

but of all of the outlying stations, and every effort is being made to close holes and stop gaps. While the Commandant is not satisfied, he feels that the precautions taken are reasonably effective but that they are susceptible to improvement, which will be made as occasion warrants.

9. It should be borne in mind that until comparatively recently none of us in this country had very much conception of what measures were necessary and what provisions were desirable in order to effect any measure of protection against aircraft, against submarines, against mines and against subversive elements. The officers and men of this command have been alert, anxious and vigilant in executing all measures under their control in order to properly prepare the district for any exigencies.

10. It should be assumed that the War Department is fully aware of the situation here and that they are proceeding vigorously with a view to overcoming deficiencies. It may be that they have failed to recognize the necessity for large numbers of anti-aircraft guns and pursuit planes. I suggest that the Chief of Naval Operations make inquiry from the War Department as to what their plans are and on what dates they predict that they will be accomplished and then, if the [5] numbers and dates are not satisfactory, these features may be discussed at length.

11. It is considered highly undesirable from my point of view that the War Department should in any way come to believe that there is lack of agreement between the Army authorities and Navy authorities here, or that the officials of the Fourteenth Naval District are pressing the Navy Department to do something in regard to Army matters.

G. C. HOCH.

Certified to be a true copy of file copy in Chief's.

H. R. NORMAN

KENNES, H. E. NORMAN, USN.

Secret Mail Officer.

This is copy of original run of letter.

[1]

EXHIBIT No. 29

[SECRET]

NAVY DEPARTMENT,
OFFICE OF THE CHIEF OF NAVAL OPERATIONS,
Washington, 10 February 1941.

DEAR KIMMEL: Thank God for Sundays. It is my only day for quiet study and work, and even then I have to kick somebody out of the office, because they long since have learned my habits.

First I want to congratulate you and J. O. on your perfectly splendid letter of 28 January, serial 0140. It is extremely helpful to us all and I hope you will continue in future communications of ours similar searching analyses. Just for a moment refresh on your paragraph 3; and permit me to say "check and double check".

I continue in every way I possibly can to fight commitments or dispositions that would involve us on two fronts and to keep from sending more combatant ships to the Far East. I had a two hour struggle (please keep this absolutely secret) in the White House this past week and thank God can report that the President still supports my contentions. You may be amused to know that the Secretary of War, Colonel Stimson, has been of very great assistance to me in this connection in recent conferences. *(Mr. Hull never lets go in the contrary view and having fought it so many times I confess to having used a little more vehemence and a little stronger language than was becoming in fighting it out this last week for the nth time.)*¹ Present were the President, Stimson, Knox, Marshall and myself. I mention this just to show you that the fight is always on and that some day I might get upset. But thank God, to date at least, the President has and continues to see it my way.

Here's hoping. Replies to your letter of the 28th (0140) and to J. O.'s letter of the 25th (0129) are just signed.

I continue to press Marshall to reinforce Oahu and elsewhere. You now know that he is sending out S1 fighters to Oahu, which will give that place 50 fairly good

¹ This matter is Privileged and must not be released for any purpose without "EXPRESS AUTHORITY OF SECNAV."

ones and 50 of the latest type. I jumped to give him the transportation for them in carriers when he requested it. I hope, too, you will get the Marines to Midway, Johnson and Palmyra, as soon as you can. They may have to rough it for a time until barracks are built, and the water supply, if inadequate, will have to be provided somehow just like it would be if they had captured an enemy atoll.

[2] Speaking of Marshall, he is a tower of strength to us all, and I couldn't conceive of a happier relationship than exists between him and me. He will go to almost any length possible to help us out and sometimes contrary to his own advisors.

I am struggling, and I use the word advisedly, every time I get in the White House, which is rather frequent, for additional men. It should not be necessary and while I have made the case just as obvious as I possibly could, the President just has his own ideas about men. I usually finally get my way but the cost of effort is very great and of course worth it. I feel that I could go on the Hill this minute and get all the men I want if I could just get the green light from the White House. As a matter of fact what we now have, was obtained by my finally asking the President's permission to go on the Hill and state our needs as I saw them at that time and his reply was "go ahead, I won't veto anything they agree to". However, the struggle is starting all over again and just remember we are going the limit, but I cannot guarantee the outcome.

Regarding the MK VI Mod I Exploder; we have distributed them to the outlying stations and will leave the decision up to you as to whether or not they should be put aboard ship.

Every good wish in the world.

As ever sincerely,

Admiral H. E. KIMMEL, USN,
Commander in Chief, U. S. Fleet.

*U. S. S. Pennsylvania,
Fleet Post Office,
Pearl Harbor, T. H.*

[3] P. S. I just realized that a letter I had roughed out in reply to yours of the 27th had not been sent so here is just another Sunday cleanup job along with one or two other things.

First, I had another hour and a half in the White House today and the President said that he might order a detachment of three or four cruisers, a carrier and a squadron of destroyers to make a cruise to the Philippines; perhaps going down through the Phoenix and Gilbert or the Fiji Islands, then reaching over into Mindanao for a short visit and on to Manila and back.

I have fought this over many times and won, but this time the decision may go against me. Heretofore the talk was largely about sending a cruise of this sort to Australia and Singapore and perhaps the N. E. I. Sending it to the Philippines would be far less objectionable from a political standpoint but still objectionable. What I want you to do is to be thinking about it and be prepared to make a quick decision if it is ordered.

Spent an hour this afternoon going over your personnel situation with Nimitz and Kilpatrick and the Doctors and you will hear from Nimitz on this. A couple of weeks ago, even before I got your letter, the President told me I was overcrowding our ships and that they would be neither healthy, happy or sanitary with increased complements so we *may* have to ask for the doctors' opinion regarding the new complements.

Regarding your setting up a place on shore where your staff can do planning work; anything that you can arrange with Admiral Bloch will be perfectly satisfactory to me. I don't know just what the Submarine Base facilities are but you may be able to put up some additions which would eventually be needed because of the expected increase in the number of submarines. I will have Moreell go into these additions if you will forward to me a sketch lay-out in case you need our help. No one could say just what the public or political reaction might be to your shore arrangements, because it might be misrepresented and might be misunderstood. That is the reason I suggest any additional facilities be labelled additional facilities for the Submarine Base. It would not actually be a misnomer because undoubtedly they will be when the Fleet some day bases back on the West Coast.

I also take it that you can arrange satisfactory communications with Admiral Bloch.

Regarding a set of quarters for yourself, it would seem that the best solution and perhaps the only one would be for Admiral Bloch to divert one of the new

sets of five houses now building to your use. Will you please communicate this to Admiral Bloch?

I want you to know that we are doing everything possible to reach full agreement with possible Allies. If and when such agreements are concluded we will inform you of them.

[4] I wish we could send Admiral Bloch more local defense forces for the 14th Naval District but we simply haven't got them. If more are needed I see no other immediate solution than for you to supply them. I am moving Heaven and Earth to speed up a considerable program we have for small craft and patrol vessels for the Districts but like everything else, it takes time and "dollars cannot buy yesterday".

I think I previously wrote you that I hope to be able to take over the Coast Guard after the Lend-Lease Bill is on the Statute Books. Of course if war eventuates Admiral Bloch can commandeer anything in the Islands in the way of small craft and I assume he has a full list of what would be available.

All good wishes.

Keep cheerful.

BETTY.

The interested party, Admiral Harold R. Stark, U. S. N., respectfully directs the attention of the Court to Exhibit 29 which is a personal letter dated 10 February 1941, from Admiral Harold R. Stark, U. S. Navy, to Admiral Husband E. Kimmel, U. S. Navy. The interested party considers that this letter contains certain matters coming within the purview of Section 261 (a) of Naval Courts and Boards, which provides that a witness may be privileged with respect to certain testimony, among the principal cases of privilege being:

"(a) *State secrets*.—This class of privilege covers all the departments of the Government, and its immunity rests upon the belief that the public interests would suffer by a disclosure of state affairs. The scope of this class is very extended, and the question of the inclusion of a given matter therein is decided by a consideration of the requirements of public policy with reference to such matter."

If the interested party had been asked to read this letter into his testimony, he would have declined as a matter of personal privilege involving the disclosure of state secrets to read the following:

The fourth sentence in the third paragraph on page 1.

The interested party respectfully requests that this statement be conspicuously attached to the copy of Exhibit 29, which the Judge Advocate purposes to place in the secret files of the Navy Department.

The interested party considers that the disclosure of the parts of this letter mentioned above would be detrimental to the interests of the United States and contrary to public policy.

EXHIBITS OF NAVY COURT OF INQUIRY

VOLUME II

No. 30 to 44 (both inclusive)

NOTE—Exhibits Nos. 31 and 32 contain privileged matter, which, though not classified as "Top Secret", do contain matter which is against the public interest to release for any purpose whatsoever. This privileged matter has been plainly marked by underlining in "red" together with an appropriate note calling special attention to its classification.

/s/ H. H. H. H. H.
Captain, U. S. N.
Judge Advocate.