

OFFICE OF THE SECRETARY

Memo for File:

This is Admiral King's Second Endorsement, as paraphrased, by the deletion of the magic. This is the paraphrase that was made public because the public interest required that the magic not be made public.

JOHN FORD BAECHER, USNR,
Special Assistant to the Secretary.

COMINCH FILE

UNITED STATES FLEET
Headquarters of the Commander in Chief
NAVY DEPARTMENT
Washington 25, D. C.

[Copy]

FF1/A17-25.

Serial:

Memorandum for the Secretary of the Navy.

Subject: Correspondence re Court of Inquiry Investigating Pearl Harbor.

Enclosure: (A) Subject correspondence.

1. The attached file copy and rough draft (which was published) is the paraphrased version of my second endorsement to the record of proceedings of the Court of Inquiry investigating Pearl Harbor.

/s/ E. J. KING,
Fleet Admiral, U. S. Navy.

[1] COMINCH FILE

UNITED STATES FLEET
Headquarters of the Commander in Chief
NAVY DEPARTMENT
Washington 25, D. C.
NAVY COURT OF INQUIRY

SECOND ENDORSEMENT

From: The Commander in Chief, United States Fleet and Chief of Naval Operations.

To: The Secretary of the Navy.

Subject: Court of Inquiry to inquire into the attack made by Japanese armed forces on Pearl Harbor, Territory of Hawaii, on 7 December 1941, ordered by the Secretary of the Navy on 13 July 1941.

1. I concur in the Findings, Opinion and Recommendation of the Court of Inquiry in the attached case subject to the opinion expressed by the Judge Advocate General in the First Endorsement and to the following remarks.

2. (a) As to Facts I and II, the routine practice of rotating units of the Fleet, so that each vessel had approximately two-thirds of its time at sea and one-third in port, was usual and necessary. Definitely scheduled upkeep periods in port were required, not only for keeping the ships in good mechanical condition, but, also, for giving the personnel sufficient recreation to keep them from

going stale. Whether or not Admiral Kimmel was justified in having one task force and part of another in port on 7 December is a matter which I discuss later on.

(b) In Fact III the Court points out that, because of constitutional requirements, no blow against a potential enemy may be struck until after a hostile attack has been delivered, unless there has been a declaration of war by Congress. The great advantage which this gives an unscrupulous enemy is obvious. This requirement made it impossible for Admiral Kimmel and General Short to employ the offensive as a means of defense, and, therefore, was a definite handicap.

[2] (c) Fact IV sets forth that the Commandant of the 14th Naval District (Admiral Bloch) was subordinate to Admiral Kimmel and was charged by him with the task of assisting the Army in the defense of Pearl Harbor. Admiral Kimmel was, therefore, responsible for naval measures concerned with local defense.

(d) Fact V sets forth that Admiral Kimmel and General Short were personal friends; that they met frequently; that their relations were cordial and cooperative in every respect; that they frequently conferred, and invariably conferred when messages were received by either which had any bearing on the development of the United States-Japanese situation, or on their several plans in preparing for war. Each was informed of measures being undertaken by the other in the defense of the base to a degree sufficient for all useful purposes. This is important, in that it refutes the memoirs which have been prevalent since the Pearl Harbor incident that Admiral Kimmel and General Short did not cooperate with one another.

(e) Part VI sets forth the information that the Navy Department and the War Department had been fully informed as to the weaknesses of the defensive installations at Pearl Harbor, and in particular that means to cope with a carrier attack were inadequate. It further sets forth that the Secretary of War, on 7 February 1941, expressed complete concurrence as to the importance of the subject and the urgency of making every possible preparation to meet a hostile attack. It is made clear that Admiral Kimmel stressed the concept that the base at Pearl Harbor should be capable of defense by local Army and Navy forces, leaving the Fleet free to operate without concern as to the safety of the base. It is further made clear that both the War and the Navy Departments had given full consideration to this matter and had been unable, during 1941, to augment local defenses to an adequate degree, because of the general state of unpreparedness for war.

[3] (f) Fact VII sets forth that the Chief of Naval Operations and the Chief of Staff of the Army submitted a joint memorandum to the President on 5 November 1941, recommending that no ultimatum be delivered to Japan at that time, and giving, as one of the basic reasons, the existing numerical superiority of the Japanese Fleet over the United States Pacific Fleet. The Court, also, points out that owing to security policies in the two countries, it was easy for Japan to conceal her own strength, while at the same time Japan enjoyed a free opportunity to obtain information as to our own strength and dispositions. My comment is that this state of affairs, coupled with the requirement that United States forces could take no overt action prior to a declaration of war, or actual attack, must always place the United States distinctly at a disadvantage during the period of strained relations.

(g) Fact VIII stresses the fact that periodical visits to a base are necessary for seagoing forces in order that supplies may be provided, and opportunity given for repair and replenishment and for rest and recreation of personnel. The Court points out that it is foreign to the concept of naval warfare to require seagoing personnel to assume responsibility for security from hostile action while within the limits of a permanent naval base. The Court remarks that this concept imposes upon the Army responsibility for base defense, and that the United States Army fully understood this responsibility. My comment is that this principle is sound enough, but it cannot be carried to an illogical extreme. In the case of Pearl Harbor, where local defenses were inadequate, the Commander in Chief of the Pacific Fleet could not, and did not, evade responsibility for assisting in the defense, merely because, in principle, this is not normally a Fleet task. It appears from the record that Admiral Kimmel appreciated properly this phase of the situation. His contention appears to be that Pearl Harbor *should* have been strong enough for self-defense. The [4] fact that it *was not* strong enough for self-defense hampered his arrangements for the employment of the Fleet, but, nevertheless,

he was aware of, and accepted the necessity for, employing the Fleet in defensive measures.

(h) Fact IX. This section of the Findings outlines the plans made by Admiral Kimmel and General Short for the defense of Pearl Harbor. It points out that the Naval Base Defense Officer was assigned responsibility for distant reconnaissance, that no planes were assigned to him, but that the 69 patrol planes belonging to the Fleet were to be made available to him in case of necessity. The Court remarks that the basic defect of this section of the plan lay in the fact that naval participation in long range reconnaissance depended entirely upon the availability of aircraft belonging to the Fleet, and that this circumstance, forced by necessity, was at complete variance with the fundamental requirement that the defense of a permanent naval base must be independent of assistance by the Fleet. The Court further remarks that the effectiveness of these plans depended entirely upon advance knowledge that an attack was to be expected within narrow limits of time, that it was not possible for Admiral Kimmel to make Fleet planes permanently available to the Naval Base Defense Officer (because of his own lack of planes, pilots, and crews, and because of the demands of the Fleet in connection with Fleet operations at a base). My comment is that the Court seems to have over-stressed the fact that the only patrol planes in the area were assigned to the Fleet. In my opinion, it was sound policy to place all aircraft of this type at the disposal of Admiral Kimmel, whose responsibility it was to allocate all the means at his disposal as best he could between the Fleet and the base defense forces.

[5] (i) Facts X and XI set forth the states of readiness of the forces at Pearl Harbor. In so far as the Navy is concerned, the state of readiness was predicated on certain assumptions, which included the assumption that a declaration of war might be preceded by surprise attacks on ships at Pearl Harbor or surprise submarine attack on ships in operating areas, or by a combination of these two. The measures prescribed by Admiral Kimmel included local patrols, daily search of operating areas by air, certain extensive anti-submarine precautions, the netting of the harbor entrance, and the maintenance of "augmented Condition 3" on board vessels in port. "Condition of readiness No. 3" provides a means of opening fire with a portion of the secondary and anti-aircraft batteries in case of a surprise encounter. The Court points out this state of readiness did permit ships to open fire promptly when Japanese planes attacked. Local Army forces were in "Alert No. 1" which provides for defense against sabotage and uprisings, with no threat from without. With respect to this phase of the matter I offer the comment that "condition of readiness No. 3" is normally maintained in port. However, it is prerequisite that vessels in this condition enjoy a considerable measure of protection by reason of adequate local defense forces when dangerous conditions exist. This measure of protection was not enjoyed by vessels at Pearl Harbor on 7 December, a matter which was well known to Admiral Kimmel. It must, therefore, be assumed that he was not aware of the imminence of the danger of attack, a matter which I discuss further later on. I also note from this section of the Findings that Army and Navy aircraft on the ground, and naval patrol planes moored on the water, were not in condition to take the air promptly. Some patrol plane squadrons were in "day-off for rest" status; some patrol planes were in the air for local patrol and exercises; 50% were on 4 hours notice. This is further indication of the lack of appreciation of the imminence of attack, and led to the destruction of large [6] numbers of United States aircraft. This section of the Findings, also, points out that there were no long range reconnaissance in effect on 7 December, a matter which I will refer to again later on. It will be noted that the last paragraph of Fact XI reads:

"The Navy's condition of readiness in effect on the morning of 7 December 1941, was that best suited to the circumstances then attending the vessels and patrol planes of the Pacific Fleet. A higher condition of readiness could have added little, if anything, to their defense."

This seems to be a matter of opinion rather than fact. I do not concur, for reasons set forth later on.

(j) Fact XII. The Court sets forth that attack by carrier aircraft can be prevented only by intercepting and destroying the carrier prior to the launching of planes. It is further pointed out that to destroy a carrier before she can launch her planes, her location must be known and sufficient force must be at hand. The Court points out that in this instance Japanese carriers sailed at an unknown time from an unknown port, and that it is an established fact that

no information of any sort was, at any time, either forwarded or received from any source which would indicate that carriers or other ships were on their way to Hawaii during November or December 1941. The Court deduces, and states as a fact, that the Japanese attack on 7 December, under the circumstances then existing, was unpreventable and unpredictable as to time. I concur that there was no direct and positive knowledge that the Japanese attack force was en route to the Hawaiian area. However, as discussed later on, there was information that might logically have been interpreted as indicating that an attack on Hawaii was not unlikely, and that the time could be predicted within fairly narrow limits.

[7] (k) Fact XIII discusses the difficulty of long range reconnaissance with the forces available to Admiral Kimmel, and points out that Admiral Kimmel, after weighing all factors, specifically ordered that no routine long range reconnaissance be undertaken. The controlling reason seems to have been Admiral Kimmel's feeling that if the Fleet patrol planes were used for routine reconnaissance they would have been rapidly worn out and, therefore, unavailable for Fleet purposes. Admiral Kimmel had a difficult decision to make in this matter. There were many factors to be considered, and it is not easy to put one's self in his place. However, after considering all of the information that was at his disposal, it seems to me that he was not on entirely sound ground in making no attempt at long range reconnaissance, particularly as the situation became more and more tense in the few days immediately preceding the Japanese attack. It is obvious that the means available did not permit an all-around daily reconnaissance to a distance necessary to detect the approach of carriers before planes could be launched. However, there were certain sectors more dangerous than others which could have been covered to some extent. And it would appear that such partial cover would have been logical in the circumstances as known to Admiral Kimmel in late November and early December. A pertinent matter in this connection is that when Admiral Richardson was Commander in Chief he provided for distant reconnaissance by patrol planes, using the few at his disposal to cover the most dangerous sectors in rotation. He considered the arc between 170° and 350° to be of primary importance, and believed the most probable direction of attack was from the southwest. These patrols were discontinued when, or shortly before, Admiral Kimmel relieved Admiral Richardson.

(1) Fact XIV. This section sets forth the fact that the Army had assumed responsibility for the air warning service, and was in the process of installing radar and other [8] elements of the air warning system, but that the whole system was in an embryonic state on 7 December and not in condition to function. The system was partially in use for training, and it so happened that a mobile radar station did pick up the approaching Japanese planes when they were about 130 miles away, and reported this fact to the Information Center, where the only officer present was an officer under training, who assumed the planes to be a flight of Army bombers known to be en route from the United States. He made no report of the matter. My comment is that this is indicative of the unwarranted feeling of immunity from attack that seems to have pervaded all ranks at Pearl Harbor—both Army and Navy. If there had been awareness of the states of tension that existed in Washington, and awareness of Japanese potentialities, it appears that the air warning system, embryonic as it was, could have been used to give at least an hour's warning before the air attack struck.

(m) Fact XV states that the greatest damage to ships in Pearl Harbor resulted from torpedoes launched from Japanese aircraft. The Court points out that, though the harbor entrance was well protected against break-through by enemy submarines or small craft, there were no anti-torpedo baffles within the harbor for the protection of individual ships, because it had been assumed that aircraft torpedoes could not be made to run in the extremely shoal water of Pearl Harbor. The decision not to install torpedo baffles appears to have been made by the Navy Department. Proposals to use barrage balloons and smoke were considered but rejected for technical reasons. It is evident, in retrospect, that the capabilities of Japanese aircraft torpedoes were seriously underestimated.

(n) Fact XVI. In this section of the Findings the Court traces the deterioration of relations with the Japanese and outlines certain information given to Admiral Kimmel on the subject. The more important items are as follows:

[9] (1) On 16 October 1941, Admiral Kimmel was informed by CNO that a grave situation had been created by the resignation of the Japanese cabinet,

that Japan might attack the United States, and that it was necessary for the Pacific Fleet to take precautions and to make such deployments as would not disclose strategic intentions or constitute provocative action against Japan.

(2) On 17 October, Admiral Stark addressed a personal letter to Admiral Kimmel in which he stated his personal view that it was unlikely that the Japs would attack the United States.

(3) On 24 October, Admiral Kimmel received a despatch from CNO stating that chances of favorable outcome of negotiations with Japan were doubtful and that indications were that a *surprise aggressive movement in any direction*, including attack on the Philippines or Guam, was a possibility.

(o) Fact XVII. In this section the Court sets forth certain information, which was known in Washington and which was transmitted to Admiral Kimmel, which the Court holds to have established the fact that the attack of 7 December came as a surprise to high officials in the State, War, and Navy Departments, and to the Army and Navy in the Hawaiian area, and that there were good grounds for their belief that hostilities would begin in the Far East, rather than elsewhere. The summary of the information on which this is based is as follows:

(1) On 27 November 1941, Admiral Kimmel received a despatch from CNO beginning with the words, "This despatch is to be considered a war warning," and going on to say that an aggressive move by Japan was expected within the next few days; [10] that there were indications of an amphibious movement against either the Philippines, Thai, or Kra Peninsula, or possibly Borneo; and directing Admiral Kimmel to execute an appropriate defensive deployment.

(2) On 28 November, Admiral Kimmel received from General Short a War Department Message to the effect that negotiations appeared to be terminated; that Japanese future action was unpredictable; that hostile action was possible at any time; and that it was desirable that Japan commit the first overt act, in case hostilities could not be avoided.

(3) On 30 November, Admiral Kimmel was included as an Information Addressee in a despatch to the Commander in Chief, Asiatic Fleet, directing him to scout for information of Japanese movements in the China Sea.

(4) On 28 November, CNO advised Admiral Kimmel that it had been decided to relieve Marine garrisons at Midway and Wake with Army troops.

(5) Admiral Kimmel interpreted the foregoing as indicating that the Department was not particularly concerned as to the possibility of a Japanese attack on Pearl Harbor at the time.

(p) Fact XVIII. This section of the Findings deals with information that became available in Washington during the period beginning 26 November. It is set forth that from 26 November to 7 December, conversations, which had been in progress between our Government and Japan, were continued, coming to an end on 7 December. The circumstances under which information as to Japanese intentions during this period came to the attention of the Navy Department are set forth as follows:

[11] (1) Information was received from trusted sources during and prior to this period which was made available in the Navy Department but which was not sent to Admiral Kimmel. This information indicates definite Japanese interest in dispositions at Pearl Harbor and indicates a desire in some cases to know where United States ships were berthed. Admiral Stark testified that he considered it undesirable to send Admiral Kimmel this information, because to do so might compromise the sources from which it was obtained. This contention has some merit, in my opinion. It was Admiral Stark's responsibility to protect the source of this information. However, it was equally his responsibility to give Admiral Kimmel a general picture of the information which he was receiving. Admiral Stark says that he considered that the dispatches he did send to Admiral Kimmel gave an adequate picture of what was known and inferred as to Japanese intentions. As set forth under "Opinions," the Court holds that the information given to Admiral Kimmel was not an adequate summary of the information at Admiral Stark's disposal. I have to concur in this view.

(2) In addition to the foregoing, the Court goes at length into the handling of certain information which was received in the Navy Department on the 6th of December, at 2100 on that date. The greater part of this information indicated the Japanese views concerning certain United States proposals for resolving matters under dispute between the countries, and leaves no doubt that the United States' proposals were [12] unacceptable to Japan, but do

not come to the point of indicating a break in relations. At, or about, 0700, 7 December, further trustworthy information was received which indicated that the Japanese Government had finally given up hope of being able to adjust relations with the United States and that it was impossible to reach an agreement through further negotiations. This information was delivered at about 0900, 7 December, to the Office of the Chief of Naval Operations, at about 0930 to the White House, and at 0950 to the State Department for Secretary Hull and Secretary Knox. Secretary Knox was conferring with Secretary Hull at the State Department.

(3) At about 10:30 A. M. on 7 December, further reliable information was received in the Navy Department. The substance was that the Japanese Ambassador was to deliver a note containing the information referred to in the preceding paragraph to the Secretary of State at 1:00 P. M. on that day. This information was of significance because 1:00 P. M. in Washington was dawn in Honolulu. It was delivered at once to the Office of the Chief of Naval Operations, and immediately thereafter, to the State Department, where the official who received it was asked to point out to Mr. Knox and Mr. Hull its significance. In my opinion, the foregoing indicates that at about 10:30 on 7 December (0500 Honolulu time) the Navy Department, or at least some officers therein, appreciated that the information just received pointed to the possibility—even the probability—of a dawn attack on Pearl Harbor. General Marshall states that this information came to his attention about 11:00 A. M. and that he immediately telephone to Admiral Stark that he proposed to warn General [13] Short that a break with Japan was imminent and that an attack against Hawaii could be expected soon. Admiral Stark demurred at first, as to the need for sending this message, but after brief consideration, asked General Marshall to include in his proposed dispatch directions to pass the contents to naval commanders. General Marshall sent a dispatch to the effect that the Japanese were presenting what amounted to an ultimatum at 1:00 P. M. Washington time on 7 December; and that while the War Department did not know the significance of the hour set for delivering the note, he, General Short, was to be on the alert accordingly and to inform naval authorities of this communication. He sent this via commercial radio, which was the usual means of communicating with the Hawaiian Department. The dispatch left Washington at 12:17 on 7 December (6:47 a. m. Honolulu time) and arrived in the RCA office in Honolulu at 7:33 A. M. Honolulu time. This was 22 minutes before the attack began. By the time the message had been decoded and delivered to General Short, the attack was already underway. The Court states that if the most expeditious means of delivery had been used (plain language telephone) this information could have been received in Hawaii about two hours before the attack began. The Court remarks that even in this event there was no action open, nor means available, to Admiral Kimmel which could have stopped the attack, or which could have had other than negligible bearing upon its outcome, since there was already in effect a condition of readiness best suited to the circumstances attending vessels within the limits of Pearl Harbor naval base, and the Fleet planes at their air bases on Oahu. I cannot go along with this reasoning of the Court. Even two hours advance warning would have been of great value in alerting planes and in augmenting the condition of readiness existing on board ship.

[14] (4) On 3 December Admiral Kimmel was told that there was every reason to believe that the Japanese had instructed diplomatic and consular posts in the Far East, Washington and London to destroy most of their codes. Admiral Kimmel says that "the significance of this dispatch was diluted substantially by publication of the information in the morning newspaper in Honolulu," and that he did not regard it as a clear-cut warning of Japanese intentions to strike the United States.

(5) On 4 December, Admiral Kimmel received a dispatch directing the destruction of secret and confidential documents at Guam, except those necessary for current purposes, which were to be kept ready for instant destruction in event of emergency. This was followed on 6 December by authorization for outlying islands to destroy secret and confidential documents "now or under later conditions of greater emergency."

(6) There was also available to the Navy Department on 28 November reliable information, received from a trusted source, to the effect that certain code words would be inserted in the middle of the daily Japanese short-wave news broadcast. When these words were heard, codes were to be destroyed. This information was available in various places, including Pearl Harbor, and Admiral Kimmel had

it. A monitor watch was set at various places to look out for the expected broadcast. On 4 and 5 December, the Federal Communications Commission monitored the expected broadcast which was sent from Tokyo twice, first at 2200 on 4 December, and again at 2130 on 5 December. Various officers testified that the implementing broadcasts were transmitted to the Office of the Chief of Naval Operations and the Director of Naval Communications, but [15] Admiral Stark and Admiral Noyes testified that they do not remember hearing anything about them. *It is an established fact that these implementing broadcasts¹ were never sent to Admiral Kimmel.* However, as noted in paragraph 2 (p) (4) above, the Court finds that it is a fact that Admiral Kimmel was informed on 3 December that the Japanese had instructed diplomatic and consular posts in the Far East, Washington, and London, to destroy certain codes.

(r) The Court further sets forth the fact (mainly under Section XVIII) that on 26 November a note, couched in strong terms, was delivered by the United States State Department to Japanese representatives. The stipulations contained therein were drastic, and likely to be unacceptable to Japan. Admiral Kimmel had no knowledge of the existence of such a note, nor of its contents until after the attack. The Court points out that Admiral Kimmel in May 1941 had particularly asked the Chief of Naval Operations to keep him informed of the diplomatic situation in order that he might be "informed of all important developments as they occur by the quickest secure means available."

(s) Fact XIX. The Court points out that it is a prime obligation of command to keep subordinate commanders constantly supplied with information, and that Admiral Stark, having important information in his possession, during the critical period from 26 November to 7 December, failed to transmit this information to Admiral Kimmel, thus depriving the latter of a clear picture of the existing Japanese situation as seen in Washington. I am in thorough accord with this view of the Court.

(t) It will be noted from the foregoing that one of the most important phases of this investigation is concerned with the handling of enemy information in the Navy Department. In this connection it would [16] seem essential to a thorough exploration of the facts to have the testimony of the Director of Naval Intelligence, who was largely responsible for handling information of the enemy. It appears from the record that Rear Admiral Wilkinson, the then Director of Naval Intelligence, was not available to the Court as a witness. I assume that the Court believes that all essential information was obtained, despite the fact that Admiral Wilkinson did not testify;² however, it appears to me that the failure to obtain his testimony was unfortunate.

[17] 3. I submit the following comment as to the Court's Opinion.

(a) In the Opinion based on Finding II, the Court expresses the view that the presence of a large number of combatant vessels in Pearl Harbor on 7 December was necessary, and that the information available to the Commander in Chief, Pacific Fleet, did not require any departure from his operating and maintenance schedules. I do not entirely go along with this opinion. Had all of the information available in the Department been properly evaluated and properly disseminated, I am inclined to believe that Admiral Kimmel's disposition on the morning of 7 December would not have been as they actually were on that occasion.

(b) In the Opinion, based on Fact VI, the Court expresses the view that deficiencies in personnel and material which existed in 1941 had an adverse bearing upon the effectiveness of the defense of Pearl Harbor, on and prior to 7 December. I offer the comment that, obviously, the Army and Navy were short of men and material at the time and that available means were spread thin throughout the various areas of probable hostility. The shortage of means available to Admiral Kimmel must be taken into consideration. However, the pertinent question is whether or not he used the means available to him to the best advantage. In my opinion, he did not. The fault lay in the fact that he was not fully informed by the Navy Department of what was known as to probable Japanese intentions and of the tenseness of the situation, and further, that his judgment was to some extent faulty and that he did not fully appreciate the implications of that information which was given to him.

¹ Later investigations indicate that the vital implementing broadcasts were not, in fact, received by the Navy Department.

² Admiral Wilkinson's testimony was later received but did not change any of the opinions or facts established.

[18] (c) In the Opinion, based on Finding VIII, the Court holds that the defense of Pearl Harbor naval base was the direct responsibility of the Army, that the Navy was to assist only with means provided to the 14th Naval District, and that the defense of the base was a joint operation only to this extent. As I stated above, I think this a narrow view of the question, and that Admiral Kimmel was fully aware that, in view of the weakness of local defenses, the Fleet had to be employed to protect Pearl Harbor and the Hawaiian Islands in general.

(d) The court holds that Admiral Bloch performed his duties satisfactorily. I concur.

(e) In the Opinion, based on Fact IX, the Court states that naval defense plans were complete and sound in concept, but contained a basic defect in that naval participation depended entirely upon the availability of aircraft belonging to and being employed by the Fleet, and that on the morning of 7 December, these plans were ineffective because they necessarily were drawn on the premise that there would be advance knowledge that an attack was to be expected within narrow limits of time, which was not the case on that morning. I cannot go along with this view. As I have already stated, there could be no question that available aircraft had to be employed in the manner best suited to the danger that threatened. I doubt that, with the forces available, it would have been possible to intercept and destroy the Japanese carriers before they launched their planes, except by lucky chance. However, I do think that Admiral Kimmel was not sufficiently alive to the dangers of the situation, not entirely due to his own fault. This had a bearing on the amount of damage that was incurred by the Fleet when the Japanese did attack.

[19] (f) The Opinion, based on Fact X, expresses the view that Admiral Kimmel's action, taken immediately after assuming command, in placing in effect comprehensive instructions for the security of the Fleet at sea, is indicative of his appreciation of his responsibility for the security of the Fleet and that the steps taken were adequate and effective. I concur in this.

(g) The Opinion, based on Finding XI, as to the effect that the measures taken for the security in port were adequate and proper, and that only had it been known in advance that the attack was to take place on 7 December, could there now be any basis for a conclusion as to the steps that might have been taken to lessen its ill effects. The Court takes note of suggestions that each day all naval planes should have been in the air, all naval personnel at their stations, and all anti-aircraft guns manned, and expresses the view that no such course of action could have been carried out as a matter of routine. I concur in this. The question at issue is whether or not indications called for a tightening up of precautions as 7 December approached. I think they did.

(h) In the Opinion, based on Finding XVIII, the Court holds that Admiral Kimmel was justified in not providing for routine long range reconnaissance in the absence of any information indicating that the attack was to be expected in the Hawaiian area within narrow limits of time. I have already discussed this phase of the matter. I think that if all available information had been placed at Admiral Kimmel's disposal, and that if he had evaluated it properly, he would have found it necessary to do something about long range reconnaissance in the few days immediately preceding the 7th of December.

[20] (i) In the Opinion, based on Fact XVII, the Court expresses the view that there was good ground for belief on the part of high officials in the State, War, Navy Departments, and on the part of the Army and Navy in the Hawaiian area, that hostilities would begin in the Far East rather than elsewhere. I concur that the Far East was the most probable scene for the initiation of Japanese operations. As a matter of fact, the Japanese did begin to operate in the Far East on 7 December. However, it was not illogical to suppose that an attack on Pearl Harbor would be regarded by the Japanese as one of the initial steps in a campaign, and there is ample evidence that all concerned were aware of this possibility—a possibility that was strengthened by information received in Washington, all of which was not given to Admiral Kimmel.

[21] (j) In the opinion, based on Facts XVIII and XIX, the Court expresses the view that Admiral Stark failed to display sound judgment in that he did not transmit to Admiral Kimmel, during the very critical period from 26 November to 7 December, important information which he received regarding the Japanese situation, and especially, in that, on the morning of 7 December, 1941, he did not transmit immediately the fact that information had been received which appeared to indicate that a break in diplomatic relations was imminent, and that an attack in the Hawaiian area might be expected soon. I note from the first endorsement that the Judge Advocate General takes exception to this

Opinion, on the ground that the evidence shows that Admiral Stark and his principal advisers did not construe this information as indicating an attack in the Hawaiian area. While I concur in the views of the Judge Advocate General as to the construction which Admiral Stark placed upon the information in question, nevertheless, I note that Commander Kramer (attached to the Communications Division of the Navy Department) did take steps to invite the attention of the Secretary of the Navy to the fact that 1:00 p. m. Washington time meant dawn at Honolulu and midnight in East Asia. It, therefore, seems evident, that though Admiral Stark did not have his attention drawn to the possible significance of this information, nevertheless the implications were appreciated by at least some officers of his office. The Court further expresses the view that had this important information been conveyed to Admiral Kimmel, it is a matter of conjecture as to what action he would have taken. I take no exception to this expression of opinion. However, it is a fair conclusion that if Admiral Kimmel had been given all of the information available at the Department, he would have been in a position to judge the situation better than he did.

[22] 4. In the final Opinion and Recommendation the Court finds that no offenses have been committed or serious blame incurred on the part of any person or persons in the naval service, and recommends that no further proceedings be had in the matter. I concur that there is not adequate evidence to support general court martial proceedings, but this does not bar administrative action, if such action is found appropriate.

5. Despite the evidence that no naval officer was at fault to a degree likely to result in conviction if brought to trial, nevertheless the Navy cannot evade a share of responsibility for the Pearl Harbor incident. That disaster cannot be regarded as an "act of God," beyond human power to prevent or mitigate. It is true that the country as a whole is basically responsible in that the people were unwilling to support an adequate army and navy until it was too late to repair the consequences of past neglect in time to deal effectively with the attack that ushered in the war. It is true that the Army was responsible for local defense at Pearl Harbor. Nevertheless, some things could have been done by the Navy to lessen the success of the initial Japanese blow. Admiral Stark and Admiral Kimmel were the responsible officers, and it is pertinent to examine the possible courses of action they might have taken.

(a) Admiral Stark was, of course, aware that the United States was primarily concerned with its own possessions, and the most important United States possessions in the Pacific were the Philippine Islands and the Hawaiian Islands. His attention should have been centered on those two places, as the Pacific situation became more and more acute. He had been informed by Admiral Kimmel, in his letter of 26 May 1941, that Admiral Kimmel felt the need for early and accurate information [23] as to the general situation, and that he needed to be informed of all important developments as they occurred by the quickest and most secure means available. This letter should have emphasized the obvious fact that Admiral Kimmel was in a difficult position, that he had to use his initiative to keep his Fleet dispositions in step with changes in the situation, and that in order to do so he had to have an accurate running picture of the rapidly moving course of diplomatic events. In my opinion, Admiral Stark failed to give Admiral Kimmel an adequate summary of the information available in Washington, particularly in the following respects:

(1) Admiral Kimmel was not informed of the State Department's note of 26 November to the Japanese. This note was a definite step towards breaking relations.

(2) Admiral Kimmel was not informed of the substance of certain information available to the Navy Department concerning the disposition of ships inside Pearl Harbor, which indicated a Japanese interest in Pearl Harbor as a possible target.

(3) Admiral Kimmel was not informed of the implementation of the broadcast containing the code words. Admiral Stark says he never got this information himself, but it is clear that it did reach Admiral Stark's office. This together with the handling of other matters of information, indicates lack of efficiency in Admiral Stark's organization.

(4) Admiral Stark failed to appreciate the significance of the information which he received indicating that a message was to be given to the Secretary of State at 1:00 p. m., which information Admiral Stark received on the morning of 7 December, although the implications were appreciated by at least one of his subordinates. [24] It appears that had this information been handled by the quickest available means, and with due appreciation of its significance, it *might* have reached Admiral Kimmel in time to enable him to make some last

minute preparations that would have enhanced the ability of the ships in Pearl Harbor to meet the Japanese air attack.

(5) There is a certain sameness of tenor of such information as Admiral Stark sent to Admiral Kimmel. They do not convey in themselves the sense of intensification of the critical relations between the United States and Japan.

(b) In my opinion Admiral Kimmel, despite the failure of Admiral Stark to keep him fully informed, nevertheless did have some indications of increasing tenseness as to relations with Japan. In particular, he had the "war warning" message of 27 November, the "hostile action possible at any moment" message on 28 November, the 3 December information that the Japanese were destroying their codes, and the messages of 4 and 6 December concerning destruction of United States secret and confidential matter at outlying Pacific Islands. These messages must be considered in connection with other facets of the situation, and Admiral Kimmel's statement on this phase of the matter must be given due consideration. After weighing these considerations, I am of the opinion that he could and should have judged more accurately the gravity of the danger to which the Hawaiian Islands were exposed. The following courses of action were open to him:

(1) He could have used patrol aircraft which were available to him to conduct long range reconnaissance in the more dangerous sectors. Whether or not this would have resulted in detecting the approach of the Japanese carriers is problematical. However, it would have made the Japanese task more difficult.

[25] (2) He could have rotated the "in port" periods of his vessels in a less routine manner, so as to have made it impossible for the Japanese to have predicted when there would be any vessels in port. This would have made the Japanese task less easy.

(3) If he had appreciated the gravity of the danger even a few hours before the Japanese attack, it is logical to suppose that naval planes would have been in the air during the early morning period, that ships' batteries would have been fully manned, and that damage control organizations would have been full operational.

6. The derelictions of the part of Admiral Stark and Admiral Kimmel were faults of omission rather than faults of commission. In the case in question they indicate lack of the superior judgment necessary for exercising command commensurate with their rank and their assigned duties, rather than culpable inefficiency.

7. Since trial by general court martial is not warranted by the evidence adduced, appropriate administrative action would appear to be the relegation of both of these officers to positions in which lack of superior judgment may not result in future errors.

8. In my serial 003191 of 3 November, to you, I set forth at length my views concerning how much of the records bears such a relation to present military operations as to require high security classification.

E. J. King.
E. J. KING.

[Stamped:] 1 DEC. 1944.

THIRD ENDORSEMENT TO RECORD OF PROCEEDINGS OF PEARL HARBOR COURT OF INQUIRY

Subject: Court of Inquiry to inquire into the attack made by Japanese armed forces on Pearl Harbor, Territory of Hawaii, on 7 December 1941, ordered by the Secretary of the Navy on 13 July 1944.

1. On the basis of the record, findings, opinion and recommendation of the Court of Inquiry, the First Endorsement of the Judge Advocate General, and the Second Endorsement of the Commander-in-Chief, U. S. Fleet, I find that the evidence obtained to date indicates that there were errors of judgment on the part of Admiral Kimmel and Admiral Stark. I am not satisfied, however, that the investigation has gone to the point of exhaustion of all possible evidence.

2. Further investigation into this matter will be conducted by an investigating officer, and, in addition to the subjects recommended for further investigation by the Commander-in-Chief, U. S. Fleet in the Second Endorsement, will include the taking of the testimony of Rear Admiral Wilkinson and Captain McCollum, and such other investigation as may appear to be necessary in order to ascertain all of the relevant facts relating to the Japanese attack. Pending the completion of the necessary further investigation into this matter, I withhold decision as to the institution of any proceeding against any naval officer involved.

FORRESTAL,
Secretary of the Navy.