

Statement of Rear Admiral H. E. Kimmel,
U. S. Navy, Retired, before the Naval
Court of Inquiry Investigating the
Japanese Attack on Pearl Harbor, read
before the Court on 27 September 1944.

It is not necessary for me to make this first part of my statement to the members of this Court. However, since the rumor has been widely circulated during the last two years and a half that I was a friend or intimate associate of the President of the United States, I desire to take this opportunity to place on the record a categorical denial of that story. The only meetings I ever had with the President, prior to my official visit to Washington as Commander-in-Chief of the United States Pacific Fleet in June of 1941, approximately six months after my appointment, were in the course of official routine duties and occurred more than twenty years prior to my taking command in the Pacific. During more than forty years of service in the Navy, I have never sought or owed advancement to any political connection of any nature or description.

The following are the circumstances in connection with my retirement. (I set them forth because this matter has been so frequently misrepresented (in the press))

On 25 January 1942 I was informed by Rear Admiral Greenslade, U.S.N., Commander 12th Naval District, San Francisco, California, that Rear Admiral Randall Jacobs, U.S.N., Chief of the Bureau of Navigation, Navy Department, Washington, D. C., had telephoned an official message to be delivered to me which stated that Admiral Jacobs had been directed by the Acting Secretary of the Navy to inform me that General Short had submitted a request for retirement. I took this as a suggestion that I submit a similar request and on 26 January I submitted a request for retirement. Until I received this message from the Navy Department I had not even thought of submitting a request for retirement.

On 28 January I was informed by Rear Admiral Greenslade that Admiral H. R. Stark, U.S.N., Chief of Naval Operations, had telephoned a message for me to the effect that my notification of General Short's request for retirement was not meant to influence me.

I thereupon submitted my letter of 28 January in which I stated, "I desire my request for retirement to stand, subject only to determination by the Department as to what course of action will best serve the interests of the country and the good of the service."

Subsequently I learned from Admiral Jacobs that the Official directing him to inform me that General Short had submitted a request for retirement was not the Acting Secretary, but the Secretary of the Navy, Mr. Knox.

On 22 February 1942 in a letter to Admiral Stark, Chief of Naval Operations, I stated in part: "I submitted this request solely to permit the Department to take whatever action they deemed best for the interest of the country. I did not submit it in order to escape censure or punishment."

The approval of my request for retirement included the statement: "This approval of your request for retirement is without condonation of any offense or prejudice to future disciplinary action."

I was notified through the public press on or about 1 March 1942 that the Secretary of the Navy had directed that charges and specifications be prepared to bring me to trial by General Court Martial at some future time.

When I took command of the fleet, it was based in Pearl Harbor. The decision to base the fleet there was made prior to my taking command. I do not propose now to debate the wisdom or unwisdom of that decision. The reason assigned for the presence of the fleet in Hawaiian waters by the Chief of Naval Operations in a letter to Admiral Richardson dated 27 May 1940 (Exhibit 26) was, "the deterrent effect which it is thought your presence may have on the Japanese going into the East Indies." My predecessor, Admiral Richardson, took up all phases of the decision to base the fleet in Pearl Harbor with the Chief of Naval Operations and the President.

That decision, however, created fundamental problems for my consideration as Commander-in-Chief, among many other problems with which I had to deal.

There were certain weaknesses in Pearl Harbor as a fleet base. They were well known to the Department. They had been pointed out by Admiral Richardson both to the Navy Department and to the President. On my own official trip to Washington in June of 1941, in conversation with Admiral Stark and the President, I pointed out the following facts:

1. The fleet base at Pearl Harbor, due to the congestion of ships, fuel oil storage, and repair facilities, was exposed to attack, particularly from the air.
2. The single entrance channel, which must be used by all ships, exposed them to submarine attack.
3. The danger of blocking this single entrance channel must be constantly considered.
4. In case of attack by air or otherwise with the fleet in port, it would take at least three hours to complete a sortie. *hours*
5. That Pearl Harbor is the only refueling, replacement, and repair point for ships operating in the Hawaiian area.
6. That ships must spend considerable time in Pearl Harbor for these purposes, for relaxation for the crews, and to complete the considerable number of alterations and additions required due to war experience.
7. That the only real answer was for the fleet not to be in Pearl Harbor when the attack came.

I mention these matters to indicate the basic problems created by the decision to base the fleet at Pearl Harbor. It is not possible to draw a comparison between the security of such a base immediately prior to the outbreak of hostilities, and its security in war time. After hostilities commence and the fleet is not restricted by any policy of waiting for the potential enemy to commit the first overt act, our own offensive operations afford a large measure of protection to the base. In peace time the condition and movement of the fleet at Pearl Harbor could scarcely be concealed from the watchful eyes of enemy agents. The very topography of Pearl Harbor and the large Japanese population of the islands created that danger. Once the fleet was placed there, for the assumed purpose of exerting a deterrent effect upon Japan, it was not maintaining a consistent policy thereafter to weaken the fleet, visibly and plainly, by diversion of powerful units to the Atlantic.

Other Harbors besides Pearl Harbor in the Hawaiian Islands could not be used because of their extreme vulnerability to submarine attack. About a month before I became Commander-in-Chief, Admiral Richardson issued orders that no ship was to be anchored at Lahaina because he considered it was no longer safe against submarine attack. I fully agreed with and continued in effect this policy.

Apart from the inherent handicaps of Pearl Harbor as a base, there were obvious deficiencies in the equipment necessary for its protection. The postulate in Joint Action Army-Navy 1935 (Exhibit 6), was "Strategic freedom of action of the fleet must be assured. The fleet must have no anxiety in regard to the security of its base." Unfortunately this was the merest theory in Pearl Harbor in the year 1941. The efforts made by me and my predecessor to strengthen the base defense are a matter of record in voluminous correspondence with the Department which is already before this Court. Time and again there were pointed out to the Navy Department in Washington, the weaknesses in the Army's equipment and material available for the exercise of its specifically assigned and assumed functions of base defense. The letter of January 25, 1941 (Exhibit 70) addressed to the Chief of Naval Operations, written by my predecessor, Admiral Richardson, and prepared as stated therein with my collaboration, in paragraph 7(a), (b), (d), emphasizes "the critical inadequacy of AA guns available for the defense of Pearl Harbor," "the small number and obsolete condition of land based aircraft detection devices ashore." The letter stated that "it is considered imperative that immediate measures be undertaken to correct the critical deficiencies enumerated above. It is further believed that these measures should take priority over the needs of continental districts, the training program and material aid to Great Britain." Again in my official letter of 26 May 1941 to the Chief of Naval Operations (Exhibit 33) in paragraph 5(b) I said, "The defense of the fleet base at Pearl Harbor is a matter of considerable concern. We should continue to bring pressure to bear on the Army to get more anti-aircraft guns, airplanes and radar equipment in Hawaii and to insure priority for this over continental and expanding Army needs."

The deficiencies in the equipment which the Army needed to exercise its proper functions in the defense of the naval base at Pearl Harbor, pointed out by Admiral Richardson and myself during the year prior to December 7, 1941, had not been remedied at the time of the Japanese attack.

One important and necessary element in the ability of the naval forces to exercise their appropriate duties in connection with the defense of the base was patrol planes. Plans of the Navy Department provided that ultimately there would be supplied to the Pacific fleet sufficient planes to cover operations of the fleet, with planes based on Wake, Midway, Johnston, Palmyra, and Oahu, and still have a sufficient number to establish a continuous search around Oahu when the fleet was operating in distant waters. My recollection is that the plan allocated approximately 108 patrol planes to the Commandant of the 14th Naval District for such searching and defensive operations as came within his sphere and also allocated more than 160 patrol planes for the use of the fleet. These patrol planes were to be based on outlying islands, which we were developing as rapidly as conditions permitted to insure an adequate supply of fuel, bombs and other ammunition for patrol planes operating therefrom. In addition, our seaplane tenders would permit the supply of seaplanes from any harbor where they could be landed and refueled. The total number of patrol planes assigned to the Pacific fleet and the Commandant of the 14th Naval District on December 7, 1941, was 81.

Perhaps of more interest to this Court than our many deficiencies in equipment for base defense, were the plans made for the best utilization of what we had. There has been introduced in evidence Pacific Fleet confidential letter 2CL41 (Exhibit 8) originally promulgated about two weeks after I took command, and revised under date of October 14, 1941. A study of this letter shows our plan for berthing ships in Pearl Harbor by sectors so that they would develop the maximum anti-aircraft gunfire in each sector consistent with the total number of ships of all types in port. The same security order designates the Commandant of the 14th Naval District as the Naval Base Defense Officer. His selection as Naval Base Defense Officer was entirely in harmony with the general purpose of the Joint Coastal Frontier Defense Plan worked out by the General commanding the Hawaiian Department and the Commandant of the 14th Naval District.

By joint agreement between the War and Navy Departments (Exhibit 6) and by the provision of war plans and existing instructions, the Army was charged with and made responsible for the defense of the fleet base at Pearl Harbor. No orders or instructions issued at any time lessened or mitigated the Army's responsibility for such defense. The Commandant of the 14th Naval District was charged with the direction of the naval force made available by me to assist the Army. The Army did not have a sufficient GHQ Air Force available to assume fully its responsibilities. The Commandant was charged with the coordination of the naval force with the Army effort to defend the fleet base at Pearl Harbor.

As a part of the plan for coordinating the Army and Navy activities for the defense of the base, there was approved on April 2, 1941, a plan dated March 28, 1941, entitled, "Joint Coastal Frontier Defense Plan," (Exhibit 7). This plan dealt with joint air operations, joint communications, joint anti-aircraft measures and joint use of munitions. There was also promulgated on March 31, 1941, Addendum I to Naval Base Defense Air Forces Operation Plan No. A-1-41 signed by the Major General who commanded the Hawaiian air force and the Rear Admiral who was Commander of the Naval Base Defense Air Force. (Exhibit 53). This document was followed by Addendum II Naval Base Defense Air Force Operation Plan No. A-1-41 dated

April 9, 1941 (Exhibit 53, Document 6). The plans for joint air operations by the Army and Navy in Oahu constituted in the minds of the Navy Department an outstanding example of progress in coordination between the services. Since these plans have been introduced in evidence before the Court, it is hardly necessary for me to describe them in detail. Copies of these documents were promptly furnished the Navy Department and were accepted.

As Commander-in-Chief of the Pacific Fleet, I had a fleet to prepare for war. I had an international situation, always of grave portent, to evaluate. It was my task to meet each situation which presented itself within the broad reaches of the Pacific and deal with it by appropriate action.

One of my principal concerns was, of course, the men and ships of the fleet. After all, one does not train ships, but rather the men who man the ships. The men and officers who were detailed to the engine room, to the guns, to the radio, to the ship control, to the look-outs, to the electrical installations, to the fire control for the guns, to the signals, to the commissary, and numerous other billets had to be trained before they were competent. A breakdown or inefficiency in any one of these categories might well be very costly, in time of war. Constantly changing personnel, both officers and enlisted men, and the induction of new personnel, including a substantial portion of recruits and reserves, made it a vital necessity to maintain an intensified training program. At times during my tenure as Commander-in-Chief, as high as 70% of the men on board individual ships had never heard a gun fired. Considerably more than 50% of the officers were newly commissioned.

One great handicap was the constant and very large turnover of enlisted men and officers. This was caused by the necessity of sending trained men to new construction and the expiration of enlistments, which necessitated the supply of large numbers of untrained personnel. This situation extended up to and including December 7. The situation was thoroughly presented to the Chief of Naval Operations in my letter of May 26, 1941 (Exhibit 33) entitled, "Survey of Conditions in the Pacific Fleet." I refer the Court to paragraph 1(a), (b), and (c) of that letter wherein this condition is exhaustively treated. The training program extended to the air arm of the Navy. For example, we were directed to transfer about twelve trained patrol plane crews per month to the mainland.

As to the fleet, itself on December 7, 1941, the Naval forces of the Pacific Fleet were inferior to the Japanese Navy in every category of fighting ship, inferior in cargo and troop transports and in tankers and other supply vessels. This fact was recognized in Washington. The joint memorandum of 5 November 1941 to the President signed by both the Chief of Staff and the Chief of Naval Operations, a copy of which is in evidence (Exhibit 39A), states unqualifiedly that the Pacific Fleet was inferior to the Japanese Fleet. As I read that memorandum the inferiority of the Pacific Fleet was the basic reason supporting the ultimate recommendation that no ultimatum should be delivered to Japan.

Specifically, there were only 11 tankers in the entire Pacific. We were particularly deficient in land-based and carrier-based planes. The Japanese at the outbreak of hostilities had between 11 and 15 aircraft carriers in commission and operating, 4 or 5 of which represented converted merchant ships. We had 3 carriers in the Pacific. Although the battleships

of the fleet were of approximately the same age as the heavy ships of the Japanese Navy, they were particularly deficient in short-range anti-aircraft weapons. In general, all ships in the fleet were woefully deficient in short-range anti-aircraft weapons as we had been unsuccessful in producing in quantity enough anti-aircraft artillery for mounting. This last mentioned deficiency we were engaged in remedying at the time of Pearl Harbor, but our task was only 10% completed. Anti-aircraft control gear for these and larger guns was not adequate. Our surface gunnery and our surface weapons because of constant care and attention were in excellent condition.

There was an imperative need for an extensive training and target practice program for every ship's crew and every plane crew. By the early spring of 1941, target and base facilities to permit the prosecution of an intensive fleet training program had been transferred from the West Coast to Hawaii. To tow the considerable number of target rafts, to transport the utility and transport planes, and to bring the other training auxiliaries and fleet fueling facilities from the West Coast to Hawaii especially when we were short of auxiliary vessels was, in itself, a major task. Nor was the training program permitted to go on without diversion of sizable fleet units to other theaters. In May and June of 1941, one aircraft carrier, three Battleships, four 10,000 ton light cruisers, eighteen destroyers, six transports, with practically all the trained and equipped marines on the West Coast, several small transports and some other small craft, were transferred from the Pacific to the Atlantic. The details of this transfer must have been quickly known in Japan. This transfer took away approximately one-fourth of the fighting ships of the Pacific Fleet, and resulted in a very substantial reduction in the potentialities of the Pacific Fleet. This same action which took all the transports and the trained marines from the West Coast, left us only the marines required to man the outlying islands plus the garrison at Pearl Harbor.

By December 7, 1941, some additional marines had been trained at San Diego and one transport out of a total of four under conversion on the West Coast had been commissioned. The training of marines in landing operations had of necessity been incomplete and their equipment was entirely inadequate.

When I was in Washington in June, 1941, it was seriously proposed to transfer from the Pacific to the Atlantic an additional detachment to consist of three battleships, four cruisers, two squadrons of destroyers and a carrier. I opposed this strenuously. The transfer was not made.

In carrying out the training program, it was necessary for me to have precise and accurate knowledge of the appropriate time to interrupt training by making strategic dispositions. The international situation was grave from the moment I took command. I had to consider at all times the physical effect on the personnel of the fleet of long periods of watch standing in port in peace time and the result that such demands might destroy the very vigilance that we were seeking to attain.

Admiral Richardson has testified to the frequent communications he received from Washington emphasizing the possibility of war. (See, for example, Exhibit 76, Document 3). My official correspondence from the Chief of Naval Operations, which is before the Court, in effect plots a graph of recurrent tension in the international situation from February on. It is studded with expressions that, "what will happen in the Pacific is anyone's guess"; "that

peace hangs by a slender thread"; "that the situation is serious." An "open rupture" was described as a possibility on July 24 (Exhibit 71); the situation was described on July 31 as continuing to deteriorate (Exhibit 72); on September 23rd the Chief of Naval Operations wrote me that "conversations with the Japs have practically reached an impasse." (Exhibit 37). It was never expected that these insistent, ominous predictions required, each time they were made, an abrupt discontinuance of essential training measures for all-out security dispositions. Any such action would have seriously interfered with training and in a relatively short time, reduced the efficiency of individual ships to a dangerous degree. In fact, in a letter of April 3, 1941 (Exhibit 73) the Chief of Naval Operations cautioned specifically, "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."

I expressed my own needs to the Chief of Naval Operations in my letter of May 26, 1941 (Exhibit 33), in which I stated, "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 reorient his present course of action to conform to current concepts. This is particularly applicable to the current Pacific situation where the necessities for intensive training of a partly trained fleet must be carefully weighed against the desirability of interruption of this training by strategic dispositions or otherwise to meet impending eventualities." I concluded with the suggestion "that it be made a cardinal principal 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 fully expected to receive such information. I now believe that this record will show the failure of the Navy Department to inform me of known "impending eventualities" in the week immediately preceding December 7. I shall discuss in more detail hereafter, my own estimate of the situation made at the time in the light of the information which was given me prior to the attack.

The fleet was divided into three main task forces and the schedule of operations required at least one task force at sea at all times, available to strike in the event of surprise. Often two task forces were at sea at the same time but never three except for concentrated fleet maneuvers. Each of the task forces had its mission and training was conducted with a view to its attaining maximum efficiency, in carrying out its mission. However, it was necessary to afford time in port for all ships in order to provide for the overhauling of machinery, against the day when all forces might be called upon for action against the enemy. It was essential to push a material improvement program covering installation, as soon as available, of short-range anti-aircraft guns, aircraft detection devices, look-out equipment, splinter protection, additional personnel accommodations and other alterations. It was also necessary to limit operations to the availability of replacement fuel. We were applying to the Fleet the lessons of war which were being supplied us. Each installation and alteration, whether it was splinter protection, degaussing, or the installation of listening gear, required work on the ship in port.

Naturally the ship's force was engaged in many tasks of installation, repair and alteration to the limit of their capacity while in port. It was my policy to prevent breakdowns rather than run the risk of breakdowns, and to have the Fleet in the best material condition possible at the outbreak of hostilities. It goes without saying, of course, that the necessity for refueling in port in and of itself, prevented keeping task forces at sea at all times. The eleven tankers were required to operate continuously between Pearl Harbor and the West Coast in order that the fuel at Pearl Harbor should not be depleted.

Submarines constituted a menace in the operating area around Hawaii. During the first week of February and the first week of my command of the fleet, a submerged submarine contact was reported about eight miles from the Pearl Harbor entrance buoys. A division of destroyers trailed this contact for approximately 48 hours after which contact was lost. The destroyers were confident it was a Japanese submarine. I was not fully convinced, but made a complete report to Naval Operations stating the action taken and adding that I would be delighted to bomb every suspected submarine contact in our operating area around Hawaii. I was directed by despatch not to depth bomb submarine contacts except within the three mile limit.

A similar contact in approximately the same position was made about the middle of March. Again the destroyers engaged in trailing were confident that they had trailed a Japanese submarine. Again the evidence was not conclusive because the submarine had not actually been sighted. During the ensuing several months there were several more reports of strange submerged submarine contacts in the Hawaiian area. As late as 23 September 1941 (Exhibit 12) the Chief of Naval Operations wrote to me in part, "the existing orders, that is, not to bomb suspected submarines except in the defensive sea areas are appropriate. If conclusive, and I repeat, conclusive evidence is obtained that Japanese submarines are actually in or near United States territory, then a strong warning and threat of hostile action against such submarines would appear to be our next step." Such conclusive evidence was not obtained until the attack of December 7th. However, upon receipt of the despatch of November 27, 1941 (Exhibit 17), I issued orders to depth bomb all strange submarine contacts in the Fleet operating area and informed the Chief of Naval Operations by despatch and letter of the action I had taken.

On October 16, 1941 the Chief of Naval Operations sent to me the despatch which has been introduced in evidence before the Court (Exhibit 13). This despatch indicated a strong possibility of hostilities between Japan and Russia; a possibility that Japan might attack the United States and Great Britain. It directed me to take due precautions including such preparatory deployment as would not disclose strategic intention nor constitute provocative actions against Japan.

I particularly invite the Court's attention to the directive in the despatch of October 16 (Exhibit 13). I urge a comparison of this directive with the language contained in the later despatches of November 24th and November 27th (Exhibits 15 and 17). The admonition against disclosure of strategic intention and provocative action contained in the despatch of October 16 (Exhibit 13) has its echo in the despatch from the Chief of Naval Operations on November 29 (Exhibit 19) directing my attention to the Army

despatch which stated, "The United States desires that Japan commit the first overt act" and which required that measures taken should not alarm the civil population or disclose intent. The despatch of October 16th spoke of "preparatory deployments." The so-called War Warning of November 27th directed an "appropriate defensive deployment preparatory to carrying out the tasks assigned in WPL-46".

Upon receipt of the despatch of October 16th, (Exhibit 13) I made the following dispositions; I continued to maintain the patrol of two submarines at Midway; despatched 12 patrol planes to Midway and two submarines to Wake to arrive on October 23rd. I despatched the Castor and two destroyers to Johnston and Wake with additional marines, ammunition and stores. The Curtis was to arrive at Wake on 21 October with gas, lube oil and bombs. I prepared to send six patrol planes to Midway from Pearl Harbor. I despatched additional marines, to Palmyra. Admiral Pye who was on the West Coast, making a cruise, was placed on twelve hours notice after 20 October. I had six submarines prepared to depart for Japan on short notice. I put some additional security measures into effect in the operating areas outside Pearl Harbor and delayed the sailing of the West Virginia until about 17 November when she was due to go for an overhaul at Puget Sound.

All these dispositions which I made as a result of the despatch of October 16 were specifically brought to the attention of the Chief of Naval Operations in my letter of 22 October which is in evidence. (Exhibit 14). In a letter of November 7th, the Chief of Naval Operations specifically approved these dispositions (Exhibit 74). This specific approval of my dispositions makes it unnecessary for this Court to consider whether they conformed to what Admiral R. K. Turner testified he thinks the Department intended me to do after the October 16 despatch.

In the despatch of 16 October 1941 I was formally advised that there was a possibility Japan would attack the United States and Great Britain. That phrase was given a definitive meaning in the Chief of Naval Operations letter to me of 17 October 1941, (Exhibit 38) in which he said, "Personally I do not believe the Japanese are going to sail into us and in the message I merely stated the possibility." To me that meant that when the word "possibility" was used, its connotation was limited -- and that, when used, the meaning of the Chief of Naval Operations was that "possibility" was not "probability."

The despatch of October 16th indicated a strong possibility of a Japanese attack upon Russia. In this connection, my correspondence with the Chief of Naval Operations shows that the Department had envisaged such a Japanese movement as possible as early as the summer of 1941. At that time I repeatedly endeavored, without success, as my letters show, to find out the probable attitude of the United States in the event of Russo-Japanese hostilities.

On November 24th (Exhibit 15) I received a despatch from the Chief of Naval Operations which is before the Court, which stated that the chances of favorable outcome of negotiations with Japan were very doubtful, and that in the Department's opinion, a surprise aggressive movement in any direction, including attack on the Philippines or Guam is a possibility. However, in a

letter of November 25th (Exhibit 16), to which the Chief of Naval Operations added a post-script after a presumably informative conference with the President and Mr. Hull; he stated, "I still rather look for an advance into Thailand, Indo-China-Burma area as the most likely." And the Chief of Naval Operations added, "I won't go into the pros and cons of what the United States may do. I will be damned if I know. I wish I did. The only thing I do know is that we may do most anything and that's the only thing I know to be prepared for; or we may do nothing - I think it is more likely to be 'anything'."

I interpreted the possibility of attack on the Philippines and Guam in the same vein that I had been advised the word was used in the despatch, viz, a possibility but by no means a probability. The letter of 25 November (Exhibit 16) fortified my belief that this interpretation was correct. The Chief of Naval Operations has testified that he did not intend that I should discontinue the training program for "all-out" security measures upon receipt of the despatch of November 24. (Exhibit 15) (See Record, pages 50-53).

I was completely out of touch with the details of the negotiations proceeding between the Japanese representatives in Washington and our Government. The Chief of Naval Operations in a letter of October 17, 1941 (Exhibit 38) had told me that the Chinese incident was "The stumbling block." In a letter of November 14 (Exhibit 39), the Chief of Naval Operations sent me a copy of a memorandum for the President signed by himself and General Marshall which advised against direct armed United States intervention in China and recommended specifically that "no ultimatum be delivered to Japan," (Exhibit 39A). This represented my general information as to how much of a "stumbling block" China might prove to be in the negotiations. I did not know at that time, nor did I learn until I read the official published State Department papers long afterwards, that the outline of a proposed basis for agreement between the United States and Japan handed to the Japanese ambassador by my Government on 26 November contained the following passages under steps to be taken by the Government of the United States and the Government of Japan.

- "3. The Government of Japan will withdraw all military, naval, air and police forces from China and Indo-China.
- "4. 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."

These passages in the note of November 26 were most significant. It is not within my sphere to decide whether they are consonant with the advice of the Chief of Naval Operations and the Chief of Staff to the President, that no ultimatum be delivered to Japan. The historians of the future may ponder the question of whether diplomacy took a more venturesome approach than the judgment of the military deemed prudent. Suffice it to say that I did not know of the delivery of this significant document of November 26th to the Japanese Government by the Government of the United States, and because I did not know this, the Japanese had vital information originated by my own Government which was denied me. Consequently, any possible logical connection in the sequence of events between the note of November 26th and the so-called "War Warning" of November 27th (Exhibit 17) was lost to me.

The so-called "War Warning" of November 27th has been introduced in evidence before this Court (Exhibit 17). I ask the Court to view it not with any meaning attached to it by hindsight after the event, but as it would appear to a responsible Commander at the time it was received. In the first place, it will be noted that the despatch states at the outset that the negotiations between Japan and America regarding the stabilizing of the conditions in the Pacific have ceased. In the second place, it will be observed that the time for expected Japanese movements is stated to be "within the next few days" and the territory against which such movements are directed is specifically stated to be "the Philippines, Thailand, the Kra Peninsula and possibly Borneo." In specifically mentioning these places as objectives of a Japanese amphibious expedition, the Department appeared to be limiting the phrase in its despatch of November 24th which mentioned as a possibility, "a surprise aggressive movement in any direction." The only American Territory against which Japanese operations are expected is the Philippines. I was not in a position to evaluate the probable American action in the event the initial Japanese attack was made against Dutch or British Territory. Any commitments made by the United States with regard to the protection of the territories of these nations were not known to me. From the Chief of Naval Operations' post script to his letter of November 25th (Exhibit 16) I gathered he had no more definite knowledge in this respect than I did.

I did not know of the conversation of Mr. Dooman, the Counsellor of the United States Embassy at Tokio, with Mr. Ohashi, the Vice Minister of Foreign Affairs, relative to what the United States would do if Japan attacked Singapore. (Foreign Relations of the United States, Japan Vol. II, p. 137). I did not know of Ambassador Grew's statement to Mr. Matsuoka on February 15, 1941 (ibid 138). This information was in the State Department on March 17, 1941. I was likewise denied the information of the statement by the Secretary of State to Admiral Nomura in Washington on August 16, 1941, that "this Government could not remain silent in the face of such a threat, ----," (ibid 553). I was also denied whatever information was behind the despatch from Commander-in-Chief of the Asiatic Fleet to the Chief of Naval Operations of 7 December 1941, (Exhibit 76, Document 4) sent to me for information and received after the attack, that the Commander-in-Chief of the Asiatic had learned from Singapore that the United States had assured Britain armed support under several eventualities, but concerning which the Commander-in-Chief of the Asiatic Fleet had not been advised.

My reaction and the reaction of my staff to the so-called "War Warning" of November 27 was naturally affected by two despatches from the Chief of Naval Operations, (Exhibits 18 and 40) sent about the same time, which together with similar despatches from the War Department to General Short, proposed the relief of the garrisons at Midway and Wake, with Army troops, and the replacement of Marine planes on the islands by Army Pursuit planes. Exhibits 50 and 51, my personal and official letters to the Chief of Naval Operations of December 2, 1941 contain a clear contemporaneous account of the problems involved in this proposal. These letters show that the Army's despatches to General Short went beyond the suggested reinforcement by the Army of the Marine garrisons, and indicated that the Army would take over the defenses of the islands. The despatches from the War and Navy Departments indicated that the exchange of planes and troops was of an urgent nature. This proposal did not originate with me or with General Short. The members of my staff did not know why the exchange had to be made. Obviously the sending of some fifty per

cent of the Army Fighter Pursuit strength on Oahu (as was proposed by the War and Navy Departments) affected materially the defensive strength of Pearl Harbor. It appeared to us at the scene, that such a proposal would not be made by the Departments in Washington, if they anticipated the imminent impact of hostilities upon Oahu. Moreover, the proposed relief of the Marine Garrisons by Army troops necessarily entailed disruption of the defense of those islands during the entire time that one Garrison was preparing to depart and the other becoming installed. The Army had nothing comparable to a Marine Defense Battalion so that the Army Garrison would have had to have a new table of organization. Likewise, Marine and Army Fighter Squadrons were differently organized. The proposed change which emanated from Washington, on or about the time of the despatch of the so-called "War Warning" did not simply entail a change of personnel; it involved also a complicated logistic problem.

Furthermore at Wake there were no harbor facilities. Material and personnel had to be landed from ships practically in an open sea-way. Wake was the most westerly and advanced of the two islands. Such an operation had no protection from the elements. The defense from enemy action could not be more ineffective.

It seemed to us that a project of this nature would not have been planned or proposed by responsible authorities in Washington under any situation where the defense of Pearl Harbor was a matter of immediate concern. We recommended against sending the Army Fighters to the islands; first, because once landed, they could not be removed and; second, because at conferences on the subject, Major General Martin, Commanding the Hawaiian Air Force, informed us that the Army pursuit planes could not operate more than fifteen miles from land.

On November 29 the Chief of Naval Operations sent to me, as an information addressee, a message (EXhibit 19) which was in substance a quotation of the Chief of Staff's despatch to General Short, of November 27 which General Short had previously brought to my attention. This despatch stated that "negotiations with Japan appear to be terminated, with only the barest possibility of resumption." It stated that "the United States desires that Japan commit the first overt act." It insisted that measures taken, should be carried out so as not to alarm the civil population or disclose intent. The Chief of Naval Operations added to the substance of the Army message of November 27, direct instructions that, WPL52 is not applicable to the Pacific area and the further direction to "undertake no offensive action until Japan has committed an overt act." It reiterated the need for preparation to carry out the tasks assigned in WPL46 so far as they apply to Japan.

The recurrent note in these Army and Navy despatches of caution against alarming the civil population, of emphasis upon the necessity that the Japanese commit the first overt act tended to create a state of mind which prevented any action except that consistent with a passive defense. I still had no explicit authorization to depth bomb submarine contacts in the fleet operating areas. Indeed, under a literal interpretation of our orders, if a Japanese naval force were to be encountered at sea, we were, in effect, directed to wait until they opened fire.

The "few days" stated by the Navy Department on November 27 to be the time for an aggressive move by Japan went by without event. The negotiations which on November 27th were stated to be terminated, and on November 29 to be terminated with the barest possibility of resumption, were in fact resumed. The public press and radio news broadcasts contained accounts that the negotiations were continuing after November 27 and after November 29. I took into account this public information as to diplomatic development in the absence of more authoritative information. Indeed Admiral Turner testified that the Navy Department anticipated and expected I should.

In fact, I now know that the Japanese were continuing negotiations only as a device to cover up their plans. In fact, the Japanese considered that the negotiations were ruptured after the American Note of November 26. The real situation was than known to the Navy Department in Washington. But I was never advised that the resumption of negotiations was a Japanese trick, as official Washington knew it to be. The public resumption of negotiations after the despatch of November 27, which was predicated on this termination naturally affected my evaluation of the international situation. It suggested a mitigation of the emergency which prompted the so-called "warning". In a public address in London on December 8, 1941, Mr. Churchill stated: "Japanese envoys Nomura and Kurusu were ordered to prolong their missions in the United States in order to keep conversations going while the surprise attack was being prepared, to be made before the declaration of war could be delivered." As Commander-in-Chief of the Pacific Fleet, I was not permitted to know what Mr. Churchill apparently knew, and the Navy Department certainly knew, that the resumption of negotiations was a Japanese stratagem.

The denial to me of knowledge of certain material facts, is not cited as an excuse for inaction on my part after November 27th, for I was by no means inactive after November 27th. After full consultation with my staff — all experienced and responsible officers — I undertook to comply with the directive to make an appropriate defensive deployment preparatory to carrying out the tasks assigned in WPL46.

I took the following action, on receipt of the so-called "War Warning." I ordered to Wake one Patrol Squadron, then at Midway, and it proceeded on 1 December conducting reconnaissance sweep enroute. Patron at Midway was replaced by Patron from Pearl and left Pearl 30 November via Johnston, conducting a reconnaissance sweep enroute Johnston and enroute Johnston to Midway. This squadron made daily search from Midway on three, four, five and six December. I sent the Enterprise to Wake with VMF squadron, departing Pearl on 28 November, landing planes at Wake on 3 December. The Enterprise conducted daily reconnaissance flights with its own planes. Patron at Wake was then withdrawn; it conducted reconnaissance sweep enroute Wake to Midway and a similar sweep from Midway to Pearl Harbor. The Lexington proceeded to Midway with VMF squadron departing Pearl 5 December. It conducted daily reconnaissance flights with its own planes enroute, and was 400 miles southeast of Midway when the war broke. The Burroughs was despatched to Wake with additional forces and supplies including Radar, but was short of Wake when war broke. She departed Pearl 29 November. I directed daily reconnaissance flights of VP planes, based on Pearl Harbor, to cover the fleet operating areas and approaches thereto. I also issued an order that any Japanese submarine found 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. Submarine patrols were continued at Wake and Midway.

It is almost unnecessary to point out that the Department knew the operating schedule governing the particular time our three task forces were in and out of port. The Department at no time prior to December 7, criticized my dispositions or indicated that I was not complying with its wishes. These dispositions were calculated to strengthen our outposts to the South and West against the time when they should face the call of all-out hostilities.

Admiral Halsey and Admiral Newton, (who were in command of the forces carrying reinforcement planes to Midway and Wake) were empowered to take appropriate action against any hostile attacking planes.

Beginning latter part of November, a memorandum to show what the initial steps would be were war to come was kept up to date. The last provision was made on the 5th of December and was gone over by me on the morning of December 6th. These memoranda outlined steps to be taken in case of American-Japanese war and are in evidence before the Court as Exhibits 69A and 69B. *revised*

On 30 November, I received a despatch (Exhibit 76) stating that there were indications Japan was about to attack points on the Kra Isthmus by over-seas expedition.

On 3 December the Department sent a despatch stating that it had received highly reliable information that certain Japanese consular posts were directed to destroy most of their codes and ciphers. This despatch (Exhibit 20) was not a clear cut warning of any Japanese intention to strike the United States. It stated that the Japanese instructions were to destroy "most" of their codes — not all their codes, a point noted by me and my staff at that time. It was entirely consistent with routine diplomatic precautions by Japan against the contingency that the United States and Britain might declare war against her and take over diplomatic residences if she took aggressive action against the Kra Isthmus. The significance of this despatch was diluted substantially by the publication of this information in the morning newspaper in Honolulu. Both Admiral Pye and Admiral Smith testified that they read of this fact in the press before the receipt of the despatch from the Navy Department. The wide publicity given this certainly removed it from the category of secret intelligence information.

On 6 December, the Department sent a despatch authorizing the destruction by the outlying Pacific Islands of secret and confidential documents "now or under later conditions of greater emergency," (Exhibit 22). In the report of the Robert's Commission this despatch is mentioned, and a significant word is added in this paraphrase of the despatch in the Commission's report. That word is the adjective "tense", modifying the noun "situation". The adjective "tense" was not in the original despatch sent to me.

In no despatch sent to me was there any warning of a probable or imminent air attack upon Pearl Harbor. The "Fort-nightly Summary of Current National Situations," issued by the Office of the Chief of Naval Operations under date of December 1, 1941 (Exhibit 57) stated on page 1, "Strong indications point to an early Japanese advance against Thailand." The same publication on page 9, under the heading, "The Japanese Naval Situation," stated definitely "the major capital ship strength remains in home waters as well as the greatest portion of the carriers." Intelligence available to me located other Japanese carriers in waters far distant from Hawaii. We knew

that a raiding expedition would have to leave Japanese waters approximately two weeks before they could make an attack on Pearl Harbor. From our information therefore we had every reason to believe that the attack would not be made at the time it was made.

At Pearl Harbor, the Japanese inflicted upon the United States a tactical reverse. But Japan made a fatal strategic blunder. Had they sought to accomplish their program of Southern expansion, without frontal assault upon American interest or territory, American entry into the war might have been in doubt for some considerable time. Our people were not united upon the issue of the advisability of American entrance into the world conflict. The blow at Pearl Harbor instantly unified the nation. It precipitated the nation into the world conflict. In the long run, it was bound to be a colossal blunder from the Japanese viewpoint. Responsible officers in the Pacific could not entirely exclude from their minds the fatal long term folly of such action by Japan. This was a factor that we discussed and weighed with other elements in evaluating the situation as Admiral Pye testified. This did not diminish our war readiness but it was bound to be a factor in any sober estimate of the situation. We did not know, of course, that Mr. Hull had told the Navy Department on or about December 3rd, that he considered that the Japanese were in an irrational, mad dog state of mind.

From November 27th to December 7th, 1941, General Short and I conferred frequently. Present at these conferences were Rear Admiral W. W. Smith, my Chief of Staff; Captain C. H. McMorris, my War Plans Officer; Captain Walter S. DeLany, my Operations Officer; and Rear Admiral C. C. Bloch, Commandant 14th Naval District. Others who were probably present were Lieutenant Commander Layton, Fleet Intelligence Officer, and Colonel Pfeiffer, USMC, an assistant War Plans Officer in Charge of Marine Plans for outlying islands; also Captain A. C. Davis, U. S. Navy; my Aviation Aide; Rear Admiral Calhoun, Commander of the Base Force; Major General Martin, Commanding Hawaiian Air Force; his aide; and General Short's aide.

Our relations then, as ever, were cordial and cooperative. One of my first acts after my appointment as Commander-in-Chief was to make a call upon General Short to establish our relations on that firm and friendly basis which characterized them throughout our tenures of office. On the afternoon of November 27th the Army despatch from the Chief of Staff to General Short was delivered to me by Captain J. B. Earle, USN, Admiral Bloch's Chief of Staff. On the same afternoon, I caused to be delivered to General Short a paraphrase of OP NAV secret despatch of that date. On November 28th the messages from the War and Navy Departments were discussed. We arrived at the conclusion at this and succeeding conferences that probable Japanese actions would be confined to the Far East with Thailand most probably and Malaya, the Netherlands East Indies and the Philippines the next most probable objectives in the order named. In general, we arrived at the conclusion that no immediate activity beyond possible sabotage was to be expected in Hawaii. I believe that at the conference of November 28th, some discussion arose as to what action the United States would take in case the Japanese attacked Thailand, the Kra Peninsula and Malaya without making war upon the United States. We knew that Admiral Hart's staff in the Asiatic had held staff conferences with the British and the Dutch and that information had been exchanged. However, we had not been informed of what action was to be taken in case the British and Dutch were attacked and the Philippines were not attacked.

I was very much concerned over my orders not to take any hostile action and the emphasis placed upon this in both messages. I realized the enormous handicap this placed upon the Fleet. We had known many instances of the swift and deadly action of attacking aircraft both from the incidents in actual war abroad and in our own maneuvers. All of the information given us by the Navy Department and our estimates led to the conclusion that an air raid on Pearl Harbor was neither imminent nor probable. General Short and I had many times discussed the possibility of a surprise air attack against Pearl Harbor. We made frequent representations to Washington pointing out the inadequacy of the forces furnished to repel such an attack. Washington evidently discounted heavily the probability of an air attack against Hawaii for the means supplied to repel such an attack were inadequate up to and including December 7th.

Of course, it must not be overlooked that General Short's total concerns and duties did not completely dovetail with mine. General Short was not charged with any joint responsibility with me for the operation of the Pacific Fleet. So far as the Navy's part in supporting the Army's defense of Pearl Harbor detailed plans were made by the Naval Base Defense Officer.

Among the topics which were discussed at the conference with General Short to which I have referred, in addition to the despatches of November 27th were the following:

1. The defense of Pearl Harbor.
2. Garrisons and reliefs for the outlying islands.
3. The transfer of fighter pursuit planes to the outlying islands.
4. The transfer of flying Fortresses from Hawaii to the Philippines by way of Midway, Wake, Port Moresby and Darwin.
5. The development of alternative land plane route to Australia via Palmyra, Canton, Christmas, Samoa, Fiji, Noumea.

With regard to the defense of the base at Pearl Harbor, the evidence before this Court shows that the estimates and operating plans approved by General Short and Admiral Bloch had set forth in detail the steps to be taken by the Army and the Navy for the defense of Pearl Harbor. The responsibility was fixed and the various elements of the Army and Navy knew their assigned tasks. The only action required was a decision to take one of the alerts or conditions of readiness. All available forces were to be employed.

So far as the Army was concerned I knew in general the measures adopted by General Short as a result of the despatch of November 27th. General Short had orders to report in detail to the Chief of Staff the measures he had taken. He did this. I knew he had orders to make such a report. General Short went on his alert No. 1 and I understand that through his liaison with the 14th Naval District, the Navy had formal information that he was on such an alert.

For the sake of rounding out the picture, the Court will note that on November 28th, General Short was sent a message by the Adjutant General directing in effect that all necessary measures be taken to protect military establishments, property, and equipment against sabotage. The War Department knew he was on an alert against sabotage. Undoubtedly General Marshall satisfied the Robert's Commission by explaining, as he did before this Court, that

General Short's reply to the War Department's despatch of November 27th was stapled to a message from the Philippines, which was on top of it, that he initialed the reply from the Philippines but did not initial the reply from General Short which he could not recall seeing. (See Record of this Court, p. 880). Under these circumstances, nothing is more fantastic than to attempt by some obscure reasoning to fasten upon the Commander-in-Chief of the Pacific Fleet some criticism because General Short prescribed the form of alert which appeared to be required by his orders and with which the War Department was perfectly familiar and I might add, the Navy Department as well.

The Robert's Report specifically charges that General Short and I failed to confer with respect to the warnings and orders issued on and after November 27th and to adopt and use the existing plans to meet the emergency. And again, "It was a dereliction of duty on the part of each of (the Commanders) not to consult and confer with the other respecting the meaning of intent of the warnings and the appropriate measures of defense required by the imminence of hostilities." I solemnly deny the truth of these charges. I am satisfied that the evidence before this Court establishes beyond doubt the inaccuracy of those charges. In fact the Court will find that the Roberts Report itself contains findings on this subject which are self-contradictory.

General Short had every reason to know with reasonable accuracy the operation of distant air reconnaissance from Oahu. General Martin, the Commanding General of the Hawaiian Air Force received a daily availability report of Navy planes and made a similar report to Admiral Bellinger. There were only six Army bombers on Oahu capable of performing distant reconnaissance, a fact specifically called to the attention of the Navy Department by me in a despatch of November 27th (Exhibit 76, Document 4). The Navy carried out a daily reconnaissance of the operating areas which was well known to General Short and Admiral Bloch.

On March 31, 1941, appropriate representatives of the Army and Navy in the Hawaiian Islands in cooperation and coordination of their activities, had executed a plan for the AIR DEFENSE of the Naval Base at Pearl Harbor (Exhibit 53). This plan, Addendum I, to Naval Base Defense Force Operation Plan, specifically discussed the possibility of a hostile air raid at dawn. Under the heading, "ACTION OPEN TO US" there is the following decision:

- "(a) Run daily patrols as far as possible to seaward 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 can not therefore be undertaken unless other intelligence indicates a surface raid is probable within rather narrow time limits."

This plan was on file with the Departments in Washington. They knew of this decision. They had done nothing to change or alter the basic deficiencies in personnel and material which required that decision.

There was no intelligence in the messages of November 27th or in later messages available to me and General Short to indicate that "a surface raid was probable within rather narrow time limits." (Exhibit 53, Addendum I to Naval Base Defense Air Force Operation Plan No. A-1-41) Our estimate of the situation, made after frank and full discussion of the intelligence we received with our staffs at the meetings I have referred to, was that an

air raid on Oahu was neither probable nor imminent. The appropriate representatives of the Army and Navy in Hawaii had by a coordinated decision made months before, concluded that distant air reconnaissance through 360° could not be undertaken. The factors underlying this decision with respect to material and personnel had not changed. We had no basis for altering it on and after November 27th.

I knew the Army's portable radar sets were operable. Some months before General Short had informed me that he could give an all around coverage of at least 150 miles and probably 200 miles. The Army's aircraft warning service including the information net was still incomplete on December 7, 1941. Public telephones and special temporary communication methods were usable but slow and inefficient.

The failure to man the radar after 7:00 A.M. Sunday, 7 December was apparently due to a peculiar lapse. Prior to that date, these temporary stations had been working from about 4:00 in the morning carrying on training operations for the greater part of the day. Of course, the maintenance of aircraft warning service was specifically the Army's function. The unfortunate last minute deviation from the apparent Army routine with respect to its operation was unknown to me.

Distant Reconnaissance: To insure Pearl Harbor against a surprise attack from airplanes based on a fast carrier, it is necessary to patrol the evening before to a distance of 800 miles on a 360 degree arc. This requires 84 planes on one flight of 16 hours. The pool for a protracted period of searches of this character would require about three times this number. In addition, a dawn patrol to a distance of 300 miles is a further necessity. 100 patrol planes would be required for the pool for this dawn patrol. This dawn patrol is necessary because any search of 800 miles radius is certain to encounter, daily, many areas of greatly reduced visibility. Roughly speaking, in a 360 degree search of 800 miles radius in the Hawaiian area we cannot count, on an average, of more than a seventy-five percent coverage.

Any distant search which we could have made over an extended period would have been incomplete and ineffective.

The Roberts Report charges me with dereliction of duty for failure to operate a distant reconnaissance. Vice Admiral Bellinger has testified exhaustively on this subject. To discuss it in detail would involve repetition of statistics of available planes and operational problems now in evidence before the Court. Now it will suffice to say that Admiral Bellinger, charged with the direct responsibility of this phase of the Navy's participation in that defense, testified that with the material and personnel available any adequate search was impossible for more than a few days. For a period of ten days, as from 27 November until 7 December, approximately 30 planes were available for a 700 mile daily search -- not an 800 mile search. This could at best cover about one-third of the 360 degrees of the circumference. Such a search would be ineffective. Having covered the operating areas by air patrols, it was not prudent in my judgment and that of my staff, to fritter away our slim resources in patrol planes in token searches and thus seriously impair their required availability to carry out their functions with the Fleet under approved War Plans. I deny that the charge in the Roberts Report is supported by any rational and intelligent evidence before this Court.

I wish particularly to invite the attention of the Court to Fleet letter 2CL41 of 14 October 1941 (Exhibit 8). This letter deals with the security of the Fleet in Pearl Harbor. It provides for all foreseeable contingencies. This, and other official documents, provided for the use of all available forces, both of the Army and the Navy in case of an attack on Pearl Harbor. As Commander-in-Chief of the Fleet I appreciated thoroughly the inadequacy of the forces available to the Commanding General and the Commandant of the 14th Naval District. By my orders, all naval forces in port at the time of an attack were made available and allocated to add to the forces defending Pearl Harbor.

I had many difficult decisions to make but none which required more accurate timing than the decision as to when to drastically curtail training and to utilize all my forces in the highest form of alert status. The warnings I received prior to 7 December 1941, were of such a nature that I felt training could still continue. I felt that I was entitled and would receive further warnings before the actual outbreak of war. I am convinced now that my estimate based upon the intelligence received was correct.

An attempt is made to read into the phrase "War Warning" a significance broader than the specific intelligence which the message contained. I submit that it should not be construed as a "catch all" for the contingencies hindsight may suggest. The specific intelligence in the message did not indicate that an attack on the Hawaiian area was imminent or probable. The rest of the dispatch after the phrase, "This is a war warning," at most states in substance that an attack is expected on the Philippines and some foreign territory in a few days. The edge of this message, so far as it affected the Philippines, was somewhat blunted by the passage of the few days without such an event and by the apparent continuing of negotiations during and after the next few days had passed.

The proper procedure for placing the fleets on a war basis is prescribed in Chapter II, section 2 of WPL46. This provides for mobilizing the fleet in whole or in part or for executing this war plan in whole or in part prior to a declaration of war. This prescribed procedure is definite and understandable, by all elements of the naval service. The prescribed procedure was not used prior to December 7, 1941.

In these circumstances I attempted to use the means at hand to take care of the most likely present dangers and the most probable future needs. I did not deem it wise, for reasons, I have pointed out at length, to expend at that time the limited number of patrol planes available in partial and ineffective distant reconnaissance. An attack in the localities indicated in the dispatch would require practically all types except submarines and I therefore directed extreme vigilance against submarine attack in the Hawaiian area. The promptness with which the ships opened fire the morning of the Seventh speaks volumes for the readiness of the fleet in port.

In brief, in the light of the information I had, and the means at hand, I adopted the measures I did, not lightly, but in the exercise of my most considered judgment, supported and sustained by a group of distinguished and experienced officers who represented a cross-section of the best naval brains in the world. The subsequent accomplishments of these officers demonstrates their outstanding abilities.

S E C R E T
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Statement of Rear Admiral H. E. Kimmel,
U. S. Navy, Retired, before the Naval
Court of Inquiry Investigating the
Japanese Attack on Pearl Harbor, con-
tinued.

Contrast the information available to me in the Pacific, in this connection with the information available to responsible officers in the Navy Department in Washington, indeed with the information available to the President and the Secretaries of State, War and Navy. They were able to read and know the innermost thoughts of the Japanese leaders. They knew from a secret channel that Japan considered the American note of November 26th a "humiliating proposal", that Japan intended that relations with the United States be ruptured upon receipt of her view in reply, that she was consulting with Germany and that she informed Germany on or about the first of December that war with the Anglo-Saxon powers would "come sooner than anyone expects". They also knew that Japan for some stealthy purpose of her own, intended to simulate the continuation of negotiations by informing the press that conversations were going on. That is just what happened! Some conversations did take place after November 27th. The press carried accounts of them. I could not ignore those accounts. By failing to keep me informed of the real situation, the Navy Department permitted itself to play into the hand of the Japanese stratagem of keeping up a simulation of conversations. It knew the full details of the Japanese stratagem; it not only failed to inform me of those details, but left me in a position to be victimized by this Japanese trick, as I endeavored to form an estimate of the situation, far from the seat of government, from bits of information I could piece together.

War | The same strange withholding of information applies to the execution of the so-called Winds Code. Here was an elaborate system set up by Japan to announce a momentous national decision to her diplomatic representatives. I do not deem it important to cavil about the various interpretations of what the executed signal meant. In one document in evidence it is spoken of as an announcement of Japan's "war decision" (Exhibit 64, Document 3). In testimony about other documents it is referred to as meaning a rupture of diplomatic relations including war as a possibility. The Director of War Plans regarded the signal as meaning a rupture of diplomatic relations including war as a "probability". Whatever shades of meaning are given to the Winds Code it certainly denoted the gravest possible crisis in Japanese relations with the countries mentioned. It indicated an important time element connected with that crisis. It is significant that the Navy Department regarded it as of sufficient importance to use every facility to intercept the signal of execution, and to provide a special system for communicating with all possible speed the intercepted signal to responsible officers in the Navy Department.

The testimony leaves no doubt that the signal of execution of the Winds Code "East Wind Rain" meaning war or a rupture of diplomatic relations

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with the United States was intercepted by the Navy Department on or about 4 December 1941. The two officers having the most direct contact with this type of information, Safford and Kramer, actually saw the message with the ominous words in it. Admiral Turner (Director of War Plans) remembers that Admiral Noyes (Director of Naval Communications) told him that the message had been received. Admiral Turner further knew that it was the execute dealing with United States relations which had been received. Admiral Ingersoll remembers something about it. Admiral Stark remembers nothing about it; General Marshall recalls hearing the matter discussed at a meeting of the Joint Board. The only witness who says it was not received, Admiral Noyes, concedes that the memory of his subordinates is better than his own on this and related matters.

By some strange chance, every record of the execution of the Winds message in any form has disappeared from the Navy Department files. Even the communication of the F.C.C. intercept dealing with Russia which Brotherhood received is not a matter of record in the Navy Department. The Judge Advocate had to go to the F.C.C. for that information. Why? Why has the executed form of the Winds Code vanished from the files of the Navy Department, after the elaborate advance steps taken to intercept and promptly distribute such information when it came in?

In any event the execution of the Winds Code by use of the prescribed words affecting relations with the United States was not forwarded to the Commander-in-Chief of the Pacific. You have the testimony of the Intelligence Officer of my staff Captain Layton, as to the importance we would have attached to the execution of this code with the prescribed words used affecting the United States, had it been forwarded to us.

The same withholding of information characterizes the distribution of the intercepted material consisting of Japanese inquiries about ships in Pearl Harbor. I am aware of testimony that Japanese curiosity as to movements of the Fleet to and from Pearl Harbor and other places had been common in the past. But it is not possible to minimize, in this fashion, the very pointed queries and reports about the precise areas in Pearl Harbor in which various ships were berthed. This curiosity goes beyond an interest in whether the Fleet or portions of it were at sea or in port and is consistent with a planned attack on the ships in port. Such inquiries, coming from a nation which had indicated she expected shortly to be at war with the Anglo-Saxon powers, certainly were of such interest that they ought to have been forwarded to me for evaluation.

There was no reason why I, the Commander of that Fleet, should not have been informed of the sinister Japanese interest in the position of its units in port.

Even more inexplicable are the events of Saturday, December 6, 1941, and Sunday, December 7, 1941. By 9:00 P.M. Washington time, December 6, 1941, which was 3:30 in the afternoon at Pearl Harbor, the Navy Department had translated and ready for distribution all but the last paragraph of the Japanese note which was delivered on 7 December, and also a message indicating that the time of its delivery was to be fixed in a separate dispatch. The tone and temper of that note was stronger and blunter than in any previous Japanese diplomatic communication. The accusations in that note directed

to the American Government the charges that 'the United States was scheming for an extension of the war, are characteristic of the language with which the Axis powers break off diplomatic relations with other nations -- indeed are consistent with a declaration of war. The element of timing involved in the fact that the time for delivery of the entire message was to be fixed in a separate dispatch, was obvious on Saturday night, December 6. This information was distributed to the President, the Secretary of the Navy and responsible officers in the Navy Department by Commander Kramer after 9:00 P.M. Washington time on December 6, 1941, and before midnight. Not a move was made to send any word of it to the Pacific Fleet.

On the morning of December 7, 1941, the last part of the Japanese message was decrypted and ready for delivery -- certainly by 7:00 A.M., Washington time, which was six hours before the attack. At least two and half hours before the attack the precise time of delivery of the note as 1300 Washington time was known to the Chief of Naval Operations, and shortly after 10:30 A.M. Washington time, this information was available to the Secretaries of War, Navy and State. The officer who brought this information to the Secretary of the Navy pointed out what the officer thought a layman might miss, but a naval officer could not escape, the relation of the time of delivery in Washington to the time of day in Pearl Harbor. Despite all this, the Chief of Naval Operations on his own initiative did nothing to communicate with the Pacific Fleet. When at some later time the Chief of Staff of the Army called him, he left the communication with the Pacific Fleet to the Army communication facilities. He says he inquired as to their rapidity. The Chief of Staff says he did not inquire. In any event, the belated Army dispatch, sent through commercial channels, did not arrive until after the attack.

The intelligence information that is now before this Court in Exhibit 63 -- conveys to me who was at Pearl Harbor during the ten days prior to 7 December 1941 the following conclusions:

1. Japan was to attack the United States. The winds message with its various interpretations would have meant to me with the background of all the other information in these diplomatic intercepts -- war with the United States.
2. Pearl Harbor was one of the probable points of attack. To the Commander of the Fleet the series of requests for information from Tokio to the Japanese Consul in Honolulu first to report ship movements, second to report regularly regardless of no change and third to report the ships in specific areas in Pearl Harbor, with the actual report available on 6 December of not only the location of ships in Pearl Harbor, but the courses followed in and out of the harbor -- means but one thing. To me it means and would then have meant that an attack was contemplated against the ships in Pearl Harbor. It was not the usual information that a foreign nation seeks to ascertain movements of ships. The knowledge of the locations of ships in Pearl Harbor can mean only utilization of that knowledge while the ships were still there. This information was known in Washington in its entirety on Saturday, 6 December.

3. At 9:15 P.M. E.S.T., Saturday, 6 December 1941, the hour of attack was imminent — 13 of 14 parts of what Japan later called its declaration of war were available. It was known that in all probability a zero hour had been fixed which was to be communicated later.
4. Sunday morning, several hours before the attack, the zero hour was set as 1 P.M. E.S.T.

In a single sentence this may be summarized — Information indicated that on Thursday, Japan was to attack the United States; on Saturday that one of the probable points of attack would be Pearl Harbor; on Saturday evening that the hour of attack was imminent; and on Sunday morning, that it was probably a matter of hours.

All of this information was denied to me.

The question arises in any rational mind why was all this information not given to the Commander-in-Chief of the Pacific. There are two theories on this matter that may be deduced from the evidence given before this Court by responsible officers in the Department at the time. Admiral Turner, Director of War Plans, indicates he thought the Commander-in-Chief Pacific was getting this material as a matter of routine. His conception was entirely erroneous. Admiral Noyes, from whom Admiral Turner stated he received such assurances on several occasions, testified he never intentionally gave such an erroneous impression. On the other hand, Admiral Stark and Admiral Ingersoll knew that this material was not being sent to me. Their position is that the so-called War Warning of November 27 plus the dispatches about the codes, sent thereafter, said everything. All the significant developments in a dynamic situation evolving in detail after November 27, and heading to an immediate crisis on and after December 4, on this theory are read back into the dispatch of November 27th. It is not possible, however, to spread the dispatch of November 27th as a blanket over the intercepted dispatches available thereafter. The sharp and significant details of information thereafter available, the rising crescendo of the crisis, the element of timing involved in Japanese plans add essentialx to the picture which the so-called war warning and other dispatches do not give, either explicitly or by implication.

This apparently was realized by some responsible officers in the Navy Department. It would appear that the unsent McCollum message was designed to summarize the important information which I did not have. This message appears to have had the support of Admiral Wilkinson. It was initialed and approved for release by Admiral Turner. What happened to it thereafter, can not be developed in this record.

Captain McCollum is a Japanese language student. He was in charge of the Far Eastern section of the Office of Naval Intelligence during 1941 and until after the Attack on Pearl Harbor. His testimony in regard to the messages which he prepared and which were not released could be most illuminating. Likewise the testimony of Rear Admiral Wilkinson who was the Director of Naval Intelligence would clarify matters which are at present obscure. These two officers whose testimony has been denied this Court were responsible in the organization for supplying the Commander-in-Chief, U. S. Pacific Fleet, with enemy information.

The failure to send me the vital information which I have outlined after November 27, was the very thing I sought to avoid in my letter of May 26, 1941., "Summary of Conditions in the Pacific Fleet", wherein I made clear to the Department that my problems required that I have up-to-date information of diplomatic developments "by the most rapid secure means available". I am content to stand on my actions taken in the light of what information I had. But if as indicated in Admiral Turner's testimony before this Court, the Roberts Commission was given the impression that I had access to and knowledge of the intercepted Japanese diplomatic traffic, then a grave and irreparable injury has been done me. This does not excuse the Commission in scourging me on the unsubstantiated charge of failure to cooperate with the Army. But it may explain their disposition to find fault with my conduct, although the reasons they publicly assigned were not the baseless ones they may have been privately led to accept.

H. E. KIMMEL