secure the Fleet against the acts of irresponsible nationals; although in the preamble to these instructions, various forms of attack on Pearl Harbor were discussed as possible.

[935] Frederick T. Lachat, yeoman first class, U. S. Naval Reserve, reporter, entered. Frank M. Sickles, yeoman first class, U. S. Naval Reserve, reporter, withdrew.

18. Q. Were you familiar with the dispatch received by the Commander-in-Chief, Pacific from OpNav on November 27 and known as the "war warning" message?

A. I was present in Admiral Kimmel's office when that was read to every flag officer in this area who was not absent with one of the task forces which were always at sea.

19. Q. How did you interpret that dispatch?

A. I will have to answer that I interpreted that dispatch in accordance with other information which we had also received from the Department. Whenever the Commander-in-Chief complained about men and ships being taken away from him—and as I was Fleet Personnel Officer, I was the principal complainer—he was told on one occasion that he was lucky to be in the Pacific and not to have the trials and tribulations of the Atlantic and the Asiatic and that he would continue to lose men and ships. I had formed the opinion, from information that I had gathered, that we were to consider the situation in the Atlantic and Asiatic more serious than here. I gained the impression from the war warning telegram that if negotiations in Washington fell down completely, that then trouble with Japan might ensue.

20. Q. From this dispatch, Admiral, of November 27 did you form any opinion as to where Japan would strike in the event of war with Japan?

A. I was definitely of the opinion that war would start with Japan by an attack on the Philippine Islands with everything the Japs had and that they would take that quickly before we could get there with help.

21. Q. Did you have any idea here that Japan would strike by air on Pearl Harbor at that time?

A. I did not, sir. Admiral Kimmel gave all of us flag officers every bit of information he had. I am positive of that. We met in conference every morning, and as I was not a Fleet Task Force commander, I was never at sea and was always at the conference. I missed very few, if any. I have repeatedly heard Admiral Kimmel ask Admiral Halsey, Admiral Pye, Admiral Downes, Admiral Leary, Admiral Draemel, Admiral Calhoun, and Admiral Furlong if they had any constructive suggestions or criticisms to offer on the conduct of training of the Fleet, plans of the Fleet, and preparations for the use of the Fleet; and I am certain that any such suggestions from the responsible commanders in this area would have been welcomed by Admiral Kimmel. We all sat together; we all had the information, and, speaking only for myself, I did not expect an [936] attack. I would not have hesitated to go to Admiral Kimmel with any suggestion, no matter how radical, had I felt it necessary, and I am sure that Admiral Kimmel would have listened carefully to anything I had to say, as I would have done with any of the others. He made it very clear that he wanted his commanders to speak out loud in the meeting. I attended all conferences right up to and including December 6, and there was certainly no belief in that conference of any attack being imminent. I was absent from Pearl Harbor on the night of Saturday, December 6, and returned in the early morning of the 7th, which speaks for itself. Naturally, I would not have left if there was in my mind the slightest question of an attack.

22. Q. Having attended these conferences, Admiral, and being familiar with the information at hand, do you feel that the Commander-in-Chief, Pacific was kept thoroughly informed by Washington or that there was any information in Washington about which you afterwards learned that would have assisted him in making a better estimate of the situation between November 27 and December 7, 1941?

A. I am only aware officially of the information I heard at Admiral Kimmels conferences. There are many rumors of information that

existed, but I have no official knowledge of that and can only say that having been allowed to read most of the letters from the Chief of Naval Operations to Admiral Kimmel, I believe that I knew all the information that Kimmel received. If there was other information, I am not aware of it. If it did exist, it never officially reached the lower echelon of command of my rank.

23. Q. Admiral, will you, in brief, give us your opinion as to the personal and official relations between Admiral Kimmel and General Short and the cooperation which existed between them during the days immediately preceding the attack on Pearl Harbor, with a special reference to the time from November 27 to December 7?

A. One of my duties, given me by Admiral Kimmel, practically made me an assistant to the Commandant of the 14th Naval District, Admiral C. C. Bloch, and because of my logistic duties and the fact that the Navy had agreed that we would care for all aviation gasoline, I was continually in touch with the Army. I knew General Short well. I knew him personally. Naturally, I was intimately acquainted with Admiral Kimmel. I believed at that time—and nothing has caused me to change my mind since that time—that Admiral Kimmel and General Short were on perfectly good terms of cooperation and mutual friendship. On the Joint Frontier Coastal War Plans, which were the plans drawn up by the Army and the 14th Naval District for the defense of this area and for what participation the Fleet might have to take, if they happened to be here at the time, I know that Admiral Kimmel, through his representative, Admiral Bloch, had come to very [937] satisfactory arrangements with the Army. As to the period from November 27 to December 7, I feel quite sure there was no difference there between the previous periods. I had been present on a number of occasions when General Short and Admiral Kimmel and the higher ranking officials had conferences and discussions, and I never at any time saw anything that lead me to believe that there was other than complete cooperation. I am a little more familiar with the cooperation which existed between the 14th Naval District and the Army because of my work with Admiral Bloch, and I am certain that they were working as a team.

24. Q. Do you know whether conferences between Admiral Kimmel and General Short were rare or frequent, especially after the message of November 27 was received?

A. I don't know. I have no knowledge as to whether they were frequent.

25. Q. It has been stated officially, "the attitude of each"—Admiral Kimmel and General Short—"that he was not required to inform himself 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." Can you comment on that from your first-hand observation of their work together in the common interest?

A. Without hesitation or qualification, based on my knowledge, any such statement is not founded on fact.

Cross-examined by the interested party, Admiral Harold R. Stark, U. S. Navy:

26. Q. Admiral, as one who is familiar with WPL-46, you are also familiar, I assume, with the initial tasks assigned to the Pacific Fleet by WPL-46?

A. Yes.

27. Q. You have outlined to the court the deficiencies in training which existed at that time. Regardless of those deficiencies, would you say that the training was adequate to support the Pacific Fleet in its initial tasks as outlined in WPL-46?

[Notation in margin:] H B.

A. Yes. I want to qualify that answer. There might have been a good deal of living on dry provisions. Had there been engagements and wounded, hospital facilities would have been very meager. If salvage were to be performed, our equipment and vessels were very small and would not have been capable of major salvage operations. The entire situation would have depended on the speed that would have been required in that initial task had the enemy imposed his will on us.

[938] 28. Q. Having in mind the limited nature of the tasks assigned to WPL-46, it would have been possible to carry them out with what you had?

A. Yes.

29. Q. I should like to show you Exhibit 20. This is the dispatch of December 3 with respect to the burning of the codes. I ask you whether or not that dispatch was brought to your attention at the time it was received?

A. I have a pretty good memory. I don't remember ever having seen this dispatch.

30. Q. Do you recall having had that information which is contained in that dispatch brought to your attention at one of Admiral Kimmel's conferences?

A. I don't remember.

31. Q. Admiral, I believe you have testified that after the war warning dispatch had been received by the Commander-in-Chief you did not consider that the Pacific Fleet was on a war footing. Would you care to elaborate a little on that and tell the court whether or not there were any discussions at that time as to whether or not the Fleet should go on a war footing and what considerations governed the not putting of the Fleet on a war footing at that time?

A. The Commander-in-Chief discussed with the officers of the Fleet—and I feel quite sure it was definitely stated that similar discussions were held with the Army—as to the patrols that were being flown. The task force commanded by Vice Admiral Halsey was at sea, and the Fleet was at Pearl Harbor and could have, in a very short time, been ready for its initial tasks. I repeat that nobody expected war immediately. If any expectation existed, it was not manifested either by the Commander-in-Chief or by the high command of the admirals here in Pearl Harbor, and I believe that everyone felt that the training, the amount of fuel, and the logistic support which existed at Pearl Harbor made the Fleet ready to comply with this initial task in case a notification came for them to do so.

32. Q. Admiral, as I understood your testimony, in answer to questions by the court, you stated that you were familiar with the war warning dispatch?

A. Yes, sir.

33. Q. And that you considered it to mean that if negotiations with these peace envoys broke down, trouble might ensue?

A. That is correct.

34. Q. I should like to show you Exhibit 17 before this court, which is the so-called "war warning" dispatch, and ask you to state, if you will, what you considered the first sentence of the dispatch to mean: "This message is to be [939] considered a war warning," and also what you considered the phrase to mean: "Negotiations with Japan have ceased"?

A. In addition to this dispatch, we had also received—just how Admiral Kimmel received it now I don't remember—an order that U. S. naval forces were not to commit any overt acts. My memory has evidently played me false, as I thought that was a part of this dispatch. I considered this dispatch, when read to me, to mean that the Navy Department in Washington believed that the situation was not bright. I did not believe from this telegram and from the previous information that existed—and I must connect that with this dispatch—that any attack would be made except against Manila, and I am quite sure that in this war warning telegram the specific localities mentioned are those in the East, and the only United States possibility mentioned is the Philippine Islands. In connection with other information which I had received officially, I felt that Washington considered the Atlantic and the Asiatic as the hot spots where immediate trouble might start. I did not consider that this was a war warning for the Fleet here at Pearl Harbor to go into Condition One and to remain on a war footing, for if these negotiations did break down, the first attack would undoubtedly mean the Philippine Islands.

35. Q. Doesn't that dispatch state, "Negotiations have ceased," thereby not leaving that to any interpretation by the commander here?

A. Yes.

36. Q. To whom is that dispatch addressed for action?

A. Commander-in-Chief Asiatic Fleet, Commander-in-Chief Pacific Fleet, CinLant, SpeNavO.

37. Q. It was considered here that when a dispatch was sent to the Commander-in-Chief, Pacific saying that it was to be considered a war warning, it did not necessarily mean that the Fleet here would have to go on a war footing or that war was imminent?

A. That was Calhoun's impression, and from what I gathered, actually being present at this conference where this telegram was read, it was the impression of the other officers there. I knew that a cross section of the best naval talent in the world was sitting in that room when this telegram was read, and the general impression of that cross section of naval talent, which cannot be denied, was not to put the Fleet in immediate battle stations as battle conditions. I feel certain that they expected that the attack, if any came, would be against the Philippine Islands.

The court then, at 11:55 a. m., took a recess until 1:45 p. m., at which time it reconvened.

[940] Present: All the members, the judge advocate and his counsel; all the interested parties and their counsel except Admiral Harold R. Stark, U. S. Navy, interested party, and Rear Admiral Husband E. Kimmel, U. S. Navy (Ret), interested party, whose counsel were

present. Frank L. Middleton, yeoman second class, U. S. Naval Reserve, reporter.

No witnesses not otherwise connected with the inquiry were present.

Vice Admiral W. L. Calhoun, U. S. Navy, the witness under examination when the recess was taken, entered. He was warned that the oath previously taken was still binding, and continued his testimony.

The witness requested permission to elaborate on an answer made to a question asked him.

The court stated that permission was granted.

The witness stated as follows: I would like to enlarge on some of the answers to the questions that you asked me just previous to the recess. There is no doubt that having looked over the list of Fleet auxiliaries that exist today and considering their construction periods that it was the effort of the Commander-in-Chief of the Fleet in 1940 and 1941 that, with the splendid cooperation from the Navy Department, resulted in an early flow of those ships into the Fleet almost immediately after Pearl Harbor and a continual flow of them since that time; that while those ships were possibly not immediately available, evidently they had been planned for and steps were being taken to send them to the Fleet, and it was because of those steps that we have them today in sufficient quantity where I can say that we are prepared to support the Fleet anywhere, any time. In regard to war footing or war preparations of the Fleet, I realize that I am testifying before a Naval Court where we all speak the same language, but that my statements may not be understood outside of naval circles. This Fleet was on a war footing and had been for some months ready to conduct any ordered sortie where 24 to 36 hours advance notice was given. Before the war warning telegram came, orders had been issued that the moment a task force returned to this port they were to be boarded by fuel, provision and maintenance officers; that they were to be fully fueled, they were to be fully provisioned, and the same with ammunition. If they stayed in port any length of time their commanders had orders to request that the small oil barges come around and top them off so that they were practically filled with fuel at all times. I meant, when I said "not on a war footing", we did not take any of the prescribed conditions of readiness for battle, nor were any of those conditions for readiness prescribed in the security orders; but at the slightest knowledge that an attack was coming, those steps could have been and would have been [941] easily and readily taken. To have placed the Fleet in battle condition would have interfered with the orderly system of strenuous training which was in effect. Each task force, as it went to sea, conducted target practices and maneuvered in every way possible to improve its battle condition. That is what I meant by not being on a war footing. I should have said we were not on a battle footing but we were on a war footing and had been for some time. The Fleet was ready to execute the preliminary maneuvers of the existing war plans and WPL and sufficient auxiliaries did exist for the ordered deployments had they come. However, the total capacity of the tankers available to the Pacific Fleet was 760,000 barrels of fuel oil and in the first nine days after Pearl Harbor we pumped into the Fleet 750,000 barrels. That is what I meant by the fact that the tankers would not have been able to take care of the Fleet away from Pearl Harbor if any amount of high speed steaming had been conducted.

Cross-examination by the interested party, Admiral Harold R. Stark, U. S. Navy, (Continued):

38. Q. One further thing in connection with the dispatch of November 27th, the so-called war warning dispatch. You have amplified your answer to that and explained to the court what you meant by the Fleet being on a war footing, but I believe that I am correct in saying that nothing that you have said by the way of amplification changes your previous answer which indicated that the Fleet instituted no additional measures after receipt of the dispatch of November 27th to put it in a greater condition of readiness for war?

A. I am aware of a certain happening, the details of which I cannot state, but I do know that certain air patrols were instituted somewhere around the first or second of December, or maybe earlier, above those that had been in effect previous to that time. I am aware of the fact that there was discussion by Admiral Kimmel and Admiral Bellinger—he is the one that I am certain of—as to the fact that these new orders placed into effect would fly every plane capable of making a search up to the limit of endurance of planes and pilots. That was done, either after November 27th or just before that time. The details of that, I don't know, but I do know that such an order was given.

39. Q. That is the only additional security measure of which you feel you have any knowledge?

A. That is correct, sir.

40. Q. Admiral, I believe you testified in your direct examination that from time to time you, as personnel officer of the Fleet, had asked for additional personnel, and I believe you said made the squawks about personnel, and that word had been received by the Commander-in-Chief that not only were these deficiencies not to be made up but that it might be possible that additional personnel and ships would have to be [942] taken from the Pacific Fleet for other purposes. Is that correct?

A. That is my absolute recollection of the facts. Exactly how that was received I do not know, but I am certain that in conference with Admiral Kimmel, then Captain W. W. Smith, Captain McMorris, we discussed the fact brought about by ordering away our only two salvage tugs which, after they started for the Coast and we complained so bitterly, were turned around and brought back; that if they took ships from us and if they took men from us by continuing to have us send our replacements for new crews without replacing them, the Fleet would soon be in a bad way.

41. Q. I also understood that you felt that you were acquainted with the details of the correspondence that flowed between Admiral Kimmel and Admiral Stark during the period, say, six months previous to 7 December 1941?

A. That is right.

42. Q. Were you aware that at any time during this period Admiral Stark assured Admiral Kimmel that he was contemplating taking no further forces from the Pacific Fleet?

A. I know that, but whether I knew it after December or before, I can't state. I think it was before. I feel sure it was before. If I am allowed to say what I feel, I can't state under oath definitely whether it was before or after but I think it was before.

43. Q. May I show you Exhibit 12 before this court, which is a letter dated 23 September 1941, from Admiral Stark to Admiral Kimmel, and ask you to look at the second full paragraph on page 2, and see whether or not that refreshes your memory. Do you remember seeing that letter at the time it was received by Admiral Kimmel?

A. I saw a similar paragraph to the one marked, either before December 7th or shortly after. I would have to look at this whole letter to tell you whether or not I saw the letter.

44. Q. What I am getting at, Admiral. I don't think that is necessary unless you particularly want to. What I am getting at is, whether or not you felt, prior to 7 December 1941 that the Commander-in-Chief Pacific had been assured by the Chief of Naval Operations that no further units would be taken from the Pacific Fleet other than those contemplated by WPL-46?

A. I believe that I had that information before December 7th.

Cross-examined by the interested party, Rear Admiral Husband E. Kimmel, U. S. Navy (Ret) :

45. Q. Do you have any recollection as to the time that the orders were given by Admiral Kimmel, if they were given, as to the depth bombing of submarines in the vicinity of Oahu?

A. I had been relieved as Commander Base Force of the [943] security patrol, but I am aware of the fact that orders were issued that the destroyers of the security patrol should, if they contacted a submerged submarine in the restricted sea area, stick with it, attempt to identify it, attempt to make it come to the surface, but if they knew beyond any reasonable doubt that there was a submarine down there not one of our own, that they would attack it with depth charges and destroy it. I also know that the security patrol, while previously ordered to have their guns loaded just before December 7th—maybe a month—received orders that guns were no longer to be loaded but they were to be handy and in the ready ammunition boxes. There wasn't any question about the fact that if they had encountered a Japanese submarine out here that they were to destroy it; not in my mind.

46. Q. With your knowledge of the conditions of the Fleet as regards security matters between November 28th and the 7th of December, do you know of any other possible security measures that could have been taken than those that were in force and effect at that time?

A. I do not, considering that I had read the joint coastal frontier plans—I think that is the proper designation—and knew that the Fleet was to be called upon only if present in port to use its anti-aircraft guns on an attack if so requested by the Army Command. I believe that by flying the additional patrols which I knew Admiral Kimmel ordered—but just how or what I can't state—he was doing everything that he could do. I made no suggestions to him for increased alert and I would have felt perfectly free to do so if I had had the mentality or the thought or the idea that anything else I could suggest would help.

The interested party, Admiral Claude C. Bloch, U. S. Navy (Ret), did not desire to cross-examine this witness.

Re-examined by the court :

47. Q. Admiral, you were the Fleet Personnel Officer. Will you state in general the officer and enlisted personnel situation from the standpoint of adequacy of numbers, ratings, and permanency; that is, the need for furnishing personnel to other commands?

A. The adequacy of ratings was excellent due to the fact that very little advancement occurred. The minute they took any petty officer from you, you had the petty officer material ready for replacing them. There was a long waiting list, particularly for chief petty officers, waiting to be rated, but because of the numbers of personnel allowed in the Navy and in the Fleet at that time, the vacancies did not exist. Ships of the destroyer class were then woefully under-manned. Maybe we didn't know it then but we do know it now, due to the fact that because of the assigned complements, even though the complements were filled, they could only, under battle conditions, probably man 75 per cent of their stations. The tankers could not possibly have fueled at sea [944] and be ready for any form of defense. The tanker crews have almost been doubled since pre-Pearl Harbor. The destroyer crews have almost been doubled. The permanency of personnel was fair. We sometimes lost men, and the Fleet was never in excess, more rapidly than we got replacements, but at that time, with the assigned complements, I again repeat that ratings didn't bother us. We had a long waiting list for promotions. Officer personnel, I can give my opinion on and definite facts as to the Base Force. I was not Fleet Officer Personnel Officer. The auxiliaries of the Base Force had all the officer personnel that they could possibly need or use. As to the rest of the Fleet, I heard in Admiral Kimmel's conferences of various types that they would like to have more officers and men, but as to the details of the officers, I do not know. The base force officer personnel was sufficient as to rank and permanency. Enlisted men in the Base Force was sufficient as to rank and permanency, except the tankers would have been under-manned for sea cruising with a task force. That knowledge is hindsight. The Fleet was never in excess and always 5 to 10 per cent short of the enlisted men allowed. The state of training of the men was excellent. Their morale was, in my opinion, extremely high. I saw Pearl Harbor on the 7th of December from a grandstand seat in an auxiliary that apparently was in no danger; was not subject to attack, and the way the personnel conducted themselves that day speaks volumes for the training and the fighting heart that had been instilled in those men by their responsible commanders.

48. Q. Admiral, having been security officer, did you feel that adequate security measures had been taken by the Commandant of the 14th Naval District who, I understand, relieved you, for the defense of Pearl Harbor?

A. Yes, sir, and if I hadn't thought so I wouldn't have hesitated for one moment to go to him, and I know that he would have gladly entertained and considered any information or advice I had to give. I was fully conversant with the orders that he issued after taking over from me, and the orders issued by the Commandant of the 14th Naval District were a little bit more warlike than those issued by myself as Commander Base Force. Again I repeat, mine were issued based entirely on the acts of irresponsible nationals and the fact that nationals would not attack the Fleet at Pearl Harbor or the Fleet

at sea, but when the Commandant of the 14th Naval District took over, that shade of distinction was a little bit broadened and it was more of a warlike security measure than had been in existence when it was handled by the Base Force; considerably more so.

49. Q. Do you consider that the lookouts and all for the entrances to Pearl Harbor were adequate and on the alert?

A. Definitely so, sir.

[945] 50. Q. You are aware of the fact that a submarine entered on the morning of the 7th into Pearl Harbor?

A. Yes, sir; a midget submarine.

51. Q. And is it your understanding that there was no report of that midget submarine until it got well inside the harbor?

A. It isn't a question of understanding. I definitely feel sure it would have reached me because I had many mine craft and tugs to go after them. I had no warning that a submarine was in Pearl Harbor until the MEDUSA and CURTISS informed me that they had fired on a midget submarine and sunk it on the other side of Ford Island.

None of the parties to the inquiry desired further to examine this witness.

The court informed the witness that he was privileged to make any further statement covering anything relating to the subject matter of the inquiry which he though should be a matter of record in connection therewith, which had not been fully brought out by the previous questioning.

The witness stated as follows: I regret that I did not carefully distinguish between war footing as I considered the Fleet on December 7th and just prior to that and what it is today. Today there are conditions of readiness maintained at all times. Certain watches man guns, and battle stations are partially manned. Task Forces One, Two and Three, which composed the Pacific Fleet, were continually making sweeps, cruising and training. One task force was always at sea and it was relieved by the second, which meant that for short periods two-thirds of the Fleet was at sea. They steamed in all-together battle conditions, darkened fleet, ship, and everything as exists today. They were ready to fight had they been attacked. Here in Pearl Harbor, I meant that after the war warning telegram we didn't go to general quarters at daylight and then follow it up by setting certain conditions of readiness as is done in the Fleet today, but I do consider that we had been making strenuous warlike preparations ever since the day in 1940 when we were told that the Fleet was not to return to the Coast but would remain in the Hawaiian Islands. The Fleet was training for war and preparing for war in every way they knew how. That includes urging the proper building of auxiliaries, the extension of storage facilities at Pearl Harbor in which Commander Base Force was interested, and arrangements such that NTS and WSA would assist in the logistic supply of the Islands and necessarily of the Fleet. I would like to correct any impression that I gave that the Fleet was not ready for war, and by stating that we were not on a war footing, I meant that we had not [946] assumed or taken conditions of readiness for battle stations, and that only. I do consider that the Fleet was ready for war and could have, in a very short time, due to the continued logistic

preparations that were made, have been ready for the necessary sorties and placed into execution advanced deployments that would have been called for by placing the WPL into effect.

The witness was duly warned and withdrew.

The court then, at 2:15 p. m., took a recess until 3:00 p. m., at which time it reconvened.

Present: All the members, the judge advocate and his counsel, all the interested parties and their counsel except Admiral Harold R. Stark, U. S. Navy, interested party, and Rear Admiral Husband E. Kimmel, U. S. Navy, interested party, whose counsel were present.

No witnesses not otherwise connected with the inquiry were present.

Frank M. Sickles, yeoman first class, U. S. Naval Reserve, reported. [947] A witness called by the court entered, was duly sworn, and was informed of the subject matter of the inquiry.

Examined by the judge advocate:

1. Q. Will you state your name, rank, and present station.

A. C. W. Nimitz, Admiral, U. S. Navy, Commander-in-Chief United States Pacific Fleet and Pacific Ocean Areas.

2. Q. What duties were you performing during the latter half of the year 1941?

A. Chief of the Bureau of Navigation, Navy Department.

Examined by the court:

3. Q. Admiral, in testimony before this court, reference has been made to shortage of personnel, officer and enlisted, in the Pacific Fleet, and of the drains made from the Pacific Fleet to the Atlantic Fleet and to new construction. Will you briefly describe the situation as it existed during 1941, prior to December 7?

A. The statement which I will make will have to be in general terms, as I do not have access to records or figures or percentages. The year 1941 was characterized by a great expansion in the Navy, particularly in the naval air arm. Training activities were greatly expanded. Large drafts were made on the Fleet in both oceans for personnel to assist in the training, and for trained personnel to form the nuclei of ships and units being placed in commission. Large numbers of transports were being taken over by the Navy and Navy-manned. Every effort was being made to bring back into active service all officers and men on the retired list and on the Fleet Reserve, who were capable of performing active duty. In spite of the reserves which we had available, it was necessary to call on the fleets in both oceans and in about the same ratio, although the Pacific Fleet was slightly favored, for officers and men to man the new ships. There was a constant struggle between the desire to maintain a stability of personnel in the Fleets and a desire to man new construction. Inasmuch as the country was not yet in war, and inasmuch as it was vitally necessary to strengthen the fleet for new construction, ships nearing completion—considerable numbers of officers and men were drained from the fleets. The Asiatic Fleet did not participate in this furnishing of men, and was kept practically up to strength, although there were some few officers and men even from that Fleet. To the best of my recollection, in about December of '41, the ships were fully manned as regards numbers of officers and about 90% manned as regards numbers of men. There was, however, a high proportion of reserve officers in the officers' rosters of all ships, and

a large proportion of the men were relatively untrained, having had anywhere from a month to something under two months of training at training stations. The rapidly expanding training system, particularly naval air stations, [9/8] absorbed large numbers of trained aviators to keep the training program going. I would like to add that at this time, about December of 1941, prior to the 7th, there had been an increase in the anti-aircraft batteries of our combatant units, and steps were already under way to provide the necessary personnel for these batteries, so the 90% figure includes personnel for those batteries and included enough men to man anti-aircraft batteries almost on a watch-and-watch basis. Since December 7 there has been a tremendous increase in the anti-aircraft armaments of all of our ships, which has greatly increased the numbers of men aboard ship.

4. Q. Admiral, do you consider that during this time, the principal activity of the United States Fleet was centered in the Atlantic, as to actual active conditions?

A. In my capacity, as Chief of the Bureau of Navigation, I was not concerned with the operations of the Fleet, but I was aware of the fact that withdrawals had been made from the Pacific Fleet into the Atlantic Fleet, particularly one division of battleships, three in number; some destroyers, number I don't recollect—but there had been a number of withdrawals. I am not a good witness as to the relative importance of the two areas, except that the fighting was actually going on in the Atlantic at that time and was not going on in the Pacific.

5. Q. Admiral, would not suspension of training activity have had a serious effect upon your ability to supply personnel to new construction?

A. It would have been impossible to produce trained aviation personnel without the training activities centered ashore. It was possible, of course, to train deck hands by taking men newly inducted and placing them aboard ships and requiring ships to do the training, but the general preparedness efforts would have been considerably retarded.

None of the interested parties desired to cross-examine this witness.

The court informed the witness that he was privileged to make any further statement covering anything relating to the subject matter of the inquiry which he thought should be a matter of record in connection therewith, which had not been fully brought out by the previous questioning.

The witness made the following statement: "None except to offer the suggestion that the Bureau of Navigation records will contain a very complete story of the efforts that were being made at that time to obtain personnel, and the efforts were very strenuous."

The witness was duly warned and withdrew.

The court then, at 3:20 p. m., adjourned subject to the call of the president.

PROCEEDINGS OF NAVY COURT OF INQUIRY

SEPTEMBER 13, 1944

[949]

TWENTY-SEVENTH DAY

NAVY YARD, PEARL HARBOR,
Territory of Hawaii.

The court met at 9:30 a. m.

Present:

Admiral Orin G. Murfin, U. S. Navy (Ret), President.

Admiral Edward G. Kalbfus, U. S. Navy (Ret), Member.

Vice Admiral Adolphus Andrews, U. S. Navy (Ret), Member.

Captain Harold Bieseimeier, U. S. Navy, Judge Advocate, and his counsel.

Frank L. Middleton, yeoman second class, U. S. Naval Reserve, reporter.

Counsel for Admiral Harold R. Stark, U. S. Navy, interested party.

Admiral Claude C. Bloch, U. S. Navy, (Ret), interested party and his counsel.

Counsel for Rear Admiral Husband E. Kimmel, U. S. Navy (Ret), interested party.

The record of the proceedings of the twenty-sixth day of the inquiry was read and approved.

No witnesses not otherwise connected with the inquiry were present.

The proceedings following directly hereafter, Pages 950 through 987, have, by direction of the court, been extracted from the record and deposited with the Secretary of the Navy. This action was taken in the interest of National Security and the successful prosecution of the war.

[937A] None of the parties to the inquiry desired further to examine this witness.

The court informed the witness that he was privileged to make any further statement covering anything relating to the subject matter of the inquiry he thought should be a matter of record in connection therewith, which had not been fully brought out by the previous questioning.

The witness stated that he had nothing further to say.

The witness was duly warned and withdrew.

The court then, at 2:45 p. m., adjourned subject to the call of the president.

PROCEEDINGS OF NAVY COURT OF INQUIRY

SEPTEMBER 15, 1944

[988]

TWENTY-EIGHTH DAY

FEDERAL BUILDING,
San Francisco, California,

The court met at 2:30 p. m.

Present:

Admiral Orin G. Murfin, U. S. Navy (Ret), President.

Admiral Edward G. Kalbfus, U. S. Navy (Ret), Member.

Vice Admiral Adolphus Andrews, U. S. Navy (Ret), Member.

Captain Harold Bieseimer, U. S. Navy, Judge Advocate, and his counsel.

Frank L. Middleton, yeoman second class, U. S. Naval Reserve, reporter.

Counsel for Admiral Harold R. Stark, U. S. Navy, interested party.

Admiral Claude C. Bloch, U. S. Navy (Ret), interested party, and his counsel.

Counsel for Rear Admiral Husband E. Kimmel, U. S. Navy (Ret), interested party.

The record of the proceedings of the Twenty-Seventh day of the inquiry was read and approved.

No witnesses not otherwise connected with the inquiry were present.

A witness called by the judge advocate entered, was duly sworn, and was informed of the subject matter of the inquiry.

Examined by the judge advocate:

1. Q. Will you state your name, rank, and present station?

A. Vice Admiral R. K. Turner, U. S. Navy, Commander of the Amphibious Forces, Pacific Fleet.

2. Q. What duties were you performing between the first of July and 7 December 1941?

A. I was Director of War Plans in the Office of Chief of Naval Operations.

3. Q. Will you state in general language what your relations with the Chief of Naval Operations in the performance of your duties were as Chief of the War Plans Division?

A. I was one of the five or six major assistants below the Assistant Chief, and my official and personal relations with Admiral Stark were very close. A great many [989] of the projects which the Department had in mind were referred to the War Plans Division for comment and recommendations so that the War Plans Division was cognizant of most of the things that went on in the Department.

4. Q. Did your duties include being a sort of a professional adviser to the Chief of Naval Operations on matters pertaining to military operations?

A. Yes, particularly with regard to preparation for war and with regard to future operations and with regard to relationships with the Army and to some extent, with the State Department.

5. Q. The United States, by an executive order, in July, 1941, froze Japanese assets in the United States. What were your views at that time as to probable Japanese reactions to this executive order?

A. I will say this: That that order was issued without any particular advance knowledge on my part. I heard it mentioned but it more or less came out of a clear sky. I do not know just how much Admiral Stark knew about it in advance. I had expressed the opinion previously, and I again expressed it, that that would very definitely bring on war with Japan. There was no possibility of composing matters after that unless Japan made a complete backdown, which it was very apparent she was not going to do.

6. Q. You have stated that you thought there would be a war with Japan. Do you mean by that, a Japanese-United States war?

A. Yes.

7. Q. I show you Exhibit 13 which is in evidence before this court, and it is a Chief of Naval Operations dispatch of 16 October, 1941. I will ask you to examine it and state whether you were acquainted with this dispatch at or about the time of its release?

A. Yes, I wrote the dispatch. It had some slight changes in it but I wrote it and presented it to the Assistant Chief of Naval Operations and to the Chief of Naval Operations, and by them it was, as I recall, presented to the Joint Board and the Joint Board, I don't believe, took any official action on it as a serial before them, but approved it.

8. Q. This dispatch sets out, as you will note, that there is a possibility that Japan may attack the United States and Great Britain. Upon what considerations was this conclusion predicated?

A. By that time British and United States relationships had become very close and I know nothing about what assurances were given by the President to Great Britain, but I was convinced then that if Japan attacked Britain in the Far East that the United States would immediately enter the war against [990] Japan. The Japanese for some years before 1941 had apparently determined that they were going to drive Britain out of the Far East. I believe that a certain section of the Japanese hierarchy were very anxious to keep the United States out of the war, that is, keep the United States from assisting Great Britain, but many of the moves that had been made against Japan during 1940 and '41 were made by the United States. The whole political situation, their interest in the Philippines, convinced me that war would be not far off and that it would be against the United States and Great Britain.

9. Q. You speak of a war between the United States and Japan. Had you formed any estimate as to what nation would take the initial step towards this war?

A. Yes. It was absolutely certain that the nation that would take the initial steps would be Japan. There was no desire in the United States political circles to declare war against Japan unless she did something which was impossible to accept. Great Britain had her hands full and we would, I am quite sure, have gone on indefinitely if Japan had not attacked us.

10. Q. Had you made any estimate of where such an attack might be made?

A. Yes. In January of 1941 we issued a War Plan based on the situation called Rainbow Three, and that was not a joint war plan because we couldn't get the Army to go in with us on it at that time and we had to get a plan out. That plan issued at that time—and we saw no reason later to change it—envisaged a major attack, a major line of effort of Japan against the Philippines and either Borneo or Malaya; ultimately both, depending on the direction or the strength that they had available. At the same time we issued that war plan we prepared a letter for the Secretary of the Navy to the Secretary of War and stated that we considered that any attack of that nature would almost surely be accompanied by an attack on the Hawaiian Islands and the Fleet of one or more forms of attack—air, submarine, Fleet, or a combination of any of those. That letter went out signed by the Secretary of the Navy, as I recall it, in January of 1941; went to the Secretary of War who agreed with it; and letters derived from those two letters were sent out to the Commanders-in-Chief, but the major concept of the war as given in Rainbow Three was an attack on the Philippines accompanied either with Malaya or Borneo.

11. Q. I show you Exhibit 9, Admiral, in evidence before this court, which is the Secretary of the Navy's letter of 24 January 1941. I ask you to examine it and state whether or not that is the letter to which you have just referred?

A. That is the letter.

[991] 12. Q. Exhibit 9 bears date of 24 January 1941.

A. That is the letter you were speaking of.

13. Q. The letter that you have just examined. You were previously being questioned with reference to Exhibit 13, which was the Chief of Naval Operations dispatch of 16 October 1941. Was it your view at this time in October that the same considerations governing Japanese action might still be maintained?

A. Yes.

14. Q. Can you recall whether or not you had any discussions or conferences with the Chief of Naval Operations at that time in which these views were discussed?

A. Do you mean in which these same considerations were brought up?

15. Q. Yes.

A. Yes.

16. Q. To-wit, the possible objectives of a Japanese attack in the event of the Japanese taking war-like action.

A. Those questions were continuously under discussion from the time—probably had been before, but from the time I went to the Department in October of 1940, until the time of the Japanese attack. The pros and cons and the methods and just how the Japanese would do that were under discussion all the time in my section, and between myself and Admiral Stark and Admiral Ingersoll and immediate members of his staff.

17. Q. Exhibit 13 directs, in effect, that addressees take due precautions, including preparatory deployments. What was desired to be conveyed by this directive "take due precautions including preparatory deployments"?

A. Our preparatory deployments were intended to include sending submarines out to the westward along approximately the 180th meridian. There was no such order given, of course, but that was our intention, to send some out just east of the Marshalls, to have the Fleet at sea, or part of it, a considerable part of the time to the westward of Hawaii and up generally in a supporting position for Midway and Wake and covering positions for Palmyra and Johnston, and it was expected that they would be in a position from previous deployments so that we could get warning of any attack that was coming so that they could take measures against any Japanese force that came in. As I recall it, as a result of that dispatch, or shortly afterwards in any case, the Commander-in-Chief of the Pacific Fleet issued the order that Japanese submarines would be attacked by our forces if found any place in the vicinity of the Hawaiian Islands. I don't know whether those orders were issued in detail; we didn't see them.

[992] 18. Q. This dispatch of 16 October also contains the directive to take precautions as will not constitute provocative action against Japan. Do you know who was responsible for those words being in the dispatch?

A. I was.

19. Q. For what reason were they placed in the dispatch?

A. The State Department and the Navy Department, I think, were in accord that we should get as much time as we ourselves could to prepare in a material way for the war. We had finally been able to get appropriations that would assist in a material way very much better, and we had also opened up the enlistments again and we wanted to be in better shape so that we could carry on the war more effectively. Now, in addition to that there were conversations going on constantly with the Japanese which appeared on the surface to be possibly a solution so that there wouldn't be any war and that was the desire of the government, that we not get into war with Japan at that time. Therefore, we did not want our Fleet, for example, to cruise over near the Marshalls and assume a threatening attitude. We didn't want them to arrest all the known disloyal elements in Hawaii and we didn't want to send any submarines out near the Japanese islands. It was an attempt to retain the peace as long as possible and to make sure that when war came that it would be initiated by Japan and not by the United States.

20. Q. At the time of preparing this dispatch of 16 October for release, had any consideration been given to the advisability of shifting the base of the Pacific Fleet from Pearl Harbor to another area?

A. The question of shifting the Fleet back to the West Coast of the United States had been discussed more or less continuously from the time the Fleet stopped out there in Pearl Harbor after conclusion of the spring maneuvers in 1940. There were reasons unconnected with the war which made it desirable to have the Fleet back on the Coast. One of them was because of better logistics and better contentment of personnel; and then there was the very troublesome question of whether or not the Fleet, being in Hawaii, would not cause a very unfavorable reaction in the Japanese and directly lead to war rather than to prevent it. In other words, some people in the Department and the government felt that we could bluff Japan. Other people felt we couldn't bluff Japan and that question came in. The matter

of moving the Fleet back to the Coast was put up to the President several times after I went to the Department and each time the decision was made to retain it out there, except that a scheme was worked out so I think a fourth or a third of the Fleet would come back to the States for repairs and for liberty and leave for the personnel.

21. Q. Those were the considerations that had governed the basing of the Pacific Fleet at Pearl Harbor for a long period of time, but I am asking you specifically as of 16 October and thereafter, had any consideration been given to the advisability of changing the base of the Pacific Fleet [993] in view of the impending diplomatic developments?

A. No. By that time I believe that everyone in authority in Washington was convinced that the Fleet ought to remain based on Pearl Harbor; war was too imminent.

The proceedings following directly hereafter, Pages 994 through 1008, have, by direction of the court, been extracted from the record and deposited with the Secretary of the Navy. This action was taken in the interest of national security and the successful prosecution of the war.

[1009] The court then, at 4:25 p. m., took a recess until 4:35 p. m., at which time it reconvened.

Present: All the members; the judge advocate and his counsel; all the interested parties and their counsel, except Admiral Harold R. Stark, U. S. Navy, and Rear Admiral Husband E. Kimmel, U. S. Navy (Ret.), interested party, whose counsel were present. Frank M. Sickles, yeoman first class, U. S. Naval Reserve, reporter.

No witnesses not otherwise connected with the inquiry were present.

Vice Admiral R. K. Turner, U. S. Navy, the witness under examination when the recess was taken, entered. He was warned that the oath previously taken was still binding and continued his testimony.

Recross-examined by the interested party, Admiral Harold R. Stark, U. S. Navy:

113. Q. Admiral, there is testimony before this court that in the half year, perhaps longer, prior to 7 December 1941, there had been discussions between the War and Navy Departments concerning the principle and the application of the principle of unity of command. Would you state for the court what the situation was immediately prior to 7 December 1941 with respect to these discussions concerning unity of command?

A. The discussion had never reached a conclusion. Therefore, the situation on December 7 was one of cooperation between the two services.

114. Q. Would you suggest the reasons why there had not been any conclusion at that time?

A. We had been unable to arrive at any other agreement than of leaving the command set-up as it had been before. There were never any very clear, explicit proposals for placing one service under the command of the other. There had been a great deal of discussion, but rather vague in nature. It was a new idea. I don't believe there was any position taken by either Department along a firm line. That is to say, there were some people in the Navy Department who wished to see some kind of a unity of command. There were some in the War

Department. There were others in both departments that felt that the existing system was as good as anything that we could get up. There had been, specifically, proposals made by the Navy Department with regard to Hawaii and Panama, and the Caribbean Naval Coastal Frontier, and I don't remember whether that proposal, which was a paper draft in my office, brought the Philippines in it or not. The proposal was gone into in considerable detail that the Panama Naval Coastal Frontier would be under the Army, that the Caribbean would be under the Navy, but that document had not been accepted by the War Department. We had made a considerable number of changes in it. We were approaching a solution, I believe, but it had not been arrived at, as I recall.

115. Q. Prior to 7 December?

A. Prior to 7 December.

116. Q. Admiral, during the six months preceding 7 December 1941, did you feel that your office and the other units of [1010] Office of Chief of Naval Operation kept the Commander-in-Chief of all three Fleets, the Atlantic, Pacific, and the Asiatic, fully informed of diplomatic and military developments so far as you knew them, with particular reference to relations between Japan and the United States?

A. Yes, we did, principally through the medium of official letters written in the personal form, exchanged between the Commander-in-Chief and the Chief of Naval Operations and by means of rather frequent visits by the Commander-in-Chief of the Atlantic Fleet and infrequent visits to Washington by the Commander-in-Chief of the Pacific Fleet. We sent one or two officers out to Hawaii and on to Manila with instructions to talk to the Commander-in-Chief and acquaint him with the views of the department on the diplomatic and military situation.

117. Q. I gathered from your direct testimony in this connection that you and the Chief of Naval Operations and the Assistant Chief of Naval Operations considered that on 7 December 1941, the Commander-in-Chief Pacific Fleet had received adequate directions to prepare himself for war, from the Office of Chief of Naval Operations, without regard to other information which may or may not have been made available to him?

A. Yes.

118. Q. Adverting for a moment to the British staff conferences, I think you stated that you felt that if Japan attacked Great Britain in the Far East, that the United States would join with Great Britain; do you know of any commitment made on behalf of the United States during these staff conversations or at any other time to the effect that if Great Britain were attacked by Japan in the Far East the United States would come to the assistance of Great Britain?

A. There was no such commitment specifically. We were asked by the British to make such commitments, and particularly with respect to the Asiatic station. We were unable to make any such commitment because unless we ourselves were attacked it would require an Act of Congress to enter the war. However, we believed, particularly toward the end, that we would enter the war if Great Britain were attacked in the Far East.

119. Q. Do you know whether or not the feeling in the Office of Chief of Naval Operations was conveyed to the Commander-in-Chief of the Pacific Fleet prior to 7 December 1941?

A. I do not know; I think not.

120. Q. When did you become head of War Plans in the Office of Chief of Naval Operations, Admiral?

A. October 23, 1940.

121. Q. During your tour of duty in that capacity, what effort was made by the Office of Chief of Naval Operations, through the War Plans Division, toward the production and dissemination of a war plan which was definitely realistic [1011] and had in mind the forces available to the United States for the prosecution of the war?

A. On October 23, 1940, the only War Plan in existence was the Orange War Plan, which was most unrealistic. There was a memorandum or letter in rather general terms, written by the Chief of Naval Operations to Commander-in-Chief Pacific Fleet, concerning his movements and tasks in the case of war with Japan. I immediately started the preparation of a War Plan which was known as Rainbow 3, and was put out, I believe, in January 1941. The War Department would not agree to making that a joint plan, although they indicated that they would in general terms go along with that plan, so that was purely a naval plan, based on the concept of Japan attacking the Philippines and the Netherlands East Indies and Hawaii, and it involved sending a detachment of the Pacific Fleet out to join the Asiatic Fleet. That plan was thoroughly discussed by the principal officers in the Office of Chief of Naval Operations, and with one or two members of the General Board, and agreed on and approved by the Chief of Naval Operations. We undertook during January discussions with the Army on what was called Rainbow 5. A lot of work had been done on Rainbow 4, which was practically a purely defensive plan for South America, and with ourselves fighting Germany and Japan, but that was dropped because it was not realistic. The discussions of Rainbow 5 had not proceeded very far before the opening of the conversations with the British, which was in February of 1941. Rainbow 5 was in reality the implementation of the agreements which we made with the British during those conversations. As soon as we got out Rainbow 3, War Plans made recommendations which were approved to immediately start moving ships and men and materials to positions envisaged by Rainbow 3. As soon as Rainbow 5 was produced, which was—I think we issued that in May of 1941—we again tried to implement that plan by putting the forces where they were called for and deployment was made, practically completed, in August of 1941. However, a change had occurred in which we were required to move an additional number of ships from the Pacific to the Atlantic because of proposals for certain operations in the Atlantic with respect to Germany. I would like to add that some of these vessels that went to the Atlantic were sent back to the Pacific, and on December 7, 1941, the deployment was substantially in accordance with Rainbow 5—WPL-46.

[1012] Frank L. Middleton, yeoman second class, U. S. Naval Reserve, reporter, entered. Frank M. Sickles, yeoman first class, U. S. Naval Reserve, reporter, withdrew.

122. Q. In your opinion, then, Admiral, was WPL-46 a realistic war plan?

A. Yes.

123. Q. Do you consider that subsequent events during the first year of the war changed your estimate of the plan at all as to its being a realistic war plan?

A. No. It must be understood that a war plan issued by the Department is substantially the initiation of war, the opening steps with major tasks that go into the far future but without any detailed tasks except for the opening movements.

124. Q. Admiral, I would like to read you Article 0222 from Exhibit 4, which is WPL 46. This article reads as follows: "Mobilization may be directed prior to directing the execution of this plan or any part thereof. The order to mobilize does not authorize acts of war." Would you explain why mobilization was not ordered prior to 7 December 1941?

A. It is not practicable in a democracy, in my opinion, to mobilize without the authority of Congress, and the authority of Congress to mobilize would be tantamount to a declaration of war. That matter of mobilization had appeared in great detail in previous war plans. This was put in to try to make it realistic but with the knowledge that the chances were that no order would be given. As a matter of fact, however, the Navy—and to a large extent the Army—was mobilized. We were at our war stations. Reserves had been called into service and mobilization, so far as the Navy was concerned, would have accomplished exactly zero. The only thing that we could have accomplished by mobilization would have been the taking over merchant shipping and taking over direct control of the ports, but that again is not within the power of the executive; unless you are actually in war you cannot take over property without the authority of Congress.

125. Q. Referring now to Article 0223 of Exhibit 4, WPL-46. I would like to read that article: "This plan may be executed in part by a dispatch indicating the nations to be considered enemy, the tasks to be executed or accepted, and the preliminary measures to be taken in preparation for the execution of the entire plan or additional tasks thereof." Would you explain why it was that partial execution of WPL-46 was not ordered prior to 7 December 1941 by CNO?

A. Execution of any part of WPL-46 would have constituted an act of war which the Chief of Naval Operations nor the President were authorized to commit. That particular paragraph was put in there because it might well have been that we would have gone to war with Germany—that is, the United States against Germany—without going to war with Japan. Therefore, when WPL-46 is put into effect, or when any part of it is put into effect, that is war, and we felt that there was a decided possibility that we would go to war with Germany without at the same time going to war against Japan.

[1013] 126. Q. Do I understand, then, Admiral, that the partial execution mentioned in this article contemplated war with Germany and not war with Japan, rather than partially executing the war plan with respect to one of those possible enemy powers?

A. That is correct.

127. Q. Do you recall when merchant shipping was diverted from the Central Pacific, Admiral?

A. Yes. I do not recall the exact date. It was, I believe, the latter part of October, 1941.

128. Q. Would you explain why it was that the Chief of Naval Operations ordered that diversion of merchant shipping from the Central Pacific?

A. The Chief of Naval Operations was convinced that war was coming. We were shipping out to the Philippines extremely valuable cargoes in the form of troops, guns, and airplanes. We needed those men and that equipment in the Philippines very badly and we were afraid that these ships might be attacked by the Japanese. Some of the ships were Dutch and the seizure of the Dutch ships by Japan would have created a very difficult kind of a problem. So that those ships, first, were diverted and then, on the formation of the Tojo cabinet, we felt that war was very close and the Chief of Naval Operations diverted the ships down to the south so that they would not be captured.

129. Q. Was the Commander-in-Chief, Asiatic, and the Commander-in-Chief, Pacific, informed of this action by the Chief of Naval Operations?

A. Yes. I feel quite sure they were. The order was issued written by Admiral Ingersoll, and my recollection is that both of them were informed.

130. Q. Admiral, did you think during the year 1941 that the diplomatic and economic steps taken by the government of the United States were kept in step with the state of preparedness for war at that time; that is, our country's state of preparedness for war?

A. Yes, in general.

131. Q. Do you know of any steps taken by the Navy Department during the last half of 1941 to have the United States-Japanese negotiations so conducted that the Army and the Navy would have a chance to better their war preparations?

A. That particular point came up several times at conferences between representatives of the State Department and the War and Navy Departments. On several occasions Mr. Hull specifically asked if the two departments wanted time to better their readiness for war, and the answer every time, even up to the last, was in the affirmative. The Departments wanted the war with Japan put off as long as it could be put off so that we could be in a better position.

[1014] Recross-examined by the interested party, Rear Admiral Husband E. Kimmel, U. S. Navy (Ret.):

132. Q. Admiral, in your recent testimony you have indicated that you believed that the Commander-in-Chief of the Pacific Fleet up until 7 December 1941 had been given all the information and directives and so forth that he required to go ahead with his various duties in connection with the war plans. In your testimony at that time did you include in your general analysis of what had been given to him that he was continually receiving the special information that had been discussed previously at this meeting but which is recorded separately?

A. Yes, but I believe now, and I believed then, that he was kept adequately informed by official communications to him.

133. Q. Do you know that the official communications to him which included a great many letters in a personal form, that the details of this special information were included in those letters to the same

extent as the particular documents in which this information was contained ?

A. I believe that he received adequate information in official communications to him, and that no more was necessary. The tremendous number of details that were in this separate information were, in my opinion, not necessary for a proper understanding of the situation and for the conduct of the war.

134. Q. But do you consider that none of that information would have assisted him in his evaluation of the situation from time to time ?

A. No.

135. Q. Then some of that information would have helped him in determining the situation as it changed ?

A. I don't know whether it would have helped him, or not.

136. Q. But at least it was not given to him in detail ?

A. I don't know that to be a fact.

137. Q. Do you know whether it was given in detail in this official correspondence to which you have just now referred ?

A. It was given in sufficient detail, and in my opinion, much of our estimate of the situation was based on reading the newspapers and of public statements issued by the Japanese government, and of specific movements that the Japanese were making in Indo-China and here, there, and the other place. That information, in my opinion, on the whole, was far more valuable in making up your mind as to the situation. It was to me a great deal more valuable than all the other types of information that were obtained.

138. Q. Then you expected, as head of the War Plans Division of the Office of the Chief of Naval Operation, that the Commander-in-Chief should keep readers of the public press so that they could get their information as to what was going on ?

A. I expected him to read the newspapers, yes.

[1015] 139. Q. In this connection, reading the newspapers, were you aware from the newspapers that the negotiations with the Japanese were continuing, apparently on the surface, after the 29th of November, 1941, until the 7th of December, 1941 ?

A. Yes, there was something in the papers every day about it.

140. Q. Was that matter discussed with the Chief of Naval Operations as to what information was received from newspapers and otherwise ?

A. I think not.

141. Q. Did the Chief of Naval Operations use the newspaper publications for coming to a conclusion as to what our relations with Japan were at that time ?

A. Presumably he did. I don't know what he used ; everything that he did use.

142. Q. In connection with keeping the Commander-in-Chief informed of the situation from time to time, are you familiar with a joint memorandum that was prepared by General Marshall and the Chief of Naval Operations to the President in regard to the preparation of the Navy and the Army of the United States to meet the Japanese situation as it was developing ?

A. I would like to refresh my memory with it.

143. Q. Yes. I show you Exhibit 39-A, which is the memorandum dated November 5, 1941 addressed to the President on the subject of

the estimate concerning the Far Eastern situation, and I direct your attention particularly to the last sentence thereof.

A. Yes, I remember this. It was prepared in the War Department and some changes were made—it was discussed between the War Plans Division and some changes were made and submitted. Now, what was the question?

144. Q. I direct your attention to the last paragraph and ask you to read specifically what is recommended. Read it into the record, please.

A. (Reading:)

Specifically they recommend that the dispatch of United States armed forces for intervention against Japan in China be disapproved; that material aid to China be accelerated consonant with the needs of Russia, Great Britain and our own forces; that aid to the American Volunteer Group be continued and accelerated to the maximum practicable extent; that no ultimatum be delivered to Japan.

145. Q. In connection with this exhibit and referring to the note of the United States to Japan of 26 November 1941, did you consider, when you became familiar with that note, that the note was, in effect, an ultimatum in that it contained conditions that would be wholly unacceptable to Japan?

A. I did not consider it an ultimatum.

146. Q. Did you expect that the conditions set forth in the note of 26 November 1941 would be accepted by Japan?

A. No.

[1016] 147. Q. What action by Japan did you expect?

A. My previous testimony said that in my opinion that note was delivered by the State Department purely for the purpose of continuing conversations with the Japanese as long as possible, and represented a more or less final view of the State Department as to the conditions necessary for continued peace and agreement with Japan.

148. Q. And then you expected that the continued peace would be disrupted upon the reply to that note?

A. I don't believe that I thought anything about it in that connection because I knew a war was coming in just a few days.

149. Q. You will observe that the note of November 26, 1941 was approximately 20 days after the joint memorandum of the Chief of Staff and the Chief of Naval Operations. Had any material progress been made in those intervening 20 days that were so extensive as to have placed the United States in a much better position to carry on the war that appeared at that time to be so close.

A. The policy of the government was to delay war with Japan as long as possible.

150. Q. But did you think that the United States was prepared—

A. Twenty days delay was that much delay and by that amount we were better prepared.

151. Q. But did you think that these 20 days were going to bring the state of preparedness of the United States to such a point that the Commander-in-Chief of the Pacific Fleet, for instance, could carry out its war plans any better than they did before?

A. I don't get the sense of the question. I couldn't predict, for example, at the time of this other occurrence, that we were going to war in 20 days, or 10 days, or any other number of days. The policy of

the government was to delay war with Japan as long as possible. What I thought about it had no bearing.

152. Q. But isn't it a fact that within 20 days after a formal memorandum was given by the Chief of Naval Operations that no ultimatum should be delivered, that a note was actually sent to the Japanese, the conditions of which you believed they would not accept?

A. No note ever given by one government to another, probably, in general terms, ever is acceptable at first. That was an effort to prolong the negotiations. I'm not defending that note in the slightest degree. I had nothing to do with the note and the note was sent. I saw a draft of it before it went, a preliminary affair, and that was somewhat changed, but then it was sent without further reference to the Navy Department.

153. Q. Do you know whether Admiral Stark saw that draft before it was sent?

A. I do not know.

[1017] 154. Q. Did you feel at the time of November 26, 1941, that the Commander-in-Chief of the Pacific Fleet was fully prepared to carry out the missions as required by the War Plans?

A. Yes.

155. Q. Do you consider that it was to be carried out as more than just an initial attack, or a continued operation?

A. Whose operation?

156. Q. A continued operation by the Commander-in-Chief of the Pacific Fleet?

A. If you will read that letter you just referred to, you will find there that our attitude was a defensive attitude to be taken; it was a defensive attitude. We were not in position to make an offensive movement at that time and I considered then, and consider now, that the means he had at hand he was able to put up a defense and continue defensive operations.

157. Q. Do you consider that his operations were only to extend to the Hawaiian Islands, Wake and Midway without any movements whatever toward the Marshalls or other islands in the Central Pacific?

A. He was not in a position, he didn't have the material to attack the Marshalls with the idea of holding them and it would have been, at that stage of the game, a very bad move, and the Department had no intention of making any such suggestions. Whether he could make raids there was something else. That was up to the Commander-in-Chief to work out a scheme and make a proposal, the same way as is done at the present time. But he was in a position to undertake the defense of that area and of the Pacific Coast.

[1018] Frederick T. Lachat, yeoman first class, U. S. Naval Reserve, reporter, entered. Frank L. Middleton, yeoman second class, U. S. Naval Reserve, reporter, withdrew.

158. Q. Do you recall expressing before the Roberts Commission any belief that the Commander-in-Chief, Pacific Fleet, was perfectly familiar with all of the intelligence information, including the special intelligence to which reference has been made in this testimony?

A. I don't recall specifically making that statement. I probably did, because that was my belief.

Examined by the court:

159. Q. Admiral, did you consider that negotiations and conversations were going on between the Japanese representatives and our State Department between 27 November and 7 December? Did you know this to be a fact or not?

A. I think there were one or two visits to the Department by the two Japanese ambassadors during that period, but my recollection is that for the last five or six days there were none.

160. Q. Did you from time to time accompany the Chief of Naval Operations to the conferences at the State Department?

A. Yes, sir, I usually attended the State Department conferences.

161. Q. Was any statement made at these State Department conferences about Ambassador Grew's statement that Hawaii would be attacked suddenly?

A. Never hear of it before until it came out in the papers.

162. Q. You speak of this October 16 incident and your idea of deployment of the Pacific Fleet to the westward and the dispersal of submarines. Was any specific intimation given to the Commander-in-Chief, Pacific, as to such plan you had in mind: The deployment of that fleet or the dispersal of submarines?

A. During the fall—I have forgotten the date—of 1941 the Commander-in-Chief and some of his staff visited Washington for the purpose of discussing the entire situation. During that time I talked to the Commander-in-Chief and to his operations officer at some length. We exchanged views on what would be the proper method of conducting the initial phases of the war. I don't recall the details of the conversation at all. I presume I expressed the view that is expressed here, which was what I held at that time, that it would be impossible for us to undertake for a considerable period of time any offensive against territory and that we recognized [1019] the desirability of getting more ships from the Atlantic and putting them over there and that some would be moved there, but at that time we could not do anything more.

163. Q. You testified here that at that time and subsequent to October, 1941, the Commander-in-Chief, Pacific, had issued an order to attack submarines to the westward; is that correct?

A. No, sir. He issued an order, as I recall it, that submarines in and near the operating areas around Hawaii would be attacked, and actually there were, I believe, two attacks made on sound contacts.

164. Q. Wasn't it immediately prior to 7 December 1941 when these actual attacks were made?

A. I think he issued that order after the receipt of either the November 24 or November 27 dispatch.

165. Q. But prior to that time did the Chief of Naval Operations approve the Commander-in-Chief's recommendation to attack submarines? Did he approve it or disapprove it?

A. He approved that order issued by the Commander-in-Chief.

166. Q. This was subsequent to 27 November?

A. That is my recollection.

167. Q. But prior to November 27, 1941, did the Commander-in-Chief, Pacific make any recommendations or requests that he be allowed to attack submarines in this immediate operating area?

A. I don't remember. I don't remember that.

168. Q. Did the Navy Department and the Chief of Naval Operations recommend at any time in the last six months of 1941 a shift of the Fleet to the West Coast?

A. The Commander-in-Chief recommended on several occasions that the Fleet be moved to the West Coast. On two or three of those occasions the Chief of Naval Operations took the matter up with the President alone. Now, I don't believe that the Chief of Naval Operations made a specific recommendation to move them to the coast. He discussed it with the President, and the President would not approve the idea. Does that answer the question?

169. Q. Yes, only in your answer you refer to the Commander-in-Chief. Which Commander-in-Chief?

A. Commander-in-Chief, Pacific Fleet.

170. Q. Do you refer to Admiral Kimmel or Admiral Richardson?

A. Both. Both of them made that same recommendation, as I recall.

171. Q. With respect to the war warning message of November 27, we understand that you wrote that message, discussed it with the Chief of Naval Operations, and that it was sent with your recommendation?

A. Yes, sir.

[1020] 172. Q. Why was it in that message the Hawaiian Islands were not included as a possible objective for Japan?

A. The objectives which were put in there were the strategic objectives. We did not believe that Japan would launch an amphibious attack against the Hawaiian Islands.

173. Q. Did you think that Japan would launch an air attack against the Hawaiian Islands?

A. I thought it was one of the possibilities.

174. Q. Did you think it was a probability?

A. Yes.

175. Q. Were you surprised on the morning of the 7th when Japan made an air attack on the Hawaiian Islands?

A. Not the least.

176. Q. In other words, you felt an air attack was coming about that date?

A. That an attack was coming, and I was not at all surprised at the air attack. I knew our carriers were out, and with the warnings which had been given, I felt we would give them a pretty bad beating before they got home by our shore-based aircraft and by our carriers.

177. Q. Well, if you felt this so strongly, Admiral, did you discuss this probability with the Chief of Naval Operations?

A. I don't want to give a false impression. The matter of the attack on Hawaii was part and parcel of the whole war situation. We had done what we could to take precautions against the attack carrying through. The order was issued to deploy the Fleet in a defensive deployment.

178. Q. You said an order was given to deploy the Fleet in a defensive deployment?

A. Yes, sir, that is in the war message, and if we had not anticipated an attack, why, no such order would have been given—a major attack with their fleet. The order was given for the purpose of detecting at a distance. A specific warning against a particular thing at that time was against policy, and I agree with that policy. To add to that answer and to show my state of mind on the thing, we had out there a

circular letter, which was a defensive arrangement of the steps to be taken to defend the Fleet, both in harbor and at sea. When Tojo's cabinet fell, I sent out to my office for that order and read it over very carefully to see whether something ought to be added to it. At the time we sent the war warning, I sent for it again and studied it over to see if there was something that ought to be done that was not being done by existing orders, and after reading the thing over, I felt that, in general terms, it was an adequate order.

[1021] 179. Q. Did you feel that the Fleet should be deployed and take defensive formations in these areas on October 16, when the cabinet fell?

A. Yes, as soon as they could make the necessary arrangements. Naturally, it would take some days to get the fuel together and make the necessary arrangements.

180. Q. And you felt the same way on the 27th of November?

A. Yes, sir.

181. Q. Suppose the Commander-in-Chief, Pacific—

A. One other addition to that. Defensive arrangements on October 16 also involved increasing the defenses at both Midway and Wake, and we immediately went to work to build those defenses up and did build them up to some extent.

182. Q. Well, if the Commander-in-Chief, Pacific had had in mind the same plan that you had regarding the dispersal of the Fleet and the deployment of the Fleet at sea on October 16, would it or would it not have been possible to have maintained that Fleet without ever entering Pearl Harbor?

A. You said "dispersal of the Fleet."

183. Q. Yes.

A. I never said dispersal of the Fleet. I said deployment of the Fleet. I think it has a different connotation. Yes, I think they could have kept the Fleet at sea with only occasional returns in small numbers to Pearl Harbor.

184. Q. Were you aware of the fact that the Commander-in-Chief, Pacific Fleet had his Fleet divided into really three parts?

A. Yes, sir.

185. Q. And were you further aware of the fact that at certain intervals one part or two parts of that Fleet would return to Pearl Harbor?

A. Yes, sir.

186. Q. Did the Chief of Naval Operations approve that Plan? Was he cognizant of it?

A. He was cognizant of it. I don't recall any details of the discussions. It was mentioned. Of course, that wasn't too much under me. It was Operations, Ship Movements, and the Assistant Chief's of Naval Operations business. I know he knew about it and made no change in it.

187. Q. Were any suggestions made as to following your plan with respect to the disposition of the Fleet and maintaining them at sea rather than coming into port at certain intervals?

A. Well, I expected some of them would come into port at certain intervals. That plan of dividing it into three parts and rotating them seemed to be generally satisfactory.

[1022] Q. But that plan did not keep all the Fleet at sea, did it?

A. No.

189. Q. It left some of the Fleet in Pearl Harbor?

A. Yes, and I think that some of them would have had to come there from time to time. I think they could have stayed out a good deal longer than they were doing.

190. Q. You spoke of an officer's being sent to Pearl Harbor to acquaint the Commander-in-Chief, Pacific, with conditions. Was any officer sent out there to acquaint him with the conditions subsequent to the sending of the war warning on November 27?

A. No, sir, not that I know of.

191. Q. You spoke of the Commander-in-Chief, Pacific, being aware of the fact that if Japan attacked Great Britain, the United States would aid Britain?

A. No, sir, I did not make that statement. The question asked was, Had he been acquainted by the Chief of Naval Operations with that opinion? My answer was, "I do not believe he was so acquainted."

192. Q. You spoke also of depending upon the newspapers to give the Commander-in-Chief, Pacific, information. Are you of the opinion that our Commanders-in-Chief of our different forces, well separated from Washington, should be dependent upon the press for their information and their estimate of the situation in order to make their decisions?

A. I certainly believe they should take the reports that are made into consideration in their estimate of the situation. As I said before, that is where we get a very large part of the information. There was very little intelligence information as to the prospective moves by Japan, but when a cabinet falls, when somebody of a particular character is put in the cabinet, when the cabinet issues a statement, when conferences are held in forming the cabinet, and when they go into Indo China and other places, why, all that information is certainly of unlimited value—far more valuable than all this other stuff.

193. Q. Did you or did you not know whether or not the Commander-in-Chief, Pacific, had information regarding the delivery of this note of 26 November to the Japanese?

A. I don't know whether or not he knew it.

194. Q. Did you feel that this note was a very important document?

A. No, sir.

195. Q. If the note of November 26, with its stipulations with respect to Japan's reverting to her status quo prior to the capture of Manchuko, had not been delivered and had not been given to Japan by the United States, in your opinion [1023] would the time of war been deferred or not?

A. Its delivery, in my opinion, actually had no effect whatsoever on the situation, because they were already on the move.

196. Q. And the contents of the note had no effect on the situation?

A. None whatever.

197. Q. In view of your statement that you thought that war was going to happen in a day or two subsequent to November 27, did that have any bearing on the approval of the Commander-in-Chief, Pacific, plan to send a carrier to Wake at about 29 November?

A. The matter of putting increased defenses on Wake was taken up, as I recall it, immediately after the Tojo cabinet was formed, and we sent some additional anti-aircraft guns out at that time to Wake. We wanted to get planes there. The field had not been ready. We asked

them to rush the field, and the Naval Coastal Frontier was putting every effort out there to get the field ready—I am wrong about that. The field had been in commission for, I guess, about two months. We did not have the planes. We did not have the fighter planes to put out there. I believe that was it. We were doing everything we could to get as much strength there as possible. Now, sending those planes and the men out there on the carrier was the best way to do it, and that was part of the deployment.

198. Q. But in view of the fact that you anticipated an air attack on Hawaii about that time, did you realize that Hawaii and its immediate vicinity was devoid of carriers on 7 December?

A. No, I thought that that carrier had gotten back before that. I believe that there was a delay of a couple of days in her getting away from the date originally set, and my impression was that she had gotten back, but I do not believe that they were devoid of carriers. There was one carrier out there—two carriers at sea at that time, one of them without its planes.

199. Q. Did you feel, in knowing the strength of the Pacific Fleet, that there was a sufficient number of patrol planes to patrol properly and to have distance patrol around the Hawaiian Islands?

A. We did not believe that there were enough planes to create a fully satisfactory defense or that there were the proper types of planes. We were constantly urging the War Department to increase their airplanes out there and their anti-aircraft, and they were doing, I believe, as much as they could, considering all other matters.

200. Q. Having full knowledge of the strength of the Pacific Fleet and the surroundings as of December 7, do you think that the attack by the Japanese on Pearl Harbor could have been averted?

A. I do not think it could have been averted. If met [1024] with the force that we had at hand there, I believe that a good many of their planes could have been destroyed. I think the destructive effect could have been considerably lessened, but I don't believe that the attack could have been stopped from coming in, except by luck.

201. Q. If those carriers which launched the planes in the attack had been discovered by a patrol plane, did we have anything in the Pacific Fleet to destroy those carriers at that time in their immediate vicinity?

A. No, sir, there was nothing up there. It was always recognized, I think, by people who have concerned themselves with the defense of the Hawaiian Islands that the northern flank on Oahu is a very weak place. We put the defenses on the southern islands and to the westward, but the northern flank is devoid of outposts, and unless outposts had been stationed out there to cover that flank with scouting planes, or by a scouting line, why, it is very easy to get in there undetected.

202. Q. Under the conditions you were operating on December 7 for the deployment of the Fleet, did we have any ships to even form a scouting line and in enough capacity with respect to speed and gun fire to destroy carriers in that area?

A. You can destroy carriers with cruisers. They are faster with the cruisers. We can catch up with them. We can discover them. If some ships had been deployed to the northward, there would have been a considerable better possibility of detecting them to the north-

ward and westward—a considerable better possibility of detecting them at a distance and attacking them by shore-based aircraft and bringing our carriers in also to attack.

None of the parties to the inquiry desired further to examine this witness.

The court informed the witness that he was privileged to make any further statement covering anything relating to the subject matter of the inquiry which he thought should be a matter of record in connection therewith, which had not been fully brought out by the previous questioning.

The witness stated that he had nothing further to say.

The witness was duly warned and withdrew.

The court then, at 6:00 p. m., adjourned until 9:30 a. m., September 16, 1944.

PROCEEDINGS OF NAVY COURT OF INQUIRY

SEPTEMBER 16, 1944

[1025]

TWENTY-NINTH DAY

FEDERAL BUILDING,
San Francisco, California.

The court met at 9:30 a. m.

Present:

Admiral Orin G. Murfin, U. S. Navy (Ret.), President.

Admiral Edward G. Kalbfus, U. S. Navy (Ret.), Member.

Vice Admiral Adolphus Andrews, U. S. Navy (Ret.), Member.

Captain Harold Biesemeier, U. S. Navy, Judge Advocate, and his counsel.

Frank M. Sickles, yeoman first class, U. S. Naval Reserve, reporter.

Counsel for Admiral Harold R. Stark, U. S. Navy, interested party.

Admiral Claude C. Bloch, U. S. Navy (Ret.), interested party.

Counsel for Rear Admiral Husband E. Kimmel, U. S. Navy (Ret.), interested party.

The record of the proceedings of the twenty-eighth day of the inquiry was read and approved.

No witnesses not otherwise connected with the inquiry were present.

The proceedings following, pages 1026 through 1051, inclusive, have, by direction of the court, been extracted from the record and deposited with the Secretary of the Navy. This action was taken in the interest of national security and the successful prosecution of the war.

[1051-A] The court then, at 12:30 p. m., adjourned subject to the call of the president.

PROCEEDINGS OF NAVY COURT OF INQUIRY

SEPTEMBER 21, 1944

[1052]

THIRTIETH DAY

NAVY DEPARTMENT.
Washington, D. C.

The court met at 9:30 a. m.

Present:

Admiral Orin G. Murfin, U. S. Navy (Ret), President.

Admiral Edward G. Kalbfus, U. S. Navy (Ret), Member.

Vice Admiral Adolphus Andrews, U. S. Navy (Ret), Member.

Captain Harold Biese-meier, U. S. Navy, Judge Advocate, and his counsel.

Frank M. Sickles, yeoman first class, U. S. Naval Reserve, reporter.

Counsel for Admiral Harold R. Stark, U. S. Navy, interested party.

Admiral Claude C. Bloch, U. S. Navy (Ret), interested party, and his counsel.

Rear Admiral Husband E. Kimmel, U. S. Navy (Ret), interested party, and his counsel.

The record of the proceedings of the twenty-ninth day of the inquiry was read and approved.

No witnesses not otherwise connected with the inquiry were present.

A witness called by the judge advocate entered, was duly sworn, and was informed of the subject matter of the inquiry.

Examined by the judge advocate:

1. Q. Will you state your name, rank, and present station?

A. Admiral James O. Richardson, U. S. Navy, retired. I am assigned to duty in the Office of the Secretary of the Navy, and by him assigned to three or four other jobs.

2. Q. What duties had been assigned to you, since attaining Flag rank, other than the one just stated—during the year 1940? What duties were assigned you during the year 1940?

A. Well, at the beginning of 1940 I was in command of the Battle Force, United States Fleet, and on the 6th of January 1940, I relieved Admiral Bloch as Commander-in-Chief of the United States Fleet; and on the first day of February, 1941, I turned over command of the Fleet to Rear Admiral Husband E. Kimmel, whose title then was Commander-in-Chief [1053] Pacific Fleet.

3. Q. Did you at any time while Commander-in-Chief of the United States Fleet maintain an aircraft patrol in the Hawaiian area, which was adequate in spacing and radius to detect an approaching combat force having as its intention the delivery of an attack on Pearl Harbor?

A. No, if you mean by the delivery of an attack one that was designed to take place around 8:00 o'clock in the morning.

4. Q. Did you, while Commander-in-Chief of the United States Fleet, initiate any kind of an aircraft patrol, and if you did, will you state the kind of patrol and why you did it?

A. Any testimony that I might give would be of a general nature, because after three and one-half years, it is impossible to remember details; and furthermore, specific detail, original evidence, is available in the records of either the Fleet or the Navy Department. Upon arrival in the Hawaiian area, as a part of the Fleet exercise and in conformity with the long-established practice, anti-submarine patrols, close-in air patrols, and long-range air patrols, were established. These patrols were primarily to simulate war conditions, and the distant patrol was neither adequate in spacing or radius to detect with certainty a force approaching the Hawaiian Islands with the intention of delivering an attack near dawn. At the conclusion of the Fleet exercises, in May 1940, I received from the Chief of Naval Operations a dispatch directing me to announce to the press that the Fleet would remain in Hawaiian waters at my request to carry out exercises which I had in mind. Being uncertain as to the duration of our stay or purpose for which we were retained, practically the same patrols that had been established in connection with the Fleet exercises were continued, and as time passed and no information was available as to the probable duration of our stay, and in view of the fact that constant and repeated warnings were received of the possible outbreak of the war in the immediate future, these patrols were continued, sometimes in modified form, depending upon the number of patrol aircraft available. At one time this distant patrol was designed to cover adequately and with respect to spacing, a given sector of the circle, and was daily rotated so that during a short period of time the whole circle was covered—but the whole circle, particularly that part of it to the eastward, was not covered. Near the end of my period of service in command of the Fleet, we planned a change in the character of the distant patrol, with the intention of restricting it to adequate coverage of the operating areas, with small planes covering the sortie and entrance of the Fleet. I cannot state with certainty whether this modification was placed in effect before I was relieved or after I was relieved, but I know that it was the intention of my relief to continue the same kind of a patrol that I had in existence when he relieved me.

5. Q. Did you, while Commander-in-Chief of the United States Fleet, as a matter of policy or otherwise, reduce the period [1054] which ships of the Fleet might stay in Pearl Harbor for overhaul and recreation?

A. I can cover that only in a general way. When the Fleet arrived in Pearl Harbor in the spring of 1940, I believe the latter part of April, a part of the Fleet was stationed in Hawaii, known as the Hawaiian detachment. In view of the fact that there was great uncertainty as to the probable length of the stay of the whole Fleet in the Hawaiian waters, the Hawaiian detachment remained in its existing relation to the Fleet and carried out its schedule as arranged before the arrival of the main Fleet, and that part of the Fleet spent almost every week-end in Honolulu, in accordance with plans previously arranged. The Battle Force remained a majority of the time away from Pearl Harbor, basing largely on Lahaina Roads, and returning to Pearl Harbor periodically for replenishment of stores, supplies,

and recreation. Near the end of my tour of duty, due to the increasing number of warnings, I decided not to permit any of the heavy ships to anchor outside of Pearl Harbor, and if outside, they were to remain under way. Likewise, near the end of my tour of duty, a plan of operation was prepared under which one-third of the Fleet would be at sea, some of the ships would be on the West Coast, and the others would be in Pearl Harbor undergoing overhaul. At times, the number which I cannot recall, there were more ships of the Fleet in Pearl Harbor while I was in command than were actually present the morning of the attack. I am not positive as to the date on which this new plan went into effect, but it is my impression that it went into effect after the Christmas holidays in early January, 1941.

6. Q. Will you state in a general way what the demands were which had been made on you by the Navy Department, during your tour of duty as Commander-in-Chief, for training personnel for new construction and for other purposes?

A. While I was Commander-in-Chief of the Fleet, the Navy Department was never able to provide more than 85% of the complement required to man the ships, and no demands were made upon me for training the men that I had, but men that I needed in the Fleet were detached for the purpose of training other people.

The interested party, Admiral Harold R. Stark, U. S. Navy, did not desire to cross-examine this witness.

The interested party, Rear Admiral Husband E. Kimmel, U. S. Navy (Ret), did not desire to cross-examine this witness.

The interested party, Admiral Claude C. Bloch, U. S. Navy (Ret), did not desire to cross-examine this witness.

Examined by the court:

7. Q. Admiral, upon your arrival as Commander-in-Chief of [1055] the Fleet in Pearl Harbor in the spring of 1940, do you remember the number of planes available to the Fleet for patrol duty, for distance patrol?

A. I have no idea; it would be pure guess-work.

8. Q. The patrol which you inaugurated, which you had kept going in the Hawaiian area, do you remember the approximate sector which was covered by this air patrol?

A. Well, the sector which was primarily covered more adequately and more frequently than any other sector was from about 170 degrees to the westward to about 350 degrees.

9. Q. Isn't it true that the sector covered by this patrol was primarily in the western semi-circle, especially to the southwest?

A. Southwest, yes.

10. Q. Do you remember how far this patrol extended?

A. To the best of my memory, it was 300 miles. I think on one occasion, when the Commanding General received an order from the Chief of Staff of the Army to alert his command against a possible overseas raid, that the radius of that patrol might have been extended. In addition, we established a dawn and dusk patrol.

11. Q. In other words, in establishing this patrol, you had primarily the idea that if an attack would come, it would come from the westward rather than from the north or northeast; is that correct?

A. Well, I had in mind that if an attack should be delivered, the most probable point of approach would be to the southwestward, but

of course the patrol was not established or continued entirely as a means of security. It was partly for the training of the people under my command, and also an effort to impress upon the officers and men of the Fleet the necessity for preparing for war, which I believed was impending.

12. Q. You say that you received an increasing number of warnings at that time. When you received this warning, what condition of readiness did you place the Fleet in?

A. Which warning do you refer to?

13. Q. You stated here that you received an increasing number of warnings.

A. I made no change, but by the end of the period of my command, about all of the precautions that could be put in effect and continue in operation were in effect, including steaming of ships darkened at night; but the warnings which I received were not official. They were not clear-cut; they were not definite. They were in personal letters, the general tenor being—"I hope you will keep ever present in your mind the possibility that we may be at war tomorrow."

14. Q. When did these frequent warnings start, Admiral, [1056] approximately?

A. The first warning that I recall did not come from the Navy Department. It was this warning that came from the War Department to the Commanding General of the Hawaiian Department, and that was received as nearly as my memory serves me, on the 19th of June, when I was in Lahaina in 1940, and the Commander of the Hawaiian detachment, at the request of the Commandant of the 14th Naval District established or increased the patrol in existence, and established a dawn and dusk patrol. I reported the receipt of this warning by the Commanding General, and asked the Chief of Naval Operations for information regarding it. I received no reply. I had a patrol plane come out and take me into Pearl Harbor where I had a conference with the Commanding General, the Commandant of the 14th Naval District, and I am not positive whether the Commander, Scouting Force, was there or not; but I asked the Commanding General of the Hawaiian Department whether or not this dispatch was a drill or a real, honest-to-goodness warning. He stated that he had no idea, that he was acting as though it were a real warning of an impending attack.

15. Q. Admiral, you have stated that you did take precautions in view of these numerous rumors; regarding ships at sea, what state of readiness did you place the ships in, upon entrance to Pearl Harbor?

A. Before I left command of the Fleet, I was doing everything I could, including the sweeping of the channel with a—

16. Q. I know you did. But what condition of readiness were these ships in when they entered Pearl Harbor and tied up to the dock, as to a possible attack on Pearl Harbor?

A. Any reply that I would give to that question might later be disclosed to be entirely inaccurate. If you will seek the original evidence—

17. Q. Well, the court would like to know what orders you gave as to ships actually tied up in Pearl Harbor, as to continuous manning of their guns, and ammunition at guns, or whatever other means you took to defend or help defend ships in Pearl Harbor against possible attack.

A. I do not recall that any time, either entering Pearl Harbor or while in Pearl Harbor, I issued any order requiring the guns to be manned or the ammunition to be at hand; but there was a plan worked out by my direction under which the ship in a berth was assigned a certain part of the overhead space to cover with anti-aircraft guns in case of an air attack.

18. Q. Did you have at that time any orders issued as to the action to be taken in case of attack by air on the ships in Pearl Harbor?

A. That is another question about which my memory is [1057] wholly inadequate, if it is essential information, because the record would show the published record—but my recollection is that the Commandant was informed as to what ships would cover various areas in view of the fact that he might be the senior man there, and he was primarily charged with contact and relations with the Army. I think it possible that he was informed as to the area of the heavens to be covered by certain berths, and I am not certain whether he was charged with the responsibility of directing them to open fire. I do not know.

19. Q. In view of these increasing number of rumors which you speak of, did you anticipate an attack by air on Pearl Harbor by the Japanese, or did you think that there would be an attack by air on Pearl Harbor, as an opening war effort on the part of Japan?

A. I do not believe that I thought so during the period while I was in Command of the Fleet.

20. Q. You speak of anchoring ships at Lahaina Roads; did you consider Lahaina Roads as a safe anchorage for the ships in the face of the very critical situation existing between the United States and Japan?

A. No, and I so informed the powers that be.

21. Q. In considering the Hawaiian area, what was the safe anchorage existing there for the Fleet?

A. There was no safe anchorage, but the one that offered the greatest degree of security was Pearl Harbor.

22. Q. So Pearl Harbor was the only anchorage there available for the Fleet with any amount of security; is that correct?

A. Yes.

23. Q. Admiral, during the time you were in the Hawaiian area, and the Commander-in-Chief of the United States Fleet, did you consider the basing of the United States Fleet in the Pacific, and did you make any specific recommendations to the Navy Department as to the proper base in the Pacific, at which in your opinion the Fleet should be placed?

A. I made such representations both unofficially, orally, and in writing, and I happen to have one.

24. Q. What were they, please? What were the recommendations?

A. Well, I have one in my pocket, if you want it.

25. Q. Briefly, just generally—just state it, if you please?

A. Well, I stated that the operating areas were not adequate, either for surface ships or air; there were no air [1058] fields adequate to care for the planes that were on carriers, and could not be trained from the carriers because of the shortage of fuel. The only safe anchorage was Pearl Harbor, and it was entirely inadequate to handle the Fleet; the distance from the West Coast increased the cost

and the delay and the difficulty of maintaining and supplying the Fleet; that there were no recreational facilities; that in time of peace the men and officers could not see any reason for remaining for such a long time away from home; that they were two thousand miles nearer a possible enemy; that we were unprepared to undertake offensive operations from Pearl Harbor, and that if we were involved in war, it would be necessary for us to return to the West Coast for stripping and mobilization and preparation for war; and that our presence in the Hawaiian area, when we were absolutely not trained, couldn't make any military people believe that we were planning offensive operations.

26. Q. Where did you recommend that the Fleet be based?

A. Normal West Coast bases, except a detachment to remain in Pearl Harbor that could be adequately cared for by the facilities there.

27. Q. Did you consider the Fleet mobilized at this time?

A. Mobilized?

28. Q. Yes.

A. No. It wasn't adequately manned, wasn't properly trained, wasn't fully equipped.

29. Q. Did you consider that those things were necessary for mobilization?

A. It is a part of it.

30. Q. Admiral, did you receive orders at any time to keep the Fleet more frequently in Pearl Harbor?

A. No.

31. Q. Did you at any time fail to comply with Presidential orders to keep the Fleet more frequently concentrated within Pearl Harbor?

A. During my period as Commander-in-Chief of the Fleet, I received no orders from the President or any of his subordinates as to the number of ships I would maintain in Pearl Harbor at any time.

32. Q. Did you ever hear, or did it come to your attention, that such a policy of keeping the Fleet concentrated in Pearl Harbor, was insisted upon by the Japanese Government?

A. I have heard of many lies, but I believe that that escaped my notice.

33. Q. You have stated that you recommended that the Fleet [1059] be based on West Coast ports. Do you know the reasons for the final decision of keeping this Fleet based on Pearl Harbor, and in the Hawaiian area?

A. Yes.

34. Q. Will you please state it?

A. For the restraining influence it might exercise on the action of the Japanese nation.

35. Q. While you were in the Hawaiian area as Commander-in-Chief, did you feel that you were kept fully and completely informed regarding any negotiations, conversations, or otherwise, between the United States and the Japanese Government?

A. I knew that I received practically no information along those lines, except what I acquired over the radio or in the public press.

36. Q. Did you request such information?

A. Yes.

Frank L. Middleton, yeoman second class, U. S. Naval Reserve, reporter, entered. Frank M. Sickles, yeoman first class, U. S. Naval Reserve, reporter, withdrew.

[1060] 37. Q. At this time and in view of these rumors of a possible war with Japan, what was your estimate as to a surprise attack on Hawaii? Did you believe that the Japanese would make a surprise attack, and if so, how?

A. While I was Commander-in-Chief of the Fleet I was primarily concerned with the possibility of an attack by submarines.

38. Q. In other words, you considered that the means of attack would be by submarines rather than by air?

A. Yes, although in a statement, in a letter prepared which is before the court, presenting the inadequacies of the defenses of Pearl Harbor, I did point out and particularly stress the inadequacies with respect to anti-aircraft defense, and we did consider at one time the advisability of establishing a balloon barrage, abandoning the idea, so that we were not entirely without concern over the possibilities of a surprise air attack.

39. Q. While you were Commander-in-Chief of the Hawaiian area, did you dispose the Fleet or any ships of the Fleet as a possible scouting force or means of information through surface craft as to the possible approach of Japanese ships?

A. No.

40. Q. Were the ships of the Fleet at that time confined to drill, operations, and training alone in preparation for war?

A. Yes, and training of men.

41. Q. But there were no submarines or other ships placed to reconnoiter or to cover the surface approach of ships?

A. No effect was made to secure by surface ship or sub-surface ship, strategic information or to cover the approaches to Pearl Harbor.

42. Q. And this air patrol which you speak of was, as you have stated, used primarily as training for the patrol planes; is that correct?

A. I would not say "primarily"; in part.

43. Q. Well, did you feel that this air patrol was of any great value, as such, to you in protecting the Fleet at Pearl Harbor?

A. No, but I was in the position of being repeatedly warned that we might be involved in a war, and from 20 years study of the Japanese I felt certain that the war would come as a surprise, and therefore I felt that I had to maintain some semblance of a patrol consistent with the means available to do it.

44. Q. But it wasn't a complete control?

A. It wasn't complete and it wasn't adequate, as I have already stated.

[1061] 45. Q. Admiral, just in line with that, you stated that you cannot, from memory, give the number of patrol planes that you had during the latter part of your command, but did you have enough to have a 700-mile distance reconnaissance on the entire 360 degree arc?

A. By no means, and I believe that the number that I had previously had available had been reduced by the detachment of one squadron for the Asiatic Fleet.

46. Q. That was later in the year 1941?

A. While I was there.

47. Q. Admiral, suppose this reconnaissance patrol had sighted the Japanese detachment standing toward Pearl Harbor. Were you either in position to stop them or had you means to stop them, or could you have stopped them under existing conditions?

A. Well, my recollection is that none of the planes was armed and certainly they could not have stopped them.

48. Q. Did you have a striking force available which could have been sent out in time?

A. No indeed.

49. Q. If you had had one would you have taken action to stop them?

A. I would have obeyed what I conceived to be the intent of the leadership of this country. I would have done nothing until I was attacked.

None of the parties to the inquiry desired further to examine this witness.

The court informed the witness that he was privileged to make any further statement covering anything relating to the subject matter of the inquiry which he thought should be a matter of record in connection therewith, which had not been fully brought out by the previous questioning.

The witness stated that he had nothing further to say.

The witness was duly warned and withdrew.

The court then, at 10:30 a. m., took a recess until 12:00 noon, at which time it reconvened.

Present: All the members, the judge advocate and his counsel, the interested parties and their counsel, except Admiral Harold R. Stark, U. S. Navy, interested party, whose counsel were present.

No witnesses not otherwise connected with the inquiry were present.

[1062] A witness called by the court entered, was duly sworn, and was informed of the subject matter of the inquiry.

Examined by the judge advocate:

1. Q. Will you state your name, residence, and present position?

A. Joseph Clark Grew; residence, Washington, D. C. My present position is Director of the Office of Far Eastern Affairs, Department of State.

2. Q. What position did you hold during the year 1941?

A. During 1941, up to December 7th, I was Ambassador to Japan.

Examined by the court:

3. Q. Mr. Ambassador, there is information before this court which alleges that on or about January 27, 1941, you transmitted information to our government that an attack would be made on Pearl Harbor. Is that correct, sir?

A. Admiral, the information which I then transmitted was in the nature of a rumor that had reached me but a rumor which came from sources which I considered reliable.

4. Q. Did these rumors persist? Did they continue, with special reference to an attack on Pearl Harbor?

A. So far as I can now recollect, that was the only occasion on which I received a definite intimation that there might be, in case of war or in case of a break between Japan and the United States, an attack on Pearl Harbor. I do not recollect other occasions on which Pearl Harbor was mentioned in that connection.

5. Q. Subsequent to this date, that is, January, 1941, and subsequent to this report which you made to the State Department, did you, prior to December 7, 1941, make a similar report as to a possible or probable attack on Pearl Harbor?

A. In the further reports which I made between January and December, 1941, I do not recollect that Pearl Harbor was actually mentioned, although I sent a number of reports warning our government that Japan might strike with dangerous and dramatic suddenness.

6. Q. Such a report as that was made by you on or about November 3rd?

A. Yes, sir.

7. Q. In making this report that Japan might strike with dramatic or dangerous suddenness, did you have in mind at that time the area or the position which she would strike with dramatic and dangerous suddenness?

A. No, sir, I did not, specifically, and in one of my reports to our government I stated that our government [1063] should not depend upon me to tell them where and when Japan might strike because I would not know, the Japanese being past masters at secrecy.

8. Q. The information before this court also alleges that on or about November 17, 1941, you warned our government that Japan might attack us by a surprise in regions not involved in the China-Japanese conflict. Is that correct?

A. Admiral, may I refresh my memory by looking at the document in question?

9. Q. Please do.

A. May I read you the first paragraph of the report which you have in mind, namely of November 17?

10. Q. Yes, sir.

A. This is a close paraphrase of the telegram which I sent to the Department of State on that date: "The Ambassador, referring to his previous telegram No. 1736 of November 3, 3 p. m., final sentence, emphasizes the need to guard against sudden Japanese naval or military actions in such areas as are not now involved in the Chinese theater of operations. He is taking into account, therefore, the probability of the Japanese exploiting every possible tactical advantage, such as surprise and initiative."

11. Q. Did you have in mind, sir, that the surprise and initiative would take place in the south, the Philippines, or in the Dutch Indies, or did you have in mind that they would advance their activities to the eastward in the Hawaiian area?

A. This, of course, is a matter of opinion and recollection, Admiral, and I can't guarantee that I can recollect precisely what my thoughts were at that moment but I can recollect that in general I did not feel that we in the embassy in Tokyo would know in advance where Japan might strike and it was perfectly possible, in our opinion, that she might strike anywhere, including the areas to the South. We did not rule out the possibility of a strike on Hong Kong, the Philippines, Singapore, the Dutch East Indies. We felt that a blow might occur in any direction.

12. Q. But in this connection did you rule out the Hawaiian area, and did you confine your estimate or the conclusions of your estimate to the southern area, that is, to the Dutch East Indies, et cetera?

A. In my estimates, Admiral, I avoided indicating that I believed there might be a blow in any specific direction because I didn't know and I had no evidence to justify the expression of an opinion to that effect. So, therefore, my estimates in that respect were entirely of a general nature; not of a specific nature.

[1064] 13. Q. Did you feel, Mr. Ambassador, that the Japanese would strike before a declaration of war?

A. Yes sir, I did, and I based my then opinion on the fact that Japan had, in the Russo-Japanese war, struck in precisely that way, and in the case of another war would be very likely to adopt precisely the same tactics.

14. Q. While you were Ambassador to Japan, were you aware of any so-called Korean Independence Group, and the fact that they had another group there known as the Korean Underground Group, which supposedly had plans or intended plans of Japan in any declaration of war?

A. May I ask what kind of plans you have in mind, sir?

15. Q. We have in mind, sir, the possible plan of movement or a plan of attack on a certain government. Great Britain, the United States, for instance. It has come to the attention of this court that it was reported that these Koreans, this underground movement, did have some secret information as to what the intentions of Japan were.

A. No, sir, I had no evidence to that effect.

16. Q. Did you have any knowledge that about 72 hours prior to the attack on Pearl Harbor the Australian Government had advised or was advising our government as to a possible aircraft carrier task force of Japan approaching Pearl Harbor, or headed in that direction?

A. No, sir, I did not.

17. Q. Similarly, there was no such report or information coming to you about 48 hours prior to this attack on Pearl Harbor?

A. There was not.

18. Q. And similarly, 24 hours, of course, the answer would be the same?

A. Yes, sir.

19. Q. Did you have, sir, any reliable information, secret or otherwise, as to the movements of the Japanese Fleet in any direction?

A. It is very difficult for me to answer that question precisely, Admiral, without refreshing my memory on the point that you raise. I did, from time to time, receive indications that the Japanese Fleet was moving in a given direction, or was present at a given place. But as I say, I cannot now recall specifically what that information was.

20. Q. When did you consider that the relations with Japan, after these numerous conferences and negotiations, had ceased?

A. That what had ceased, sir?

21. Q. The negotiations with Japan.

A. I did not consider that they had definitely ceased until 3 hours after the attack on Pearl Harbor when the foreign minister, Mr. Togo, asked me to come to his office, [1065] and at that time he stated that as the conversations between the two governments had failed in making progress, the Japanese Government had decided to—I have forgotten what word he used now, but the meaning was that they had decided to call them off, to break them off. That, however,

had been done before, at the time the Japanese had sent their troops into Indo-China and the conversations had been resumed thereafter.

22. Q. Did you consider that the negotiations had ceased about 27 November 1941?

A. No, sir, I did not.

23. Q. Were you kept informed as to the continuance of these negotiations and conferences between November 27th and December 7th?

A. I was kept informed of all of the official conversations that took place in Washington. I cannot now recollect whether I received reports during that particular period, or not, but I am inclined to think that I did. I am inclined to think that I continued to receive reports of such conversations up to the end.

24. Q. During your tenure of office in Japan, you were aware, of course, of the general mind and feeling of the Japanese people. Were there any strong expressions of opinion in Japan objecting to the maintenance of our Fleet in the Hawaiian area?

A. You refer to official expressions, or informal expressions?

25. Q. I would refer to both, if you may answer, please?

A. So far as I can recall, no official, or at least no formal official representations were made to me in that connection. I think it is possible that in the course of conversations with certain Japanese officials, they may have expressed the hope that our Fleet would eventually move into the Atlantic away from the Pacific because its presence in the Pacific was used by what they called the Jingoos in Japan to stir up anti-American feeling. But I'm afraid my answer to that question must be indefinite, Admiral, because I have no precise recollection.

26. Q. That is quite a good answer, sir. From your estimate, Mr. Ambassador, and being thoroughly conversant with the conditions in Japan, when did you think, or when did you make any estimate as to a possible time of attack by Japan against either Great Britain or the United States?

A. Of a specific date, you mean?

27. Q. Of a general date.

A. No, sir, I did not. I knew for many years that Japan was preparing for whatever might happen but I do not think that any time I felt that I could put my finger on any [1066] particular date when such an attack would likely come about.

28. Q. In view of the conversations which took place in Washington between November 27th and December 7th, 1941, did you feel that war was extremely imminent and that some act by Japan would take place in the immediate future?

A. Admiral, I would rather go back a little further than that. In a telegram which I sent to the Department of State in early November, I think probably it was my telegram of November 3rd, I said the sands were running fast. That meant it was an expression of my opinion that something might break at any moment but I do not recollect that I felt that that danger was necessarily any more intense during the period mentioned than in the period directly preceding that time.

29. Q. In other words, prior to 7 December 1941, immediately prior to that, you did not change your opinion?

A. I did not. I had no evidence to justify changing my opinion in that respect.

Cross-examined by the judge advocate:

30. Q. I have a document which is a letter from the Chief of Naval Operations to the Commander-in-Chief of the Pacific Fleet under date of February 1, 1941. It purports to quote information which, under date of 27 January 1941, the American Ambassador at Tokyo telegraphed the State Department. I would ask you to examine the quoted part of this document to see whether or not it contains the substance of a report that you, in fact, made?

A. That, in general, is the substance of my report, although it is really a paraphrase of the actual text. I think my memory has played me false here. I said before it was the Portuguese Minister as being the source of my information. It states here "the Peruvian Minister." I think that is accurate.

Cross-examined by the interested party, Admiral Harold R. Stark, U. S. Navy:

31. Q. Mr. Ambassador, going back to your dispatch of 27 January 1941 concerning the attack on Pearl Harbor. If you feel free to do so, will you elaborate upon your answer and give the source of the rumors and information which caused you to send that dispatch?

A. Yes, sir. The dispatch states: "A member of the Embassy was told by me"—this is a close paraphrase—"----- 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 source was the Peruvian Minister, a man in whom I had a considerable degree of confidence.

32. Q. Do you recall any other source that came to you [1067] with this information about that time or just previously, to the same effect?

A. I do not recall any specific source. 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. I do not now recollect that that precise report came to me from any other source.

33. Q. But as to that, you did give it a rather high evaluation in your own mind; is that correct, Mr. Ambassador?

A. That is a very difficult question to answer, Admiral, but I will say this: Although my Peruvian colleague labeled the report as fantastic, I still considered that it was of such utmost importance that I could not afford to regard it as fantastic, and for that reason I passed it on to the Secretary of State. I don't think I can go further than that in answering your question.

Cross-examined by the interested party, Real Admiral Husband E. Kimmel, U. S. Navy (Ret):

34. Q. Will you refer to Page 137 of the second volume of Foreign Relations, Mr. Ambassador. This is a letter written by you under date of February 26, 1941 to the Secretary of State: "Sir: I have the honor to enclose a copy of a memorandum of conversation which the Counselor of the Embassy had on February 14 with the Vice Minister for Foreign Affairs, the substance of which was reported to the Department in the Embassy's 230, February 14, 8 p. m. The presentation by Mr. Dooman of his impressions of the position of the United States as gathered during his recent furlough appeared to cause Mr. Ohashi astonishment. Mr. Ohashi is, for a Japanese, extraordinarily direct

and sparing of words. Upon listening attentively to what Mr. Dooman described as the philosophy of the American position, Mr. Ohashi remained perfectly quiet for an appreciable space of time and then burst forth with the question 'Do you mean to say that if Japan were to attack Singapore there would be war with the United States?' Mr. Dooman replied, 'The logic of the situation would inevitably raise that question.' I then skip a paragraph and come to the last paragraph, Mr. Ambassador: "I propose to say to Mr. Matsuoka, with whom I have an appointment this morning, that the statements made by Mr. Dooman to Mr. Ohashi were made with my prior knowledge and have my full approval." Are you at liberty to tell the court, Mr. Ambassador, what information or instructions the Embassy had which was the basis of Mr. Dooman's conversation with Mr. Ohashi at that time?

A. I think, sir, that it is stated here that Mr. Dooman had just returned from a leave of absence to the United States [1068] and I am inclined to think that his talk with Mr. Ohashi was based on his estimate of public opinion in the United States and what he had picked up here in general, rather than upon any specific document or instruction from our government. I'm afraid I'm not in a position to tell you exactly what Mr. Dooman said. Mr. Dooman, himself, probably would be in a better position than I to do that, although no doubt the record is available.

35. Q. But there appears on the next page, page 138 and page 139, a copy of the memorandum prepared by Mr. Dooman covering that incident. I read one sentence on Page 139: "If, therefore, Japan or any other nation were to prejudice the safety of those communications, either by direct action or by placing herself in a position to menace those communications, she would have to expect to come into conflict with the United States." That is referring to communications of Britain in the Southwest Pacific. Do you recall whether, subsequent to that time, the 14th of February, you received from the State Department any amplification or qualification of further information along that line?

A. I do not recollect, sir, whether I did or not. I could not answer that question without exploring.

36. Q. I call your attention to Page 553 of the same volume which is a memorandum prepared by the Secretary of State under date of the 16th of August, 1941, and I quote one of the sentences toward the bottom of the page. This was a memorandum of a conversation between the Secretary of State and the Japanese Ambassador in Washington. "I said"—that is, the Secretary of State—"as the matter stands Japan with her Army, Navy and air forces was establishing many bases in and about French Indochina under her continued policy of conquest by force, that this would mean about the last step prior to a serious invasion of the South Sea area if it should be decided upon by Japan, that such an invasion would be a serious menace to British success in Europe and hence to the safety of the Western Hemisphere, including the United States, and that, therefore, this Government could not for a moment remain silent in the face of such a threat, especially if it should be carried forward to any further extent." Do you recall receiving any information from the State Department as to that conversation, Mr. Ambassador?

A. I cannot recall that specific report at this moment, sir. I was in general informed of the conversations as they came along. I cannot specifically remember that particular report at this moment.

37. Q. Well, in general, can you remember any information received from the State Department as to the probability of the United States coming into armed conflict with Japan if [1069] Japan was at war with Britain in the Pacific?

A. I could not answer that question, sir, without exploration.

The interested party, Admiral Claude C. Bloch, U. S. Navy (Ret), stated that he did not desire to cross-examine this witness.

None of the parties to the inquiry desired further to examine this witness.

The court informed the witness that he was privileged to make any further statement covering anything relating to the subject matter of the inquiry which he thought should be a matter of record in connection therewith, which had not been fully brought out by the previous questioning.

The witness stated that he had nothing further to say.

The witness was duly warned and withdrew.

The court then, at 12:30 p. m., took a recess until 1:45 p. m., at which time it reconvened.

[1070] Present: All the members, the judge advocate and his counsel, all the interested parties and their counsel, except Admiral Harold R. Stark, U. S. Navy, interested party, whose counsel was present. Frederick T. Lachat, yeoman first class, U. S. Naval Reserve, reporter.

No witnesses not otherwise connected with the inquiry were present.

A witness called by the court entered, was duly sworn, and was informed of the subject matter of the inquiry.

Examined by the judge advocate:

1. Q. Will you state your name, residence, and present assignment?

A. Maxwell M. Hamilton. I have no permanent residence in Washington at this time, because I just came to Washington. I am temporarily residing at the Presidential Apartments, 1026 16th Street. I am Foreign Service Officer, Class 1, assigned to the Department of State.

2. Q. What position did you hold in the latter part of 1941?

A. Chief of the Division of Far Eastern Affairs in the Department of State.

3. Q. If your duties or responsibilities brought you in contact with matters of interest to the Navy Department during the latter part of 1941, will you state what those duties or responsibilities were with respect to the Navy Department?

A. I know of no expressed order of the Department of State, defining with any precision, or defining at all, the duties of the Chief of the Division with respect to the Navy Department. Consequently, the duties and responsibilities of the Chief of the Division of Far Eastern Affairs with respect to the Navy Department are of a general character. For as long as I have been associated with the Department of State the Division of Far Eastern Affairs has had a tradition of close cooperation with the Navy Department in the interchange of information considered by either department to be of concern or interest to the other.

4. Q. There is testimony before this court that you at times, at least, performed the function of a liaison officer between the State Department and the Navy Department and that your contacts were, in general with Captain, now Admiral Schuirmann. Is this information correct?

A. It depends on the definition of liaison officer. As Chief of the Division of Far Eastern Affairs I had rather frequent contact with Admiral Schuirmann, then Captain Schuirmann, who was in the central division of the Navy [1071] Department. Do you want me to state what those were?

5. Q. If you please.

A. In 1941 my recollection is that my relations with Captain Schuirmann related largely to operational matters, and by that I mean specific questions which came up for decision, which involved both matters of foreign policy and naval policy. My recollection is that Captain Schuirmann was not, in his relation with me, nor was I, in relations with him, the liaison officer for the interchange of general information. At certain specific conferences held in the office of the Secretary of State, at which there were present higher officers of the State Department and of the Navy Department, Captain Schuirmann and I both were present. I may say I have known Captain Schuirmann for a good many years. I had contacts with him when he was on duty in the Navy Department some years previously, at which time he also functioned in contact with the Department of State.

6. Q. During the last half of the year 1941 was there a system set up in the State Department for informing the Navy Department on matters pertaining to United States-Japanese relations?

A. During the latter part of 1941 there were in existence in the State Department several procedures for communicating information to the Navy Department. One of these procedures was the Office of Liaison, which was charged with communicating copies or paraphrases of telegrams, as we call them, or dispatches, as you call them, or mail reports to the Navy Department which were deemed to be of interest and concern. In addition, the Division of Far Eastern Affairs transmitted paraphrases of some telegrams and mail reports from the Far East, those deemed to be of interest and concern, to the Navy Department. A further procedure was that of a direct conference and consultation among the Secretary of State and the Secretaries of War and the Navy, some of which were attended by other high officers of the State and Navy Department; conferences between the Secretary of State and Admiral Stark and General Marshall; meetings of the War Council and then meetings of the Cabinet itself.

7. Q. In a general way, were you familiar with negotiations which were taking place between the United States and the Japanese Government during the period from about 15 October to 7 December 1941?

A. Yes.

8. Q. Did you at any time during the year 1941 transmit any information to the representatives of the Navy Department which had to do with a surprise Japanese attack on the United States in the Hawaiian area?

A. The Far Eastern Division sent paraphrased copies of the telegram from Ambassador Grew to the Department of State on January 27.

[1072] 9. Q. What year?

A. 1941, to ONI and MID in strict confidence.

10. Q. Do you recall any other information which you communicated to the Navy Department on the subject of the intentions of the Japanese to make an attack on the Hawaiian Area?

A. No.

The interested party, Admiral Harold R. Stark, U. S. Navy, did not desire to cross-examine this witness.

The interested party, Rear Admiral Husband E. Kimmel, U. S. Navy (Ret.), did not desire to cross-examine this witness.

The interested party, Admiral Claude C. Bloch, U. S. Navy (Ret.), did not desire to cross-examine this witness.

Examined by the court:

11. Q. Mr. Hamilton, were you, acting in the capacity which you have mentioned in the State Department, familiar with all information, super secret and otherwise, flowing into the State Department regarding the United States-Japanese situation?

A. I think so. There may have been some confidential information furnished the Secretary of State or Mr. Welles in reference to the disposition of our armed forces in the Far East which, at times, I may not have been familiar with.

12. Q. Was this information transmitted to the Navy Department?

A. I thought you were inquiring about information which came from the Navy Department to us.

13. Q. No, was the independent information received by the State Department transmitted to the Navy Department?

A. I'm sorry; I don't understand.

14. Q. For example, you speak of a message or communication from Ambassador Grew as of January 27, 1941.

A. Yes, sir.

15. Q. Was that information transmitted to the Navy Department?

A. Yes.

16. Q. Similarly, was information, or the substance of it, gained by you through that source or otherwise transmitted to the Navy Department?

A. In general, yes, sir.

[1073] 17. Q. In other words, you kept the Navy Department informed as to this situation?

A. Yes, sir. I personally did not. It was done by one of the three procedures which I have mentioned.

18. Q. Are you familiar with the note of 26 November 1941, which was handed to the Japanese representatives by the Secretary of State?

A. Yes, sir.

19. Q. Was a copy of that note or the substance of it sent to the Navy Department?

A. We have no record of all the itemized steps in the discussions with the Japanese at that period.

20. Q. Was that note discussed with representatives of the Navy Department?

A. During that period there were almost daily conferences between the Secretary of State and the Secretaries of the Navy and War, or with Admiral Stark or General Marshall or General Gerow. I was not present at those discussions.

21. Q. So you do not know whether or not that note was discussed?

A. I know, from the very definite reports made to us by the Secretary of State prior to and immediately following such conferences, that it was his desire and intent, which he carried out, in his judgment, to communicate the substance and the text of documents. Some documents were given to the Navy. As far as my understanding goes, they were available for examination by the Navy and War Department officers. We have no record with regard to the question of the actual passing of each document.

22. Q. Did you attend any conferences where the Secretary of War, the Secretary of the Navy, and Admiral Stark, the Chief of Naval Operations, were present discussing any over-all picture of the situation between Japan and the United States?

A. I attended none where the secretaries were present. I have attended some where Admiral Stark was present.

23. Q. About what time? Do you recall?

A. I have a record of it here.

24. Q. You may refresh your memory.

A. (Referring to paper) On November 21 there was a conference with the Secretary of State, at which Admiral Stark, General Gerow, and Messrs. Hornbeck, Hamilton, and Ballentine were present.

25. Q. What is the date?

A. November 21, 1941.

[1074] 26. Q. Do you know what was discussed at that particular conference?

A. Not with any precision. It was the general diplomatic and military situation in the Pacific, and on November 24, 1941—No, I was not present at that. I was not present at the conference on November 25 among the three secretaries. There were meetings of the war council on November 25 and 28th, at which I was not present.

27. Q. From the period of November 27 to December 7 were conferences and negotiations continuing between the State Department and the Japanese representatives?

A. There were some meetings. My recollection is that they met—I don't know the last date—with the President on one occasion. It is in this book, if you care to have me refresh my memory. I don't recall exactly. My impression is that they did continue but not on the subject of this communication of November 26, 1941—on the general subject.

28. Q. The communication of November 26 was simply a step in the negotiations; is that correct?

A. From our point of view, it was a general summing up of the situation as of that time.

29. Q. When did you consider that negotiations between the United States and Japan had ceased?

A. I personally or the State Department?

30. Q. You in your capacity in the State Department?

A. November 26.

31. Q. But you just stated that there were negotiations subsequent to that date.

A. Yes, sir. There was an extreme, bare possibility that diplomatic conversations might be continued after November 26, but the estimate

of the Secretary of State, as expressed to me and to others at that time, was that the conversations in the diplomatic effort virtually reached a conclusion, and from that point on the matter was one for the Armed Services.

32. Q. When the note of November 26, 1941, was presented by the State Department officials here, did you have any estimate of the time that it would take to get a reply to that note?

A. No, sir.

33. Q. Did you feel that when you received your reply that that would end the negotiations or that there would be a continuance of the negotiations after the reply?

A. I thought there was no chance of receiving a reply of a character to make possible a continuance of the negotiations.

[1075] 34. Q. Was that an assumption based on the contents and the requirements of the United States Government as announced in that note?

A. It was based on the record of the Japanese negotiators and the position of the Japanese Government.

35. Q. Were you present in the State Department on the morning of December 7, 1941?

A. Yes, sir.

36. Q. Were you there when the Secretary of War and the Secretary of the Navy conferred with the Secretary of State?

A. Yes, sir.

37. Q. Were you at that conference?

A. No, sir.

38. Q. Did you discuss with anyone from the Navy Department what they were going to bring out at this conference on the morning of December 7?

A. What the Japanese would bring out?

39. Q. No, what would be the subject of discussion on that morning?

A. Among the three secretaries?

40. Q. Yes.

A. No, sir, not specifically. I did not know that there was to be a conference.

41. Q. Did you have any specific information on the morning of the 7th which you transmitted to the State Department relative to this conference?

A. No, sir.

42. Q. From your general observation and study of the Far Eastern situation, did you form any conclusion as to the possible time of attack contemplated by Japan?

A. No, sir, I did not expressly. My judgment was the judgment of the Secretary of State: If some diplomatic arrangement couldn't be worked out with Japan, she would continue with her course of armed aggression. As to when and where, I had no idea.

43. Q. Did you feel, in your study of the Far Eastern situation, that there would be a certain area in which Japan would be the aggressor or would make an attack?

A. As nearly as I recollect my opinion some time ago, I felt Japan was definitely bent on moving southward. I did not exclude from my estimate an attack on the United States or American possessions.

[1076] 44. Q. Did you feel in your estimate at that time that there would be a surprise attack to take the place of a declaration of war or a surprise attack prior to a declaration of war?

A. I know that the opinion expressed by the Secretary of State was that the Japanese were likely to use the element of surprise. I had no opinion on the subject.

45. Q. Did you consider the probability of an attack on Hawaii?

A. I wasn't sufficiently trained in military tactics or strategy to have an opinion.

46. Q. We are not requesting an answer from the standpoint of a tactician or strategist, but as a result of your general information, your study of the Far Eastern situation, and your knowledge of the proposed intent of the Japanese Government, did you feel that their attack, if any, would be to the southward, toward the Dutch East Indies, or otherwise; or did you feel that there was a very good probability of their attacking the Hawaiian Islands?

A. I had no opinion.

Cross-examined by the interested party, Rear Admiral Husband E. Kimmel, U. S. Navy (Ret.):

47. Q. I understood you to say that you were at the State Department on Sunday morning, December 7?

A. That is correct.

48. Q. But you did not attend the conference among the three secretaries?

A. That is right.

49. Q. Did anyone attend that conference other than the three secretaries?

A. Not so far as I know. It was not customary, and I do not think anyone else was present. There were a number of us in the outer office waiting to confer with the Secretary of State when the conference broke up.

50. Q. When did the conference break up?

A. I couldn't give you the exact hour. I have no precise recollection. We were waiting at least an hour.

None of the parties to the inquiry desired further to examine this witness.

The court informed the witness that he was privileged to make any further statement covering anything relating to the subject matter of the inquiry which he thought should be a matter of record in connection therewith, which had not been fully brought out by the previous questioning.

[1077] The witness stated that he had nothing further to say.

The witness was duly warned and withdrew.

A witness called by the court entered, was duly sworn, and was informed of the subject matter of the inquiry.

Examined by the judge advocate:

1. Q. Will you state your name, rank, and present station?

A. H. H. Smith-Hutton, Captain, U. S. Navy, Headquarters of the Commander-in-Chief, U. S. Fleet.

2. Q. Will you state what your duties were in the year 1941?

A. I was naval attache at the American Embassy in Tokyo.

Examined by the court:

3. Q. Captain, as naval attache were you not part of the organization of the Office of Naval Intelligence?

A. Yes, sir.

4. Q. While in Tokyo during your tour of duty as naval attache, did you have difficulty in obtaining information concerning Japanese military and naval activities?

A. Very great difficulty, yes, sir.

5. Q. Were you able to obtain during the month of November any information at all which indicated a movement, other than a movement, which is well known to have been started, toward southeast Asia?

A. No, sir.

6. Q. Did you get any information of any tangible character during the month of November or early December, 1941?

A. No, sir. During that period I made a trip to Western Japan, to the inland sea area, in an effort to observe all that was possible from the places where I was allowed to visit, but during that entire trip I saw no naval craft and received no information which would indicate any movement by the Japanese Fleet.

7. Q. You heard no conversations on the part of the Japanese which you thought might be of value?

A. None, sir.

8. Q. The newspapers gave you none?

A. The movements of naval and military units did not appear in the Japanese press.

[1078] 9. Q. When you received information during your tour of duty in Japan regarding Japan or the Japanese Fleet or its movements, how did you transmit that information to higher authority?

A. By Japanese cable to the 4th marine radio station in Shanghai, which re-transmitted it to Washington or to Manila.

10. Q. In other words, you transmitted your information direct to the Navy Department through that means of communication?

A. Yes, sir.

11. Q. Did you parallel this by reports to the Ambassador?

A. Yes, sir, and by written reports to the Navy Department by the diplomatic pouch.

Frank M. Sickles, yeoman first class, U. S. Naval Reserve, reporter, entered. Frederick T. Lachat, yeoman first class, U. S. Naval Reserve, withdrew.

[1079] 12. Q. In your knowledge of the movements, insofar as you were able to ascertain, of the Japanese Fleet, did you at any time feel that there would be an attack on the Hawaiian Islands or Pearl Harbor?

A. There were, of course, for a period of more than a year, various rumors as to what the Japanese might do; but there was no information reached me, or as far as I know, any other American official in Japan, which would indicate that the Japanese contemplated an attack on Pearl Harbor.

13. Q. Did Ambassador Grew depend upon you for information regarding movement of ships or the general situation as pertains to the Japanese Navy?

A. He expected me, as Naval Attache, and as Senior Naval Adviser, to keep him informed of any developments as regards the Japanese Navy.

14. Q. Did you keep conversant with other information that he had from other sources as to such activities?

A. In general, yes, sir. The Ambassador kept all of the senior members of his staff informed of the important communications received from Washington, or important information which he received from Tokyo. I am not certain, sir, that I received all that the Ambassador did, but I believe that he took me into his confidence as much as he felt I needed to be in his confidence.

15. Q. In the latter part of 1941, did you, from your own estimate and your own knowledge of the situation, feel that war was imminent?

A. I felt, sir, that the Japanese were going to make an attack in Southeast Asia. That was brought out quite clearly from reports which we received from time to time from our officials in Shanghai, in Hongkong, and in the Philippines, and it appeared as though an attack on Thailand would be made. It was, however, only by inference that we felt that it might possibly involve our own country. Since July of 1941, when we placed an embargo upon various commodities going to Japan, we felt in Tokyo that the Japanese would make some effort to relieve the critical economic situation that would confront them if that embargo were effective for a long time.

16. Q. Did you form any estimate as to when they would attack?

A. From the information which I had, sir, and of course I received only the information which came from certain units in China, it was impossible for me to arrive at any such estimate.

17. Q. Did the attack on Pearl Harbor come as a surprise to you?

A. Yes, sir.

18. Q. In any of the reports that you made to the Navy Department during the month of November and early December, 1941, were you able to give anything in the way of information [1080] as to the situation, militarily and naval—or did you state that you had no information?

A. After I returned from this inspection, or a trip to Western Japan, sir, I reported that I had seen in the harbor of Hiroshima approximately thirty-five Japanese transports at anchor there; and I don't recall the exact date, but I could find the message, sir, in which I reported that my movements in Japan and the movements of my subordinate officers, were so restricted in that I had to report to the Japanese Navy Department every time I left Tokyo, that it would be impracticable for me to give an estimate as to Japanese intentions, based on my own observations, and on the facts as I saw them—and I implied, sir, that if Washington were depending upon me to keep them informed as to Japanese naval movements, that I felt that I could not comply with any instructions that I might receive in that regard.

Cross-examined by the interested party, Admiral Harold R. Stark, U. S. Navy:

19. Q. Captain, this is a document of which the court has taken judicial notice, a State Department publication—"Peace and War." Are you familiar with it?

A. Yes, sir, in general.

20. Q. On page 113 appears a passage which concerns a report that Ambassador Grew made on 27 January 1941, in which a surprise attack on Pearl Harbor is mentioned. Do you recall being in any discussion concerning that before the dispatch was sent?

A. No, sir, not before the dispatch was sent, because as I recall it, the Ambassador was reporting what one of his staff had learned from

a diplomatic colleague. Subsequent to the transmittal of this dispatch, I did have occasion to discuss it with the Ambassador and various other members of the Embassy staff.

21. Q. Do you recall what your own evaluation of that information was at the time?

A. We evaluated it as a rumor, sir. We felt that for a period of approximately three years the Japanese had observed the greatest secrecy in their military and naval movements, and we felt that in case this were a plan on the part of the Japanese, that it was highly improbable that it would have any current circulation among diplomatic circles in Tokyo. We gave it a low evaluation at the time, sir.

22. Q. You say you are familiar with that document?

A. Yes, sir.

23. Q. Have you noted any other similar report of any naval information appearing in that document?

A. None I recall, sir.

24. Q. Have you any idea why that, which you say is in [1081] the rumor class, should have been given such prominence in that publication?

A. No, sir. I feel that the statement at the time; that is, the report at the time, received comparatively little notice. I can't understand why it should receive any particular prominence now, sir, except for possible reasons unknown to me.

Neither the interested party, Rear Admiral Husband E. Kimmel, U. S. Navy (Ret), nor the interested party, Admiral Claude C. Bloch, U. S. Navy, desired to cross-examine this witness.

None of the parties to the inquiry desired further to examine this witness.

The court informed the witness that he was privileged to make any further statement covering anything relating to the subject matter of the inquiry which he thought should be a matter of record in connection therewith, which had not been fully brought out by the previous questioning.

The witness stated that he had nothing further to say.

The witness was duly warned and withdrew.

The counsel for the judge advocate, Lieutenant Commander Robert D. Powers, U. S. Naval Reserve, was recalled as a witness by the judge advocate, and was warned that the oath previously taken was still binding.

Examined by the judge advocate:

1. Q. I show you a document; can you identify it?

A. I identify this as a copy of a letter from the Chief of Naval Operations to the Commander-in-Chief, Pacific Fleet, dated February 1, 1941, duly authenticated under official seal, having been prepared at the request of the judge advocate.

The letter, a copy of a letter from the Chief of Naval Operations to the Commander-in-Chief Pacific Fleet, dated February 1, 1941, duly authenticated under official seal, was submitted to the interested parties and to the court and by the judge advocate offered in evidence.

There being no objection, it was so received, copy appended, marked "EXHIBIT 67."

2. Q. Will you read the entire document, please?

A. Yes, sir.

The witness read the document, Exhibit 67.

[1982] None of the parties to the inquiry desired further to examine this witness.

The court informed the witness that he was privileged to make any further statement covering anything relating to the subject matter of the inquiry which he thought should be a matter of record in connection therewith, which had not been fully brought out by the previous questioning.

The witness stated that he had nothing further to say.

The witness resumed his seat as counsel to the judge advocate.

The judge advocate stated that he had no more witnesses.

The court then, at 2:40 p. m., adjourned until 9:30 a. m., tomorrow, September 22, 1944.

PROCEEDINGS OF NAVY COURT OF INQUIRY

SEPTEMBER 22, 1944

[1083]

THIRTY-FIRST DAY

NAVY DEPARTMENT,
Washington, D. C.

The court met at 9:30 a. m.

Present:

Admiral Orin G. Murfin, U. S. Navy (Ret), President.

Admiral Edward G. Kalbfus, U. S. Navy (Ret), Member.

Vice Admiral Adolphus Andrews, U. S. Navy (Ret), Member.

Captain Harold Biese-meier, U. S. Navy, Judge Advocate, and his counsel.

Frank M. Sickles, yeoman first class, U. S. Naval Reserve, reporter.

Counsel for Admiral Harold R. Stark, U. S. Navy, interested party.

Admiral Claude C. Bloch, U. S. Navy (Ret), interested party, and his counsel.

Rear Admiral Husband E. Kimmel, U. S. Navy (Ret), interested party, and his counsel.

The record of the proceedings of the thirtieth day of the inquiry was read and approved.

No witnesses not otherwise connected with the inquiry were present.

A witness called by the court entered, was duly sworn, and was informed of the subject matter of the inquiry.

Examined by the judge advocate:

1. Q. Will you state your name, rank, and present station.

A. Thomas Withers. Rear Admiral, U. S. Navy, Commandant, Portsmouth Navy Yard.

2. Q. Will you state what duty you were performing during the latter part of the year 1941?

A. Commander Submarines, Pacific.

Examined by the court:

3. Q. Admiral, as Commander of Submarine, Pacific, will you please state to the court very briefly the daily activities of these submarines during the latter part of the year 1941?

A. The submarine force in general at that time—the [1084] submarines under my command in the Pacific—were training for war. The training had been changed very much from the ordinary peacetime training, so that they were very busy training for war purposes. During the month of November, 1941, some submarines were sent out for observation purposes and to be in position in case war should come. On December 7 I remember, for instance, that there were two vessels, the TROUT and the ARGONAUT, off Midway, and two off WAKE, the TAMBOR and, I think, the TRITON. They were there to observe and report anything, and should hostilities start, of course, to be in a position to get anything they could.

4. Q. What was the general position as to scouting, observation, or otherwise, other than these submarines off MIDWAY and WAKE? Was there any line of submarines, or any submarines sent out, to cover the surrounding area of the Hawaiian group?

A. No, sir.

5. Q. How were these submarines employed at this time—I mean your general employment of submarines?

A. Other than those four that I have mentioned, there was one division on the West Coast.

6. Q. We are speaking particularly of the submarines at the West Coast.

A. One of the divisions that belonged to Hawaii that was on the West Coast had completed overhaul; on the 7th of December they were about one day away from Pearl Harbor. The other submarines—one or two may have been in Pearl Harbor in overhaul at different times. The others were more generally over at Lahaina or in that area in training.

7. Q. How many submarines were in the Hawaiian area at that time, based on Pearl Harbor—the approximate number?

A. I don't remember, but probably about twenty-four.

8. Q. What was the total number of submarines under your command?

A. Probably I am mistaken about the twenty-four. Probably about eighteen.

9. Q. That was the number based on Pearl Harbor?

A. Yes.

10. Q. And what was the total under your command?

A. About thirty-two.

11. Q. And the organization?

A. I'm sorry I don't remember; but there were six S-boats that were under my command, but they were on the West Coast. They were in other places.

12. Q. What was the condition of readiness of the submarines?

A. The submarines were ready for war.

[1085] 13. Q. Was there any special condition of readiness for the submarines while in port at Pearl Harbor?

A. No, there was nothing. They were loaded with torpedoes, and as much of their supplies as they could take, other than the fresh stuff, and were ready for war; but there was no other particular readiness, as I remember.

14. Q. In your schedule of employment, Admiral, what was the proportionate number of submarines in Pearl Harbor, and the proportionate number operating at sea?

A. Generally, about one-third in Pearl Harbor.

15. Q. Overhaul and repairs and upkeep?

A. Yes, sir.

16. Q. Were you present at Pearl Harbor on about 27 November 1941?

A. Yes, sir.

17. Q. Were you cognizant, or did you have information regarding, a message received from Chief of Naval Operations to the Commander-in-Chief of Pacific, known as the "war warning message."

A. I know of one such message, yes, sir.

18. Q. I show you Exhibit 17. Will you please read that message and state whether or not you have seen it, and about the time you saw it?

A. I think this was the message; I think this is the message that I know of. I am not sure. It was either this message or one similar, that I saw, knew about.

19. Q. Were you present at a conference held by the Commander-in-Chief of Pacific on or about 28 November 1941, when this war message was received?

A. Yes, sir.

20. Q. Will you please state briefly any matters pertaining to this conference, of which you have knowledge—those people who were present, and the discussion?

A. At the time of this conference I had gone into Honolulu, from Pearl Harbor, and I got out as quickly as I could when I received a message. I think I was the last Flag officer to arrive at the conference, and if I remember, all other Flag officers were already there.

21. Q. Admiral Kimmel had called this conference?

A. Yes. Admiral Kimmel handed me this dispatch to read. I read it, and he said, "What do you think that means?" I said, "I think it means war." Then I think Admiral Bloch, who was present, sort of made fun of me; I had that impression—asked me what I would do, would I sink ships? And I said I would sink ships if they came within 500 miles of Hawaii and didn't turn back.

[1086] 22. Q. Did you notice General Short at this conference?

A. No, sir, he was not there. There was another thing happened at this conference, that impressed me at the time. About the time that I completed my statement about sinking ships, Captain Davis, who was on the staff of the Commander-in-Chief, came in, and Admiral Kimmel asked him if he had seen General Short, and he said, "Yes," that he had. He asked him what he said, and he said that, "Somebody is drawing a long bow."

23. Q. Was there any order by the Commander-in-Chief of Pacific to sink ships within five hundred miles of Hawaii?

A. Not that I knew of, sir.

24. Q. Did you have any orders, as Commander Submarine Force, to take offensive action against any enemy ships in that area?

A. No, sir.

25. Q. In your general estimate of the situation, having been present, and I presume keeping in touch with general conditions vis a vis Japan, did you anticipate an attack on Hawaii, or did you think there would be an attack on Hawaii?

A. Yes, sir, but I had thought that beforehand, so this simply confirmed what I had thought before that. I had warned every one of my commanding officers when any submarines went on any trips, other than the usual training trips, that I expected hostilities to start before their return.

26. Q. What form of attack did you think would take place, if it took place?

A. I didn't go that far into it, sir. I never came to a decision in my own mind about that.

27. Q. Were you kept generally informed as to the existing conditions there, as Flag officer?

A. Well, I knew from general information that we were close to war. In fact, I had felt that for months, but I got no specific information from time to time.

28. Q. In your organization, were your submarines at that time assigned to task forces, and at any time did they operate as task forces in conjunction with other ships of the task?

A. Yes, sir, for training.

29. Q. Will you state generally the set-up in that respect?

A. Well, for the first time in all my experience in submarines, we had plenty of other ships to operate with. We had destroyers to attack our submarines; we acted as targets for the destroyers to search for submerged submarines; [1087] we made attacks upon the Fleet, upon units of the Fleet; we had airplanes to bomb our submarines, and they actually did bomb with little bits of bombs that were close enough that they told the submarines when the bombs were going off. We actually made one attack on the Fleet where we fired torpedoes at the battleships.

30. Q. All of this in preparation for war; is that correct?

A. Yes, sir.

31. Q. Was this so-called training and task groups which you have described—had that been stepped up or increased in its intensity during the latter part of 1941?

A. Yes, sir.

32. Q. Up to December 7?

A. Yes, sir.

33. Q. On December 7, 1941, did you consider your forces ready and prepared for war?

A. Yes, sir.

34. Q. Did you consider your submarines mobilized?

A. Yes, they were mobilized. There were, as I mentioned before, some boats coming to Hawaii—on the way to Hawaii from the West Coast—that had completed an overhaul.

35. Q. And what was the condition of personnel, as to complements?

A. It was excellent.

36. Q. And the numbers were sufficient, and there was a complete complement on board each ship?

A. Yes, sir.

37. Q. I'd like to advert to that answer of yours that you had not made any decision about the point of the attack that you expected. May I ask you to look again at that exhibit, the War Warning Message, Exhibit 17, and ask you whether the suggestion contained there about the Philippines made any impression on you?

A. Yes, sir; it did. I felt that attack might come anywhere, but I thought it would be on the Philippines; I thought the chances were much in favor of it being on the Philippines.

38. Q. Isn't that a reasonable interpretation of that dispatch, as it is worded, in the absence of any other locality being mentioned?

A. Yes, sir, because it mentioned other localities; it didn't mention Hawaii.

39. Q. How was your submarine force organized as to task [1088] forces, and as to operations with other forces?

A. Maneuvers were planned, and when the orders came out for

these maneuvers in which there were generally two opposing forces, submarines were assigned to one or the other force, and the submarines actually maneuvered and operated with that force. In order to prevent the artificiality that so often came into our maneuvers when submarines were included, I invariably consulted with the Task Force Commander of the force in which we belonged, and planned maneuvers with him, and submarines were used with these task forces as they might be used in actual war.

40. Q. Then separately, Admiral, did you have your submarines divided up into groups, as task groups of any description, insofar as covering the training and outside of these particular maneuvers which you mentioned?

A. No, sir; not other than our ordinary squadron and division organization.

The interested party, Admiral Harold R. Stark, U. S. Navy, did not desire to cross-examine this witness.

Cross-examined by the interested party, Rear Admiral Husband E. Kimmel, U. S. Navy (Ret):

41. Q. Do you remember how many submarines you had actually available for war operations between 27 November and 7 December? Isn't it a fact that we sent a large number of submarines to the West Coast to get some extra distilling apparatus, or something of that kind?

A. Yes, they were sent to the West Coast for alteration and overhaul. One squadron of twelve submarines had been sent to Manila early in November, I think, 1941, and actually at Pearl Harbor at that time, or in the Hawaiian area, there was a small number. I have forgotten what the number was.

42. Q. Isn't it a fact that we had—I won't say difficulty—but that we even had to count a little bit to get the four submarines, the two to Wake and the two to Midway, on account of the shortage of submarines that were available, due to these that had to go back to the coast?

A. I think I always had four. At times I had to arrange the overhaul of those in order to have four long-legged boats ready for that duty.

43. Q. Now you have testified that you had full crews on your submarines and that they were well trained. Isn't it a fact that you were endeavoring to train relief crews at this time for the submarines, and also crews for transfer, and that you were unable to obtain a sufficient number [1089] of personnel to keep your school fully manned?

A That is so, yes, sir.

44. Q. And did we not consider that we had a shortage of personnel in the submarine force in Hawaii at that time?

A. Yes, sir; I had an acute shortage and was complaining about it most of the time: In view of the proximity of war, I had made a study of what was to be expected in the way of submarine personnel requirements in time of war. I knew that I needed two reserve crews for each division of six boats. I also knew that there was a large submarine-building program, and that trained men would be needed for those new boats. We had established schools there at Pearl Harbor to try to train these men as well as we could, and I kept asking for men to keep these schools going to fill up these reserve crews. I got

some men, but most of them were recruits, which were not the material that we should have had for submarines, as the proportion of petty officers in the submarine is higher than in any other type of ship. We were very short of petty officers, and we didn't have enough men even with the recruits.

The interested party, Admiral Claude C. Bloch, U. S. Navy (Ret), did not desire to cross-examine this witness.

Examined by the court:

45. Q. Admiral, Exhibit 52 before this court indicates that Task Force Seven, which was under your command, as Commander Submarines, contained 1 SM, 8 SS, 12 SS, 6 SS, 4 SS—looks like 31 submarines. I would like to know if you can tell me from your recollection how many of those were actually in the Hawaiian area during the period from 27 November to 7 December 1941?

A. Your question indicates that there were 31 submarines assigned to Task Force 7, which was my command at that time, but Squadron 10, indicated here as 4 SS, was still in the United States; Squadron 8—I think 2 boats of that squadron had arrived in Pearl Harbor, as I remember; 1 division of the 6 SS boats was on the West Coast of the United States; and another division of submarines was on the way from the coast of the United States to Hawaii, on December 7. Actually, in Pearl Harbor on December 7, there were about four submarines—five submarines.

46. Q. The number was scarcely adequate to throw out a scouting line to protect the patrol ships and other craft?

A. No, sir; totally inadequate.

47. Q. You say you had five in Pearl Harbor; how many did you have in the Hawaiian area?

A. That is correct; that five was all that were there.

[1090] None of the parties to the inquiry desired further to examine this witness.

The court informed the witness that he was privileged to make any further statement covering anything relating to the subject matter of the inquiry which he thought should be a matter of record in connection therewith, which had not been fully brought out by the previous questioning.

The witness stated that he had nothing further to say.

The witness was duly warned and withdrew.

The pages following directly hereafter, pages 1091 through 1108, inclusive, have, by direction of the court, been extracted from the record and deposited with the Secretary of the Navy. This action was taken in the interest of national security and the successful prosecution of the war.

[1109] The court then, at 11:10 a. m., took a recess until 11:20 a. m., at which time it reconvened.

Present: All the members, the judge advocate, the reporter, the interested parties and their counsel, except Admiral Harold R. Stark, interested party, whose counsel were present.

No witnesses not otherwise connected with the inquiry were present.

The court then, at 11:25 a. m., adjourned to 9:30 a. m., September 25, 1944.

PROCEEDINGS OF NAVY COURT OF INQUIRY

SEPTEMBER 25, 1944

[1110]

THIRTY-SECOND DAY

NAVY DEPARTMENT,
Washington, D. C.

The court met at 9:30 a. m.

Present:

Admiral Orin G. Murfin, U. S. Navy (Ret), President.

Admiral Edward C. Kalbfus, U. S. Navy (Ret), Member.

Vice Admiral Adolphus Andrews, U. S. Navy (Ret), Member.

Captain Harold Biesemeier, U. S. Navy, Judge Advocate, and his counsel.

Frank Murrell Sickles, yeoman first class, U. S. Naval Reserve, reporter.

Counsel for Admiral Harold R. Stark, U. S. Navy, interested party.

Admiral Claude C. Bloch, U. S. Navy (Ret), interested party, and his counsel.

Rear Admiral Husband E. Kimmel, U. S. Navy (Ret), interested party, and his counsel.

The record of the proceedings of the thirty-first day of the inquiry was read and approved.

No witnesses not otherwise connected with the inquiry were present.

Rear Admiral Husband E. Kimmel, U. S. Navy (Ret), interested party, was recalled as a witness by the interested party, Rear Admiral Husband E. Kimmel, U. S. Navy (Ret), and was warned that the oath previously taken was still binding.

Examined by the interested party, Rear Admiral Husband E. Kimmel, U. S. Navy (Ret):

1. Q. Admiral Kimmel, after the receipt of Exhibit 17, the war warning dispatch of November 27, did you cause to be inaugurated in the administration of the Fleet the practice of preparing orders or programs to be inaugurated in the event of unexpected hostilities?

A. I did, and I have here two memoranda. One is dated 30 November 1941. It is a letter from the Commander-in-Chief, submitted by the War Plans Officer, and in it he has prepared and I approved the action which we would take in case [1111] hostilities should suddenly break out. I thought it was well to be prepared and ready to take action immediately. That I revised as necessary, and again on December 5, 1941, another memorandum which supersedes the first one, was prepared and approved and put in the hands of the Staff Duty Officer, the officer on duty there at my headquarters, so that he would know exactly what to do, and they could initiate action in case of an emergency.

2. Q. Are those two documents you have in your hand the two memoranda you have described?

A. These are the two memoranda.

The memoranda of November 30, 1941, and December 5, 1941 submitted by his War Plans Officer to him and approved by the Commander-in-Chief Pacific, were submitted to the judge advocate, to the interested parties, and by the interested party, Rear Admiral Husband E. Kimmel, U. S. Navy (Ret), offered in evidence.

There being no objection, the memoranda were so received, copies appended, marked "EXHIBIT 69-A", and "EXHIBIT 69-B."

3. Q. Will you please read the memoranda, Admiral?

A. Yes.

The witness read the memoranda, Exhibit 69-A and Exhibit 69-B.

4. Q. By whom were these memoranda signed?

A. It was signed by McMorris; the second copy was signed by McMorris. It was put in the hands of the Staff Duty Officer as a reminder of what to do. Of course, nothing would have been done without my approval, but it was a check-off. That is what it amounted to.

5. Q. Admiral, did you receive copies of any of the information contained in any of the documents contained in Exhibits 63 or 64, between November 1, 1941, and 7 December 1941?

A. None of these messages contained in Exhibits 63 or 64 were supplied to me.

6. Q. Did you receive any of the information contained in those messages, other than that might be inferred from the dispatches you received, of November 24, November 27, and December 1, which are in evidence?

A. I received none.

7. Q. Did you or your staff or the staff of the Commandant of the 14th Naval District have any facilities, materiel or personnel, for the processing of information contained in Exhibits 63 and 64?

A. We did not.

[1112] 8. Q. I show you a document and ask you if you can identify it.

A. Yes, I identify this as a letter signed by Admiral Richardson, and directed to the Chief of Naval Operations, with regard to Chief of Naval Operations' Plan DOG, and it is dated January 25, 1941. In the last paragraph of this letter it states that, "This letter has been prepared in collaboration with the prospective Commander-in-Chief of U. S. Fleet, Rear Admiral H. E. Kimmel, U. S. N. It represents his as well as my own views."

The letter from Admiral Richardson to the Chief of Naval Operations, dated January 25, 1941, was submitted to the judge advocate, to the interested parties, and to the court, and by the interested party, Rear Admiral Husband E. Kimmel, U. S. Navy (Ret), offered in evidence for the purpose of reading therefrom such parts as may be pertinent to the inquiry.

There being no objection, it was so received, description appended, marked "EXHIBIT 70."

9. Q. Will you read, Admiral Kimmel, paragraph 7, (A), (B), and (D), and paragraph 10.

A. (Reading:)

In connection with the execution of the foregoing tasks, and with particular reference to the early initiation of offensive operations, it must be pointed out that the existing deficiencies in the defenses of Oahu and in the Local Defense Forces of the Fourteenth Naval District impose a heavy burden on the Fleet for purely defensive purposes. Ideally, a Fleet Base should afford refuge and rest for personnel as well as opportunity for maintenance and upkeep of material installations. When Fleet planes, Fleet guns and Fleet personnel are required to be constantly ready for defense of its own Base, the wear and tear on both men and material cannot but result in impaired readiness for active operations at sea. The most outstanding deficiencies affecting this readiness of the Fleet are (a) The critical inadequacy of A. A. guns available for the defense of Pearl Harbor, necessitating constant manning of ships' 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 patrons. (d) Lack of aircraft detection devices ashore.

(10) This letter has been prepared in collaboration with the prospective Commander-in-Chief, U. S. Pacific Fleet, Rear Admiral H. E. Kimmel, U. S. N. It represents his, as well as my own, views.

10. Q. I show you a document and ask you if you can identify [1113] it, Admiral.

A. This is a letter written by the Chief of Naval Operations to the Commander-in-Chief of the Pacific Fleet, of 24 July 1941.

11. Q. And does it have an enclosure?

A. It has an enclosure of a letter from the Chief of Naval Operations to the Commander-in-Chief of the Asiatic Fleet.

The letter from the Chief of Naval Operations to the Commander-in-Chief of the Pacific Fleet, dated 24 July 1941, together with enclosure of letter from the Chief of Naval Operations to the Commander-in-Chief of the Asiatic Fleet, was submitted to the judge advocate, to the interested parties, and to the court, and by the interested party, Rear Admiral Husband E. Kimmel, U. S. Navy (Ret), offered in evidence for the purpose of reading therefrom such parts as may be pertinent to the inquiry.

There being no objection, it was so received, description appended, marked "EXHIBIT 71."

12. Q. Will you read, Admiral, the third paragraph of the enclosure of Exhibit 71; that is, from the copy of the letter from the Chief of Naval Operations to the Chief of the Asiatic Fleet?

A. (Reading:)

I had a talk with the President after the Cabinet meeting last Friday and again yesterday after my chat with Nomura, and have succeeded in securing an appointment with the President for him today. I hope no open rupture will come, particularly at this time, but it would be wishful thinking to eliminate such a possibility or to think that conditions are getting better rather than worse. However, we can still struggle for something better, and I want you to know that I am.

13. Q. I hand you a document and ask you if you can identify it, Admiral.

A. That is a letter from the Chief of Naval Operations to the Commander-in-Chief of the Pacific Fleet, dated 2 August 1941, together with enclosure, which is a copy of a letter written by the Chief of Naval Operations to then Captain Charles M. Cook, Junior, who was in command of my Flagship, the PENNSYLVANIA, at that time. It is dated 31 July 1941.

The letter from the Chief of Naval Operations to the Commander-in-Chief of the Pacific Fleet, dated August 2, 1941, with enclosure of

a letter from the Chief of Naval Operations to Captain Charles M. Cook, Junior, dated July 31, 1941, was [1114] submitted to the judge advocate, to the interested parties, and to the court, and by the interested party, Rear Admiral Husband E. Kimmel, U. S. Navy (Ret.) offered in evidence for the purpose of reading pertinent extracts therefrom.

There being no objection, it was so received, description appended, marked "EXHIBIT 72."

[1115] Frank L. Middleton, yeoman second class, U. S. Naval Reserve, reporter, entered. Frank M. Sickles, yeoman first class, U. S. Naval Reserve, reporter, withdrew.

14. Q. Will you read, Admiral, from Exhibit 72, the second post-script of the letter enclosure, which was a letter from the Chief of Naval Operations to Captain Cooke?

A. (Reading) :

P. S. #2. On second thought, I am enclosing an extra copy of this for Kimmel which he can show to Admiral Bloch, though I confess one fellow's estimate is as good as another and I really wonder whether this letter is worth while, but anyway, as you know, it comes with all good wishes and good luck to you all. Obviously, the situation in the Far East continues to deteriorate; this is one thing that is factual.

15. Q. I show you another document, Admiral, and ask you if you can identify it?

A. Yes, I identify this as a letter from the Chief of Naval Operations to the Commander-in-Chief, Pacific; Commander-in-Chief, Asiatic; Commander-in-Chief, Atlantic, dated April 3, 1941. This is an official letter.

The letter from the Chief of Naval Operations to the Commander-in-Chief, Pacific; Commander-in-Chief, Asiatic; and Commander-in-Chief, Atlantic, dated 3 April 1941, was submitted to the judge advocate, to the interested parties, and to the court, and by the interested party, Rear Admiral Husband E. Kimmel, U. S. Navy (Ret.), offered in evidence for the purpose of reading therefrom such parts as may be pertinent to the inquiry.

There being no objection, it was so received, description appended, marked "EXHIBIT 73".

16. Q. I ask you to read, Admiral, from Exhibit 73, the last paragraph, No. 12.

A. (Reading) :

12. In the meantime, I advise that you devote as much time as may be available to training your forces in the particular duties which the various units may be called upon to perform under your operating plans. The time has arrived, I believe, to perfect the technique and the methods that will be required by the special operations which you envisage immediately after the entry of the United States into war.

17. Q. I show you another document, Admiral, and ask you if you can identify it?

A. This is a letter from the Chief of Naval Operations to Commander-in-Chief, Pacific Fleet, dated November 7, 1941. This is a personal letter.

[1116] The personal letter from the Chief of Naval Operations to Commander-in-Chief, Pacific Fleet, dated November 7, 1941, was submitted to the judge advocate to the interested parties, and to the court, and by the interested party, Rear Admiral Husband E. Kimmel,

U. S. Navy (Ret), offered in evidence for the purpose of reading therefrom such parts as may be pertinent to the inquiry.

There being no objection, it was so received, description appended, marked "EXHIBIT 74".

18. Q. Will you read, Admiral, the first paragraph of this letter?

A. (Reading):

This is in reply to your letter of October 22, 1941. It was fine to hear from you and to learn that you are in fine fettle. OK on the dispositions which you made in connection with the recent change in the Japanese Cabinet. The big question is—What next?!

19. Q. The letter of October 22nd is Exhibit 14, Admiral, the letter which you wrote outlining to the Chief of Naval Operations the dispositions that you had made in response to his dispatch to you of October 16th?

A. That is correct. The dispatch of October 16th told of the fall of the Japanese Cabinet. As a result of that dispatch I made certain dispositions in the Fleet. On October 22nd I wrote a letter to the Chief of Naval Operations informing him of exactly what I had done. In the letter of November 7th, he answers and states that the dispositions I reported in my letter of October 22nd are O. K.

20. Q. And the letter of November 7th is Exhibit 74 that has just been offered?

A. That is correct.

Cross-examined by the interested party, Admiral Harold R. Stark, U. S. Navy:

21. Q. Admiral, I refer you to Exhibit 74, which is the letter of 7 November 1941 from Admiral Stark to Admiral Kimmel, and ask you to read, in addition to the two paragraphs which you just read at the beginning of the letter, the last paragraph of that letter?

A. (Reading):

Things seem to be moving steadily towards a crisis in the Pacific. Just when it will break, no one can tell. The principle 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 can not go on forever—particularly if one party can not live with the set up. It doesn't look good.

The interested party, Admiral Claude C. Bloch, U. S. Navy, (Ret) did not desire to cross-examine this witness.

[1117] Examined by the court:

22. Q. Admiral Kimmel, the memoranda which you introduced this morning and was read before this court as of November 30th: Were they in the form of orders or directives, or simply for information of the watch officer on duty?

A. They were simply for my information, the information of the War Plans Division, and the watch officer on duty. They went no further than that. It was on the off-chance that something might happen.

23. Q. Is it true that you felt that you were not required to inform yourself of the means undertaken by the Commanding General of the Hawaiian Department with reference to defenses of Pearl Harbor and the defenses of the Fleet in Pearl Harbor?

A. No. I think the evidence before this court indicates that I took a great interest in the defenses of the Hawaiian Department and did inform myself.

24. Q. In view of the evidence before the court in which you state that you did confer with General Short on defenses, did you consider that between the dates of November 27 and December 7, 1941, the situation was so critical that you should confer further with him, and did you do so?

A. To the best of my recollection I conferred with him four or five times during that period, and during those conferences, some of which lasted two or three hours, we reviewed every phase of the situation that existed.

25. Q. Do we understand that this has particular reference to the war warning message of 27 November 1941, and the days following?

A. Yes, sir.

26. Q. You are familiar, Admiral, with the operating orders of the Fleet immediately prior to your taking over command in February, 1941. Could you state briefly the [1118] changes you made in fleet operations immediately subsequent to your taking over command and during the succeeding year?

A. Immediately on taking over command I made no changes in the operating plans for the Fleet. My predecessor, Admiral Richardson, had established the two task force principle, one out and one in, which we kept in effect for about two months. At the end of that two months I changed to the three task force plan, all of which has been presented to this court. I did that because I was assured by various subordinate commanders that they were not getting enough time for upkeep and for the changes which were required in the material changes in the ships. The other changes that I made during the year had to do with some changes in target practices, some in ship organization in which we put the four-section watch in general use in the Fleet, the orders in regard to readiness of the batteries, particularly the readiness of ammunition on deck in the ready boxes. We went into the question of loading bombs on planes, both on board ship and on the air fields, and we took steps to supply bombs which did not exist in the Hawaiian area when I took over. I can recall no very drastic change in the Fleet operations. We did initiate and consummate the question of air coordination betwixt the Army and Naval air forces on shore in Hawaii. We drew in all loose ends in regard to the Fleet's part in the defense of Oahu and in the use of Pearl Harbor as an operating base, and all the security measures required therefor were put into this order 2CL-41. I think nothing comparable to 2CL-41 existed prior to my taking command, although certain features that were later contained in 2CL-41 were in effect prior to my taking command.

27. Q. During this time did you give any consideration to changing the training of the Fleet and disposing it in some defensive disposition to the westward of the Hawaiian Islands, or not especially "defensive" but for information and security for Hawaii?

A. I gave a great deal of consideration to all matters of that kind and all the steps that we could take to be effective could not be continued indefinitely. There had to be some time limit. When I first took command of the Fleet we were undergoing a scare, an emergency, and we had had a warning dated January, 1941, in which the terms "if war should eventuate we will do so and so". I wanted to continue the training of the Fleet as long as I could. Had I stopped the training in January and had gone out to full security measures, we

never would have had the Fleet training, it just couldn't have been trained under those conditions with the large influx of new men that were coming into the Fleet. And all the time I was considering when to institute these stringent security measures. I put into effect all the security measures that I thought we could put into effect, and still continue the training at anywhere near a satisfactory condition. When these warnings came of November 27th, and prior thereto, they followed a pattern that had continued for some time. I felt that before [1119] hostilities came that there would be additional information, that we would get something more definite, and when the attack came without this information, of course I was inclined to blame myself for not having been much smarter than I was. But when I found, some time later, that the information was, in fact, available in the Navy Department; that the information which, if it had been given me, would have changed my attitude and would have changed the dispositions, I ceased to blame myself so much.

28. Q. Admiral, what information do you refer to in your statement?

A. I refer to the information that was contained in Exhibit 63 in particular.

29. Q. Had you had this information, Admiral, what would you have done, and what orders would you have given relative to the Fleet?

A. That is a very difficult question to answer at this time. It is something after the fact, but the least that I would have done had I had this information would have been to thoroughly alert all shore-going activities in the Hawaiian Islands, including the Army. I would have, in all probability, had the Fleet put to sea, and in general I would have had them take a station probably 300 miles west of Oahu in an intercepting position for any attacking force that would come either to the northward or to the southward. But I would have had to consider the question of fueling these units of the Fleet. I couldn't have put them too far from Hawaii and I would have put them just far enough so they couldn't be readily located. I was torn betwixt a desire for the security of the Fleet and for preparations to make the initial moves in case of war with Japan. I was in a very difficult position in any event. Any Fleet which sits and waits to be attacked labors under an enormous handicap. However, briefly, I think it is fair to state now that I would have alerted everything on shore to its maximum that could be maintained over a long period. I would have instituted the reconnaissance to the best of our ability and I would have had the Fleet put to sea.

30. Q. You state that you would have alerted the Army. Did you have any authority to alert the Army?

A. No. I mean by that that I would have urged them. No, I had no authority over the Army, none whatsoever.

31. Q. You have stated, Admiral, in this connection and in referring to certain information which you did not have, that you did not have any knowledge whatsoever of the contents of the note of November 26, 1941, which the Secretary of State handed to the Japanese representatives. Is that correct?

A. That is correct. And I had, on several occasions, pointed out to the Chief of Naval Operations, and through him to the Navy Depart-

ment, the fact that it was essential [1120] that I be kept informed of these developments, and I recall that in February of 1941 Admiral Wilson Brown told me that there was some question in the Navy Department as to who was to supply me with intelligence information and that he, in going from one place to the other here, had, as I recall it, gotten some idea that communications thought that ONI was doing it and ONI thought communications was doing it. Anyhow, there were two agencies that were mixed up in it. I wrote a letter to the Chief of Naval Operations at once, dated sometime in February—it is around here somewhere—in which I called attention to this report that Brown had given and told him I was disturbed by it and I thought it ought to be remedied here in the Navy Department. I subsequently received a letter from him in which he said that he had gone into the matter and I was getting all the information.

The court then, at 10:55 a. m., took a recess until 11:10 a. m., at which time it reconvened.

Present: All the members, the judge advocate and his counsel, the interested parties and their counsel, except Admiral Harold R. Stark, interested party, whose counsel were present.

Frederick T. Lachat, yeoman first class, U. S. Naval Reserve, reporter.

No witnesses not otherwise connected with the inquiry were present.

Rear Admiral Husband E. Kimmel, U. S. Navy, (Ret), the witness under examination when the recess was taken, entered. He was warned that the oath previously taken was still binding, and continued his testimony.

Examination by the court (continued):

32. Q. Continuing, Admiral, regarding this note of 26 November, did you read that note prior to this time?

A. I have read the note now, but I had not seen it prior to 7 December 1941, nor did I know that any such note—I mean that any note containing any such terms had been given to Japan.

33. Q. If you had had any indication that there would be a reply to this note in a comparatively short time would this have in any way changed your orders regarding security measures for the Fleet?

A. Everybody is wise after the act. I don't want to be misunderstood, but I feel and believe that had I known the contents of this note and the fact that, as has been testified before this court, the Navy Department generally thought that it would prove entirely unacceptable to the Japanese Government, as I myself undoubtedly would have felt at the time, I am sure it would have affected me and my outlook on the situation very considerably.

[1120A] The pages following directly hereafter, Pages 1121 through 1123, inclusive, have, by direction of the court, been extracted from the record and deposited with the Secretary of the Navy. This action was taken in the interest of national security and the successful prosecution of the war.

[1124] 42. Q. Admiral, having in mind the testimony which you have just given and your stating that you would take the Fleet to sea, and in view of the fact that you have previously stated that you feared a submarine rather than an air attack, will you please state now how you would have disposed your Fleet and whether you would have had sufficient defense for the Fleet against a large submarine attack by the enemy?

A. I made this statement to the best of my present belief. From what I knew at the time prior to December 7th, I probably would have taken the Fleet to sea. You must remember that the efficiency of the Japanese Air Force was, I think, a surprise to the Navy Department as well as to the people in Hawaii. We had on the ships no adequate anti-aircraft defense. That applied particularly to the battleships and more particularly to the short-range weapons. The destroyers were somewhat better, as were the light cruisers. The heavy cruisers were poor in that respect. We had three aircraft carriers, and at the time of the attack they were pretty well scattered over the Pacific Ocean. We had one of them on the Coast. In the event of an attack such as was delivered at Hawaii, together with submarines—and I have reason to believe that a great many submarines were in the Hawaiian area at the time of the attack—it is well within the realm of possibility that had I taken the Fleet to sea, the losses would have been greater than they actually were from submarine and air attack. However, you must also realize that you presuppose then that they would have found our Fleet and that they would have been able to deliver an attack. It is not impossible that, had the Fleet gone to sea, the Japanese would not have attacked at that time at all. They might have deferred the attack. We all know how difficult it is to locate a Fleet at sea, particularly if they do not want to be located. All this is in the realm of conjecture, but I think it is fair to say that there are some things to be said for keeping the Fleet in port, and the only change we would make would be to go to a little higher state of alert than we had at the time. I think that I would not have done that. I think that I would have taken the Fleet to sea. You gentlemen are quite as competent as I am to say what should have been done under the conditions that existed at Pearl Harbor at the time and in a better position now than I was when I was sitting on the lid out in Pearl Harbor, because you know more about the Japs.

43. Q. The question was intended to convey the idea: What could have been done rather than what would have been done? What were your capabilities? What line of action was open within your limits?

A. I think one general line of action was to take the Fleet to sea. The other line of action was to keep it in port.

44. Q. If you had increased the alert, would that have done any more than man a few anti-aircraft guns?

A. At best, it might have manned a few anti-aircraft guns, and it might have enabled the intercepting fighters to come into action a little better.

[1125] 45. Q. I was speaking of the Navy rather than the combined forces.

A. That is right, but those forces had to have some warning, you know. They were good for only an hour in the air, as I recall, and fifteen miles from land, as testified by the Major General commanding the Hawaiian Air Force.

46. Q. You are speaking of Army fighters?

A. Yes, pursuit ships, I think they call them.

47. Q. It has been testified here that prior to your assuming command there were reconnaissance planes used on patrol in certain sectors around Oahu. Did you discontinue this patrol?

A. To the best of my recollection, the patrol, as such, was not in effect when I took command of the Fleet. A patrol covering the

operating area was in effect, and I continued that patrol. In any event, I thoroughly considered the question of running patrols, and I had to make a decision between training and the running of patrols. I was told by the commander of the patrol planes, and also by the Army, of their training difficulties. In addition to that, we did not have a sufficient number to maintain an adequate patrol over a long period of time, and a patrol out to 300 miles or less is of very doubtful value, particularly against air raid. I even go so far as to say that a 300-mile patrol, guarding against an air raid, is almost useless. That was my opinion then. I have had no reason to change it. Of course, any patrol run has some value. I will admit that as far as surface ships are concerned.

48. Q. Were those patrol planes and those planes based on shore Fleet planes under your direct operation?

A. Yes.

49. Q. And you assumed the direct responsibility of employing them, either in protection of the operating areas of the Fleet or for reconnaissance?

A. Yes, I do with the proviso that the Commandant of the 14th District was charged with the execution of that part of the plan which required the search, and he always had the right to request these planes and to request that searches be made. He did that on one or two occasions, and I ran the searches for a couple of days. However, I want it clearly understood it was my responsibility and that I did give the orders to the planes.

50. Q. The court understands, then, that the planes under your command at this time were used in conjunction with the Fleet to protect operating areas and in training in preparation for war; is that correct?

A. Yes, and we believed that by my doing so we were employing them to the very best advantage.

[1126] 51. Q. Admiral, if you had a reconnaissance in effect, even at 700 miles, and had to meet a strange force, did you have any way to stop that force from delivering an attack?

A. I did not, except by the means you know about. I could have, if I had located the force, used all the planes available to attack. Of course, had the patrol planes, plus all the Army bombers, been out on search, we would not have had any striking force left, and you must remember, sir, that almost day by day we were promised additional planes, so that we thought this was going to be improved, particularly in regard to Army bombers.

52. Q. You did not, as we understand it, have a surface striking force available which could have gone to the location and supported a carrier attack?

A. Well, we had two carriers that were in areas where they could have been very useful. One of them was 400 miles southeast of Midway, and one was about 200 miles west of Pearl Harbor, and had we known the location of the enemy, we could probably have delivered a very effective attack, first, with one and, then, with the other. The LEXINGTON was full of fuel or practically full of fuel. She had run only from Pearl to the position where she was, but the ENTERPRISE was pretty well down in fuel.

53. Q. You are speaking of this particular time?

A. Yes.

54. Q. I am speaking, in general, of the situation which would warrant your holding the forces in readiness.

A. We would have been torn between a desire to hold in readiness and get them full of fuel.

55. Q. Is it not a military fact that in order to detect a carrier raid you must know in advance that the carrier is on its way?

A. Yes, I think so.

56. Q. And within the narrow limits of its time of arrival at a certain place, presumably on a dark circle and in a general sector within narrow limits?

A. I think that is true, and what you say is multiplied every time you reduce the forces waiting for them. To fuel your forces, the more necessity there is to know when the carrier is coming. We have seen time and again—if I read the newspapers correctly—how our own Navy has gone in and made attacks on Japanese-held positions at Saipan, Palau, and Manila, to cite the ones within the last three or four weeks. They have in each case effected what amounts to a tactical surprise, and I can understand perfectly why they have. They have been at war for nearly three years, and what is so often overlooked in connection with this Pearl Harbor affair is that we were still at peace [1127] and still conducting conversations, and there were limits that I could take with planes and aviators. We were still in the peace psychology, and I myself was affected by it just like everybody else. I had been very seriously criticized by local papers for killing too many aviators, anyhow. I had told Bill Halsey that nobody regretted killing them anymore than I did, but we simply had to do certain things. We had to learn how to do it, and I think we did learn a great deal.

57. Q. Had you sighted that force at the outer rim of a distant patrol and, in accordance with your directive, let them make the first war move, could you have done anything other than to alert your command?

A. Admiral, I could not have done anything under the orders which I had at the time, and had I attacked the Japanese naval force 700 miles from Oahu, I would have violated my orders, just as I violated them when I gave the order to bomb the submarines in the Hawaiian area. I again don't know what I would have done, but if we had sighted anything 700 miles from Oahu, I think I would have found some means to handle the situation, insofar as the forces I had available would have permitted me.

58. Q. Admiral, it has been testified to that on or about 1 December 1941 the Office of Naval Intelligence, Navy Department, issued a bulletin which set forth the activities of Japan at that time. It is further understood that this bulletin was mailed to officers in key positions on or about 1 December. Did you receive that bulletin, and if so, will you please state the information contained therein.

A. In the first place, this ONI bulletin, dated 1 December 1941, was received in my office and was called to my attention, I think, prior to the Japanese attack on Pearl Harbor. I cannot be positive as to that, but I can be positive that the essential information contained in that bulletin in regard to the Japanese situation was in accordance with the information which we had available at my headquarters.

59. Q. And what was that information?

A. The part to which I referred was this paragraph "C", "The Japanese Naval Situation": (Reading from Exhibit 57) "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 [1128] 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. Activity 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.

60. Q. Admiral, it has been noted in the testimony that in correspondence with the Navy Department you invited attention to Army radar installations on Oahu and the importance of their installation being made as soon as possible; is that correct?

A. Yes, sir, I think on several occasions I called attention to it.

61. Q. Were you familiar with the radar installations and the radar available to the Army on Oahu?

A. In general terms, yes. I never saw the radar installations of the Army, but I was informed they were getting along pretty well. They had delays of this and that, and as I have testified to here, I was under the impression they could give us a coverage up to about 150 miles, possibly 200. I got that from General Short, and, as a matter of fact, they did state they picked up these planes at 132 miles.

62. Q. Did you at any time request General Short to expedite these fixed installations and did you at any time stress upon him the importance of these fixed installations with respect to the informing of the approach of possibly enemy planes?

A. I did not write any letters to General Short on the subject that I can now recall, but I am quite certain that in many conversations which I had with General Short I did stress the necessity for an aircraft warning system, as well as for all other elements in the defense of Pearl Harbor. I think the court will recall the testimony of General Marshall that he was writing Short to calm Kimmel down out there and not ask for so much.

63. Q. Were you familiar with the hours of operation of these radar sets?

A. No. In general, I knew that they were being manned during a greater portion of the day. I didn't know the exact [1129] hours.

64. Q. Did you ever discuss with General Short the importance of having these radar sets manned prior to and immediately subsequent to dawn of each day?

A. I think we discussed the time when an attack would be expected, yes, and in the joint estimate of the situation that time is set forth. I do not recall that I thought it necessary to discuss this with General Short, except in general terms, anymore than I did a great many other details.

65. Q. Did General Short at any time report to you verbally or otherwise that he was in great need of experienced operators for radar and request you to furnish some from the naval forces?

A. I knew that he was in need of experienced operators, and we did everything we could to assist him in training his radar operators, both before and after he received his equipment. That testimony has been given before this court, I think, in considerable detail. General Short never requested me to supply him with any naval operators to be used in the operation of his radar in Oahu, and, so far as I am aware, he made no such request of the Commandant of the 14th Naval District.

66. Q. Did he ask you for liaison officers and did you furnish them?

A. He asked me for a liaison officer in July, 1941. I answered his letter promptly and detailed my communications officer, Commander Curtis, to act as liaison officer for that purpose. That was the only letter that I received from General Short asking for liaison officers to be detailed, and as I answered it promptly, I thought the matter was covered completely. The liaison officers, about whom General Short, after Pearl Harbor, spoke about and about whom there has been considerable testimony, were in reality watch officers to stand watch in the communications center, and I would not have recognized the term "liaison officer" if I had heard about it. However, the proper individual to supply him with such liaison officers was Admiral Bloch, and he normally would have made his request on Admiral Bloch for such liaison officers or watch standers in the office. I have been informed that prior to December 7, 1941, General Short did not, in fact, make a request on the Commandant of the 14th Naval District for such watch officers. That you will have to get definitely from other sources. We stood ready to supply General Short with some type of watch officers when he requested them, and I think there is no question but that they would have been supplied if he had requested them. You must realize that this was the Army's function, and we butted in a good deal trying to help them.

[1130] 67. Q. While it was an Army function, wasn't it essential for a Navy man to be at the center to screen out Navy planes for any information that might come in?

A. I think it is desirable, but I don't think it was essential. I think it could have worked another way, and they could have got this information where the planes are. Just because this man has a naval uniform, he could not, by any God-given faculty, tell where the Navy planes were. He would have to get that from the Navy, who had sent the planes out, and I think an Army man could have done it just as well.

68. Q. Wouldn't a Navy man have been better informed as to where to send the information and where to get the information?

A. Probably, but I don't think it is a sine qua non.

69. Q. Did you detail Commander E. J. Taylor to assist the Army in this set-up?

A. Yes. I have forgotten who came to me. One of my staff, as I

recall it now. They said they wanted Taylor over there because he had some experience, and General Martin, I believe, asked for him. I said, "Certainly. I will be very glad to send him over to help in any way I can," and I had Taylor in and talked to him.

70. Q. Did you consider the Commandant, 14th Naval District, Admiral Bloch, as the officer more directly concerned with handling radar matters with the Army, or did you consider it a direct function of your and your staff?

A. I knew Admiral Bloch was the proper person to handle all matters in connection with that. My staff and I wanted to assist him in any way we could and to assist the Commanding General, also.

71. Q. But you did consider radar as an essential part of the defense of Oahu and also essential for the partial defense of the Fleet while in port; is that correct?

A. It was a thing that should have been pushed to the limit, and whether you can go so far as to say that it is absolutely essential or not, I don't know.

72. Q. It is one of the essentials, then?

A. Yes, it is one of the essentials.

73. Q. Admiral, did you in any way ignore the defense measures for the Fleet in Pearl Harbor and sacrifice them to the training of the Fleet?

A. No, I took the measures that I deemed were justified on the information I had. I was, of course, influenced in putting into effect the security measures in the way they would affect the training of the Fleet.

Frank M. Sickles, yeoman first class, U. S. Naval Reserve, reporter, entered. Frederick T. Lachat, yeoman first class, U. S. Naval Reserve, reporter, withdrew.

[1131] 74. Q. Did you at any time discuss with General Short the possibility of an air attack on Pearl Harbor, and the means and the plan which he had or proposed for intercepting such an air attack?

A. I discussed the question of air attack on Pearl Harbor with the Commanding General on various occasions. We simulated such attack; we sent planes in to attack Pearl Harbor, I don't know how many times, but several times, during the year I was out there, and we put the defending planes or other elements into operation. Both Admiral Bloch and I had discussed the various features with the Commanding General. The details at all times I tried to leave to Admiral Bloch. I did not wish to encroach on his part of the job, and I took particular pains to keep Admiral Bloch informed, and I think he as well, took particular pains to keep me informed of the things he thought would be of interest to me. I think it is fair to state that we discussed the subject exhaustively and our principal concern at all times was the few forces we had to meet an attack.

75. Q. This may be a repetition of a question. Were you familiar with the reply which General Short sent to the War Department about 28 November, in reply to the war warning message, regarding his stage of alertness against sabotage?

A. He did not supply me with a copy of his answer, but I had a copy of the message, and I knew that he had replied. He had replied to two messages on the state of alert that he took, one of which was a brief message and one of which was in detail.

76. Q. Where you aware of the fact that the Army, in its general conception of defense of Hawaii, had in mind primarily internal sabotage?

A. In general, yes; all the messages stressed that, you see.

77. Q. And did you know that the Army had so arranged and parked its planes, in accordance with this thought of internal sabotage?

A. I didn't know the method they used to park the planes at the time. That was something that I didn't think was my business.

78. Q. You stated in your testimony that you were of the opinion that in the event of an air attack on Oahu, it would come about dawn. Did you ever give consideration to placing all available planes in the air each morning, by reason of this probable attack?

A. No, I didn't. We gave consideration to all those things, but I did not think the time had arrived to take any such measures as that.

[1132] 79. Q. Why wouldn't any time during an emergency be a time to start that? Why wouldn't any time during an emergency, when you were receiving all these messages that might be considered warning messages, be the time to put that into effect?

A. These emergencies were continuing all the time, and we couldn't do these things indefinitely, because of the personnel. We didn't have enough personnel trained, the matériel wouldn't stand it. I doubt if we had enough gas to keep all these planes manned all the time. There were great difficulties there. I don't know about the gas, but the personnel and matériel were inadequate. Most of that would have developed upon the Army, and they were reporting to me that they were in a very bad case as to both matériel and the state of training of their personnel. I considered it impracticable. In any event, with the limited time in the air of these Army pursuit ships, I think that subsequent to the attack on Pearl Harbor, I have seen a report which states that they tried to put their pursuit ships into the air and after a few days they stopped it entirely, because they just couldn't do it.

80. Q. Couldn't keep it up, you mean?

A. Couldn't keep it up.

81. Q. Admiral, we are speaking more particularly of the planes in the Fleet, and the planes of the Fleet based on shore. You did have a number of PBY's, did you not?

A. Yes.

82. Q. Based on shore. And the question was mainly asked as to your consideration of putting these planes in the air.

A. I misunderstood your question to that extent. I was thinking more of the fighter planes, Army pursuits. It would have been possible to put some of those planes in the air, but I doubt whether it would have helped very much. Those PBY's are not very maneuverable, and they are vulnerable to attack. They were never intended for bombing missions, nor for fighters. I will put it this way: If we considered the situation such that we should have put them in the air, we wouldn't have used them to be in the air at dawn, waiting for attack; we would have had them out searching if we had put them out at all. I think that is a fair statement.

83. Q. But you would have put them out prior to dawn; is that correct.

A. Yes, sir, probably.

84. Q. What other planes did you have there besides these PBY's you speak of?

A. What others?

85. Q. Yes.

A. A few Marine planes, and that is all. All the [1133] carriers were at sea; we didn't have any of those.

86. Q. But if you had a few hours' advance information as to a probable attack, you would have put all of these planes in the air?

A. That is another thing, yes, indeed; I would have started out to find the people that were coming in. I would have used everything.

87. Q. There has been quite a little testimony here in which there has been mentioned "appropriate defense deployment." What is your conception of appropriate defensive deployment, as applied to the Fleet under your command, and under existing conditions about the latter part of November '41?

A. The first time that term was used, as I recall it, was in the dispatch of October 16, in which a defensive deployment was spoken of. I reported in my letter of 22 October exactly what I considered that to mean, inasmuch as I told the Chief of Naval Operations what I had done. I think you will recall that. I placed a couple of submarines off Wake and a couple off Midway, and took six or seven other steps which I can get out of that letter more accurately than I can give you now, and having received an approval of that on November 7 in a letter, I thought when I got the message of November 27, that I would continue the motion, as it were, and that that was what the Chief of Naval Operations meant. I thought I was justified in assuming that.

88. Q. What else could you have done?

A. I don't know.

89. Q. Testimony here has revealed that the carrier ENTERPRISE was returning from Wake, and the LEXINGTON was on its way to Midway.

A. That's correct.

90. Q. Had you known of a probable break within ten days or two weeks after the note of 26 November was delivered, would you have recommended this operation for these two ships?

A. I think maybe the break alone, I might have considered it worth while to take a chance and let them go, because they were a fast force and could get away, and had within themselves, each one of them, considerable fighting power; but had I thought that there was a very good chance of an air attack on Oahu at the time, I might have had a different idea about it.

91. Q. What did the escort of these ships consist of?

A. Three heavy cruisers, and a squadron of destroyers, each one.

92. Q. Under your orders, were they proceeding under war conditions?

A. Oh, yes.

[1134] 93. Q. In all respects?

A. Yes, sir. I think when Halsey went back to the ship—he has told me since—he armed everything and told them to sink every Japanese ship that they found.

94. Q. The operating schedule which you issued about September '41; was that a classified document, secret, confidential, restricted?

A. Confidential.

95. Q. In view of the fact that two of three task forces were scheduled for upkeep in Pearl Harbor during the period which includes 7 December, is it possible that Japanese agents might have had access to this operating schedule?

A. Oh, I think it is possible, yes.

96. Q. If they had had access to it, might there have been a basis provided for the time of attack?

A. I think so, yes. We took all the steps that we considered practicable at that time to keep this thing from circulation, but people talk; and they have got to know when they are going to come in port and when they are going out. I went to great lengths on occasion to keep things secret, and went over to the club and had a Navy wife tell me all about it. We have all been through that.

The interested party, Admiral Harold R. Stark, U. S. Navy, did not desire to cross-examine this witness.

Cross-examined by the interested party, Rear Admiral Husband E. Kimmel, U. S. Navy (Ret):

97. Q. You were asked, Admiral, concerning the feasibility of having all the planes in the air. I am assuming that means both Army and Navy planes, in the morning twilight. Could that be done in a manner without alarming the civil population or disclosing the intent of operations, both of which features were specifically forbidden in the Army message, dispatch, of 27 November?

A. I think there is no question but what if we had put all the planes in the air each morning at daylight, that it would very materially have alarmed the civil population.

The interested party, Admiral Claude C. Bloch, U. S. Navy (Ret), did not desire to cross-examine this witness.

Examined by the court:

98. Q. Wouldn't the movement of the Fleet in and out of the Harbor alarm the population to that extent?

A. I don't think so.

99. Q. Why? With the number of planes you had, wouldn't [1135] the population have thought it was training, just the same as taking the ships in and out?

A. The movement of the ships in and out had been going on for some time. It was a part, you might say, of the routine operations out there. Putting all the planes in the air at daylight would have kicked up a rumpus. All of the aviators would have been talking about it. All of their families would have been talking about it, and that every one of the planes had to go in the air. I think there is no doubt but that it would have alarmed the civil population. It would have been quite different from what we had been doing.

Recross-examined by the judge advocate:

100. Q. You have testified, Admiral, that you did not receive the information that was contained in Mr. Hull's note to the Japanese Government under date of 26 November 1941, and you have testified what you would have done with the Fleet had you had that information. Now the judge advocate would like to have you state what information was contained in this note of November 26 regarding the

situation between the United States and Japan, that was not contained in Exhibit 17, wherein the Chief of Naval Operations told you that "negotiations looking toward stabilization of conditions in the Pacific have ceased?" In other words, what would the note of 26 November have conveyed to you, had you known it, that the Exhibit 17, under date of 27 November, did not convey?

A. Well, without looking into the exact wording, which you know, the note, as has been testified to by a good many before this court, was a veritable ultimatum; and the terms of this ultimatum were such that it was known that the Japanese would not conform to it, and that they were forced to do something. When you force a man to do something, why you put him in a place, as Mr. Hull testified—in a "mad-dog position." He's got to do something.

None of the parties to the inquiry desired further to examine this witness.

The court informed the witness that he was privileged to make any further statement covering anything relating to the subject matter of the inquiry which he thought should be a matter of record in connection therewith, which had not been fully brought out by the previous questioning.

The witness stated that he had nothing further to say.

The witness resumed his seat as interested party.

The court then, at 12:20 a. m., took a recess until 1:45 p. m., at which time it reconvened.

[1136] Present: All the members, the judge advocate and his counsel, the interested parties and their counsel, except Admiral Harold R. Stark, interested party, whose counsel were present.

Frank L. Middleton, yeoman second class, U. S. Naval Reserve, reporter.

No witnesses not otherwise connected with the inquiry were present.

The counsel for the judge advocate, Lieutenant Commander Robert D. Powers, Jr., U. S. Naval Reserve, was recalled as a witness by the interested party, Rear Admiral Husband E. Kimmel, U. S. Navy (Ret.), and was warned that the oath previously taken was still binding.

Examined by the interested party, Rear Admiral Husband E. Kimmel, U. S. Navy (Ret):

1. Q. Are you the authorized custodian of a dispatch from the Chief of Naval Operations to the Commander-in-Chief, Pacific, dated November 28, 1941? If so, please produce it.

A. I am. I produce a photostatic copy of a dispatch from Chief of Naval Operations to Commander-in-Chief, Pacific, date time group 282054, duly authenticated under official seal, dated 28 November 1941.

The certified copy of a dispatch from Chief of Naval Operations to Commander-in-Chief, Pacific, date time group 282054 was submitted to the judge advocate, to the other interested parties, and to the court, and by the interested party, Admiral H. E. Kimmel, U. S. Navy, (Ret.), offered in evidence.

There being no objection, it was so received, marked "EXHIBIT 75", copy appended.

2. Q. Please read the dispatch.

The witness read the dispatch, Exhibit 75.

3. Q. Are you the authorized custodian of copies of dispatches 280627, dated 28 November 1941, 300419 dated 30 November, 1941,

212155 dated 21 January 1941, and 070645 dated 7 December 1941? If so, please produce them.

A. I am the authorized custodian of photostatic copies of the dispatches mentioned, duly authenticated under official seal, and I herewith produce them. They were assembled under one certificate and for easy reference have been numbered 1, 2, 3 and 4 within the certificate.

The duly authenticated copies of dispatches 280627 dated 28 November 1941, 300419 dated 30 November, 1941, 212155 dated 21 January 1941, and 070645 dated 7 December 1941 were submitted to the judge advocate, to the other interested parties, and to the court, and by the interested party, [1137] Rear Admiral Husband E. Kimmel, U. S. Navy (Ret) offered in evidence.

There being no objection, they were so received, marked "EXHIBIT 76", copies appended.

4. Q. Please read these dispatches.

The witness read the dispatches, Exhibit 76.

5. Q. Are you the authorized custodian of CinCPac dispatch 292350 dated 30 November 1941, and Chief of Naval Operations dispatch 301709 dated 30 November 1941? If so, please produce them.

A. I am the authorized custodian of photostatic copies of these dispatches duly authenticated under official seal. These two dispatches are covered by one certificate and for easy reference these dispatches have been numbered 1 and 2 within the certificate.

The duly authenticated copies of CinCPac dispatches 292350 dated 30 November 1941 and 301709 dated 30 November 1941 were submitted to the judge advocate, to the other interested parties, and to the court, and by the interested party, Rear Admiral Husband E. Kimmel, U. S. Navy (Ret) offered in evidence.

There being no objection, they were so received, marked "EXHIBIT 77", copies appended.

6. Q. Will you please read these dispatches?

The witness read the dispatches, Exhibit 77.

None of the parties to the inquiry desired further to examine this witness.

The court informed the witness that he was privileged to make any further statement covering anything relating to the subject matter of the inquiry which he thought should be a matter of record in connection therewith, which had not been fully brought out by the previous questioning.

The witness stated that he had nothing further to say.

The witness resumed his seat as counsel for the judge advocate.

The interested party, Admiral Harold R. Stark, U. S. Navy, requested permission to introduce a series of additional personal correspondence between the Chief of Naval Operations and Commander-in-Chief, Pacific, during the year 1941, which had not been previously introduced.

The judge advocate objected unless it were shown that the documents were pertinent to the inquiry.

[1138] The interested party, Admiral Harold R. Stark, U. S. Navy, stated: It has a material bearing in this respect: As it now appears there is testimony in the record to the effect that Admiral Stark wrote to Admiral Kimmel rather regularly. The record, however, discloses only certain letters that have been taken from time to

time and put into the record. It doesn't disclose any regular writing on the part of Admiral Stark to Admiral Kimmel. We don't propose to read into the record from these letters but we do want them in the record with their dates to show the regular sequence of Admiral Stark's letters to Admiral Kimmel over the period of a year.

The court stated: Yes, but everything that has been introduced by Admiral Kimmel was introduced for the purpose of reading certain parts therefrom, which was done. You have the same right, but to just tack things on the record without using them in any way is not permissible.

The interested party, Admiral Harold R. Stark, U. S. Navy, stated: It is usable in this respect: That unless you have all the letters before you, you can't tell whether Admiral Stark did, in fact, write to Admiral Kimmel regularly over a period of years.

The court stated: You must get somebody to testify to that effect, if it is desired that they be introduced for any particular point, or read any part you want; but just to tack something on there, we can't allow that. We won't accept them in that form. They must be introduced for some purpose; I mean, reading from them or reading all of them, but just simply adding them on to the record, that is not permissible. You can put yourself on the stand if you want to and state that these letters cover a certain period, if that is your idea, and go ahead and put in the record that there was an indefinite number of letters written back and forth.

The interested party, Admiral Harold R. Stark, U. S. Navy, stated: Mr. President, it isn't for the purpose of just making the exhibits in the record more voluminous. It is for the purpose of showing that there was a definite regularity of letters. They are introduced for a purpose. They are introduced for the purpose alone to show that there was a definite pattern to Admiral Stark's letters to Admiral Kimmel during the year, that is, that he regularly wrote those letters.

The court stated: All right; then put somebody on the stand to testify to that effect.

[1139] The interested party, Admiral Harold R. Stark, U. S. Navy, stated: It has been testified to but we submit the letters themselves are the best evidence.

The court stated: The objection is sustained.

The interested party, Admiral Claude C. Bloch, U. S. Navy, (Ret.) was recalled as a witness by the court, and was warned that the oath previously taken was still binding.

Examined by the court:

1. Q. Admiral Bloch, it has come out in this testimony before the court that you had the power under the Commander-in-Chief, Pacific, to request patrol planes for reconnaissance. Will you please state to the court if and when you made such requests and how these planes were employed?

A. I think I made a request in June, 1940, from General Herron, who came to me and told me that he had received a dispatch from the War Department. He was Commanding General of the Hawaiian Department. He came to me and stated that he had received a dispatch from the Chief of Staff, United States Army, to the effect that he must be on the alert against a raid from the west by a hostile nation. When he came to me I informed him that I had no patrol planes for that

purpose, and suggested that he go with me to the senior officer present, who was Vice Admiral Adolphus Andrews, who was then Commander, Hawaiian Detachment. We went on board Admiral Andrews' flagship and General Herron explained the matter, and Admiral Andrews instituted a dawn to dusk patrol service, informing the Commander-in-Chief, Admiral Richardson, of the circumstances. Admiral Richardson was at sea. Admiral Richardson flew in, and I think he related the rest of it in his testimony, that he discussed the thing with Vice Admiral Andrews and General Herron and myself and finally sent a dispatch to the Navy Department and asked them about it, and the Navy Department never replied to him. Now, I don't know how long they continued that dawn to dusk reconnaissance. The second time that I recall was sometime in the summer of 1941; I don't remember the exact date. It was caused by some intelligence information that I had received and I thought that it would be advisable to make a long distance reconnaissance on a sector toward Jaluit, that is, a medial line of a [1140] sector pointing to Jaluit, and I think it was 15 degrees on either side. I went to Admiral Kimmel and recommended that he put in this service. I don't remember the number of miles the search went out; I think it was 500 miles; I'm not sure. However, it was in effect and the purpose of the search was to detect movements of Japanese submarines or any other Japanese ships in the direction of Hawaii from Jaluit. Now, if there was any other time that I made a request, I don't recall it. I felt that I had a right, as every other subordinate of the Fleet had, of going to the Commander-in-Chief of the Fleet, whose office door was always open, and make any recommendation that I saw fit, but I knew that any recommendation must be backed by good reason; I must have a good reason for the recommendation.

2. Q. But you considered, did you not, that the Commander-in-Chief, Pacific, had left the matter of reconnaissance to you and that you would make application for planes in case you thought it advisable?

A. No, I didn't have any such understanding as that. I knew that I had a right to recommend reconnaissance when I had a good reason for recommending it, but I didn't feel that the Commander-in-Chief depended on me to make a recommendation before he would make a reconnaissance. I felt that he might initiate one himself on somebody else's recommendation, or on his own initiative.

3. Q. But you didn't feel that it was your province to take the initiative in making recommendations as to reconnaissance?

A. Only when I had good reason.

4. Q. What planes, if any, were assigned to you for routine tasks as Naval Base Air Defense Officer?

A. I was not the Naval Base Air Defense Officer. I was the Naval Base Defense Officer and I had no planes assigned to me as a firm force.

5. Q. How many planes could have been assigned to you in case of an emergency?

A. Well, in case of activation of the Naval Base Defense Force, which was only in case of drill or in case of an actual attack, all available planes were assigned, but that was only in case of an attack or in case of drill.

6. Q. All available Fleet planes; is that correct?

A. All available shore-based planes. That included patrol planes and whatever happened to be on Ford Island.

7. Q. But all naval shore-based planes were made automatically available to you upon an air-raid alarm; is that correct?

A. Yes; they were made available to Admiral Bellinger who commanded the Base Defense Air Force.

[1141] 8. Q. It has been testified that they were made available to you as Commander, Naval Base Defense Force.

A. They were made available to the Naval Base Defense Air Force, which was commanded by Admiral Bellinger and not by me. I was Naval Base Defense Officer and Admiral Bellinger was Commander, Naval Base Defense Air Force.

9. Q. That is rather confusing to the court. Will you explain this set-up? We have never gotten straight on that yet. You were in command and you were not in command. I mean, there is a certain distinction there between Naval Base Defense Air Force and Naval Base Defense Force.

A. There was no Naval Base Defense Force mentioned in Admiral Kimmel's order. I was called the Naval Base Defense Officer. The air force consisted of all shore-based naval planes or Fleet planes there. They were only under my supervisory control. Admiral Bellinger was loaned to me by Admiral Kimmel as Commander of the Naval Base Defense Air Force and he commanded the air force and his operation order was a part of Exhibit 53. It is very clear what he did.

10. Q. Was he subject to your orders in any way while that force was acting as defense?

A. He was subject to my orders insofar as related to readiness of the planes. I was supposed to assign the condition of readiness of the planes to this air force. I was supposed, in case of an air raid, to sign the air raid alarm. I was supposed to see that they launched the search and attack, and that was all provided for by frequent drills which made all this automatic. In other words, I had supervisory control—and that is so stated in Admiral Kimmel's order, that I was in supervisory control. I was also in supervisory control in exactly the same way of the Army-Navy Air Defense. Now, that was assigned to me by Admiral Kimmel and that circular doesn't mean that I had any command functions in the Army when I had that supervisory control of the Army.

11. Q. In case of alarm or attack, did you tell him how to search?

A. No.

12. Q. You had no control over that?

A. I had control over it if I wanted to change it, but he had practically autonomous control over the air force. He was the Air Force Commander. I had the whole thing and he had the air part of it, a task group under me, and the drills had been conducted and he had his search arrangements made and he went out without any further orders from me, just as soon as the air raid alarm sounded.

13. Q. But did he decide as to the area of search or as to the composition of search, or anything like that? Was he a subordinate of yours to such an extent that you could [1142] give him orders in directing him what to do?

A. I could give him orders and the Commander-in-Chief could

give him orders, but Admiral Bellinger was a flying officer, he was a rear admiral in the Navy, he had drilled this thing, he had search arrangements made, and he went out on search in his group.

14. Q. But as a matter of fact, he was under your command on that search?

A. I could give him orders, unquestionably. I don't think there is any use to discuss that. Any orders I would give him, he could accept. I don't think there is any question about it, but he was in command of the Air Force.

15. Q. While he was doing that, he was really in the set-up of the Air Base Defense?

A. He was the Commander of the Naval Base Defense Air Force.

16. Q. You were the Naval Base Defense Officer and had him under your control?

A. That is correct. And when the order came out, I issued an operation plan, and I gave him as one of the task groups and told him to get out his order and I approved his order.

17. Q. He was very definitely under your command, then?

A. Well, the reason I brought the question up was to be technically correct in accordance with the existing orders. The existing orders said that all these planes were under my supervisory control. When the order was issued to put this Base Defense Air Force under the whole thing in accordance with 2CL, I got out an operation plan. The operation plan sets out the various task groups. It gave Naval Base Defense Air Force (Admiral Bellinger in command) and all the rest of it. And then they all had orders calling their attention to this 2CL, and that they were to submit their operation orders, which they all did, and Admiral Bellinger submitted his too.

18. Q. Did you understand the Commander-in-Chief held you responsible for the plan and the operation of these planes?

A. No, I didn't understand that.

19. Q. In other words, your subordinate had the responsibility, although you were in command of the subordinate?

A. That is correct.

20. Q. Suppose you had had planes of your own which, as I understand it, is part of the defense of a permanent naval base: Would you not then have had direct charge of those planes?

A. I would have had an air officer in command.

[1143] 21. Q. You would probably have had an air officer?

A. I would have had an air officer and he would have been in command of the task group in my district and he would have run them subject to my orders.

22. Q. Isn't it a fact that in the chain of command from the top down that the top is in command?

A. Oh, yes; I don't think there is any use to argue about that.

23. Q. Still leaves a lot of doubt, though, the way you have expressed it.

A. In what respect, sir?

24. Q. As to whether or not you had command of that air force when they were placed under you?

A. Well, they were only under Admiral Bellinger as a Naval Base Defense Air Force when they were activated, and they were only activated, while I was there, for drill and for that one time when we

were attacked; those are the only times. Every time they went out to drill we simulated conditions. Very frequently Admiral Kimmel had a carrier out there and would send planes in. Admiral Bellinger drew up his search plans and he had his search plans made for this thing to go out, and he had his operation order and I approved his operation order, and I accepted the responsibility for approving his operation order. It was full and complete.

25. Q. You couldn't have done that unless he was under your command.

A. I will admit he was in my chain of command, but the order didn't say it. It said "supervisory control".

26. Q. Suppose Admiral Kimmel had taken every vessel of the Pacific Fleet away from Pearl Harbor and left only the PatWing Two, or whatever you call it; and you, being the senior naval officer present then, had received some information which indicated that something ought to be done with regard to the use of planes: Would you then have given direct orders to Admiral Bellinger?

A. Yes, of course, if everybody else had gone away and I was the senior officer present in the Fleet. In that case I was the senior officer present in the Fleet and I was senior to Admiral Bellinger and I could give him those instructions.

27. Q. I think what the court is trying to develop is the question of whether or not you were in a position to have judged from circumstances whether or not a direct order to Admiral Bellinger to modify his operation order was demanded?

A. I don't know of any correction that was needed in Admiral Bellinger's operation order. I don't know whether I'm quite clear on what you mean.

[1144] 28. Q. When something comes up that isn't covered by the operation order, some rumor or some report that you get yourself before anybody else does.

A. Yes, but I think the misunderstanding is based on something else which is a little deeper. Take for instance an air attack comes in on Pearl Harbor and the air raid alarm is sounded either by radar warning or whatever. The Base Defense Air Force is activated at once. Admiral Bellinger is in direct command of them. Now, the fighter planes go out and join the Army fighters to fight these bombers that are coming in; and the search and attack group, which is Admiral Bellinger's force over the sea, is joined by the Sixth Army bombers and goes out to find the carriers. Now, they will go to the carriers. If they have a radar indication or radio direction indication, they are told where that is and Admiral Bellinger takes them there. If, on the other hand, they have no knowledge of where this attack may be, as was the case on December 7th, they must make a 360-degree search, for which he had a plan. Does that clarify the situation?

29. Q. Is it not a fact, then, that the arrangement which was in effect was a make-shift one caused by the fact that you had no patrol planes with which you could make reconnaissance, that duty being the one with which you were charged?

A. Yes. I had no patrol planes for distance reconnaissance, so consequently Admiral Kimmel had a make-shift arrangement whereby he would furnish patrol planes to the Base Defense Air Force for

reconnaissance in case of air attack to locate carriers. It was also for the further purpose of supplementing the deficiency in Army fighters. The Army was responsible for all pursuit plane operations, that is, fighter operations fighting attacking bombers.

30. Q. Then is it not a fact that because of the deficiency in the equipment supplied you, the Fleet was forced to participate in its own defense while in a permanent naval base?

A. Yes; deficiency in Army equipment and Navy equipment.

31. Q. But Admiral, even though you state that no planes were supplied you directly, there were planes under Admiral Bellinger which would have been under your control had you requested them and the Commander-in-Chief had approved; is that correct?

A. If I had requested it, I assume Admiral Kimmel would have done it.

32. Q. If you had anticipated an air attack on Pearl Harbor at any time by reason of information that you had received, would you have felt at liberty to have immediately ordered Admiral Bellinger to take a certain course of procedure as to reconnaissance or as to search?

A. No, not for a protracted daily reconnaissance. For [1145] a protracted daily reconnaissance over a period of time I would have had to see Admiral Kimmel in advance and get his authority because if I instituted any such thing contrary to his decision—which he made on November 27th that he would not make any distance reconnaissance—and upset his complete operating schedule, I would have needed his authority to do it so I could not put any protracted reconnaissance plan into effect without his authority.

33. Q. Did you ever make any recommendation to the Commander-in-Chief to make a distance reconnaissance?

A. Only the occasions which I have told you about, and in this particular case between October 15th and December 7th, I had no information anything different from Admiral Kimmel's. We had the same information. I couldn't possibly arrive at any different conclusions with him.

34. Q. Will you please state to the court, Admiral, the orders, if any, which you gave to anyone on the morning of December 7th at the time of this attack?

A. Well, I think I enumerated them in my previous testimony. I know I gave orders to flood the drydock, that is, the No. 1 drydock. I also gave orders to flood the floating drydock. I gave orders about certain tugs; I have forgotten the details of them. The air raid alarm, I also gave the orders that that was to be sounded when I knew about the attack, and it was sounded. I also gave an order about sending a dispatch out to all ships and all stations about an air raid being in effect, and the location of it. There were innumerable orders that I gave in the course of the attack that I can't recall what they were.

35. Q. You gave an order to close the gate, didn't you?

A. The order to close the gate was given by the Captain of the yard who was charged, by me, with the operation of the gate, and he gave the order to close the gate. He sent it out at any rate.

36. Q. Did your intelligence officers have any means of obtaining information from certain messages or regarding certain messages that have been presented to this court?

A. They had no equipment and they could not do it.

37. Q. Were these Marine Corps anti-aircraft defense guns manned at the time of attack on December 7th?

A. I have ascertained that at that time there were three, 3-inch, 50-calibre guns, and five, 50-calibre guns in the Navy Yard belonging to the Marines. By agreement with the Army, they were to be turned over to the Army when the Army deployed their guns, and the Army started deploying their guns immediately on the attack and these guns went out with them.

[1146] 38. Q. Weren't they used there on the station?

A. No, they were turned over for the Army to control and everything. The Army had complete cognizance of all shore-based anti-aircraft weapons.

39. Q. Admiral, were you familiar with the radar set up by the Army on the Island of Oahu?

A. Generally speaking, yes.

40. Q. Did you confer with the Commanding General, General Short, as to the equipment, its efficiency of operation, and so on?

A. I talked to General Short. I can't recall any conferences that were especially directed toward the radar but I knew from General Short, and I also knew from members of my staff who were in contact with the members of General Short's staff, what the conditions were.

41. Q. Did you know that they were deficient in men to efficiently operate this radar equipment?

A. General Short wrote me a letter and told me that he was having difficulty training his operators and asked if I would arrange with Admiral Kimmel to have his operators sent on board ship, and I took that up with Admiral Kimmel and Admiral Kimmel took them to sea with him and trained them.

42. Q. Did he ever ask you or request of you additional operators or liaison officers?

A. He never requested additional operators from the Navy and he never requested any liaison officer from me. Now, on this question of liaison officer, it seems to be somewhat confused. This liaison officer was a watch officer. He was a man who sat at a telephone and talked, got information, and if in a center, the interceptor center, telephoned in to the Harbor Control Post in the naval district, and from the information he gave us we were supposed to claim our own aircraft and we were supposed to claim our own ships in case it was a surface target. In that category of watch officers there was not only a naval officer there; there were at least 6 or 7 Army watch officers too.

43. Q. Where?

A. In the interceptor center standing watch. One of them came from the ground troops; another one, I think, came from the bomber command; another one came from civilian air defense; another one came from something else, I've forgotten where. There were five or six other people there who were in the same position of this naval officer and when anything was sighted on the surface or in the air it was sent out by all these people to the various commands to see if they could claim it. Now, on the mornings of December 6th and 7th, nobody had anybody there. None of the Army watch officers nor the Navy watch officers were there because the Army never asked for them to come.

[1147] 44. Q. Wasn't that a matter of routine procedure to have these officers there, or was it on account of being Sunday morning that they weren't there?

A. No, it wasn't on account of Sunday morning. In the joint agreement in regard to this anti-aircraft warning service, it was stated that when the warning service was established, that is, when it was finished and ready to go, that we would furnish this man and it had never been established and General Short testified before this inquiry that it had never been established and it wasn't established until December 7th.

45. Q. In other words, on December 7th and prior thereto, it was in a preliminary state and was not officially established as to routine?

A. It was in a very formative state. As a matter of fact, on December 4th or 5th—I don't remember which—General Davidson, who had charge of this and who had been in the United States to find out how to do it, just returned two days before the attack on Pearl Harbor with the information of what he wanted to do.

46. Q. It has been mentioned in the testimony by certain officers that there was quite a little information regarding the Japanese situation in the newspapers. Did you receive or can you remember whether or not you received any accurate information in the newspapers, and whether or not you depended on newspapers to form your estimate at that time?

A. Well, I read the newspapers, two of them in Honolulu—one morning and one afternoon—good papers. I listened to the radio broadcasts, not only the Hawaiian but the Mainland broadcasts when I could get it. I did everything in my power not to be influenced by what I heard or read, but I was influenced. I was subconsciously influenced and couldn't avoid it. I didn't know I was but I realize now that I was.

47. Q. How were you influenced?

A. Well, for one thing, I read in the newspapers—I think on Friday or Saturday, December 5th or 6th, 1941—that the President of the United States had written a note to the Emperor of Japan in which he was imploring that further negotiations be had and that this thing be smoothed out and one thing and another. I had not other background than what I read there in the paper and I didn't know whether to believe it, or not, but actually I find that I believed that this thing was going to have some effect.

48. Q. In what way?

A. I believed that the Japanese Government would take no action such as it did on the 7th of December when the head of another nation was actually sending them a telegram one or two days ahead, you know, asking for more time, and all that business.

[1148] 49. Q. Did you have any information as to the background which led up to the President's letter to the Emperor of Japan? Had you sufficient information from the Department to give you a background for that diplomatic information?

A. I had no information. I didn't know until April 5, 1942, that there had ever been a note of 26 November. I learned it when I joined the General Board, I think it was on April 5, 1942.

50. Q. From your best knowledge, there was no notice of it or reference regarding it in the Honolulu press?

A. If there was, it made no impression on me. I have no recollection of it.

51. Q. If you had known of this note of November 26th, and had you been familiar with its contents as you probably are now, would that have had any bearing on your estimate of the situation?

A. Of course I don't know. That is a very hypothetical question but I don't see how anybody who had any knowledge of Japanese-American diplomatic history could possibly avoid forming a very definite conclusion that the United States note to Japan was very extreme when it demanded that Japan recognize Chiang Kai-shek, that they get all Japanese out of China day after tomorrow. You must understand that that is a very serious situation, particularly to put up to an Oriental nation.

52. Q. In other words, had you known of the contents of this note it may, in all probability, have had a very marked bearing on your ideas as to the situation?

A. Well, I can't discuss myself singly in this thing because I feel that my contact with Admiral Kimmel was so complete and, you might say, continuous, that any bit of information like that we took over to him and we discussed it and he had a very competent staff. I had no staff to speak of—one or two people—and we would discuss this thing from A to Z. I have no doubt we would have discussed it with General Short before much time had passed. However, all of it is hypothetical and I am just telling you what I think would have taken place.

53. Q. Were you aware of General Short's ideas as to internal sabotage on the Island of Oahu?

A. Well, of course, I knew General Short and the Army at large had very much fear of sabotage. They were responsible for all anti-sabotage measures taken outside the Navy Yards. They had their water-works and the power plants, telephone plants, all of those things, and they considered that a very serious obligation. I felt that they felt very keenly their responsibility in that regard. I also felt that they were invasion conscious. Most of their maneuvers were patterned towards the repulsion of overseas invasions.

[1149] 54. Q. Did you know that his planes and so on were grounded and placed in accordance with his ideas against sabotage?

A. No, sir, I did not know it.

55. Q. I would just like to have this question of the inshore air patrol cleared up in my own mind. I understand that that was in charge of the Army?

A. That is correct.

56. Q. Is it not a proper charge for the Navy?

A. I think it should be.

57. Q. Did you not request sea planes for that purpose and have them refused?

A. Yes, sir.

58. Q. Isn't it true, Admiral, that in the instance which you speak of in 1940, that the senior officer present at that time conferred with the Army and that the Army did have and did detail an inshore air patrol of 25 miles and 50 miles at the entrance of Pearl Harbor?

A. No, sir, I don't know that.

59. Q. Do you remember how long this so-called distance patrol by PBY planes was continued?

A. You mean the one where General Herron asked Vice Admiral Andrews?

60. Q. Yes.

A. To the best of my recollection it was three days. Admiral Richardson discontinued it when he returned from sea.

61. Q. Wasn't it started again afterwards?

A. I don't know.

The interested party, Admiral Harold R. Stark, U. S. Navy, stated that he did not desire to cross-examine this witness.

The interested party, Rear Admiral Husband E. Kimmel, U. S. Navy (Ret), stated that he did not desire to cross-examine this witness.

The interested party, Admiral Claude C. Bloch, U. S. Navy (Ret) stated that he did not desire to cross-examine this witness.

The judge advocate stated that he did not desire to cross-examine this witness.

The court informed the witness that he was privileged to make any further statement covering anything relating to the subject matter of the inquiry which he thought should be a matter of record in connection therewith, which had not been fully brought out by the previous questioning.

The witness stated that he had nothing further to say.

[1150] The witness resumed his seat as an interested party.

The court then, at 2:55 p. m., took an adjournment until 10:30 a. m., Wednesday, September 27, 1944.

PROCEEDINGS OF NAVY COURT OF INQUIRY

SEPTEMBER 27, 1944

[1151]

THIRTY-THIRD DAY

NAVY DEPARTMENT,
Washington, D. C.

The court met at 10:30 a. m.

Present:

Admiral Orin G. Murfin, U. S. Navy (Ret), President.

Admiral Edward C. Kalbfus, U. S. Navy (Ret), Member.

Vice Admiral Adolphus Andrews, U. S. Navy (Ret), Member.

Captain Harold Biesemeier, U. S. Navy, Judge Advocate, and his counsel.

Frank Murrell Sickles, yeoman first class, U. S. Naval Reserve, reporter.

Counsel for Admiral Harold R. Stark, U. S. Navy, interested party.

Admiral Claude C. Bloch, U. S. Navy (Ret), interested party, and his counsel.

Rear Admiral Husbands E. Kimmel, U. S. Navy (Ret), interested party, and his counsel.

The record of the proceedings of the thirty-second day of the inquiry was read and approved.

No witnesses not otherwise connected with the inquiry were present.

Lieutenant Commander Robert D. Powers, Junior, U. S. Naval Reserve, counsel to the judge advocate, was recalled as a witness by the interested party, Admiral Harold R. Stark, U. S. Navy, and was warned that the oath previously taken was still binding.

Examined by the interested party, Admiral Harold R. Stark, U. S. Navy:

1. Q. Do you have in your possession certain letters from Admiral Stark to Admiral Kimmel, written during the year 1941?

A. I do. I have in my possession a file of photostatic copies of personal letters from Admiral Stark to Admiral Kimmel, consisting of ten letters, as follows: January 29, 1941; April 4, 1941; April 19, 1941; April 26, 1941; May 15, 1941; May 24, 1941; June 26, 1941; July 3, 1941, July 25, 1941; and August 21, 1941.

None of the parties to the inquiry nor the judge advocate [1152] desired further to examine this witness.

The court informed the witness that he was privileged to make any further statement covering anything relating to the subject matter of the inquiry which he thought should be a matter of record in connection therewith, which had not been fully brought out by the previous questioning.

The witness stated that he had nothing further to say.

The witness resumed his seat as counsel to the judge advocate.

The interested party, Admiral Harold R. Stark, U. S. Navy, stated that he did not desire any more witnesses.

The interested party, Rear Admiral Husband E. Kimmel, U. S. Navy (Ret), made the following statement: We now would like to have Rear Admiral T. S. Wilkinson, U. S. Navy, and Captain A. H. McCollum, U. S. Navy, available as witnesses.

The judge advocate made the following reply: The judge advocate presents to the court, for prefixing to the record, a letter from the Secretary of the Navy, dated September 22, 1944.

The judge advocate read the letter, original prefixed hereto, marked "D".

The interested party, Rear Admiral Husband E. Kimmel, U. S. Navy (Ret), made the following statement: We have no further witnesses.

The interested party, Admiral Claude C. Bloch, U. S. Navy (Ret), stated that he did not desire any more witnesses.

The judge advocate made the following statement: The judge advocate feels that the court will remember the numerous instances in the earlier stages of the proceedings when the interested party, Rear Admiral Kimmel, stated in the record that certain documents in the files of the Navy Department were being denied him and this denial in effect not only prevented a proper presentation of the evidence that he felt should be presented to the court, but also would prevent the court from arriving at a full finding of the facts it was directed to inquire into. The judge advocate at this time requests a categorical statement for the record from Admiral Kimmel, as to whether there are now any documents that have been denied him for presentation to the court.

The interested party, Rear Admiral Husband E. Kimmel, [1153] U. S. Navy (Ret), made the following reply: Admiral Kimmel has been supplied with all the documents requested in the statements referred to by the judge advocate, and possibly in letters, that we have been assured are available in the Navy Department. We call attention to the fact that there was one document which would normally go in Exhibit 63, of which evidence has been adduced showing that at one time it was in the Navy Department, but it is no longer present.

The judge advocate made the following statement: Other than this one document that you have just mentioned, is it the judge advocate's understanding that you have got all other documents and correspondence from the files of the Navy and Navy Department that you desire for presentation to this Court of Inquiry?

The interested party, Rear Admiral Husband E. Kimmel, U. S. Navy (Ret), made the following reply: We have received all that we have requested.

The page following directly hereafter, page 1154, has, by direction of the court, been extracted from the record and deposited with the Secretary of the Navy. This action was taken in the interest of national security and the successful prosecution of the war.

[1155] Neither the court, the judge advocate, nor any party to the inquiry desired any more witnesses.

Admiral Harold R. Stark, U. S. Navy, interested Party, submitted a written statement, which statement was read and is appended.

Rear Admiral Husband E. Kimmel, U. S. Navy (Ret), interested

party, submitted a written statement, the reading of which was begun.

The court then, at 12:30 p. m., during the reading of the statement of Rear Admiral Husband E. Kimmel, U. S. Navy (Ret), took a recess until 1:45 p. m., at which time it reconvened.

Present: All the members, the judge advocate and his counsel; all the interested parties and their counsel, except Admiral Harold R. Stark, U. S. Navy, interested party, whose counsel were present. Frank M. Sickles, yeoman first class, U. S. Naval Reserve, reporter.

No witnesses not otherwise connected with the inquiry were present.

The reading of the statement of the interested party, Rear Admiral Husband E. Kimmel, U. S. Navy (Ret), was resumed and completed, and a copy thereof is appended.

Admiral Claude C. Bloch, U. S. Navy (Ret), interested party, submitted a written statement, which statement was read and is appended.

The judge advocate made the following statement: The judge advocate has presented to this court all the evidence that he can find that he feels bears on the subject matter under inquiry. This evidence is very voluminous and has been, for the most part, duplicated in many ways, so that the facts, he feels, are firmly impressed in the court's mind, and he therefore does not feel that it would serve any useful purpose for him, at this time, to make any argument based on these facts.

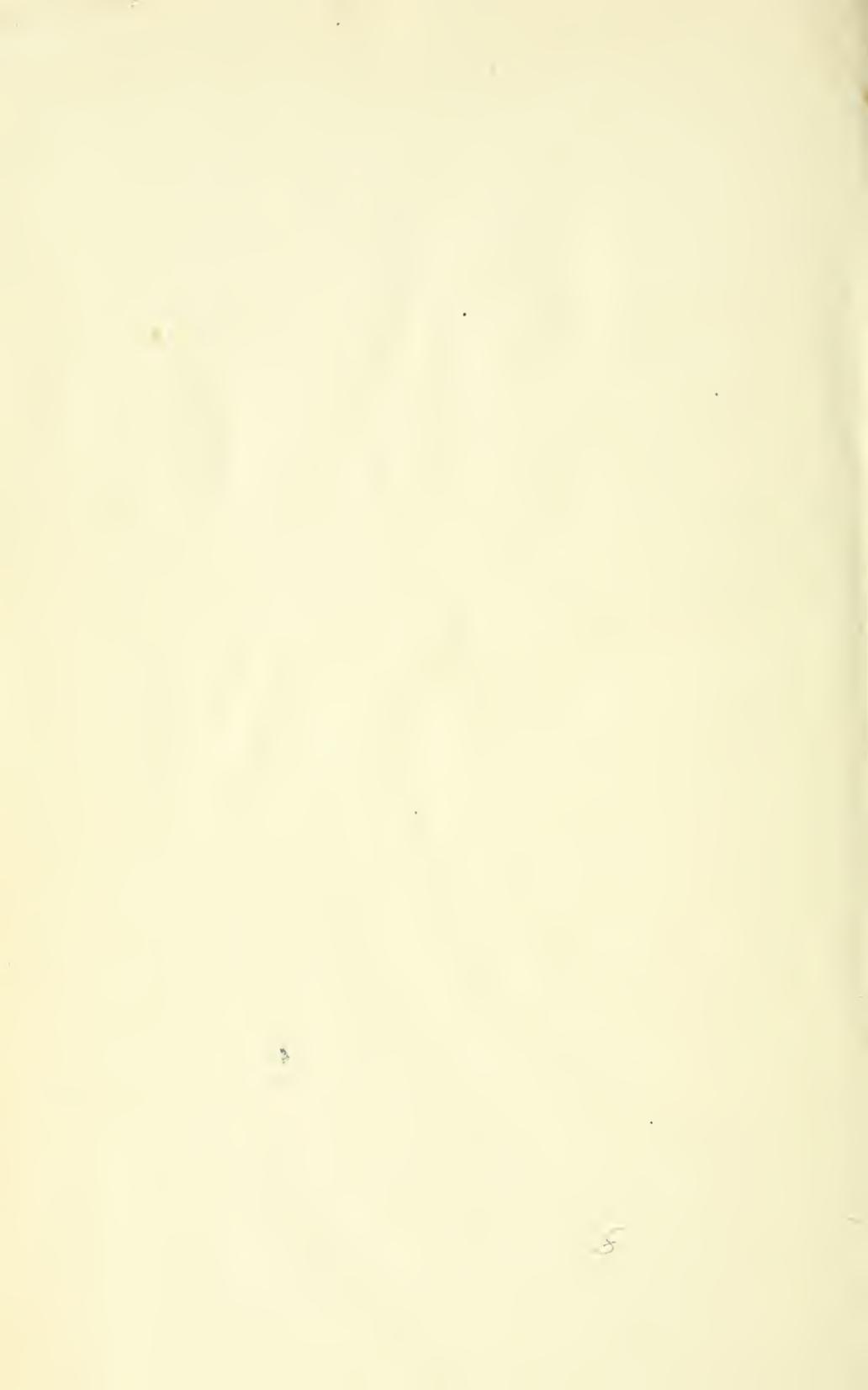
Neither the interested party, Admiral Harold R. Stark, U. S. Navy; the interested party, Rear Admiral Husband E. Kimmel, U. S. Navy (Ret); nor the interested party, Admiral Claude C. Bloch, U. S. Navy (Ret), desired to make any argument.

The record of proceedings of the thirty-third day of the inquiry was read and approved.

The inquiry was finished, all parties thereto withdrawing.

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