[*a*] Memorandum for The Secretary of War
Subject: Top Secret Report, Army Pearl Harbor Board, 14 September 1945

[*1*] 14 SEPTEMBER 1945.

MEMORANDUM FOR THE SECRETARY OF WAR

Subject: Top Secret Report, Army Pearl Harbor Board

This will confirm my views heretofore expressed to you orally.

The Army Pearl Harbor Board made two separate reports. One was classified as secret and consisted of two volumes. The other was classified as top secret and consisted of one volume.

I have examined the latter Top Secret Report in the light of evidence obtained by Lieutenant Colonel Henry C. Clausen, JAGD, in his investigation and feel that as a result thereof certain statements of fact contained in the Top Secret Report require modification.

In its top secret report, the Board stated on pages 1 and 2 and on page 16:

> 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.
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> 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.
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> 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 No. 3.
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> This was not done.
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> Under the circumstances, where information has a vital bearing upon actions to be taken by field commanders, and [*2*] this information cannot be disclosed by the War Department to its field commanders, it is incumbent upon the War Department then 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.
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> 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.
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> 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. (Pp 1 & 2)
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> 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. (P 16)

The Board then set forth what it called "the details of this information." I have analyzed these details and conclusions of the Board in the light of Colonel Clausen's investigation and find that they should be revised in accordance with the new and additional evidence. These revisions include the following:

As to information available to the War Department, the Board set forth on page 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 governing date for Japanese offensive military operations. (R. 86)

The reference "(R. 86)" is to Page 86 of the Top Secret transcripts of the proceedings before the Army Pearl Harbor Board. These consist of volumes A to D. Examination of Page 86 shows, as a basis for the record reference in its report, a quotation by General Russell from a document as follows:

[3] On the 24th of November we learned that November 29, 1941, Tokyo time was definitely the governing date for offensive military operations of some nature. We interpreted this to mean that large-scale movements for the conquest of Southeast Asia and the Southwest Pacific would begin on that date, because, at that time, Hawaii was out of our minds.

The document from which General Russell quoted was the record of the Examination conducted by Admiral Thomas C. Hart from April to June, 1944, for the Secretary of the Navy. The testimony read by General Russell was an excerpt of that given by Captain L. F. Safford, USN. A more detailed examination of this testimony shows that it was in reality the interpretation by Captain Safford of a Japanese intercept message which was translated on 22 November 1941, being a message from Tokyo to the Japanese Embassy at Washington. This message authorized the Japanese envoys to extend the time for signing an agreement with the United States from 25 November to 29 November and it stated that the latter time was the absolute deadline and "after that, things are automatically going to happen."

The War Department did not send this specific information to the Hawaiian Department.

It will be observed that the Board did not set forth the additional testimony of Captain Safford to the effect that "Hawaii was out of our minds."

The Board further found:

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) (P2)

* * * On November 26th specific information received from the Navy indicated that Japan intended to wage offensive war against the United States. (R. 123–124) * * * (P 5)

This finding of the Board was based on the same reference by General Russell to the testimony of Captain Safford. The reference "(R. 123–124)" is to the testimony of Captain Safford before the Army Pearl Harbor Board. He was asked by a member of the Board as to the source of the information which he mentioned in his testi-

mony to Admiral Hart. He stated that he could not then recollect the source. He further stated that on 26 November the Navy had information that Japan contemplated offensive action against England and the United States and probably against Russia. He gave as a basis for this information his interpretation of an intercept, SIS No. 25392, which was a circular message from Tokyo on 19 November 1941. Reference to additional testimony of Captain Safford set forth on page 125 shows that what he had in mind was the so-called Japanese "Winds Code" message.

[4] Colonel Clausen's investigation shows that this information reached Colonel Bicknell, Short's Assistant G–2, the latter part of November 1941.

Colonel George W. Bicknell, Assistant G–2, Hawaiian Department, testified before Colonel Clausen that in the latter part of November, 1941, he learned that the Navy had intercepted and decoded this Japanese "Winds Code." He took immediate action to monitor in Hawaii for the execute message. He further testified that his attention was again called to the "Winds Code" when he saw on the desk of General Fielder a warning message from G–2, War Department, dated 5 December 1941, asking that the G–2, Hawaiian Department, communicate with Commander Rochefort immediately regarding weather broadcasts from Tokyo. This obviously refers to the "Winds Code." Colonel Bicknell further testified that he also received information of the "Winds Code" broadcasts from Mr. Robert L. Shivers, FBI agent in charge, Honolulu, and information that Commander Joseph J. Rochefort, in charge of the Navy Combat Unit, Pearl Harbor, was also monitoring for the execute message.

Commander Rochefort testified before Colonel Clausen that he and General Kendall J. Fielder, G–2, Hawaiian Department, had established and maintained liaison pertaining to their respective functions, and that he gave General Fielder such information as he had received concerning intercepts and Japanese diplomatic messages, and concerning other information of importance in which the Army and Navy were jointly interested, and which came to his knowledge in the course of his duties. The information thus given to General Fielder during the latter part of November, 1941, included the substance of the "Winds Code" intercept.

The Board found:

* * * War Department G–2 advised the Chief of Staff on November 26 that the Office of Naval Intelligence reported the concentration of units of the Japanese fleet at an unknown port ready for offensive action. (Pp. 2 & 3)

The basis for this conclusion was testimony of Colonel Rufus S. Bratton as he read from a summary called "A Summary of Far Eastern Documents" which he prepared in the Fall of 1943. The pertinent portion reads as follows:

G–2 advised the Chief of Staff on 26 November that O. N. I. reported a concentration of units of the Japanese fleet at an unknown point after moving from Japanese home waters southward towards Formosa and that air and submarine activity was intensified in the Marshall Islands. (P 87)

This information was available in the Hawaiian Department before 7 December 1941.

[5] Testimony given before Colonel Clausen by Captain Layton, Captain Rochefort, Captain Holmes, Captain Huckins and Com-

mander Holtwick, of the Navy, in the additional investigation indicates the probability that General Short was advised of the presence of Japanese navy task forces in the Marshalls. The Fleet Intelligence Officer had an established liaison relationship with the G–2, Hawaiian Air Force. In the two months preceding 7 December the Fleet Intelligence Officer gave to G–2, Hawaiian Air Force, pertinent information of the increasing Japanese naval activity in the Marshalls. The Navy Combat Intelligence Officer supervised a unit at Pearl Harbor primarily engaged in intercepting, decrypting and analyzing radio traffic of the Japanese navy. The Daily Radio Intelligence Summaries distributed by the Combat Intelligence Officer, during November and continuing down to 7 December, indicated considerable Japanese military activity in the Mandates and concentrations of Japanese naval forces in the Marshalls. (See documentary evidence attached to Colonel Clausen's Report.)

The Board found:

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.) (P. 3.)

This again, was based on the testimony of Captain Safford in the Admiral Hart examination. General Russell read from this while questioning Colonel Bratton, as follows:

General RUSSELL. Yes. I will identify the questions. That is the December 1st message, Colonel.

Colonel BRATTON. I have nothing on the 1st of December, General. * * * (P. 88.)

Colonel Clausen's investigation has shown that the basis for this statement of Captain Safford was his interpretation of messages that the Navy received, i. e., the Navy Department intercept of the "Winds Code" message and a message from Colonel Thorpe, Batavia, giving the substance of the "Winds Code" intercept and stating that by this means Japan would notify her consuls of war decision, and another message to the same general effect from Mr. Foote, Consul General at Batavia, to the State Department. Mr. Foote also stated: "I attached little or no importance to it and viewed it with some suspicion. Such have been coming since 1936."

As shown above, the "Winds Code" information was available in the Hawaiian Department. But the "Winds Code" in itself was not definite information that Japan was going to attack Great Britain and the United States.

[6] The Board stated:

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.) * * * (P. 3.)

Colonel Bicknell testified before Colonel Clausen that he learned from Navy sources on about 3 December 1941 that Japanese diplomatic representatives in Washington, London, Hong Kong, Singapore, Manila and elsewhere, had been instructed to destroy their codes and papers, and that he was shown a wire from the Navy Department, dated 3 December 1941, reading as follows:

Highly reliable information has beeen received that categoric and urgent instructions were sent yesterday to the Japanese diplomatic and consular posts at Hong Kong, Singapore, Batavia, Manila, Washington, and London to destroy

most of their codes and ciphers at once and burn all other important confidential and secret documents.

Colonel Clausen's investigation further discloses that at about the time Colonel Bicknell received this information it was discussed with Commander Joseph J. Rochefort, in charge of the Navy Combat Intelligence Unit in Honolulu; and that Mr. Shivers told him that the FBI in Honolulu had intercepted a telephone message from the Japanese Consulate in Honolulu which disclosed that the Japanese Consul General there was burning his papers. The additional evidence also shows that on the morning of 6 December 1941, at the usual Staff Conference conducted by General Short's Chief of Staff, those assembled were given this information. General Fielder testified before Colonel Clausen that he was present at the Staff Conference and that on 6 December 1941 he gave to General Short the information that the Japanese Consul at Honolulu had destroyed his codes and papers. (Colonel Phillips, Short's Chief of Staff, also gave this information to Short.) General Fielder further testified that he gave General Short any pertinent information that came to his attention.

The Board further stated:

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.) (P. 3.)

[7] * * * 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) (P 3)

The basis for this conclusion of the Board was the testimony given by Colonel Bratton. When testifying before Colonel Clausen, however, Colonel Bratton corrected his previous testimony and asked that his prior testimony be modified in accordance with his testimony to Colonel Clausen. He stated that his testimony to Colonel Clausen represented a better recollection than when he previously testified. He had previously testified that the intercepts, of the character mentioned and which were contained in the Top Secret Exhibit "B" before the Board, had been delivered to the President, the Secretary of War, the Secretary of State, the Chief of Staff, the Assistant Chief of Staff, W. P. D., and the Assistant Chief of Staff, G–2. But in testifying before Colonel Clausen, he stated that he could not recall with any degree of accuracy what material was delivered to whom during the period in question, and that there were no records to show who delivered or who received the material. He had also previously testified that he personally delivered these intercepts to the officials mentioned. But in his testimony to Colonel Clausen, he stated that, as to such deliveries as were made, the deliveries were made not only by himself, but also by then Lieutenant Colonel or Major Dusenbury, Major Moore and Lieutenant Schindel.

The basis for the last-mentioned conclusion of the Board, therefore, must be revised in accordance with the corrected testimony of Colonel Bratton. Similarly, the conclusion of the Board on page 4:

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)

The reference "(R. 302)" is also to testimony of Colonel Bratton which hence must be revised in accordance with his corrected testimony given to Colonel Clausen, and in accordance with the new evidence uncovered by Colonel Clausen as to the information sent to General Short and available in the Hawaiian Department before 7 December.

The Board found, pages 4 and 5, other testimony of Colonel Bratton to the effect that on 3 December, when he was informed that the Japanese were under instructions to destroy their codes and code machines, he asked [8] General Gerow to send more warnings to the overseas commanders and that General Gerow replied, "Sufficient had been sent." Following this, according to the testimony of Colonel Bratton, he conferred with Navy personnel, at whose suggestion he sent, on 5 December 1941, a message to G–2, Hawaiian Department, to confer with Commander Rochefort concerning the Japanese "Winds Code."

General Gerow testified before Colonel Clausen that he did not recall the incident, and that if a representative of G–2 thought his action inadequate, he could quite properly have reported the facts to his superior who had direct access to General Gerow and to the Chief of Staff, in a matter of such importance.

The Board set forth, on pages 5 and 6, the general type of information which, according to Captain Safford, came to the Navy at Washington during November and December 1941. This included the information already mentioned that Tokyo, on 22 November, informed the Washington Japanese Embassy that the deadline for signing an agreement, first fixed for 25 November, was extended to 29 November; and also information available at Washington on 28 November in the form of an intercept of a message by Nomura and Kurusu to Tokyo, advising that there was hardly any possibility of the United States considering the "proposal" *in toto*, and that if the situation remained as tense as it then was, negotiations would inevitably be ruptured, if, indeed, they might not already be called so, and that "our failure and humiliation are complete" and suggesting that the rupture of the present negotiations did not necessarily mean war between the Japanese and the United States but would be followed by military occupation of the Netherland's Indies by the United States and the English which would make war inevitable. The proposal referred to was the reply given the Japanese envoys on 26 November 1941 by the Secretary of State. The Board further referred to information available to the War Department on 5 December, as related by Colonel Sadtler, relative to the "false alarm" execute message to the "Winds Code."

None of the above information was given to General Short before 7 December. However, the Secretary of War has, in his public statement of 29 August 1945, and analyzed and shown the substantial nature of the information which the War Department sent to General Short.

Colonel Clausen's investigation also shows that a great deal of additional information was available initially to General Short in the Hawaiian Department, which was not given to the War Department, on the general subject of the tense and strained relations between Japan and the United States and warnings of war.

The British Intelligence Service gave Colonel Bicknell, Captain Mayfield, and Mr. Shivers information in the form of many intelligence reports. Colonel Clausen has collected these as documentary evidence [9] which is mentioned in his report to the Secretary of War. One such dispatch from Manila, given to these three persons in Honolulu on 4 December 1941, set forth prophetically:

> Our considered opinion concludes that Japan invisages early hostilities with Britain and U. S. Japan does not repeat not intend to attack Russia at present but will act in South.

The source of this intelligence was a British intercept of a Japanese diplomatic radio message which could have been based upon a Japanese execute message to the "Winds Code," or some equivalent message.

In addition, the three persons mentioned had available over a long period of time intercepts of telephone conversations in and out of the Japanese Consulate in Honolulu and related places. Copies of some of these are included in the documentary evidence attached to Colonel Clausen's report.

Also, the Navy had derived some information from commercial radio traffic out of the Japanese Consulate.

Colonel Clausen's investigation shows that the files of the Hawaiian Department G–2 contained much material gathered from observers, travelers, and Washington sources, which, together with the other intelligence and information mentioned, was evaluated and disseminated by the G–2 sections of the Hawaiian Department. These are mentioned by Colonel Clausen in his report to the Secretary of War. Some are initialed by General Short.

Attention is invited to estimates by Colonel Bicknell disseminated on 17 and 25 October 1941 which set forth, again with prophetic accuracy, the probable moves of Japan.

General Short's G–2 asked, on 6 September 1941, that the War Department cease sending certain G–2 summaries of information for the reason that they were duplicates of information made available to him in Hawaii, and that his cooperation with the Office of Naval Intelligence and the FBI was most complete. (See Memo., 25 Nov. 1944, p. 6.)

General Fielder testified before Colonel Clausen, in the additional investigation, "it was well known that relations with Japan were severely strained and that war seemed imminent."

Hence, while the War Department did not send to General Short the specific intercepts mentioned, there was available to him or his Hawaiian command similar information. The reasons why the War Department did not send the actual intercepts were, according to witnesses before Colonel [10] Clausen that this type of information and its source, of necessity, had to be guarded most carefully, and that its dissemination to the overseas commanders would have included not only General Short but also all the overseas commanders and that this, in itself, would be dangerous from a security standpoint since it would spread the information into too many hands. There has been considerable evidence given Colonel Clausen to the effect, as General Marshall testified before Colonel Clausen,

> * * * Many of our military successes and the saving of American lives would have been seriously limited if the source of intelligence mentioned had been so compromised.

The former Commanding General of the Philippine Department, General Douglas MacArthur, who had received the same general War Department information as General Short, testified before Colonel Clausen,

> Dispatches from the War Department gave me ample and complete information and advice for the purpose of alerting the Army Command in the Philippines on a war basis, which was done prior to 7 December 1941.

The Board did not conclude that the War Department had advance information that Pearl Harbor was a specific attack target. It should be observed, however, that in addition to the intercepts received by the War Department, which are contained in Top Secret Exhibit "B" before the Board, there were others which, in retrospect and with the benefit of hindsight, indicated a possible attack on Pearl Harbor. These intercepts were radio messages, exchanged between Tokyo and the Japanese Consul at Honolulu, concerning reports to Tokyo of ship movements in Pearl Harbor according to a pre-arranged division of Pearl Harbor. The requests of Tokyo increased and the reports by Honolulu were made with more frequency and in greater detail as 7 December approached. Two intercepts, which were not decrypted and translated until 8 December, were part of the series mentioned. These were not included in the Top Secret Exhibit given the Board. They were sent 6 December by the Japanese Consul at Honolulu to Tokyo, Japanese Numbers 253 and 254. The two in question, Nos. 253 and 254, are attached to Colonel Clausen's report to the Secretary of War. These latter, Colonel Clausen's investigation shows, were apparently intercepted at San Francisco and transmitted to Washington by teletype on 6 or 7 December. They were not in the code which had the highest priority for immediate attention, and the teletype between San Francisco and Washington was not in operation until the night of 6 December or the morning of 7 December. Even so, time elapsing between receipt at Washington and dissemination in readable English form (2 days) was less than the normal time required of 3.5 days.

There was available to General Short, at Hawaii, information from which he could have inferred that Pearl Harber would be the attack target in the event of war with Japan. Colonel Clausen's investigation shows [*11*] that the Navy at Honolulu arranged to obtain information from commercial traffic sources shortly before 7 December. These arrangements included an opportunity to the Navy for obtaining the commercial cable traffic of the Japanese Consulate at Honlulu. Some of this traffic included the same types of reports as were intercepted and forwarded to Washington concerning ship movements in Pearl Harbor. It is not entirely clear just what commercial traffic was decrypted and translated by the Navy at Honolulu before 7 December. While similar reports were being made to Tokyo by Japanese Consulates in other places as we, in like manner, attempted to keep track of Japanese ships, still the types of reports from Honolulu were more suspicious, since they were requested by Tokyo and made by the Japanese Consulate at Honolulu with increasing frequency as 7 December approached, and were made according to the pre-arranged division of Pearl Harbor.

The Board set forth the findings concerning the Japanese "Winds Code" at pages 6 and 17. On page 6, the Board referred to testimony of Colonel Sadtler that, on 5 December, Admiral Noyes, Chief of

Naval Communications, called him and stated the execute message had been intercepted. Colonel Sadtler then conferred with General Miles and Colonel Bratton. From Colonel Clausen's investigation it appears that Admiral Noyes, in his testimony before Admiral Hewitt, who conducted for the Secretary of the Navy the same type of investigation Colonel Clausen conducted for the Secretary of War, stated that he did not recall having so informed Colonel Sadtler. Colonel Sadtler testified before Colonel Clausen that he did not follow up the information given by Admiral Noyes on 5 December and that to his knowledge this was not done by anyone else at the time. He assumed that the Navy would send to the Army the actual intercept which was before Admiral Noyes when he telephoned.

Captain Safford had testified before the Board that on 4 December he saw a Navy intercept which contained the execute message to the Japanese "Winds Code", and that two copies were sent to the Army. Colonel Clausen's investigation discloses no evidence that the Army ever received any such copies and I understand the testimony of Captain Safford has been qualified considerably by testimony of himself and other Navy personnel before Admiral Hewitt.

Colonel Clausen has uncovered what amounts to a possible inference that the Japanese did broadcast an execute message to the "Winds Code" or some equivalent warning code, and that this was intercepted by the British Intelligence Service and formed the basis for the dispatch from London to Manila and, in turn, from Manila to Honolulu mentioned above. This dispatch was disseminated to the British Intelligence Service sub-agent in Honolulu on 4 December. A complete file of the dispatches from the British Intelligence Service, and avaliable to the Hawaiian Department at Honolulu, and the British response to Colonel Clausen's query as to the basis for the dispatch of 4 December, are contained in the documentary evidence collected by Colonel Clausen and attached to his report.

[*12*] Attention is invited to the testimony of General Gerow and General Smith before Colonel Clausen concerning the findings by the Board based on the testimony of Colonel Sadtler that he asked General Gerow and General Smith to send more warning to the overseas commanders. Colonel Sadtler also testified before Colonel Clausen, as follows:

> I have read the comments of General Gerow and General Smith in affidavits given Colonel Clausen, dated respectively 20 June 1945 and 15 June 1945, referring to my testimony before the Army Pearl Harbor Board as to my conference with them for the purpose stated on 5 December 1941. I believe the comments by General Gerow and General Smith, contained in the affidavits mentioned, are correct statements of fact, wherein they set forth as follows concerning this subject:
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> *General Gerow:* "I have no such recollection and I believe that Colonel Sadtler is mistaken. It was my understanding at the time that he was purely a Signal Corps officer and that he was not concerned with the dissemination or interpretation of Magic.' I would naturally expect that enemy information of such grave moment would be brought to my attention and to the attention of the Chief of Staff by the Assistant Chief of Staff, G–2, and not by a Signal Corps Officer. To the best of my recollection, I did not receive, prior to 7 December 1941, notification from any source of implementing message to the Japanese 'Winds Code.' If I had received such a message or notice thereof, I believe I would now recall the fact, in view of its importance. It is possible that Colonel Sadtler told me of an unverified report, or that he had received some tentative information which was subject to confirmation. In any event, there should be written

evidence available in either the War or Navy Departments as to the fact, which evidence would be more reliable than any person's memory at this time, especially since so many major events have intervened."

General Smith: "I do not recall Colonel Sadtler's coming to me as he has stated. However, since the matter in question was obviously a difference of opinion between the A. C. of S., G–2, and the A. C. of S., War Plans Division, both of whom had direct access to the Chief of Staff, it was not one in which I had any responsibility or authority, and I cannot imagine why Colonel Sadtler would have asked me to intervene in a question of this kind, particularly since I was not at that time an 'Ultra' officer, and it would have been impossible for him to give me any information to support his contention that I should step out of my rather minor province." P 2—Affidavit of Colonel O. K. Sadtler.)

From page 7 of the Board's Top Secret Report it may be inferred that the Board meant to find that Colonel Bratton sent the G–2 War Department Rochefort message of 5 December to G–2 Hawaiian Department, because [*13*] of receipt of an execute message to the "Winds Code." But Colonel Bratton has testified that the reason which prompted him to recommend this warning was information derived from other intercepts to the effect that the Japanese were destroying their codes and important papers. The Board, also on page 7, referring to the G–2 warning message of 5 December, set forth the contention of General Fielder, G–2, Hawaiian Department, that he got no such message. In his testimony before Colonel Clausen, however, General Fielder stated:

* * * I have no recollections of having received the War Department radio, but had it come to me, I would in all probability have turned it over to Lt Col Bicknell for action since he knew Commander Rochefort and had very close liaison with Captain Mayfield, the 14th Naval District Intelligence Officer: particularly since the way the radio was worded it would not have seemed urgent or particularly important. * * *

Colonel Bicknell testified before Colonel Clausen that on about 5 December he saw the War Department message on the desk of General Fielder and that he then communicated with Commander Rochefort to ascertain the pertinent information and was advised that Commander Rochefort was also monitoring for the execute message of the "Winds Code."

It should be borne in mind that the execute message to the "Winds Code" was to notify the Japanese diplomatic and consular representatives of a crisis with the United States, Great Britain or Russia and to instruct the Japanese representatives to burn their codes and secret papers. The Japanese later sent the same information to their diplomatic and consular representatives by other and more direct means. This latter information, it appears from Colonel Clausen's investigation, was available in the Hawaiian Department prior to 7 December 1941.

On page 11 of the Top Secret Report, the Board sets forth several findings concerning the delivery of a 14-part intercept of a Japanese message from Tokyo to the envoys in Washington. The Board concludes:

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 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 [14] 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 the 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." (Pp. 11,12.)

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. General 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. (P. 16.)

These conclusions must be completely revised in view of the new evidence. The basis for these conclusions is the testimony of Colonel Bratton. In testifying before Colonel Clausen, he admitted that he gave the Board incorrect testimony; that the only set of the 13 parts he delivered on the night of 6 December was to the duty officer for the Secretary of State; that the sets for the Secretary of War, Assistant Chief of Staff, G–2, and the Assistant Chief of Staff, War Plans Division, were not delivered the night of 6 December; that these sets were not given the night of 6 December to General Gerow, General Smith or [15] General Miles; that he could not recall having discussed the message with General Miles on 6 December; and that he did not know how the set for the Chief of Staff came into his possession the morning of 7 December. Colonel Bratton claimed that on the night of 6 December he had asked Colonel Dusenbury to deliver the set to the home of the Chief of Staff. Colonel Dusenbury testified before Colonel Clausen that he received the messages the night of 6 December but did not deliver any until after 9:00 a. m., on the morning of 7 December. Colonel Dusenbury stated Colonel Bratton went home before the 13 parts were entirely received.

On the subject of the delivery of the 13 parts, attention is also invited to the testimony given Colonel Clausen by General Gerow, General Smith and General Miles. From Colonel Clausen's investigation, it appears that General Gerow and General Smith did not receive any of the 13 parts before the morning of 7 December. General Miles testified that he became aware accidentlly of the general contents of the 13 parts the evening of 6 December. He was dining at the home of his opposite number in the Navy, Admiral Wilkinson, when Admiral Beardall, the President's Aide, brought the information to Admiral Wilkinson, who transmitted it to General Miles.

The Board, on page 14 and again on page 17, finds that Colonel Bratton telephoned General Marshall's quarters at 9:00 a. m. the morning of 7 December to give him the 14th part of the 14-part message and the Japanese messages directing the Ambassador to deliver the 14-part message at 1:00 p. m., 7 December, and to destroy their code machines. The Board further finds that General Marshall did not come into his office until 11:25 a. m.

These times so found by the Board are subject to qualification in light of additional evidence given Colonel Clausen. Colonel Bratton testified before

Colonel Clausen that he gave the actual intercepts to the Chief of Staff, which would be in the office of the Chief of Staff "between 10:30 and 11:30 that morning." Major General John R. Deane testified before Colonel Clausen that on the morning of 7 December he and Colonel Bratton did not arrive at the Munitions Building until between 9:00 and 9:30 a. m. General Miles testified before Colonel Clausen that he conferred with General Marshall the morning of 7 December in his office at about 11:00 a. m. Colonel Dusenbury testified before Colonel Clausen that the intercept instructing the envoys to deliver the reply to the United States at 1:00 p. m., 7 December, was not received by Colonel Bratton until "after he arrived that morning, between 9:00 and 10:00 a. m."

The Board further found:

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 [*16*] clear-cut and definite. (P. 15)

The evidence does not seem to justify any such conclusion. There was not received between the dates of 4 December and 6 December any information which indicated that war would take place on Saturday or Sunday, 6 and 7 December. It is true that on the night of 6 December the War Department received the intercepted text of thirteen parts of the fourteen-part reply of the Japanese Government to the proposal of the United States, but this at most suggested a possible breach of diplomatic relations at some time in the near future, which may or may not have been followed by war. The only other information that was received between 4 and 6 December of significance, in addition to what had already been transmitted to General Short, was information received on 4 December that certain Japanese diplomatic and consular posts had been instructed to destroy certain codes. As I have heretofore pointed out, this information was fully available to General Short from his own sources in Hawaii. The intercept which indicated that the Japanese reply was to be delivered at 1:00 p. m., Washington Time on 7 December was, as heretofore pointed out, not received until the morning of 7 December and it itself was not a "clear-cut and definite" indication that war would occur at that time.

The Board further found:

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. (P. 18)

This statement is ambiguous but if it implies that it was known that the Japanese were going to attack Pearl Harbor on 7 December 1941, this is not the fact. There is no justification in the evidence for such a statement.

This conclusion, as well as the other conclusions of the Board in the Top Secret Report, should be considered in the light of what General Short has since testified was information he should have received. General Short testified before the Navy Court of Inquiry concerning the message which General Marshall attempted to send to him the morning of 7 December, referred to by the Board on page 17. He testified that he would have gone into a different alert if General Marshall had given him this message by telephone. General Short testified in response to a question as to whether he would then have done on a different alert:

[17] I think I would because one thing struck me very forcibly in there, about the destruction of the code machines. The other matter wouldn't have made much of an impression on me. (Underscoring supplied.)

As I have already pointed out, there was available to General Short from his own sources in Hawaii prior to 7 December 1941 information that the Japanese Government had sent orders to various diplomatic and consular posts to destroy certain of its codes and important papers.

The "other matter" referred to was the information which General Marshall included in his message which read as follows:

Japanese are presenting at one p. m. Eastern Standard time today what amounts to an ultimatum also they are under orders to destroy their Code machine immediately stop Just what significance the hour set may have we do not know but be on alert accordingly stop Inform naval authorities of this communication.

My Conclusion:

The views expressed by me in my memorandum of 25 November 1944, based upon the evidence then collected by the Army Pearl Harbor Board and its reports, should be considered modified in accordance with the views expressed herein.

MYRON C. CRAMER,
Major General,
The Judge Advocate General.