

NOTE

This endorsement released by President Truman 29 August 1945—thereby changing classification.

[1]

13 AUGUST 1945.

FOURTH 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, and further investigation by Admiral H. Kent Hewitt, U. S. N., ordered by the Secretary of the Navy on 2 May 1945.

1. Pursuant to Executive order dated 18 December 1941, a commission headed by Mr. Justice Owen J. Roberts conducted an investigation into the facts surrounding the Japanese attack on Pearl Harbor. The commission reported its findings on 23 January 1942. The commission concluded in part that:

"17. In the light of the warnings and directions to take appropriate action, transmitted to both commanders between November 27 and December 7, and the obligation under the system of coordination then in effect for joint cooperative action on their part, it was a dereliction of duty on the part of each of them not to consult and confer with the other respecting the meaning and intent of the warnings, and the appropriate measures of defense required by the imminence of hostilities. The attitude of each, that he was not required to inform himself of, and his lack of interest in, the measures undertaken by the other to carry out the responsibility assigned to such other under the provisions of the plans then in effect, demonstrated on the part of each a lack of appreciation of the responsibilities vested in them and inherent in their positions as commander in chief, Pacific Fleet, and commanding general, Hawaiian Department."

2. Pursuant to precept of the Secretary of the Navy dated 12 February 1944, Admiral Thomas C. Hart, USN (Retired), conducted an examination of witnesses likely to have knowledge of facts in connection with the Japanese attack. Admiral Hart completed his examination on 15 June 1944.

3. Public Law No. 339, 78th Congress, approved 13 June 1944, directed the Secretary of War and the Secretary of the Navy, severally, to proceed forthwith with an investigation into the facts surrounding the Pearl Harbor catastrophe, and to commence such proceedings against such persons as the facts might justify.

[2] 4. A Court of Inquiry, consisting of Admiral Orin G. Murfin, USN (Retired), Admiral Edward C. Kalbfus, USN (Retired), and Vice Admiral Adolphus Andrews, USN (Retired), with Commander Harold Biesemeier, USN, as Judge Advocate, was appointed on 13 July 1944. The Court was directed to convene on 17 July 1944, or as soon thereafter as practicable, for the purpose of inquiring into all circumstances connected with the attack made by Japanese forces on Pearl Harbor, Territory of Hawaii, on 7 December 1941; to inquire thoroughly into the matter, and to include in its findings a full statement of the facts it might deem to be established. The Court was further directed to state its opinion as to whether any offenses were committed or serious blame incurred on the part of any person or persons in the Naval service, and, in case its opinion was that offenses had been committed or serious blame incurred, to recommend specifically what further proceedings should be had.

5. The Court of Inquiry commenced its proceedings on 31 July 1944, and submitted the record of its proceedings on 20 October 1944. Certain portions of the record of proceedings before the Court, including the findings and opinion of the Court, have been classified "TOP SECRET" in the interest of national security, and the balance "SECRET."

The material which was classified "TOP SECRET" was so classified by the Court of Inquiry and retained in that classification upon the recommendation of the Commander in Chief, U. S. Fleet and Chief of Naval Operations because of the extreme care which has been necessary to safeguard information in the hands of the Navy Department and especially the sources of that information. These sources were many, including the Intelligence Divisions of the Army and Navy, the Office of Strategic Services, the Federal Bureau of Investigation, and others.

The Commander in Chief, U. S. Fleet and Chief of Naval Operations now informs me that it is still in the public interest that the sources of this infor-

mation be safeguarded. Accordingly, I have directed that all of the report of the Court of Inquiry be made public except that part, publication of which in the opinion of the Commander in Chief, U. S. Fleet and Chief of Naval Operations would necessarily disclose the sources of secret information. To the same end in the discussion of the report of the Court of Inquiry the evidence before the Court and the additional evidence discovered by Admiral Hewitt's investigation herein I have avoided any reference which would disclose the sources of secret information.

6. The net result of the findings of fact and opinion of the Pearl Harbor Naval Court of Inquiry, as reviewed by Judge Advocate General of the Navy, and the Commander in Chief, U. S. Fleet and Chief of Naval Operations, and by me was that the evidence secured by the Court did not warrant and would not support the trial by general court martial of any person or persons in the Naval Service.

7. In my Third Endorsement to the Record of Proceedings of the Pearl Harbor Court of Inquiry, dated 1 December 1944, I found that the evidence obtained indicated that there were errors of judgment on the part of Admiral Kimmel and Admiral Stark, but that the inquiry had not gone to the point of exhaustion of all possible evidence. Accordingly, I directed that further investigation would be conducted by an investigating officer and that pending [3] the completion of the necessary further investigation I would withhold decision as to the institution of any proceeding against any naval officer involved.

8. In order to insure that the further investigation would cover every material question, I directed that a thorough review be made of the prior investigations. Upon the completion of this review of prior investigations and after examination of the report of the Army Pearl Harbor Board, dated 3 December 1944, I appointed Admiral H. Kent Hewitt, USN, as investigating officer, to examine such witnesses and obtain such other evidence as might be necessary in order fully to develop and clarify the facts in connection with the Japanese attack on Pearl Harbor. The further investigation was completed on 12 July 1945.

9. The comments of the Judge Advocate General and of the Commander in Chief, U. S. Fleet and Chief of Naval Operations, in their endorsements to the Pearl Harbor Court of Inquiry record are approved subject to the following remarks:

(a) *Court of Inquiry Finding II.*—This finding states, in substance, that the presence in Pearl Harbor on 7 December 1941 of Task Force One and the battle-ships of Task Force Two was necessary.

The essential point here rests in Admiral Kimmel's statement to the effect that he would not have had the Fleet in Pearl Harbor had he anticipated an air attack. The Second Endorsement indicates that the Commander in Chief, U. S. Fleet, does not entirely "go along" with the opinion of the Court that the information available to Admiral Kimmel did not require any departure from his operation and maintenance schedules. The Commander in Chief, U. S. Fleet, states further in this connection that Admiral Kimmel could have rotated the "in port" periods of his vessels in less routine manner, so as to have made it impossible for the Japanese to have predicted when there would be any vessels in port, and that this would have made the Japanese task less easy. I concur in the comments of the Commander in Chief, U. S. Fleet, as to this finding.

(b) *Court of Inquiry Finding III.*—This finding states that, "Constitutional requirements that war be declared by Congress . . ." make it difficult to prevent an attack and precluded offensive action as a means of defense, and that Admiral Kimmel had the responsibility of avoiding overt acts.

The Commander in Chief, U. S. Fleet, comments that this gives an unscrupulous enemy a great advantage, and that the Constitutional requirement preventing offensive action as a means of defense was a definite handicap. Though, in contrast with our Constitutional principles, the surprise attack on Pearl Harbor was but a repetition of the historically treacherous Japanese method of inaugurating hostilities and commencing a war, yet it does not appear that there was any proximate casual relationship between the Constitutional requirement and the instant disaster. The Constitutional inhibition and the injunction as to overt acts did not preclude either long distance reconnaissance or a sortie by the Fleet. Further, it [4] appears that prior to 7 December 1941, Admiral Kimmel did not regard this Constitutional provision or his responsibility to avoid overt acts as sufficient to prevent the issuance of orders to bomb unidentified submarines found in operating areas.

(c) *Court of Inquiry Finding IV.*—This states that Admiral Bloch was subordinate to Admiral Kimmel, and was charged with the task of assisting the Army in the defense of Pearl Harbor and, consequently, Admiral Bloch had a responsibility for naval measures concerned with local defense.

Upon the basis of all the evidence including Admiral Hewitt's investigation, it appears that:

(1) No patrol planes were under the command of Admiral Bloch. The only Navy planes suitable for long distance reconnaissance were the Pacific Fleet patrol planes.

(2) The Pacific Fleet patrol planes were under the control of Admiral Kimmel, and he had the responsibility for their utilization. They were operated after 22 November 1941 in accordance with schedules approved by him at that time, which were not revised prior to the attack. The schedules stressed training operations. They did not provide for distant reconnaissance from Oahu.

(d) *Court of Inquiry Finding V.* The Court here finds that relations between Admiral Kimmel and General Short were friendly, cordial and cooperative; that they invariably conferred when important messages were received, and that each was sufficiently cognizant of the measures being taken by the other.

In this connection upon all the evidence it appears:

(1) The basic war plans and the local defense plans were sound and were designed to meet, with the available means, various types of attack, including an attack such as the one which was delivered. The basic war plans and the local air defense plans were not operative in time to meet that attack. The Rainbow Five war plans presupposed the existence of a state of war. The local air defense plans presupposed agreement between the local commanders that an attack was imminent. Neither of these was the case prior to the attack.

(2) The system of command in effect in the Hawaiian area was that of mutual cooperation and not unity of command. Cooperation between the local Army and Navy commanders required agreement as to the imminence of attack, which presupposed the possession and exchange of information concerning Japanese intentions and movements of Japanese naval forces.

[5] (3) A full exchange of information is necessary to the effective exercise of Joint Command. While there was a considerable exchange of information between various Army and Navy intelligence agencies there was no organized system to ensure such exchange.

The evidence obtained by Admiral Hewitt indicates that there were informal arrangements for the exchange of intelligence by the Army and Navy at Hawaii, which included the transmission to the Army of some information concerning Japanese ship movements. The evidence obtained both by Admiral Hewitt and by the Naval Court of Inquiry indicates, however, that neither Admiral Kimmel nor General Short was sufficiently informed of the degree of readiness put into effect by the other. It appears that after receipt of the "war warning" and prior to 7 December 1941, Admiral Kimmel and General Short conferred on several occasions. They discussed the reinforcement of Midway and Wake. It does not appear that they discussed the conditions of readiness placed in effect or to be placed in effect, or the question or advisability of placing in effect air reconnaissance. General Short testified before the Naval Court that after a conference with Admiral Kimmel, he placed in effect Army Alert No. 1 (the anti-sabotage alert). Admiral Kimmel testified that he did not know which degree of alert the Army had in effect, and that he made no specific inquiry of General Short in this connection.

That there was not full mutual exchange of intelligence also appears from the evidence. Admiral Kimmel received dispatches after 27 November 1941 relating to Japanese destruction of codes and instructions to United States outlying islands to destroy classified material. He testified before the Naval Court that he did not direct that these be furnished to General Short, and that he did not know whether or not they were furnished to him. General Short testified that he had not seen these dispatches.

In view of these facts, I cannot agree with the above finding by the Naval Court of Inquiry. The system of mutual cooperation, of joint command, was not working effectively—it failed.

War experience has shown that: The responsibility for final major decisions must devolve on one person; that is, there must be unity of command. However, it is important to point out that the experience of this war has conclusively demonstrated that there is no inconsistency between the existence of two or more separate military or naval organizations as the functioning forces and an effective exercise of unity of command in a theater or in an operation. Practically all of the major operations of this war have been accomplished by two or more distinct military organizations, some even belonging to diverse nations, but all

acting under a unified command. In such an operation, the commanders of the several forces and their staffs must function in close physical proximity, usually in the higher echelons sharing a common headquarters or command post.

[6] I do not find, however, that Admiral Kimmel is open to criticism for having failed to advise the Army at Pearl Harbor that a submarine contact had been made on the morning of 7 December 1941, shortly prior to the air attack. The evidence supports the conclusion that the attempt to obtain confirmation of the reported submarine attack off Pearl Harbor was proper, although it should have been effected in plain language. Adequate naval action was taken in sending out the ready destroyer.

(e) *Court of Inquiry Finding VI.*—This states in substance that unavoidable deficiencies in personnel and material had a bearing on the effectiveness of the local defense of Pearl Harbor.

The Commander in Chief, U. S. Fleet, points out, however, that the pertinent question is whether Admiral Kimmel used the means available to the best advantage. I concur in this comment of the Commander in Chief, U. S. Fleet.

(f) *Court of Inquiry Finding VII.*—The Court finds that Japan had an initial advantage because of the Japanese Fleet's numerical superiority, and the superiority of Japanese espionage.

The comment in the Second Endorsement on this point is confined to the general statement that factors such as those referred to by the Court will always place this nation at a disadvantage during a period of strained relations. This finding, of course, in general was correct. Nevertheless, as applied to the specific issues here presented, it overlooks the fact that:

(1) The numerical superiority of the Japanese Fleet was well known to Admiral Stark and to Admiral Kimmel, and this fact was taken into account in the war plans;

(2) Although unquestionably the United States was placed at a disadvantage in restraining Japanese espionage activities, the Navy and War Departments were nevertheless not without important Intelligence advantages of their own which were not availed of to the fullest extent.

(g) *Court of Inquiry Finding VIII.*—This states that it was the direct responsibility of the Army to defend Pearl Harbor Naval Base, and that the Navy was to assist only with the means provided the Naval District.

The Commander in Chief, U. S. Fleet, is in agreement with "the fundamental concept of naval warfare" discussed by the Court, but takes a more realistic view on this point. He points out that Admiral Kimmel was fully aware that in view of the weakness of local defense, the ships of the Fleet in port had to be employed to protect Pearl Harbor. With this I concur. It is to be noted, moreover, that under the defense plan the Navy was responsible for the maintenance of distant reconnaissance.

[7] (h) *Court of Inquiry Finding IX.*—The Court finds that the air defense plans were defective because of the necessity for reliance upon Fleet aircraft which could not be made permanently available for local defense.

The Second Endorsement states that the Court has overstressed the fact that the only patrol planes in the area were Fleet planes; that it was sound policy to place all such aircraft at Admiral Kimmel's disposal; that it was his responsibility to allocate the planes as best he could; that the available aircraft had to be employed in the manner best suited to the danger that threatened; that it is doubtful whether with the available forces it would have been possible to destroy the carriers before they launched their planes, except by a lucky chance; that Admiral Kimmel was not sufficiently alive to the situation, not entirely due to his own fault; and that this had a bearing on the amount of damage resulting from the attack. I concur in the comments of the Commander in Chief, U. S. Fleet, with respect to this finding.

(i) *Court of Inquiry Findings IV, VIII, IX.*—Based on these findings the conclusion of the Court is that Admiral Bloch satisfactorily performed his duties.

The Commander in Chief, U. S. Fleet, concurs. This conclusion is approved.

(j) *Court of Inquiry Finding X.*—This holds adequate and effective Admiral Kimmel's provisions for the security of the Fleet at sea.

The Commander in Chief, U. S. Fleet, concurs. This finding is approved.

(k) *Court of Inquiry Finding XI.*—The substance of this finding is that Admiral Kimmel was maintaining the highest condition of readiness called for by the information available to him, and that a higher condition of readiness would have added little to the defense.

In the Second Endorsement it is pointed out that in fact the condition of readiness being maintained at the time of the attack was only that condition which is normally maintained when in port. This is maintained on the assumption that the shore defenses are adequate to protect the Fleet. Such was not the case at Pearl Harbor, as Admiral Kimmel knew.

[8] The Commander in Chief, U. S. Fleet, further states that he does not agree with the conclusion of the Court that a higher condition of readiness would have added little to the defense, and is of the view that the information available to Admiral Kimmel called for a tightening up of the defense precautions as 7 December approached. With the comments of the Commander in Chief, U. S. Fleet, I concur.

(1) *Court of Inquiry Finding XII.*—The Court here finds that there was no information indicating that Japanese carriers were on their way to attack Pearl Harbor, and that it was not possible to prevent or to predict that attack.

The Second Endorsement to the Naval Court record states on this point: "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."

It is to be noted that one of the principal matters covered in Admiral Hewitt's investigation was the information available to Admiral Kimmel, particularly during the critical period from 27 November to 7 December 1941, concerning the location and movements of Japanese naval forces. This information consisted principally of daily radio intelligence summaries setting forth the results of monitoring Japanese naval communications and estimates by the Fleet Intelligence Officer. It appears that there was an unusual change in Japanese naval radio calls on 1 December 1941; that this was regarded as indicating an additional progressive step in preparing for active operations on a large scale; that on 2 December 1941 Admiral Kimmel conferred with his Fleet Intelligence Officer as to the whereabouts of Japanese fleet units, and that during that conference Admiral Kimmel noticed and commented on the absence of information in the Fleet Intelligence Officer's written estimate as to Japanese Carrier Divisions 1 and 2, which consisted of four carriers. (It has since been learned that these four carriers were among the six carriers which in fact were then on the high seas heading toward Pearl Harbor.) The other Japanese carriers were located by the Fleet Intelligence Officer in his written estimate, in Japanese home waters, with the exception of possibly one carrier in the Marshalls. In his testimony before Admiral Hewitt, the Fleet Intelligence Officer, Captain Edwin T. Layton, U. S. N., described his conversation with Admiral Kimmel on 2 December 1941 as follows:

"Q. Will you state the substance of what he said and what you said, as best you recall it?

"A. As best I recall it, Admiral Kimmel said, 'What! You don't know where Carrier Division 1 and Carrier Division 2 are?' and I replied, 'No, sir, I do not. I think they are [9] in home waters, but I do not know where they are. The rest of these units, I feel pretty confident of their location.' Then Admiral Kimmel looked at me, as sometimes he would, with somewhat a stern countenance and yet partially with a twinkle in his eye and said, 'Do you mean to say that they could be rounding Diamond Head and you wouldn't know it?' or words to that effect. My reply was that, 'I hope they would be sighted before now,' or words to that effect."

"Q. Your testimony, Captain, was not quite clear to me, arising out of your description of Admiral Kimmel's twinkle in his eye when he spoke. What I am trying to get at is this: Was the discussion about the absence of information concerning Cardivs 1 and 2 a serious or jocular one?

"A. His question was absolutely serious, but when he said 'Where are Cardivs 1 and 2?' and I said, 'I do not know precisely, but if I must estimate, I would say that they are probably in the Kure area since we haven't heard from them in a long time and they may be refitting as they finished operations only a month and a half ago,' and it was then when he, with a twinkle in his eye, said, 'Do you mean to say that they could be rounding Diamond Head?' or words to that effect. In other words, he was impressing me on my complete ignorance as to their exact location.

"Q. He was conscious, therefore, of your lack of information about those carriers?

"A. This incident has been impressed on my mind. I do not say that I quote him exactly, but I do know that he made such a statement to me in the way to

point out to me that I should know where they are but hadn't so indicated their location."

It is to be noted further that the daily communication intelligence summaries received by Admiral Kimmel stated, on December 8rd, that: "Almost a complete blank of information on the carriers today. Lack of identifications has somewhat promoted this lack of information. However, since over 200 service calls have been partially identified since the change on the first of December and not one carrier call has been recovered, it is evident that carrier traffic is at a low ebb" and that the daily summaries delivered to Admiral Kimmel thereafter, and prior to the attack, indicated that there was no information as to Japanese carriers.

[10] In view of the foregoing, I do not approve the above finding by the Naval Court of Inquiry. I concur entirely in the comment of the Commander in Chief, U. S. Fleet, concerning this finding. I am of the view that the information as to the location and movements of the Japanese naval forces which was received by Admiral Kimmel during the week preceding the attack, coupled with all the other information which he had received, including the "war warning" and other messages from the Chief of Naval Operations, should have been interpreted as indicating that an attack on Hawaii was not unlikely and that the time of such an attack could be predicted within fairly narrow limits.

(m) *Court of Inquiry Finding XIII.*—It is here stated that Admiral Kimmel's decision not to conduct daily long range reconnaissance was sound; that there were insufficient planes for this purpose; and that such use of the available planes was not justified.

The Commander in Chief, U. S. Fleet, in his endorsement to the Naval Court record points out that Admiral Kimmel had a difficult decision to make in this matter of reconnaissance, and that there were many factors to be considered. He states further, however, that after considering all of the information that was at Admiral Kimmel's disposal, it appears that Admiral Kimmel 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 attacks. This comment adds that it is obvious that the means available did not permit an all-round daily reconnaissance to a distance necessary to detect the approach of carriers before planes could be launched, but that there were, however, certain sectors more dangerous than others which could have been covered to some extent, and that such particular cover would have been logical in the circumstances known to Admiral Kimmel in late November and early December.

In addition to these comments, with which I concur, the following points may be noted:

(1) Admiral Kimmel himself had maintained a partial long range patrol in the summer of 1941 on the basis of Intelligence received and reported by Admiral Bloch at that time.

(2) Admiral Kimmel testified before the Naval Court of Inquiry that he decided on November 27th that there should be no distant reconnaissance.

[11] (3) There is no evidence of any specific discussion between Admiral Kimmel and members of his staff on or after the receipt of the "war warning," as to the advisability or practicability of long range reconnaissance from Oahu. The War Plans Officer thought that the subject must have been discussed, but could recall no specific discussion. The Commander of the Fleet patrol planes, who had not been informed of any of the significant warning messages, testified that Admiral Kimmel had no such discussion with him.

(4) The Fleet patrol planes available at Oahu in the week preceding the attack were not sufficient to have conducted 360 degree reconnaissance daily for more than a few days.

(5) There were sufficient Fleet patrol planes and crews in fact available at Oahu during the week preceding the attack to have flown, for at least several weeks, a daily reconnaissance covering 128 degrees to a distance of about 700 miles.

(6) The sectors north of Oahu were generally recognized as being the most likely sectors from which a Japanese attack would come, if the Japanese were to attack Pearl Harbor.

(7) If a daily distant reconnaissance had been flown from Oahu after 27 November 1941, with the available patrol planes, the northern sectors probably would have been searched.

(8) The Japanese carriers launched their planes from a position 200 miles due north of Oahu.

(n) *Court of Inquiry Finding XIV.*—This states in substance that the Army radar detection system was ineffective.

The evidence supports the substance of the comment on this finding, which is made in the Second Endorsement; that is, that although the radar detection system in operation at Pearl Harbor was in an embryonic state, nevertheless, even in its then condition it could have and should have served to give at least an hour's warning of the attack.

(o) *Court of Inquiry Finding XV.*—This states that the best professional opinion in the United States and Great Britain, prior to 7 December 1941, was that an aircraft torpedo attack under conditions [12] of shoal water and limited approach such as those which obtained at Pearl Harbor, was not practicable, and that the Japanese attack was successful principally because of the employment of a specially designed torpedo, which was a secret weapon.

The only comment in the Second Endorsement on this finding is that: "It is evident in retrospect that the capabilities of Japanese aircraft torpedoes were seriously underestimated." The principal point upon which the Court of Inquiry seems to rest its finding is the further finding that it was not believed by American and British naval authorities at that time that torpedoes could be successfully launched from aircraft in waters as shallow as those at Pearl Harbor. As a basis for this view the Court relies upon a letter by the Chief of Naval Operations early in 1941 in which he indicated that torpedoes could not be successfully launched from airplanes in water under a minimum depth of 75 feet (water at Pearl Harbor being approximately 45 feet). It is noted that the Court also refers to a subsequent letter put out for the Chief of Naval Operations in June, 1941, by Admiral Ingersoll, which is in conflict with the Court's finding. This letter stated, among other things, that: "It cannot be assumed that any capital or other valuable vessel is safe when at anchor from this type of attack if surrounded by water at a sufficient distance to permit an attack to be developed and a sufficient run to arm the torpedo." This letter also advised that torpedoes launched by the British at Taranto were, in general, in 13-15 fathoms of water, although several may have been launched in 11-12.

The records of the Navy Department indicate that in April, 1941, there was circulated in the Department an Intelligence report which described the demonstration of an aerial torpedo in England. It appears from this report that the torpedo described was equipped with special wings, and that it required no greater depth of water for its successful launching than the depth at which it made its normal run.

It further appears from the records of the Navy Department that the British reported aircraft torpedo attacks during the year 1940 in which torpedoes were successfully launched in 42 feet of water.

Finally, there is evidence in the record to indicate that nearly a year prior to the actual attack, the feasibility and even the probability of an airplane torpedo attack upon Pearl Harbor was contemplated. Secretary Knox's letter of January, 1941, listed an air torpedo attack as second only to air bombing in order of probability in a list of the types of attack upon Pearl Harbor which [13] he considered likely. His letter had been previously cleared with Admiral Stark, and was received in February by Admiral Kimmel.

In view of the foregoing, the finding of the Court of Inquiry is not approved.

(p) *Court of Inquiry Finding XVI.*—The Court here finds that Admiral Kimmel's decision to continue preparation of the Fleet for war, made after receiving the 24 November dispatch, was sound in light (a) of the approval of the steps which he had taken after the dispatch of 16 October which advised that hostilities were possible, and (b) the information then available to him including Admiral Stark's letter of 17 October 1941 and the dispatch of 24 November 1941, which stated that a surprise aggressive movement in any direction, including attack on the Philippines or Guam, was a possibility.

The Second Endorsement summarizes the Court's finding and underscores that portion of the 24 November dispatch which indicated that: "A surprise aggressive movement in any direction, including attack on the Philippines or Guam is a possibility. . . ."

It should be further noted that Admiral Kimmel testified that the words, "A surprise aggressive movement in any direction, including attack on the Philippines or Guam," meant to him that any attack other than on those two places would be on foreign territory, but that the words also included the possibility of a submarine attack on the Hawaiian Islands.

The Court refers in its finding to a part personal letter sent by Admiral Stark to Admiral Kimmel on 17 October, in which Admiral Stark

stated: "Personally, I do not believe the Japs are going to sail into us and the message I sent you merely stated the possibility; in fact, I tempered the message handed me considerably." However, the letter also continued: "Perhaps I am wrong, but I hope not. In any case, after long pow-wows in the White House, it was felt that we should be on guard, at least until something indicates the trend." To the letter was annexed a postscript stating in part: "General Marshall just called up and was anxious that we make some sort of reconnaissance so that he could feel assured that on arrival at Wake, a Japanese raider attack may not be in order on his bombers. I told him that we could not assure against any such contingency, but that I felt it extremely improbable and that, while we keep track of Japanese ships as far as we can, a carefully planned raid on any of these island carriers in the Pacific might be difficult to detect. However, we are on guard to the best of our ability, and my advice to him was not to worry."

It is noted that the Court does not specifically deal with the question of the soundness of Admiral Kimmel's decision to continue preparation of the Fleet, in the light of the highly important information which he received from the Chief of Naval Operations and otherwise during the critical period after the "war warning" of November 27th.

[14] (q) *Court of Inquiry Finding XVII.*—The Court here finds that there were good grounds for believing that the Japanese would attack in the Far East.

In respect of this finding, the Commander in Chief, U. S. Fleet, points out that the Far East was the most probable scene for the initiation of Japanese operations, and that they were in fact initiated there. He notes further that all concerned recognized the possibility that such a commencement of hostilities would be accompanied by an attack upon Pearl Harbor. He adds that this latter possibility was considerably strengthened by information available at Washington, not all of which was available to Admiral Kimmel.

It appears from the evidence obtained in Admiral Hewitt's investigation that the possibility that the commencement of hostilities by Japan would include an attack upon Pearl Harbor was also strengthened by information received by Admiral Kimmel on and after the war warning of November 27th. The estimates that had been made in the War Plans, which had been approved by Admiral Kimmel, of course contemplated that in the event of war with the Japanese a surprise attack on Pearl Harbor was distinctly possible. The information received by Admiral Kimmel as to the location and movement of Japanese naval forces was, at the least, consistent with these estimates.

The information as to Japanese naval forces which was available to the Commander in Chief, Pacific Fleet, emphasizing the movement of forces to the southward, tended to concentrate his attention on the probability of Japanese attacks on the Philippines and Malaysia. The information which was received by Admiral Kimmel during the first week of December, 1941, indicated, however, that on December 1st there was an unusual change in Japanese radio call signs; that, on the basis of all information up to December 2nd, no reliable estimate could be made of the whereabouts of four of Japan's ten carriers, and that there was no information as to any of the carriers thereafter. The absence of positive information as to the location of the Japanese carriers, a study of the movement which was possible to them, under radio silence, through the unguarded areas of the Pacific, and a due appreciation of the possible effects of an air attack should have induced Admiral Kimmel to take all practicable precautions to reduce the effectiveness of such an attack.

(r) *Court of Inquiry Findings XVIII and XIX.*—These state in substance that Admiral Stark's failure from 26 November to 7 December 1941 to transmit to Admiral Kimmel important information [15] in his possession constitutes a military error.

The comment of the Commander in Chief, U. S. Fleet, as to this finding was to the effect that Admiral Stark was at fault in failing to give Admiral Kimmel an adequate summary of information available in Washington.

The endorsement of the Commander in Chief, U. S. Fleet, on the Naval Court of Inquiry Record, further pointed out that Rear Admiral Wilkinson, former Director of Naval Intelligence, was not available to the Court as a witness. It was noted that these findings, and the conclusions of the Court based thereon, were concerned principally with the handling of enemy information in the Navy Department, and that consequently, it would 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 this information. It was concluded that the failure to obtain this testimony was unfortunate.

With this comment by the Commander in Chief, U. S. Fleet, I concurred. It further appeared to me that the testimony of Captain McCollum, who was assigned to the Office of Naval Intelligence, and who, according to other testimony in the record, had important duties in connection with the handling of such information, would be most helpful. Captain McCollum was also available as a witness to the Court. I ascertained that at the time both Rear Admiral Wilkinson and Captain McCollum were actively engaged in combat operations against the enemy, and would be so engaged until some date in the future. From the nature of the duties which these officers were performing in their assignments, I determined that in view of the paramount present needs of the war effort, their testimony in this matter could not then feasibly be obtained.

During his later investigation, Admiral Hewitt was able to obtain the testimony of Admiral Wilkinson and of Captain McCollum, as well as other testimony bearing upon this finding of the Court of Inquiry. From this evidence the following conclusions appear:

(1) Information was promptly and efficiently obtained by the United States Navy and Army intelligence organizations in Washington, concerning the Japanese Government's actual views as to the diplomatic negotiations and its intention to wage war.

[16] (2) The information which was obtained in Washington by the War and Navy Departments was fully exchanged. The information which was obtained by the Navy Department as to Japanese naval movements was available to intelligence officers of the War Department in Washington. The War Department had information which led that Department to believe that Japanese naval forces were in the Marshalls in November, 1941. This appears from a War Department dispatch of 26 November 1941 to General Short, information to Admiral Kimmel, concerning a special photographic reconnaissance to be flown over Truk and Jaluit, in order to obtain information, among other things, as to the number and location of naval vessels. The reconnaissance was not flown because the special Army planes were not made ready.

(3) The information obtained by the Navy Department was adequately disseminated within the Navy Department.

(4) Although Admiral Kimmel some months before had made requests that he be kept fully informed on subjects of interest to the Fleet and as to all important developments, the Chief of Naval Operations did not communicate to him important information which would have aided him materially in fully evaluating the seriousness of the situation. In particular, the failure to transmit the State Department message of November 26th and to send, by telephone or other expeditious means certain information indicating the imminence of an attack by the Japanese that was available at Washington on the morning of December 7th, were unfortunate.

(5) Admiral Kimmel, nevertheless, did have sufficient information in his possession to indicate that the situation was unusually serious, and that important developments with respect to the outbreak of war were imminent. This included the "war warning" message and similar important messages which were sent by the Chief of Naval Operations.

(6) The available information in the possession of the Commander in Chief, Pacific Fleet, as to the existing situation, particularly the "war warning" message, was not disseminated to all of his important subordinate commanders whose cognizance thereof was desirable. Thus Admiral Bellinger, who commanded the patrol planes, and Admiral Newton, who was at sea with a carrier and other units, were not informed of this and other important messages.

[17] 10. From the evidence obtained by Admiral Hewitt it appears that prior to the attack the telephone lines of the Japanese Consul General at Honolulu were tapped and that various of his cable messages were secured at Honolulu but no information was obtained prior to December 7th which indicated the likelihood of a Japanese attack. The legal restrictions which denied access to such cable messages were a definite handicap to the intelligence agencies in the Hawaiian area.

11. In its final opinion and recommendation, the Court of Inquiry 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.

With respect to this opinion and recommendation of the Court of Inquiry, I concur in the comment expressed in paragraph 5 of the Second Endorsement that the Navy cannot avoid a share of responsibility for the Pearl Harbor incident, and that that disaster cannot be regarded as an "act of God" beyond human power

to prevent or mitigate. Whether or not it is true, as stated in the Second Endorsement, that the Country as a whole is basically responsible in that the people were unwilling to take adequate measures for defense until it was too late to repair the consequences of their failure so to do, it appears that the Navy, although its ranking officers were fully informed of the most recent developments in the science of warfare, failed to appreciate the true significance of those developments until their impact had been felt by a blow struck at a substantial portion of the Fleet. By the same token, although the imminence of hostile action by the Japanese was known, and the capabilities of the Japanese Fleet and Air Arm were recognized in war plans made to meet just such hostile action, these factors did not reach the stage of conviction in the minds of the responsible officers of the Navy to an extent sufficient to impel them to bring about that implementation [18] of the plans that was necessary if the initial hostile attack was to be repelled or at least mitigated.

That this is so is manifested in the case of the instant disaster in several important respects.

(a) The destructive potentiality of air torpedo attack was not properly evaluated, although there was ample information available on this subject in the reports of action by and against the British. That this information was recognized is shown by the inclusion in war and defense plans of appropriate provisions for defense against this type of attack, but that it was not fully appreciated is shown by the fact that these selfsame provisions were not put into effect until the initial attack had been successful.

(b) In respect of unity of command, again all of the plans made adequate provision for joint action, mutual interchange of intelligence, and the fullest utilization of all of the available resources of both the Army and the Navy; in practice, none of these measures came into being to any appreciable extent prior to the attack.

(c) Within the Navy itself, conduct of the organization was such as to submerge the Chief of Naval Operations in a multiplicity of detail pertaining to the procurement and materiel programs incidental to the rapid expansion of the Navy. This precluded him from giving to war plans and operations the undivided and continuing attention which experience has shown they require, and tended to dull his perception of the critical significance of events.

In making these observations, I am not unmindful of the usual advantage of hindsight, nor do I overlook the fact that this war has proved that any carrier strike, when pressed home with resolution, is almost impossible to deflect. After giving due consideration, however, to all these factors, I am of the opinion that there were, nevertheless, areas in which sound military judgment dictated the taking of action which, though it might not have prevented or defeated the attack would have tended materially to reduce the damage which the attack was able to inflict. Such action was not taken, and the responsibility must center upon the officers who had it in their power, each within his respective sphere, to take appropriate action.

12. I concur, therefore, with the opinion expressed in paragraph 5 of the Second Endorsement to the Court of Inquiry record that it is pertinent to examine the possible courses of action which Admiral Stark and Admiral Kimmel, as the responsible officers, might have taken to lessen the success of the initial Japanese blow.

[19] (a) In paragraph 5 of the Second Endorsement on the Report of the Naval Court of Inquiry, it is pointed out that Admiral Stark failed to give Admiral Kimmel an adequate summary of information available in Washington, particularly in respect of:

(1) The State Department reply of 26 November 1941 to the Japanese, which was a definite step toward breaking relations;

(2) Certain information indicating Japanese interest as to the disposition of the ships within Pearl Harbor;

(3) In failing to appreciate the significance of the information which he received on the morning of 7 December indicating that a message was to be given to the Secretary of State at 1 p. m. and in failing to transmit it to Admiral Kimmel by the quickest means available;

(4) Finally, it is pointed out in this section of the Second Endorsement that there is a certain sameness of tenor in the communications sent by Admiral Stark to Admiral Kimmel which failed to convey the sense of mounting intensification of critical relations between Japan and the United States. I concur generally with these.

Concerning the other comments by the Commander in Chief, U. S. Fleet, it might be added that Admiral Stark's omission consisted not only in the failure to transmit fully to Admiral Kimmel certain of the available information, but also in the failure properly and speedily to evaluate that information, particularly on 7 December 1941. Although it was not known on 6 December precisely when or where the attack was to be delivered, there was ample evidence to base the conclusion that a surprise move was due within narrow limits of time. On the morning of December 7 by 10:30 Admiral Stark had information indicating that a message was to be given to the Secretary of State at 1 p. m. Eastern Standard Time, and there was information available to him that this time corresponded to dawn at Oahu and the middle of the night in the Far East. Although no one stated that this indicated an air attack at Pearl Harbor, yet all of these factors pointed to the possibility of such an attack. An acute sensitivity to the tautness of the situation would have dictated at least a plain language telephone communication to Admiral Kimmel, which might have provided a warning sufficient to bring about some material reduction in damage inflicted by the Japanese attack.

[20] (b) I concur with the comments set forth in paragraph 5 (b) of the Second Endorsement to the Naval Court of Inquiry record. It is there stated that Admiral Kimmel, despite the failure of Admiral Stark to keep him fully informed, did have indications of the increasing tenseness of relations with Japan. In particular, it is pointed out that he had the "war warning" message on 27 November, the "hostile action possible at any moment" message on 28 November, the 3 December message that the Japanese had ordered destruction of codes, and the messages of 4 and 6 December concerning destruction of United States secret and confidential matter at outlying Pacific islands.

In addition, it might be pointed out that Admiral Kimmel in his personal letters, which are a part of the record before the Court, and as well in the war plans approved by him, explicitly recognized the possibility of attack upon Pearl Harbor by air; and, that the information received by Admiral Kimmel concerning the location and movement of Japanese naval forces after 27 November 1941 should have been evaluated, as previously pointed out, as indicating the continued and increasing possibility of such an attack. It is to be especially noted that while Admiral Kimmel was directed in the war warning message of 27 November 1941, and again on 28 November when the Army message was relayed to him, to execute an appropriate defensive deployment preparatory to carrying out the tasks assigned in the Navy Basic War Plan, the chief action taken by him was carrying forward the arrangements for the reenforcing of and continuing the limited air patrols from the outlying islands, ordering on 28 November, the depth bombing of submarine contacts in the Oahu operating area, and engaging in unproductive conferences with General Short. He continued in effect the primary fleet activity of training and the lowest condition of readiness (Condition III) of the fleet in port. He neither ordered long-range air reconnaissance from Oahu to any extent nor advised his fleet air wing and other commanders of the receipt of the war warning message. His failure to take other and more effective action is neither explainable nor excusable by any ambiguity in the meaning of or disagreement as to what would constitute an "appropriate defensive deployment." Admiral Kimmel could have referred to the initial tasks stated in the war plan of maintaining fleet security at bases and guarding against surprise attack by Japan, and if he did not know what was meant by the phrase "appropriate defensive deployment," he should have asked the Chief of Naval Operations for an explanation.

The Second Endorsement to the Naval Court record states that Admiral Kimmel could and should have judged more accurately the gravity of the danger to which the Hawaiian Islands were exposed, and that certain courses of action were open to him, viz:

(1) He could have used the patrol aircraft available to him to conduct long-range reconnaissance in the more dangerous sectors, and thus made the Japanese task more difficult, whether or not this would have resulted in the detection of the approach of the Japanese carriers; (2) He could have rotated the "in port" periods of his vessels in a less routine manner, and thus made it more difficult for the Japanese to have predicted when there would be any vessels in port; (3) He could have maintained a higher condition of readiness under which Naval planes would have been in the air during the early morning period, ships' batteries would have been fully manned, and damage control organizations fully operational.

[21] The absence of positive information as to the location of the Japanese carriers, a study of the movement which was possible to them, under radio

silence, through the unguarded areas of the Pacific, and a due appreciation of the possible effects of an air attack should have induced Admiral Kimmel to take all practicable precautions to reduce the effectiveness of such an attack. The measures which reasonably were open to him were:

- (a) Establishment of long distance air reconnaissance, covering the most probably approach sectors to the extent possible, on a reasonably permanent basis, with available planes and crews.
- (b) Establishment of a higher condition of anti-aircraft readiness, at least during the dangerous dawn hours.
- (c) Establishment of a higher degree of damage control readiness by ships in port, particularly during the dangerous dawn hours.
- (d) Installation of anti-torpedo nets to protect the larger vessels in port.
- (e) Maintenance of a striking force at sea in readiness to intercept possible attack forces.
- (f) Maintenance of the maximum force of the Fleet at sea, with entry into port at irregular intervals.
- (g) Checking with Army as to readiness of anti-aircraft defense and aircraft warning installations.

The evidence indicates clearly, however, that Admiral Kimmel's most serious omission was his failure to conduct long range air and/or sea reconnaissance in the more dangerous sectors from Oahu during the week preceding the attack. That this is so is manifest from the evidence obtained by Admiral Hewitt.

The only practicable sources from which Admiral Kimmel could have secured information, after the receipt of the "war warning," as to the approach of the attacking force, were the aircraft warning service, traffic analyses of Japanese naval communications, and distant air reconnaissance from Oahu.

During the critical period after November 27th, the limitations of the aircraft warning service and of radio intelligence were evident; the only remaining practicable source upon which Admiral Kimmel was entitled to rely for information as to the Japanese naval movements was distant air and/or sea reconnaissance which, covering the most probable approach bearings, would have had a reasonable chance of success. The failure to detect the approach of the Japanese task force contributed more to the success of the Japanese attack than did any other single factor.

[22] In addition to the courses of action referred to by the Commander in Chief, U. S. Fleet, it was, of course, always open to Admiral Kimmel also to take steps to increase cooperation between his organization and the Army command, and to attempt to achieve effective joint command. That conditions were ideal for his accomplishing such an objective is indicated by the evidence in the record and the finding of the Court that the social relationship between him and General Short was excellent. The need for Admiral King taking such measures existed from the time he took command of the Pacific Fleet. It increased in urgency as the 7th of December, 1941, approached.

13. The Second Endorsement of the Commander in Chief, U. S. Fleet, to the Naval Court record concludes that:

"6. The derelictions on 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."

The first endorsement of the Judge Advocate General of the Navy states his conclusion and recommendation that trial by general court martial is not warranted by the evidence produced.

14. On the basis of the record, findings, opinion, and recommendation of the Court of Inquiry, the First Endorsement of the Judge Advocate General thereto, and the Second Endorsement of the Commander in Chief, U. S. Fleet, thereto; and the evidence obtained by Admiral Hewitt, and on the basis of the foregoing comments, I conclude that:

- (a) Then Rear Admiral Claude C. Bloch discharged his duties adequately.
- (b) Then Admiral Husband E. Kimmel and Admiral Harold B. Stark, particularly during the period from 27 November to 7 December, 1941, failed

to demonstrate the superior judgment necessary for exercising command commensurate with their rank and their assigned duties.

(c) Both of these officers having been retired, appropriate action should be taken to insure that neither of them will be recalled to active duty in the future for any position in which the exercise of superior judgment may be necessary.

[23] (d) The appropriate committees of Congress should be fully acquainted with the Navy's investigations into this matter, and public disclosure of the facts concerning the Japanese attack on Pearl Harbor, obtained in these investigations, should be made to the extent that such action can be taken without injuring current military operations or the national security.

15. Accordingly, I direct:

(a) Rear Admiral Husband E. Kimmel, USN (Retired), shall not hold any position in the United States Navy which requires the exercise of superior judgment.

(b) Admiral Harold R. Stark, USN (Retired), shall not hold any position in the United States Navy which requires the exercise of superior judgment.

(c) The appropriate committees of Congress will be fully acquainted with the Navy's investigations into this matter, and public disclosure of the facts concerning the Japanese attack on Pearl Harbor, obtained in these investigations, will be made to the extent that such action can be taken without injuring current military operations or the national security.

(Signed) JAMES FORRESTAL,
Secretary of the Navy.