

[a] ARMY PEARL HARBOR INVESTIGATION
TOP SECRET REPORT AND TOP SECRET MEMORANDA

1. Top Secret Report of Army Pearl Harbor Board, discussing certain evidence and documents.
2. Top Secret Memorandum of Judge Advocate General, dated 25 November 1944, reviewing Secret and Top Secret Reports of Army Pearl Harbor Board, and recommending further investigation.
3. Top Secret Memorandum of Judge Advocate General, dated 14 September 1945, reviewing Secret and Top Secret Reports of Army Pearl Harbor Board on the basis of additional evidence.
4. Top Secret Memorandum of Judge Advocate General, dated 14 September 1945, reviewing in greater detail certain aspects of the Top Secret Report of Army Pearl Harbor Board in the light of additional evidence and modifications of previous testimony.

[b] TOP SECRET REPORT OF ARMY PEARL HARBOR
BOARD

[c] Memo: To The Secretary of War:

The following is a brief discussion of the evidence and documents in the possession of the Army Pearl Harbor Board, which for reasons of security should not be incorporated in the General Report. The Secretary of War is entirely familiar with this type of evidence and the Board is sure concurs in its decision to treat it separately and as Top Secret.

[1] 1. *General.* Information from informers and other means as to the activities of our potential enemy and their intentions in the negotiations between the United States and Japan was in possession of the State, War and Navy Departments in November and December of 1941. Such agencies had a reasonably complete disclosure of the Japanese plans and intentions, and were in a position to know what were the Japanese potential moves that were scheduled by them against the United States. Therefore, Washington was in possession of essential facts as to the enemy's intentions.

This information showed clearly that war was inevitable and late in November absolutely imminent. It clearly demonstrated the necessity for resorting to every trading act possible to defer the ultimate day of breach of relations to give the Army and Navy time to prepare for the eventualities of war.

The messages actually sent to Hawaii by either the Army or Navy gave only a small fraction on this information. No direction was given the Hawaiian Department based upon this information except the "Do-Don't" message of November 27, 1941. It would have been possible to have sent safely information, ample for the purpose of orienting the commanders in Hawaii, or positive directives could have been formulated to put the Department on Alert Number 3.

This was not done.

Under the circumstances, where information has a vital bearing upon actions to be taken by field commanders, and this information cannot be disclosed by the War Department to its field commanders, it is incumbent upon the War Department then [2] to assume the responsibility for specific directions to the theater commanders. This is an exception to the admirable policy of the War Department of decentralized and complete responsibility upon the competent field commanders.

Short got neither form of assistance from the War Department. The disaster of Pearl Harbor would have been eliminated to the extent that its defenses were available on December 7 if alerted in time. The difference between alerting those defenses in time by a directive from the War Department based upon this information and the failure to alert them is a difference for which the War Department is responsible, wholly aside from Short's responsibility in not himself having selected the right alert.

The War Department had the information. All they had to do was either to give it to Short or give him directions based upon it.

The details of this information follow:

2. *Story of the Information as to the Japanese Actions and Intentions from September to December 1941.* The record shows almost daily information as to the Japanese plans and intentions during this period.

1. For instance, on November 24, it was learned that November 29 had been fixed (Tokyo time) as the government date for Japanese offensive military operations. (R. 86)

2. On November 26 there was received specific evidence of the Japanese' intentions to wage offensive war against Great Britain and the United States. (R. 87) War Department G-2 advised the Chief of Staff on November 26 that the Office of Naval Intelligence reported the [3] concentration of units of the Japanese fleet at an unknown port ready for offensive action.

3. On December 1 definite information came from three independent sources that Japan was going to attack Great Britain and the United States, but would maintain peace with Russia. (R. 87)

As Colonel Bratton summed it up:

The picture that lay before all of our policy making and planning officials, from the Secretary of State, the Secretary of War down to the Chief of the War Plans Division, they all had the same picture; and it was a picture that was being painted over a period of weeks if not months. (R. 243-244)

The culmination of this complete revelation of the Japanese intentions as to war and the attack came on December 3 with information that Japanese were destroying their codes and code machines. This was construed by G-2 as meaning immediate war. (R. 280) All the information that the War Department G-2 had was presented in one form or another to the policy making and planning agencies of the government. These officials included Secretary of State, Secretary of War, Chief of Staff, and Chief of the War Plans Division. In most instances, copies of our intelligence, in whatever form it was presented, were sent to the Office of Naval Intelligence, to keep them abreast of our trend of thought. (R. 297)

Colonel Bratton on occasions had gone to the Chief of the War Plans Division and to the Assistant Chief of Staff, G-2, and stood by while they read the contents of these folders, in case they wished to question him about any of it. Colonel Bratton testifies:

I had an arrangement with Colonel Smith, Secretary to the General Staff, how he could get me on the telephone at any time in case the Chief [4] of Staff wished to be briefed on any of them. (R. 299)

4. When the information on December 3 came as to the Japanese destroying their codes and code machines, which was construed as certain war, Colonel Bratton took the information to General Miles and General Gerow and talked at length with both of them. General Gerow opposed sending out any further warning to the overseas command. General Miles felt he could not go over General Gerow's decision. (R. 283) Colonel Bratton then went to see Commander McCullom of the Navy, Head of the Far Eastern Section in ONI, and he concurred in Bratton's judgment that further warning should be sent out because this action of the Japanese meant war almost immediately. Colonel Bratton then returned after making arrangements

with McCullom and persuaded General Miles to send a message to G-2, Hawaiian Department, instructing him to go to Commander Rochefort, Office of Naval Intelligence, with the Fleet to have him secure from Rochefort the same information which General Gerow would not permit to be sent directly in a war warning message. (R. 283-284)

All of this important information which was supplied to higher authority in the War Department, Navy Department, and State Department did not go out to the field, with the possible exception of the general statements in occasional messages which are shown in the Board's report. Only the higher-ups in Washington secured this information. (R. 302) G-2 was prevented as a matter of policy from giving out intelligence information of this sort to G-2 in overseas departments. The Navy also objected to any of this type of intelligence being sent by the Army without its authority.

[5] The War Plans Division refused to act upon the recommendations of G-2. Intelligence Bulletins were distributed giving this information. When G-2 recommended, for instance, the occupation of the outer Aleutians ahead of the Japanese, the War Plans Division took no action upon the estimate and recommendation, with the result that we later had to fight two costly campaigns to regain Attu and Kiska. (R. 301-302)

Captain Safford of the Communications Security Division in Naval Operations, testified as to the type of information that was coming into the Navy during November and December.

Tokyo informed Nomura on the 22nd of November that the 25th was the last date they could permit him negotiations. (R. 121) On November 26th specific information received from the Navy indicated that Japan intended to wage offensive war against the United States. (R. 123-124) Nomura on the 26th said he thought he had failed the Emperor and that his humiliation was complete, evidently referring to the ultimatum delivered to him by the Secretary of State.

Colonel Sadtler testified as to the information that was coming in as to Japanese intentions in the fall of 1941, saying:

The information began to assume rather serious proportions regarding the tense and strained relations between the two countries, and the number of messages about warnings of conditions that obtain in case of hostilities really reached a climax around the middle of November, to such an extent that we were of the opinion that there might be a declaration of war between Japan and the United States on Sunday, November 30. This, as you all know, proved to be a "dud," and on Monday, December 1, if I recall the date correctly, messages that morning began coming in from Tokyo telling the Consuls to destroy their codes and to reply to Tokyo with one code word when they had so complied with their directive.

[6] The Japanese Embassy in Washington was advised to destroy their codes on December 3. (R. 249-250)

3. *The "Winds" Message.* Colonel Sadtler said that about November 20, a message was intercepted by the Federal Communications Commission, to the effect that the Japanese were notifying nationals of possible war with the United States. The "winds" message was indicated in these instructions, which would indicate whether the war would be with the United States, Russia, or Great Britain, or any combination of them. The Federal Communications Commission was asked to listen for such information.

On the morning of December 5, 1941, Admiral Noyes, Chief of Naval Communications, called Colonel Sadtler at 9:30 saying, "Sadtler, the message is in!" He did not know whether the particular message was the one that meant war with the United States, but it meant war with either the United States, Russia, or Great Britain. He immediately advised General Miles and Colonel Bratton.

Sadtler was instructed to go back to Admiral Noyes to get the precise wording used, but Admiral Noyes said that he was too busy with a conference and he would have to attend to it later. Colonel Sadtler protested that that would be too late. (R. 251-252) He reported back to General Miles. He then went to see General Gerow, Head of the War Plans Division, and suggested a message be sent to Hawaii. General Gerow said, "No, that they had plenty of information in Hawaii." He then went to the Secretary of the General Staff, Colonel Smith, and made the same suggestion. When Smith learned that G-2 and the War Plans Division had been talked to, he declined to discuss it further. [7] It was about the 5th or 6th of December that Tokyo notified the Japanese Embassy at Washington to destroy their remaining codes. It was on December 5 that Sadtler discussed this matter with General Gerow and Colonel Smith, because as Sadtler said, "I was sure war was coming, and coming very quickly." (R. 254)

Colonel Bratton arranged on behalf of G-2 for monitoring of Japanese weather broadcasts with the Federal Communications Commission. These arrangements were made through Colonel Sadtler. (R. 57, 103) Colonel Bratton testified that no information reached him as to the break in relations shown by the "winds" message prior to the Pearl Harbor disaster, December 7, 1941, and he does not believe anybody else in G-2 received any such information. (R. 58-59)

He conferred with Kramer and McCullom of the Navy. The message sent to him by the Federal Communications Commission was not the message he was looking for. (R. 60) Later he learned from the Navy about their monitoring efforts in Hawaii and the Far East, and the fact that they would probably secure the "winds" message sooner than he would in Washington. That is the reason why he sent the message of December 5, to Fielder, G-2, in Hawaii, to make contact with Commander Rochefort, to secure orally information of this sort. (R. 62-63) A copy of this message has been produced in the record showing that it was sent. Colonel Bratton and Colonel Sadtler testified to the fact that their records showed that it was sent. (R. 69, 70, 71) But Colonel Fielder said he got no such message. (R. 68) The Navy now admits having received this "winds" activating message about December 6, but the War Department files show no copy of such message. (R. 89, 281)

[8] From the naval point of view Captain Safford recites the story of the "winds" message saying that Japan announced about the 26th of November 1941 that she would state her intentions in regard to war with Russia, England, the Dutch, and the United States, by the "winds" message. On November 28, 1941, the "winds" code was given. On December 3, 1941, the Naval Attaché at Batavia gave another version of the "winds" code. All three of these messages indicated the probability of the breaking off of relations and offensive warfare by Japan against the United States or the other nations mentioned.

On December 4, 1941, information was received through the Navy Department which was sent to Captain Safford which contained the Japanese "winds" message, "War with England, War with America, Peace with Russia." (R. 132)¹

This original message has now disappeared from the Navy files and cannot be found. It was in existence just after Pearl Harbor and was collected with other messages for submission to the Roberts Commission. Copies were in existence in various places but they have all disappeared. (R. 133-135)

[9] Captain Safford testified:

General RUSSELL. Have you helped or been active at all in this search which has been made in the Naval Department to discover this original message?

Captain SAFFORD. I have. As a last resort I requested copies of the message repeatedly from 20G, and on the last occasion I asked the officer in charge, who was Captain Stone, to stir his people up a little harder and see if they couldn't make one more search and discover it. And when Captain Stone discovered it couldn't be found, he called for—required written statements for anybody who might have any notice of that; and though the written statements disclosed a lot of destruction of other messages and things—not messages, but the intercepts; not the translations—nothing ever came to light on that message, either the carbon copy of the original incoming message, which should have been filed with the work sheet, or of the translation. And one copy of the translation should have been filed under the JD number, which I think is 7001, because that number is missing and unaccounted for, and that falls very close to the proper date. It actually comes in with the 3rd, but things sometimes got a little bit out as far as putting those numbers on was concerned. And the other should be filed under the date and with the translation. We had a double file.

The last time I saw that message after the attack on Pearl Harbor about the 15th of December, Admiral Noyes called for the assembling of all important messages into one file, to show as evidence to the Roberts Commission; and Kramer assembled them, and I checked them over for completeness and to see that we strained out the unimportant ones; and that "Winds" translation, the "Winds execute," was included in those. I do not recall whether that ever came back or not. So far as I know, it may even be with the original papers of the Roberts Commission. It never came back that I know of, and we have never seen it since, and that is the last I have seen of it.

We also asked the people in the Army on several occasions if they could run it down and give us a copy. We were trying to find out the exact date of it and the exact wording of the message, to run this thing down and not make the thing a question depending upon my memory or the memory of Kramer or the memory of Murray, who do distinctly recall it.

* * * * *

General RUSSELL. Well, now, let us talk cases.

Captain SAFFORD. Yes, sir.

[10] General RUSSELL. I want to know if over there in 20G you had a place where you had 20G files of messages, and then over here some other place you had a JD file which was separate and distinct from the one I have just discussed.

Captain SAFFORD. Yes, sir.

General RUSSELL. But you had messages over there in the JD file?

Captain SAFFORD. We had. Yes, sir; that is correct.

General RUSSELL. And they were the same as the ones in the 20G file?

Captain SAFFORD. Yes, sir, but they were in a different order.

General RUSSELL. All right. Now, this message of December 4th, when it went to the JD file, was given the number, according to your testimony, of 7001?

¹ Captain Safford testified that the Japanese were no longer using the code employed to transmit the wind messages; that there was no reason now why they should not be discussed openly.

Colonel Rufus Bratton, on the contrary, testified that it would be dangerous to acquaint the Japanese with the fact that we intercepted the winds message, as this might result in further code changes by the Japanese.

The Board, as a matter of course, decided to follow the safe plan and treat these messages as Top Secret.

Captain SAFFORD. It probably was.

General RUSSELL. You don't know that?

Captain SAFFORD. Not to know; only circumstantial evidence.

General RUSSELL. Well, is JD 7000 in that file now?

Captain SAFFORD. JD 7000 is there, and 7002.

General RUSSELL. But 7001 just isn't there?

Captain SAFFORD. The whole file for the month of December 1941 is present or accounted for except 7001.

General RUSSELL. Now let us talk about 20G, which is some other place in this office. Is this December 4th message the only one that is out of those files?

Captain SAFFORD. That is the only one that we looked for that we couldn't find. It is possible that there will be others missing which we haven't looked for, but we couldn't find that serial number. We looked all through the month to make certain. That is the only one that is missing or unaccounted for.

[11] The radio station logs, showing the reception of the message have been destroyed, within the last year. Captain Safford testified that this message, and everything else they got from November 12 on, was sent to the White House by the Navy. It was a circulated copy that circulated to the White House and to the Admirals of the Navy.

It is this message which the Army witnesses testified was never received by the Army. It was a clear indication to the United States as early as December 4. The vital nature of this message can be realized.

4. *Account of the Delivery of the Long 14 Part Message; the Short Implementing Message.* The first 13 parts of the long reply of the Japanese finally terminating the relationships with the United States began to come in in translated form from the Navy on the afternoon of December 6, and the 13 parts were completed between 7:00 and 9:00 the evening of December 6. Colonel Bratton, Chief of the Far Eastern Section of the Intelligence Branch of War Department G-2, was the designated representative for receiving and distributing to the Army and to the Secretary of State copies of messages of this character received from the Navy. The Navy undertook to deliver to the President and to its own organization copies of similar messages.

Colonel Bratton delivered a copy of the first 13 parts between 9:00 and 10:30 p. m., December 6, as follows:

To Colonel Smith (now Lt. Gen. Smith) Secretary of the General Staff in a locked bag to which General Marshall had the key. (R. 238) He told General Smith that the bag so delivered to him contained very important papers and General Marshall should be told at once so that he could unlock the [12] bag and see the contents. (R. 307)

To General Miles by handing the message to him (R. 238), by discussing the message with General Miles in his office and reading it in his presence. (R. 239-241) He stated that General Miles did nothing about it as far as he knows. (R. 241) This record shows no action by General Miles.

Thereafter he delivered a copy to Colonel Gailey, General Gerow's executive in the War Plans Division. (R. 238)

He then took a copy and delivered it to the watch officer of the State Department for the Secretary of State and did so between 10:00 and 10:30 p. m. (R. 234, 239)

Therefore, Colonel Bratton had completed his distribution by 10:30, had urged Colonel Smith, Secretary to General Staff, to communicate with General Marshall at once, and had discussed the matter with

General Miles after reading the message. This record shows no action on the part of General Smith and none by General Miles. Apparently the Chief of Staff was not advised of the situation until the following morning.

In the meantime, as the testimony of Captain Safford shows, the following action was taken with the distribution of the same 13 parts of the message by the Navy which clearly indicates its importance.

Captain Safford testifies that the first 13 parts came in on the afternoon of December 6 and were translated to English and delivered to the Army to Major Doud by 9 o'clock Saturday night, December 6. This portion of the message was distributed as follows: Commander Kramer consulted with the Director of Naval Intelligence, Admiral Wilkinson, and was directed to go to the White House to deliver a copy. He then delivered a [13] copy to Admiral Wilkinson at his house. As the President was engaged, Kramer gave a copy to the White House Aide, Admiral Beardall. When Kramer reached Admiral Wilkinson's house he also gave a copy to Admiral Turner, Director of War Plans. He delivered the final copy by midnight to Admiral Ingersoll, who read it and initialed it. Admiral Wilkinson phoned Admiral Stark, as did also Admiral Turner. Admiral Stark ordered Kramer to be at his office at 9:00 Sunday morning. Kramer came back to the Navy Department about 1 a. m. to see if part 14 had come in, but it had not.

When part 14 did come in it was ready for delivery to the Army in English by 7:15 a. m., December 7. (R. 158, 160, 164, 166)

The net result was that no one took any action based upon the first 13 parts until the 14th part came in and the Army took no action on that until between 11:30 and 12:00 on the morning of December 7, or about 13 hours after the first 13 parts came in which clearly indicated the rupture of relations with the Japanese.

Nothing more was done with this clear warning in the first 13 parts of the long message until the following events occurred.

Colonel Bratton received from a naval officer courier between 8:30 and 9:00 a. m. on the Sunday morning of December 7, the English translation of the 14th part of the long message and the short message of the Japanese direction the Ambassador to deliver the long message at 1 p. m. on December 7 and to destroy their codes. Colonel Bratton immediately called General Marshall's quarters at 9:00 a. m. (R. 85) [14] General Marshall was out horseback riding and he asked that he be sent for. General Marshall called him back between 10:00 and 11:00 a. m. General Marshall came into his office at 11:25 a. m., of which there is a contemporaneous written record maintained by Colonel Bratton. In the meantime, Colonel Bratton called his Chief, General Miles, and reported what he had done. (R. 77) Neither General Miles nor General Gerow were in their office on Sunday morning. General Miles arrived at the same time as General Marshall at 11:25 a. m. The Chief of Staff prepared a message to General Short and called Admiral Stark, who said he was not sending any further warning but asked General Marshall to inform the Navy in Hawaii through Short.

The answer to the following question on the record has not been supplied this Board:

Why were not the first 13 parts, which were considered important enough by the Navy to be delivered to the President and everyone of the important Admirals

of the Navy, delivered by the War Department officers to the Chief of Staff, and his attention called to it so that he could have taken some sort of action upon it? (R)

The only possible answer lies in the testimony that Colonel Smith, Secretary to the General Staff was told about 9 p. m. December 6 that there was an important document and that General Marshall should see it right away. (R. 242) There is no proof that Colonel Smith did so act except that from General Marshall, which shows that he was not advised of this situation until the following morning when he received a message from Colonel Bratton between 10:00 and 11:00 a. m., December 7.

The record shows that subordinate officers who were [15] entrusted with this information were so impressed with it that they strongly recommended that definite action be taken.

When subordinate officers were prevented from sending this information to the Hawaiian Department, by arrangement with their opposite numbers in the Office of Naval Intelligence, upon learning that the Navy had this information in Hawaii, an apparently innocuous telegram was dispatched by G-2 to Colonel Fielder, G-2 in Hawaii, telling him to see his opposite number in the Office of Naval Intelligence, Commander Rochefort, to secure information from him of importance.

The story of the message of November 27 takes on a whole new aspect when the facts are really known as to the background of knowledge in the War Department of Japanese intentions. At the time the Chief of Staff drafted the message of the 27th on the 26th, he knew everything that the Japanese had been proposing between themselves for a long period of time prior to that day, and knew their intentions with respect to the prospects of war. The message of the 27th which he drafted in rough and which was apparently submitted to the Joint Board of the Army and Navy, therefore could have been cast in the clearest sort of language and direction to the Hawaiian Department.

It was no surprise that the Japanese would reject the Ten points on November 26; that course of events had been well pictured by complete information of the conversations between the Japanese Government and its representatives available to the Government of the United States.

[16] 5. *Summary.* Now let us turn to the fateful period between November 27 and December 6, 1941. In this period numerous pieces of information came to our State, War and Navy Departments in all of their top ranks indicating precisely the intentions of the Japanese including the probable exact hour and date of the attack.

To clinch this extraordinary situation we but have to look at the record to see that the contents of the 13 parts of the Japanese final reply were completely known in detail to the War Department, completely translated and available in plain English, by not later than between 7 and 9 o'clock on the evening of December 6 or approximately Honolulu time. This information was taken by the Officer in Charge of the Far Eastern Section of G-2 of the War Department personally in a locked bag to Colonel Bedell Smith, now Lt. Gen Smith, and Chief of Staff to General Eisenhower, who was then Secretary to the General Staff, and he was told that the message was of the most

vital importance to General Marshall. It was delivered also to G-2 General Miles, with whom it was discussed and to the Executive, Colonel Gailey, of the War Plans Division, each of whom was advised of the vital importance of this information that showed that the hour had struck, and that war was at hand. Before 10:30 o'clock that night, this same officer personally delivered the same information to the Secretary of State's duty officer.

General Marshall was in Washington on December 6. This information, as vital and important as it was, was not communicated to him on that date by either Smith or Gerow, so far as this record shows. When the final part 14 came in [17] on the morning of December 7 and with it the short message directing the long message be delivered to the Secretary of State at 1 p. m., December 7, 1941. It was then that this same officer, Colonel Bratton of G-2, took the initiative and went direct to General Marshall, calling him at his quarters at Fort Myer and sending an orderly to find him, where he was out horseback riding. When he finally did reach him on the phone, General Marshall said he was coming to the War Department. He met him at about 11:25 a. m., after which time the message of December 7 was formulated by General Marshall in his own handwriting. It failed to reach its destination due to sending it by commercial Western Union—RCA. It arrived several hours after the attack.

This brings us to the "winds" message. The "winds" message was one that was to be inserted in the Japanese news and weather broadcasts and repeated with a definite pattern of words, so as to indicate that war would take place either with Great Britain, Russia, or the United States, or all three.

The Federal Communications Commission was asked to be on the outlook for these key words through their monitoring stations. Such information was picked up by a monitoring station. This information was received and translated on December 3, 1941, and the contents distributed to the same high authority. The Navy received during the evening of December 3, 1941, this message, which when translated said, "War with the United States, War with Britain, including the NEI, except peace with Russia." Captain Safford said he first saw the "winds" message himself about 8 a. m., on Thursday, December 4, 1941. It had been received the previous evening, [18] according to handwriting on it by Commander Kramer, who had been notified by the duty officer, Lt. (jg) Brotherhood, USNR, who was the watch officer on the receipt of this message.

It was based upon the receipt of the message that Captain Safford prepared five messages between 1200 and 1600 December 4, ordering the destruction of cryptographic systems and secret and confidential papers on the Asiatic stations. Captain McCullom of the Navy drafted a long message to be sent to all outlying fleet and naval stations. This was disapproved by higher naval authority. This message was confirmation to Naval Intelligence and Navy Department Communications Intelligence Units that war was definitely set.

This "winds execute" message has now disappeared from the Navy files and cannot be found despite the extensive search for it. It was last seen by Commander Safford about December 14, 1941, when he collected the papers together with Commander Kramer and turned

them over to the Director of Naval Communication for use as evidence before the Roberts Commission.

There, therefore, can be no question that between the dates of December 4 and December 6, the imminence of war on the following Saturday and Sunday, December 6 and 7, was clear-cut and definite.

Up to the morning of December 7, 1941, everything that the Japanese were planning to do was known to the United States except the final message instructing the Japanese Embassy to present the 14th part together with the preceding 13 parts of the long message at one o'clock on December 7, or the very hour and minute when bombs were falling on Pearl Harbor.