

EXHIBIT NO. 87

WAR DEPARTMENT
WASHINGTON, D. C.

Room 4D757
The Pentagon

18 December 1945

MEMORANDUM FOR MR. MITCHELL:

Inclosed is a memorandum prepared by General Strong
on the subject "Alert of Panama and Hawaiian Departments
on 17 June 1940".

Harmon Duncombe
HARMON DUNCOMBEE 13 13
Lt. Col., GSC

Incl.



15 December 1945

MEMORANDUM FOR GENERAL MARSHALL:

SUBJECT: Alert of Panama and Hawaiian Departments on 17 June 1940

1. In connection with your testimony before the Joint Committee on the Investigation of the Pearl Harbor attack you were asked repeatedly for the reasons which prompted you to alert the Panama and Hawaiian Departments on 17 June 1940. As your Assistant Chief of Staff, War Plans Division at that time, I was responsible for advising the action you took, and I feel that it may complete the story (in case it is not self-evident to the Committee from a review of contemporaneous historical events) if I summarize the situation leading to the alert which I recommended and you approved.
2. You will recall that Axis ascendancy in May and early June of 1940 gave us cause for gravest concern. The British had evacuated Dunkirk by 4 June, and on the 17th Petain waited upon the Nazis for surrender terms. Germany had a good chance of acquiring the French fleet intact. Russia appeared to be cooperating with the Axis; on 12 June she moved in on Lithuania; on 16 June she demanded a change of government in Esthonia and Latvia. On 10 June Russia and Japan signed a treaty fixing the Manchukuo-Outer Mongolia border, and the inference was that these two had composed their differences with a view to negotiating a neutrality pact. The Japanese navy would then be free for any adventure. Japanese land forces were concentrating in Hainan, Formosa, and Kyushu, apparently for further aggressive action.
3. You may remember a conference held in your office at 0830 on 17 June 1940 at which I was present, along with General Andrews and General Moore. We believed at that time that German control of the French fleet would create a very serious situation in the South Atlantic. Should Great Britain fall, a hostile move toward South America was far from unlikely. Anticipating a desperate need for troops in Brazil and Uruguay, General Andrews and I recommended at this meeting that the National Guard be ordered into Federal Service. That was our frame of mind on 17 June 1940. At the conclusion of the conference you directed us to consider the questions which had been raised.
4. In looking to our own security I apprehended the most immediate threat to be a raid or major sabotage effort which would effectively close the Panama Canal. Evidence of sabotage plans existed; certain specific evidence is mentioned below. "In the event of a raid, a diver-

sionary attack in the Hawaiian area could not be ruled out, since a large part of our fleet was based on Pearl Harbor. Accordingly, on 17 June 1940 I recommended placing these two Departments on an alert status. The documents directly bearing on my decision do not tell the story nearly so well as does a vivid recollection of Axis capabilities and American weakness at that time when the collapse of France was imminent and the fall of Britain by no means impossible. However, I cite and summarize below a few significant papers which reflect those times and give some indication of what was in our minds during those late spring days of 1940.

a. State Department 793, 94119/640, dated 25 May 1940. Mr. Grew discusses "a flurry of official activity" in Tokyo. Although he sees no reason to expect an attack on the Netherlands East Indies he acknowledges that preparations for such an attack "would presumably be guarded with the utmost secrecy." (This, to our minds, did not exclude, but rather drew our attention to, the possibilities of attack or raids elsewhere.)

b. State Department 711.94/1518, dated 3 June 1940. In surveying the Japanese situation Mr. Grew states in diplomatic terms that "a complacent view of the future would no longer be warranted." He cites the opinion of Japanese militarists that their fleet had nothing to fear from the use of force and expresses his own belief that Japan "may be tempted to resort to desperate courses."

c. State Department 811 F. 812 PROTECTION/165, dated 10 June 1940. The Navy furnishes information obtained by Brazilian sailors from the Japanese crew of ARGENTINA MARU that all Japanese ships have orders to scuttle if in the Panama Canal when the United States "declares mobilization."

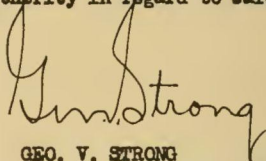
d. War Department WPD 3730-18, undated. Information from a Navy source describes how a German sailor, under influence of liquor, revealed to an American petty officer on 1 May 1940 at Eureka, California, some specific and detailed plans to blow up the Panama Canal if our entry into the war "became imminent."

e. War Department WPD 4326, undated. In an unused draft of a letter prepared for your signature at your request, the Commanding General, Panama Department, was informed that "the background of the instructions (for the alert of 17 June) has doubtless been made clear from matters that have appeared in the public press", and that "the increasing tension and uncertainty in the world situation, as affecting Canal security, emphasized the necessity of a continuous and vigilant alert basis for some time to come." (This letter remained unsent on

my recommendation, largely because I considered the reasons for the alert to be obvious, as indeed they were.)

5. I can think of no more conclusive way to summarize the situation as of 17 June 1940 than to point out that the factors which guided my decision to recommend alerting these overseas bases were essentially those which made it necessary for the President of the United States to issue his Proclamation of 27 June 1940 (F. R. Dec. 40-2639), which extended the scope of the national emergency proclaimed 8 September 1939 and gave additional and exceptional authority in regard to safeguarding the Panama Canal.

Incls (w/orig only)
As listed in par 4 above (cys)
F.R.Doc.40-2639 (cy)



GEO. V. STRONG
Major General, USA (Retired)

TELEGRAM RECEIVED

EUROPEAN AFFAIRS
MAY 31 1940
DEPARTMENT OF STATE

FAP

TOKYO

A portion of this telegram must be closely paraphrased before being communicated to anyone (B)

FRCM

Dated May 26, 1940

Rec'd 10:03 a.m.

Secretary of State

Division of
FOREIGN AFFAIRS
MAY 27 1940
Department of State

Washington

COPIES IN PARAPHRASE
SENT TO O.N.I. AND
M.I.D. IN CONFIDENCE
may 28 270

376, May 25, 7 p.m. (GRAY)

793.94119
note
756.94

The following series of events has led to uneasy speculation in foreign circles here:

(One) Yesterday General Koiso, Minister of Overseas Affairs, called on the Prime Minister just before the cabinet meeting and is reported in the press as having discussed "a vital issue" and as having made "an important recommendation to the Premier in connection with the settlement of the China affair".

(Two) Last night the spokesman of the Foreign Office delivered the radio address reported in our 375, May 25, 5 a.m.

(Three) This morning the Navy Minister called on the Prime Minister at 9:17. The Prime Minister went to the Emperor at 10 o'clock and after the audience called on Yumoto, Lord Privy Seal. (END GRAY)

(Four) CONFIDENTIAL. Whatever step if any is suggested by this flurry of official activity there appears to be a good reason to believe that it envisages a descent on the Netherlands

793.94119/640

F/A

JUN 4 1940
RECORDED

74, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200

Washington Post article, operations for class work
presumably be guarded with the utmost secrecy. He shall,
however, watch the situation closely and report whatever
significant evidence may emerge from the current volume
of speculation.

GREW

OW

CONFIDENTIAL

SECRET

A telegram from the State of May 23, 1913, 4 p.m., from the American Embassy at Tokyo was substantially as follows:

The following series of events has led to money operations in foreign circles in Japan:

On May 23 General Kato, Minister of Finance Affairs, called to the Prime Minister just before the cabinet meeting and reported in the press as having disclosed "a great secret" and as having made "an important announcement" and further in connection with the testimony of the above named.

On the evening of May 23 the spokesman of the Japanese Embassy in London the same day, advised in Tokyo at 10:30 p.m.

On the morning of May 24 the Japanese Embassy called on the Prime Minister at 10:30 a.m. and the same day 10:30 a.m. the Japanese Embassy called on the members of the cabinet.

The Japanese Embassy in London on the same day called on the Prime Minister at 10:30 a.m. and the same day 10:30 a.m. the Japanese Embassy called on the members of the cabinet.

TELEGRAM RECEIVED

To FE
function

This telegram must be FROM Tokyo
clearly paraphrased. be-
fore being communicated
to the Sec. (C) *sent to Tokyo* Dated June 3, 1940
Rec'd 9:15 a.m.

Secretary of State,
Washington.

W. G. B.
147



100, June 3, noon. (SECTION ONE)

STRICTLY CONFIDENTIAL FOR THE SECRETARY.
15170
Four 170, July 20, 3 p.m.

Sir. I am most grateful for your telegram under
reference not only as a directive but as confirmation of
my own views with regard to the potential consequences of
the way unfolding in Europe. With special reference
to the last two paragraphs of your telegram, I have
devised it to be one of my principal duties to assist in
the procuring of a reversal of Japanese policies and
objectives in China and an adherence by Japan to
principles and policies to which the United States and
Great Britain are committed. I have never held the opinion
that such reversal of Japanese policies could be procured
only at the cost of modification of American opposition to
the use of force by Japan in achieving her objectives
in China. I have reported by several telegrams sent during
the last two months that there was growing skepticism of
the "New Order in East Asia" conceived in terms of
exclusive rights and monopolies in China, which tended to
confirm

711.94/1518

Confidential File

-2- 400, June 3, noon, (SECTION ONE) from Tokyo.

confidence in belief that popular disillusionment in the China adventure combined with the additional strength of those elements in this country who believe in law and order and who realize that Japan's economic well-being is unalterably bound up with economic and therefore political cooperation with the United States and the British Empire would in time make possible the desired reversal of Japanese policies. If conditions in Europe had remained as they were during the first six months of the war there is no (repeat no) substantial reason to doubt that the movement in the direction desired by us would have accelerated. The position today is that the field here has been left to the Germans who are exploiting their military successes with a view to aggravating relations between the United States and Japan. A complacent view of the future would no longer be warranted.

(END SECTION ONE)

KLP

CREW

TELEGRAM RECEIVED

EDA
This telegram must be
closely paraphrased
before being communi-
cated to anyone (C)

FROM TOKYO
Dated June 3, 1940
Received 10:45 a.m.

Secretary of State
Washington

400, June 3, noon (SECTION TWO)

Two. I venture respectfully to hope that this telegram may have your special attention because I regard its substance and conclusion as of prime importance. My analysis of the situation is as follows.

Three. Japan is at present in a state of political turmoil of unusual intensity. Dominating elements are active in the belief to bring about an early settlement of the difficulties in China but they are radically separated with regard to the nature of the settlement and the means to bring it about. While these various schools of thought cannot be grouped in clear cut categories, each enjoys support from considerable elements in the country. Indeed the lower echelons of the army and each manifests certain basic trends progressively receiving attention which are strikingly characteristic in the main paragraphs.

Four. One school of thought advocates an understanding with Soviet Russia for the partition of China on Polish lines. It is reported that Russia made some

such

EDA - 2 - #400, June 3, noon from Tokyo

such proposal to Japan last autumn and that Japan turned it down. Informants have told us that Russia has recently renewed the proposal, desiring a free hand to cope with eventualities in Europe, including the Balkans and the possibility of eventually having to fight the Germans for control of the Baku oil fields, and that a Japanese colonel has already arrived in Moscow to negotiate. Informants look for fruition of this scheme by autumn and they maintain that the desire to settle the China conflict is so pressing that even this solution would be welcomed by the Japanese public as a whole. Some supporters of this thesis furthermore advocate seizure of the Netherlands East Indies before a German victory in Europe would give Germany a similar opportunity. They realize that economic reprisals by the United States would have to be faced but they maintain that no country has ever been destroyed by embargoes and that Japan would find a way out. They discount the possibility of war with the United States and believe that in any case the Japanese fleet has nothing to fear from the use of force. This faction, which expects to bring about the overthrow of the present Japanese Cabinet before autumn, is made up largely of members of the reactionary societies and younger officers in the army and is

32

supported

eda - 1 - #400, June 17, noon from Tokyo

supported by few if any cabinet members. I believe
that the Japanese government's attitude toward the Soviet
Union has been leaning to the right, but with events in
Europe moving at such a rapid pace, it is possible
that the Japanese fact that all her legislation has to be
passed by the Diet may be tempted to resort to desperate
measures.

(17) (continued)

TELEGRAM RECEIVED

JR

This telegram must be closely paraphrased before being communicated to anyone. (C)

FROM

TOKYO

Dated June 3, 1940

Rec'd 12:10 p.m.

Secretary of State,
Washington.

400, June 3, noon (SECTION THREE)

Five. A second school of thought, which is fundamentally pro-German, has been given increased prestige by the recent German successes in Europe. The movement for close relations with Germany is being assiduously furthered by the German citizens in Tokyo whose main efforts are directed at strengthening anti-American sentiment through constant propaganda, especially among the military. The character of such propaganda indicates that the German thesis is that if such relations between the United States and Japan are directed and maintained in increasingly dangerous channels, the United States will be less prone to enter the European war against Germany. They aim to bring about a situation where the entry of the United States into the war against Germany would ensure a similar clash with Japan. The pro-German elements in Japan, especially those who foresee a German victory in Europe, argue that Japan can expect nothing from Great Britain or France and
that

-- 240, page 8, near (S. 1111) from Tokyo

to the policy of the United States towards Japan is of so international and mixed a nature that government should be free to take two countries as separate. This is the only way to be directly supported by military force. Our way will be more in line with a resolution to the point of required action possible in Japan.

My. I think that in the school of thought that is going to prevail in the United States, Japan has been a policy of... (The text is extremely faint and largely illegible, appearing to be a typed document with several lines of text.)

-3- #400, June 3, noon (SEC THREE) from Tokyo

destiny lies, namely the United States and the British Empire. Representatives of this school of thought have pointed out to us that at present the democracies seem disinclined even to raise a finger to strengthen the hands of the forces in Japan which are striving for a return to moderate courses. They inquire whether, in the event of the conclusion with Chiang Kai Shek of a peace considered satisfactory by the American and British Government, they could be assured hereafter of economic assistance in assuring Japan's normal supplies of raw materials as well as of such needed credits from the United States.

(END SECTION THREE)

RFV

TELEGRAM RECEIVED

This telegram was received from Tokyo, Japan, on Jan 1, 1901. The sender is identified as the Japanese Legation in Washington, D.C. The recipient is the Secretary of State.

Secretary of State,
Washington, D.C.

... Jan 1, noon. ...
... it is necessary for the success of this ...
... and ... the most ... satisfactory ...
... the ... is the creation of a ...
... Japan could ...
... all relations of ...
... British ...
... as a threat ...
... such a feeling of future ...
... susceptibility ...
... the United States ...
... financial ...
... the present Cabinet will fall ...
... be replaced with a ...
... strong military and pro-German tendencies ...
... Japan. Speculative reports of ...
... the Cabinet are being heard more ...
... from increasingly credible sources.

Seven. It has recently come to my attention that

the

-2- 200, June 1, noon (SECRET ROOM) from Tokyo.

The Foreign Minister in conversation with an informant said to him that the American Ambassador had told the Minister that there could be no possibility of an improvement in the relations between the United States and Japan as long as the conflict in China continued.

I have never presented the situation to the Minister in those words or in that form and it is obvious that he has drawn the logical implications from the observations which I have been kind to him made to Mr. Arita and to his subordinates as fully reported to the Department.

But the Minister's remark to my informant, who authorized me to quote him to Mr. Arita, seems logically to open the way for a further approach to the Minister with a view to clarifying the attitude of the United States, either under instructions or as conveying my own thoughts. If you approve of my seeking such an interview I should like to present our attitude orally along the lines of your 170, May 20, 1923, with special regard to paragraph four thereof, and then to endeavor to sum up the situation as follows: (END SECRET ROOM)

GREY

APP

3005

TELEGRAM RECEIVED

This telegram must be... communicated... (C)

FROM Tokyo
Dated June 3, 1940
Rec'd 10:50 a.m.

Secretary of State,
Washington.

... June 3, noon. (SECTION FIVE)
... thought would be to say official was
... to be the view that the relations
... the country... improve
... multifarious
... rights and interests in China
... American property
... American citizens are a property
... American consent and
... through monopolistic
... the hands of Japanese
... in China
... underlying national
... national
... that
... official
... such
... Japan

-2- 800, June 3, noon (SECTION FIVE) from Tokyo.

Japan genuinely desires and genuinely intends to relinquish force as an instrument of national policy and to direct its policy and efforts toward achieving its objectives by peaceful and legal methods and means, involving a discontinuance of past and current interferences with American rights and interests in China, the United States for its part will be disposed to view such a re-orientation of policy and efforts with sympathy and with the hope that the effectiveness of such a movement will in due course open the way to a new era in American-Japanese relations in which the future will hold out possibilities of helpful economic and financial cooperation. What I have chiefly in mind is to convey to the Minister and to others with whom I may have occasion to talk, without any commitments whatsoever, the thought that a new and mutually helpful era in American-Japanese relations is by no means impossible and that in my own belief the time is ripe for a positive move by Japan in that direction. I am not without hope that the circulation of such a note in the midst of current Japanese publicity might conceivably create an important influence on Government thought at this crucial moment.

Miss. Alice Institute, and provided that the foregoing thoughts are approved advise me of any further contact which you feel could properly and helpfully be

made

-3- #40 , June 1, noon (SECRET) from Tokyo.

made in such a suggested interview, apart from your previous instructions which I constantly retain in mind for use when occasion offers. (END OF MESSAGE)

REPLY

DN:PPP

TELEGRAM RECEIVED

JT

This telegram was sent in Naval Code and must be closely paraphrased before being communicated to anyone.

FROM: OPNAV

FROM Rec'd June 10, 1940

6:37 p.m.

Handwritten:
U/E
FE
1/11
4/3
How
15/110
KCK

Stamp:
KIA
RECEIVED
COMMUNICATIONS SECTION
NAVY DEPARTMENT
WASHINGTON, D.C.

INFO: STATE DEPARTMENT

ACTION COMELEVELN. PASSED BY COMELEVELN TO COMELEVELN AND OPNAV FOR INFO PRIORITY.

Stamp:
RECEIVED
COMMUNICATIONS SECTION
NAVY DEPARTMENT
WASHINGTON, D.C.
JUN 10 1940

10 June, 1940. For Captain E.H. Zacharias from

T-enc. S.S. SANTA MARIA former S.S. WARWICK UNION OIL sailed 6 June for Balboa with Brazilian crew. Urgent brought to Pedro by ARGENTINA MARU. Brazilian crew learned from Japanese crew of ARGENTINA MARU all Japanese ships have orders to scuttle if in Panama Canal when United States of America declares mobilization.

NPL

81 F. 312 PROTECTION/ICS US/Lm

FILED Confidential File

U - LIAISON OFFICE
JUN 11 1940
DEPARTMENT OF STATE

TELEGRAM RECEIVED

HSM

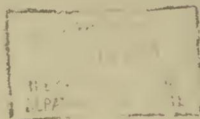
COMMANDER LOS ANGELES
SECTION COAST GUARD

FROM June 10, 1940

Rec'd 8:33 p. m.

TO: COM 11

INFO: OPNAV
SECSTATE



RESTRICTED PRIORITY

For Captain E. M. Zacharias from T-one. S.S. SANTA MARIA former S.S. WARWICK Union Oil sailed 6 June for Balboa with Brazilian crew. Crew brought to Padre by ARGENTINA MARU. Brazilian crew learned from Japanese crew of ARGENTINA MARU all Japanese ships have orders to scuttle if in Panama Canal when U.S.A. declares mobilization.

HPD

F. W. GIFF. SIC PROTECTION/IGS

June 17, 1940

Notes of conference in office of Chief of Staff, 8:30 A.M., June 17, 1940.

SUBJECT: Defense Problems.

PRESENT: General Marshall
General StrongGeneral Andrews
General Moore

The Chief of Staff remarked that in going over the various possibilities it seems that we may suddenly find Japan and Russia appear as a team operating to hold our ships in the Pacific. If the French navy goes to Germany and Italy, we will have a very serious situation in the South Atlantic. Germany may rush the South American situation to a head in a few weeks.

Are we not forced into a question of reframing our naval policy, that is, purely defensive action in the Pacific, with a main effort on the Atlantic side. There is the possibility of raids with resultant public reaction. The main effort may be south of Trinidad, with any action north thereof purely on the basis of a diversion to prevent our sending material to south America. This seems to indicate that we are reaching a point where we should mobilize the National Guard.

General Strong stated that the Navy reports that they have a definite information that the French fleet has already been turned over to and incorporated in the British fleet. (NOTE: Later information from the Navy Department indicates that this is questionable.) If this is so, and if the next move of the Germans, possibly through Ireland, results in the capitulation of Great Britain proper, the combined Atlantic fleets may move to the western hemisphere. In this case, they must operate from our ports as there are no others adequate. From this point WPD and the Navy disagree on action. WPD believes in defensive operations only in the

17

Pacific and concentrating everything in this hemisphere.

The Chief of Staff commented that if the British and French fleets come here the Navy point of view is OK; if not, it is all wrong. We have to be prepared to meet the worst situation that may develop, that is, if we do not have the Allied fleet in the Atlantic.

Thinking out loud, should not Hawaii have some big bombers. We have 56. It is possible that opponents in the Pacific would be four-fifths of the way to Hawaii before we knew that they had moved. Would five or ten flying fortresses at Hawaii alter this picture?

General Andrews stated that this small number would be overwhelmed by hostile pursuit. We are weak in pursuit and any small force would be destroyed. He believes we should not split our forces but should send more ^{or} none. He also believes that if we could get our reserves of ammunition, bombs, etc. to Hawaii, we could put big planes there in three days if necessary. The Chief of Staff remarked that three days might be fatal. General Strong thinks we would have less than 24 hours notice.

We have a combined Army and Navy Air force of 476 combat planes in Hawaii. Japan at present can hardly bring more than 400 because of the small size and number of her carriers. Merchant ships can be converted for launching planes, but the planes cannot land again on the ship.

In response to a question regarding the use of the 3d Division in Alaska, General Strong thought this premature. A landing field is being put in at Kodiak.

Both General Andrews and General Strong recommend ordering the National Guard into Federal service. General Strong anticipates a desperate need within 60 days for troops in South America, (Brazil and Uruguay.) The Chief of Staff thought that although we cannot at once send expeditions, we might be able to guarantee to some of the South

American governments the occupation and holding of certain key ports.

With respect to further equipment for the Allies as per the President's statement, we have scraped the bottom so far as the Army is concerned.

General Andrews wishes to motorize the 4th Division. He wants an air-ground team in training, preferably at Fort Benning.

The Chief of Staff directed consideration of all questions raised during this conference by the heads of staff Divisions present.

W.B.S.

TELEGRAM RECEIVED

FROM

121
[Stamp]

121

Dated June 17, 1940

Rec'd 8:05 a. m.

[Faded text]

6/17
Shaw to
Mg + MID
KCK

[Faded text]

Reports have been coming to us from
sources of a considerable concentration of Japanese
General Insan, Foreign and Hyaku but to be
subject to confirmation. Soviet and
British branches here are speculating with regard to a
possible Japanese invasion of French Indo-China in the
event of the capitulation of France in Europe.

GREW

795.94/15954

F/FG

C O P YCOPY(Pencilled: fr 3730
Panama)CONFIDENTIAL

From: Commander, San Francisco District.
To: Commandant.

Subject: Sabotage, Panam Canal, alleged method to be used by Germans.

Inclosures: (1) Sketch.

1. Lieutenant Commander S. B. Johnson, upon an inspection by him of the Humboldt Bay Lifeboat Station on 1 May, 1940, was informed by Chief Boatswain (1) Churchill that a personal friend of Churchill's in the town of Eureka, California, had met a German who had been drinking. Churchill's friend was invited to have a drink with the German, who bragged about a plan to blow up the Panama Canal if the United States' entry into the war became imminent. Churchill's friend plied the German with drinks and appeared to drink with him but in fact spilled his drinks. The German did not identify himself other than that he had been in the country one year. The German said that a small vessel would be fitted out, with mines secured to the vessel's bottom, detachable from inside the ship. The mines would be operated by a timing device set in motion, apparently, when detached from the ship. To prevent an obvious change in the water line of the vessel when the bombs were released, special tanks were to be fitted inside the vessel to take in water in a location and weight to counteract the effect of dropping the load of mines.

2. Two sketches were made by the American to describe the method by which mines were attached and tanks distributed in the vessel. These two sketches are on the tracing, inclosure (1).

Signed: Stanley V. Parker,
Typed: Stanley V. Parker.

Copy:

FBI,
ONI, 12th Naval District.
G-2, 9th Corps Area Hq.

COPYCONFIDENTIALC O P Y

30

C O P Y

SECRET

My dear Van Voorhis:

special* recently*
The/instructions/sent you some-10-days-age were based
on information which we had here and upon consultations between
the State, War and Navy Departments. The background of the
instructions has doubtless been made clear from matters that
have appeared in the public press. I only want to add that
the increasing tension and uncertainty in the world situation,
as affecting Canal security, emphasized the necessity of a
continuous and vigilant alert basis for some time to come.

I trust that the instructions in question did not
cause you people to lose too much sleep.

Best of luck

Sincerely yours,

G. C. M.

(Pencilled: Not used)

* Pencilled notations

SECRET

C O P Y

C O P YCOPY

(Pencilled: File in WPD

44 Fr

"Armed guards on public
vessels transiting
Panama Canal"

THE PRESIDENT

6-27-40 4415-1
Panama)CONTROL OF VESSELS IN TERRITORIAL
WATERS OF THE UNITED STATESBY THE PRESIDENT OF THE UNITED STATES
OF AMERICA

A PROCLAMATION

1

WHEREAS, A proclamation issued by me on September 8, 1939, proclaimed that a national emergency existed in connection with and to the extent necessary for the proper observance, safeguarding and enforcing of the neutrality of the United States and the strengthening of our national defense within the limits of peace-time authorizations, and that specific directions and authorizations would be given from time to time for carrying out these two purposes,

WHEREAS, The continuation of the conditions set forth in said proclamation of September 8, 1939, now calls for additional measures within the limits of peace-time authorizations,

WHEREAS, Under and by virtue of section 1 of title II of the Act of Congress approved June 15, 1917, 40 Stat. 220 (U.S.C. title 50, sec. 191), it is provided as follows:

"SECTION 1. Whenever the President by proclamation or Executive order declares a national emergency to exist by reason of actual or threatened war, insurrection, or invasion, or disturbance or threatened disturbance of the international relations of the United States, the Secretary of the Treasury may make, subject to the approval of the President, rules and regulations governing the anchorage and movement of any vessel, foreign or domestic, in the territorial waters of the United States, may inspect such vessel at any time, place guards thereon, and, if necessary in his opinion in order to secure such vessels from damage or injury, or to prevent damage or injury to any harbor or waters of the United States, or to secure the observance of the rights and obligations of the United States, may take, by and with the consent of the President, for such purposes, full possession and control of such vessel and remove therefrom, the officers and crew thereof and all other persons not specially authorized by him to go or remain on board thereof.

"Within the territory and waters of the Canal Zone the Governor of the Panama Canal, with the approval of the President, shall exercise all the powers conferred by this section on the Secretary of the Treasury."

AND, WHEREAS, It is essential, in order to carry into effect the provisions of said act, which are quoted herein, that the powers conferred

¹ 4 F.R. 3851.

C O P Y

C O P Y

therein upon the President, the Secretary of the Treasury and the Governor of the Panama Canal be at this time exercised, or available for exercise, with respect to foreign and domestic vessels.

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, by virtue of the powers conferred upon me by the provisions of the said Act of Congress quoted herein, do hereby declare the continuation of the conditions set forth in my proclamation of September 8, 1939, and the existence of a national emergency by reason of threatened disturbance of the international relations of the United States.

AND, I therefore consent to the exercise, with respect to foreign and domestic vessels, by the Secretary of the Treasury and the Governor of the Panama Canal, of all the powers conferred by the provisions of said Act.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States to be affixed.

DONE at the City of Washington this 27th day of June in the year of our Lord nineteen hundred and forty and of the Independence (SEAL) of the United States of America, the one hundred and sixty-fourth.

FRANKLIN D ROOSEVELT

By the President:

CORDELL HULL

Secretary of State.

(No. 2412)

(F. R. Doc. 40-2639; Filed, June 28, 1940; 10:05 a.m.)

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