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Congress of the United States

Report of Proceedings

Hearing held before

Joint Committee
on the
Investigation of the Pearl Harbor Attack
S. Con. Res. 27

April 9, 1946

Washington, D. C.

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C O N T E N T S

TESTIMONY OF:

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S. Con. Res. 27

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Tuesday, April 9, 1946

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Congress of the United States,
Joint Committee on the Investigation
of Pearl Harbor Attack,
Washington, D. C.

The Joint Committee met, pursuant to call, at 10:00 a.m.,
in the Caucus Room (318), Senate Office Building, Senator
Alben W. Barkley (chairman) presiding.

Present: Senators Barkley (chairman), George, Lucas,
Ferguson and Brewster.

Representatives Cooper (vice chairman), Clark, Murphy,
Gearhart and Keefe.

Also present: Seth W. Richardson, General Counsel;
Samuel H. Kaufman, Associate General Counsel, and John E.
Masten, of counsel, for the Joint Committee.

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WARD & PAUL, WASHINGTON, D. C.

2 The Chairman: The committee will come to order.

3 Admiral Stark, will you come and take the witness chair?

4 TESTIMONY OF ADMIRAL HAROLD R. STARK, U.S.N. (Retired)

5 (Resumed)

6 The Chairman: You have already been sworn, haven't you?

7 Admiral Stark: Yes, sir.

8 The Chairman: All right, Mr. Counsel.

9 Mr. Richardson: Admiral, in your former testimony my
10 notes show, about page 5812 and again at 6099, you were interro-
11 gated on the subject of where you were on the evening of December
12 6.

13 Admiral Stark: Yes, sir.

14 Mr. Richardson: And you testified, speaking generally,
15 according to my notes, that your date calendar had been disposed
16 of and that you had no recollection which permits you to say
17 where you were on the night of December 6th.

18 Since you testified in that regard testimony has been
19 offered here that during the afternoon of December 6 there was
20 a party given by the Canadian Minister and his wife, at which,
21 according to the information that we have, a number of Naval
22 officials of high rank were present, and among them you and
23 Mrs. Stark, Admiral Ingersoll and his wife, Captain Theodore
24 Wilkinson, and others.

25 I wanted to ask you, Admiral, whether you have any

1 Witness Stark

Questions by: Mr. Richardson

2 of December 6th you had attended the National Theater. Upon
3 inquiry I ascertained that the play produced on that evening
4 was the very familiar musical comedy Student Prince, which is
5 an operatic production which has been extant for many years
6 and I think every year or two years revived, and embraces the
7 tale of a prince who went to college and tried to keep up his
8 college associations, with the usual feminine interludes.

9 The Chairman: What do you mean "usual"?

10 Mr. Richardson: The interludes which you and I recall
11 from our college days, but which the Chairman does not.

12 That there are several very celebrated songs in it, and
13 I refer to those things simply to find out from you, Admiral,
14 whether you have any recollection of ever having seen the
15 Student Prince?

16 Admiral Stark: I remember very clearly having seen a
17 revival of the Student Prince, but I had not connected it with
18 that Saturday night, and I do not now. When I first heard of
19 it, when someone had said I had seen the Student Prince, my
20 recollection was it was in Philadelphia, and I contacted my
21 daughter and her husband who were there, and they said no.
22 The next I heard of it was in connection with Commander Schulz'
23 testimony. It does not ring any bell with me that I was
24 there that night, but I can only assume, in view of the testi-
25 mony of Commander Schulz and of others who tried to contact

Witness Stark

Questions by: Mr. Richardson

me, and my remembrance of having seen the revival, that I probably was there.

I found out at the theater that they had no way of telling whether I was there or not. They said not, but they told me it was the Student Prince.

Mr. Richardson: Do you have any recollection, Admiral Stark, of ever having seen the Student Prince more than once?

Admiral Stark: Yes, I think I saw it earlier.

Mr. Richardson: We haven't even that help to help us then, have we?

Admiral Stark: No, sir.

Mr. Richardson: Now, Admiral, you were living at that time out in Spring Valley?

Admiral Stark: No, sir, I was living in the Chief of Naval Operations' quarters.

Mr. Richardson: That is right on Massachusetts Avenue?

Admiral Stark: Yes, sir.

Mr. Richardson: You had at that time always somebody in your home to answer the telephone?

Admiral Stark: That is right, yes, sir.

Mr. Richardson: And if it should be that you attended a performance of the Student Prince at the National Theater on the night of December 6, there would still be someone in your home, according at least to your arrangements, to receive

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Witness Stark

Questions by: Mr. Richardson

information that might come there over the telephone?

Admiral Stark: That is correct.

Mr. Richardson: Would that person there be someone directly connected with the Naval establishment?

Admiral Stark: One of the servants who would be in the Navy.

Mr. Richardson: When you went to your office on the morning of the 7th, - the exact time being in the dark, - from your own recollection, is it your recollection now that that is the first time you found out there had been a reply by the Japanese to the earlier Hull message to them?

Admiral Stark: That is my very clear and very distinct recollection.

Mr. Richardson: Now before you arrived at your office on the morning of the 7th, had anyone given you any information that there was in existence such a message, or any part thereof?

Admiral Stark: No, sir, to the best of my knowledge and belief there had not.

Mr. Richardson: Well, Admiral, would you be able to state positively that no one either sent you a message or telephoned to you on the night of December 6th or the morning of December 7 telling you of this message, of its receipt or of its contents?

Admiral Stark: That is my belief, yes, sir.

Witness Stark

Questions by: Mr. Richardson

Mr. Richardson: Your visit to your office on the morning of Sunday, December 7, was a routine visit, was it not, Admiral?

Admiral Stark: Yes, sir.

Mr. Richardson: It was just the same kind of a visit that you were accustomed to make to that office every Sunday?

Admiral Stark: Yes, sir.

Mr. Richardson: And had nothing to do with any specific dispatch or any specific information concerning which you were interested in seeing or being advised concerning?

Admiral Stark: There was a dispatch -- I have forgotten just when it was received, I think the day before but I am not certain -- from Admiral Hart. If you will recall, Admiral Turner stated that I called him to get the answer out to Admiral Hart. I do not have a definite recollection whatever.

Now whether that dispatch might have come on that morning and I then called Turner, I am not positive without reference to the record, but I think we had it prior to that.

Mr. Richardson: Now you would be able to state positively, would you not, Admiral, that you did not spend any nights away from your residence on Massachusetts Avenue during November or December, 1941?

Admiral Stark: I would not state that without a check-up. I do not recall any.

Mr. Richardson: Have you any information of having spent

Witness stark

Questions by: Mr. Richardson

1
2 any night away from your residence on Massachusetts Avenue
3 within two or three days of the attack on Pearl Harbor?

4 Admiral Stark: No, sir; nor within two or three weeks,
5 but occasionally we went and spent a night with our children
6 in Philadelphia.

7 Mr. Richardson: According to the procedure that you
8 followed in your staff, Admiral, would it have been the duty
9 of any of your staff, upon being advised of the receipt and
10 contents of an important message connected with magic, for
11 any of them to contact you about it?

12 Admiral Stark: If they had thought it sufficiently im-
13 portant they undoubtedly would have.

14 Mr. Richardson: Now it appears here in the testimony that
15 on the evening of the 6th, while Admiral Wilkinson was enter-
16 taining General Miles and Admiral Beardall at his home socially,
17 the first 13 parts of this so-called 14-part message were de-
18 livered to Admiral Wilkinson by Captain Kramer; that the
19 message was read by all of you officers at that dinner, and
20 that their recollection is that Admiral Wilkinson did some
21 telephoning.

22 I wanted to ask whether under your procedure it would
23 have been expected that upon reading a message of that kind
24 Wilkinson would have been expected to have contacted you?

25 Admiral Stark: If he considered it sufficiently important.

Witness Stark

Questions by: Mr. Richardson

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2 If he were in doubt he might have contacted Ingersoll or Turner,
3 and I believe he did contact Ingersoll, whose testimony, as
4 I recall it, is to the effect that he considered it nothing
5 but a restatement and unimportant, that is unimportant as re-
6 gards doing anything about it at that time.

7 Mr. Richardson: But you have no recollection now of
8 having any telephone or other type of communication from any
9 of your staff in connection with this message until late the
10 next morning when you got to your office?

11 Admiral Stark: That is correct, yes, sir.

12 Mr. Richardson: Now that includes, does it not, Admiral,
13 no information of any kind on the evening of the 6th or the
14 morning of the 7th from either Secretary Knox or from Secretary
15 Stimson, or from Secretary Hull?

16 Admiral Stark: That is correct. It is all-inclusive.

17 Mr. Richardson: And you have no information at all, or you
18 had no information at all, did you, Admiral, until after you
19 reached your office on the morning of the 7th, that a meeting
20 had been called between Hull and Knox and Stimson to consider
21 this particular dispatch?

22 Admiral Stark: No, sir, I did not know of that meeting.

23 Mr. Richardson: And you do not know to this day of any
24 effort that anyone made in connection with that meeting to
25 advise you concerning it, or ask you to be present at it?

Witness Stark

Questions by: Mr. Richardson

Admiral Stark: That is perfectly correct.

Mr. Richardson: When did you find out, if you found out at all, Admiral, that these three Secretaries were meeting on the morning of December 7?

Admiral Stark: I do not recollect having found out about it. I might have, because I saw Colonel Knox later in the day, he may have mentioned it, but as to their being together that forenoon, I have no recollection, except as I learned of it subsequently.

Mr. Richardson: Well, you learned of it first after the contact between you and General Marshall had been completed?

Admiral Stark: Well, it was not prior to that.

Mr. Richardson: Yes, I see what you mean. Now did anyone tell you, or did you receive any information which would disclose to you that the 13-part message, which had grown to the 14-part message by the time you got to your office, had been exhibited to the President on the night before?

Admiral Stark: No, sir.

Mr. Richardson: Did you have any information of any kind that upon an examination of that dispatch the night before the President had characterized it in this language, "This means war"?

Admiral Stark: I never heard of it until I heard of it here.

WARD & PAUL, WASHINGTON, D. C.

(4)

Witness Stark

Questions by: Mr. Richardson

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Mr. Richardson: As Chief of Naval Operations, would such an expression from the President with reference to an intercepted dispatch have been an important item for you to consider in looking over such a dispatch?

Admiral Stark: I would have said yes, provided that were an opinion held after perhaps a second reading and looking over it more carefully, and if I had had anything of that sort I would have taken some action, I would have gone to the office and gotten out a dispatch and seen my advisers, but I had nothing on that evening.

Mr. Richardson: Let me put it this way, if it is a proper question, Admiral: If you had been advised on the night of the 6th of an examination of this 13-part message by the President and his conclusion within the meaning of the phrase "This means war", acquiesced in by his associate Mr. Hopkins, would your itinerary on the morning of December 7 have been changed, so far as going to your office is concerned?

Admiral Stark: I feel certain I would have gone there that Saturday night, if I had had any such intimation.

Mr. Richardson: Well, then, so far as the evening of Saturday December 6th is concerned, events leading up to it, what occurred during the evening your recollection cannot help us?

Admiral Stark: That is right.

Witness Stark

Questions by: Mr. Richardson

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Mr. Richardson: But you would be able to say, Admiral, definitely that you received no communication from the President of the United States on that night?

Admiral Stark: To the best of my knowledge and belief, the President did not call me that night.

Mr. Richardson: Do you think it would be possible, Admiral, for you to have forgotten such an incident had it occurred?

Admiral Stark: Yes, it would be possible, but I think it would not have been possible that I had had the intimation that there was a dispatch down there which was clear-cut and which meant war. While I felt we had every warning that war was coming, we all felt that, we were practically certain of it, nevertheless if there had been anything definitely clinching it of that nature and any such expression from the President, I think I would not have rested until I had seen that dispatch.

Mr. Richardson: Admiral, the testimony on the President's use of the phone in order to speak to you and his report that you were at the theater would indicate that he had received information over the telephone from some source that you were at the theater. Now what would have been your usual routine if you did go to the theater, as to leaving information as to where you were going?

Admiral Stark: With the Duty Officer at the Navy Department

Witness Stark

Questions by: Mr. Richardson

and my Flag Lieutenant. They would normally have been acquainted with it, as well as at the house.

Mr. Richardson: Do you think it would have been possible -- it would have been possible, but do you think it would be at all probable that you went to the theater, if you did go, without leaving that information as to where you were going?

Admiral Stark: It would have been possible but not probable. I never went out of the house at evening without leaving word as to where I was going.

Mr. Richardson: Well, if you went to the theater on that evening, when the theater was over you expect that you went directly home, do you not?

Admiral Stark: After the theater?

Mr. Richardson: Yes.

Admiral Stark: Yes, sir.

Mr. Richardson: Then you would remain there during the night?

Admiral Stark: Yes, sir.

Mr. Richardson: And there were during that night and every night about that time, people in the house who could have answered the telephone if it had rung?

Admiral Stark: Oh, yes, and I had one right at my bedside.

Mr. Richardson: I have no further questions, Mr. Chairman.

The Chairman: Admiral, just one question.

WARD & PAUL, WASHINGTON, D. C.

Witness Stark

Questions by: The Chairman

1 I believe you stated in your former testimony that you
2 regarded the 13 parts of this message, when you did see them
3 the next morning, as routine, or rather as a rehashing of the
4 attitude of the Japanese towards the situation which had been
5 accumulating over a period of weeks or months?
6

7 Admiral Stark: That is correct, yes, sir.

8 The Chairman: And that the 13 parts by themselves carried
9 no implication to you beyond that, that it was a rehashing, a
10 restatement of their attitude; that was your impression when
11 you saw it the next morning?

12 Admiral Stark: It was, yes, sir.

13 The Chairman: You stated, I believe, that based upon
14 those 13 parts you did not regard it necessary to give any
15 additional warning.

16 Admiral Stark: Yes, sir.

17 The Chairman: Because warnings had been given to all the
18 officers that you regarded as sufficient. If you had seen the
19 13 parts of that message on the night before, would your opinion
20 of it have been any different from what it was the next morning?

21 Admiral Stark: I think not. I think my reaction would
22 have been the same as the testimony of, so far as I know, every-
23 one else who was here indicates, that it was not of any urgency,
24 that it was a restatement.

25 The Chairman: But if you had been called by the President,

Witness Stark

Questions by: The Chairman
The Vice Chairman

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or had been communicated with by him following his receipt of that message, and he had told you that he thought that that was leading to war, or that meant war, you would have taken such steps as that incident might have impelled you to take, in view of the President's opinion of it, and in that case you would have gone to the office, or gone down to look at the message and examine it further and see upon what basis the President those 13 parts meant war?

Admiral Stark: Yes, sir.

The Chairman: That did not take place?

Admiral Stark: That did not take place. I had no intimation of the President's reaction. I did not know that the President had read that dispatch that night until it was brought out here before the committee.

The Chairman: Yes. Mr. Cooper.

The Vice Chairman: Admiral, as I recall, the effect of your previous testimony was that the first 13 parts of the so-called 14-part message, the 13 parts having been received on Saturday night, indicated nothing to attract any attention about Pearl Harbor.

Admiral Stark: Absolutely.

The Vice Chairman: And as I recall Commander Schulz' testimony to this committee, Pearl Harbor was not mentioned by the President, or Mr. Hopkins, during their discussions on the

Witness Stark

Questions by: The Vice Chairman
Mr. Murphy

first 13 parts of this 14-part message.

Admiral Stark: Yes, sir. Nor did I ever hear anyone else mention Pearl Harbor in that connection.

The Vice Chairman: And the fact that that might have indicated war, there was nothing there to attract any attention or give any indication that Pearl Harbor was involved?

Admiral Stark: That is correct.

The Vice Chairman: I thank you.

The Chairman: Mr. Clark.

Mr. Clark: I have no questions.

The Chairman: Mr. Murphy.

Mr. Murphy: Admiral Stark, on the 27th of November, you had already sent out the war warning, had you not?

Admiral Stark: We had, yes, sir.

Mr. Murphy: And you sent this message, and you said in that message "This is a war warning", you sent it to the different Pacific Theaters; that is right, isn't it?

Admiral Stark: Yes.

Mr. Murphy: And then the President, sometime prior to December 1st, said that he expected we would be attacked probably by Monday, did he not?

Admiral Stark: That is correct.

Mr. Murphy: That was previous to December 1st?

Admiral Stark: Yes, sir.

Witness Stark

Questions by: Mr. Murphy

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Mr. Murphy: Now we have a Navy man saying that the President saw the first 13 parts and said "This means war". The fact is most of those in high command, if not all of those in high command, were expecting very definitely the possibility of war at that time, were they not?

Admiral Stark: We were. We had sent out warning messages regarding it. The President himself had directed either one or two messages to be sent in that connection.

Mr. Murphy: Were you present at the White House, Admiral, on December 7?

Admiral Stark: No, sir, I was not in the White House, as I remember, on December 7.

Mr. Murphy: We have here the stenographic report on the words of the President of the United States on December 7 before some of the great men of this country. Mr. Chairman, I think those notes ought to be produced by counsel so they can be made a part of the record in this case.

Mr. Richardson: Has not that already been done?

Mr. Murphy: They have not been made part of the record. They should be.

Mr. Richardson: I will wait until we have a Chairman here.

Mr. Murphy: You were not present, at any rate, when the leaders of the Senate and House and others were present at the

Witness Stark

Questions by: Mr. Murphy

White House with the President on the evening of Sunday, December 7, at which time he discussed the reactions of those in the White House, the reactions of themselves and others in the days preceding December 7?

Admiral Stark: My recollection is that I did not leave my office from the time I got there Sunday morning until early Monday morning.

Mr. Murphy: Mr. Chairman, as I understand it, on the evening of December 7, 1941 there were certain persons, leading Americans, at the White House, and as I understand it further, there was a stenographic report of the remarks made by the President at that time. In view of the fact that we have seen fit to have a witness come here to tell what the President said on the 6th of December, I think that the remarks of the President on the 7th of December, 1941 ought to be made a part of the record.

Mr. Richardson: Mr. Chairman, might I suggest, we are now having that full stenographic report mimeographed for introduction as an exhibit, largely in connection with the Stimson statement, because it much more directly relates to that than it does to this witness' testimony.

Mr. Murphy: The one I have reference to consists only of about four pages, or maybe five and maybe six at the most.

Mr. Richardson: There is only one and that is the one

Witness Stark

Questions by: Senator Ferguson

we are having mimeographed.

Mr. Murphy: At any rate, I think that should be made a part of the record. I will not press it now, but I think it ought to be made a part of the record at some time.

The Chairman: That will be presented to the committee for inclusion as an exhibit, as I understand.

Mr. Richardson: Yes, as soon as it is mimeographed.

The Chairman: All right. Is that all?

Mr. Murphy: That is all.

The Chairman: Mr. Gearhart.

Mr. Gearhart: No questions.

The Chairman: Senator Ferguson.

Senator Ferguson: Admiral Stark, did not your Duty Officer at your office have a log where he entered all telephone calls if you were not there, so that the next day, or at the time you would come in, the log would indicate who called and if they had a message?

Admiral Stark: I think not. If there had been a message or anything definite to be brought to me he undoubtedly would have told me, but I know of no log kept by the Duty Officer. There may have been one, but I just do not recall it.

Senator Ferguson: Is not that the ordinary practice in the Navy, that if you have a Watch Officer he keeps a log?

Admiral Stark: Of anything worthwhile, yes, sir.

Witness Stark

Questions by: Senator Ferguson

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Senator Ferguson: Would not a communication from the President of the United States on Saturday evening, December 6th, be a worthwhile item to enter in a log if you were not there and a telephone call was made to your Duty Officer to reach you?

Admiral Stark: Yes, sir, I would say so.

Senator Ferguson: You would say that would be worthwhile, would you not?

Admiral Stark: Yes.

Senator Ferguson: Have you ever looked for such a log?

Admiral Stark: No, I have not.

Senator Ferguson: Counsel, or Mr. Masten, do you know whether or not there has been a search for such a log?

Mr. Masten: They gave us a list of the people who were in the office, and that is in the record.

Senator Ferguson: Mr. Chairman, I ask now that counsel request that an examination be made to see if there is such a log.

Did you have Naval Aides at your home?

Admiral Stark: Have what, sir?

Senator Ferguson: Naval Aides.

Admiral Stark: No, sir.

Senator Ferguson: Did you just have civilian servants working for you personally or were they Government employees?

Admiral Stark: I understood your question to say did I

Witness stark

Questions by: Senator Ferguson

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Senator Ferguson: Did you just have civilian servants working for you personally or were they Government employees?

Admiral Stark: I understood your question to say did I

Witness Stark

Questions by: Senator Ferguson

have Naval Aides.

Senator Ferguson: Yes.

Admiral Stark: I was thinking of that, when you said that, of my Flag Secretary. The servants were Government servants.

Senator Ferguson: What classification in the Navy would they have?

Admiral Stark: Mess attendants, steward, cook and mess attendants.

Senator Ferguson: Did you have a secretary or anyone like that at home?

Admiral Stark: No, sir.

Senator Ferguson: Anyone to take phone calls?

Admiral Stark: The boys -- they were intelligent, good boys, would take a telephone call.

Senator Ferguson: Were they Filipino boys?

Admiral Stark: No, sir, they were colored.

Senator Ferguson: And you do not recall getting any message from any servant?

Admiral Stark: No, I do not.

Senator Ferguson: About a call from the President?

Admiral Stark: That is correct.

Senator Ferguson: Do you recall any calls from Kramer?

Admiral Stark: No, sir.

Witness Stark

Questions by: Senator Ferguson

Senator Ferguson: Captain Kramer?

Admiral Stark: No, sir.

Senator Ferguson: Did you have a policy or a plan that you were going to undertake if war actually came? You had one of these cards, did you not, that you could be telephoned on the winds message? Do you recall that?

Admiral Stark: No, I do not recall any card with regard to being telephoned on the winds message.

Senator Ferguson: A memorandum that "East wind rain" meant war?

Admiral Stark: No, sir.

Senator Ferguson: You never saw such a card?

Admiral Stark: No, sir.

Senator Ferguson: Or memorandum?

Admiral Stark: No, sir. If anything important on that would have come in I would have been notified, but I was given no card.

Senator Ferguson: Well, you knew that they were alerted to the receipt of a winds message?

Admiral Stark: I know it now, and I testified that my recollection on the winds message was not clear, except to the extent that it was my belief that an implementation of the winds message never came in. We covered that.

Senator Ferguson: I want to go further than that. I

Witness Stark

Questions by: Senator Ferguson

1 want to know what you knew about the fact that your Department
2 was expecting a so-called winds message which would indicate
3 certain things, as set out by the Japanese messages. You
4 are familiar with those messages now that we have had them here?

5 Admiral Stark: Yes, sir.

6 Senator Ferguson: Now will you state to the committee
7 what you knew about that set-up? Did you know anything about it?

8 Admiral Stark: I know what it is now. I do not recall
9 being familiar with the details of that set-up at that time.

10 Senator Ferguson: Now if it was important enough for your
11 staff under you to arrange it so that any member could be called
12 on the phone and he would have in his possession information
13 that he could tell what they were talking about without giving
14 away any secret -- in other words, the testimony now indicates
15 that if your inferior officers had called you on the telephone
16 and said, "Admiral, East wind rain", that that had a significant
17 meaning and that you would have know that that was a reply to
18 the wind code message.

19 Admiral Stark: I do not recall having that at that time.
20
21 (8) My office was about 10 minutes from the Navy Department and
22 any message could have come up there very quickly. I say 10
23 minutes, but maybe 15, say, at the outside.

24 Senator Ferguson: I know, but you also were out of the
25 Navy office at times.

Witness Stark

Questions by: Senator Ferguson

Admiral Stark: Yes, sir.

Senator Ferguson: And you do not recall any such set-up, as far as you are concerned?

Admiral Stark: No, I do not.

Senator Ferguson: Then I take it you had no policy or plan as to what the Navy would do at the time you received a winds intercept?

Admiral Stark: No, we had no special policy or plan if the winds message had come in showing a break, for example, or strained relations, because we already had them.

Senator Ferguson: I see. But the Dutch themselves said that the winds code would mean war. Did you know that?

Admiral Stark: I have heard it since. I do not recall at that time of having any interpretation of the winds message, the meaning war. It has been much discussed since then.

Senator Ferguson: What I am trying to get at is if the President did come to the conclusion Saturday night that, reading the 13 parts and the other messages connected with it, this meant war, as the Dutch had interpreted the winds code message, if it was received, would mean, the Navy Department of the United States of America had no plan as to what they would do upon the happening of that event, is that true?

Admiral Stark: That is true. We had a plan in case of war, which, of course, you are all familiar with, and when war

Witness Stark

Questions by: Senator Ferguson

came we simply sent out the execute of that plan.

Senator Ferguson: Now, Admiral, you say that relations were very strained on Saturday and Friday?

Admiral Stark: I certainly would say so, yes, sir.

Senator Ferguson: Yes. Did you have a plan that if you received word, or something that would indicate that America was going to war, that the United States Navy had a plan that you were going to do something, that you would act?

Admiral Stark: Well, we had already sent in the war warning an alert against the possibility of war. Until the clash came we had nothing else. When the clash came we were fully covered.

Senator Ferguson: In other words, you felt that the message of the 27th was your full plan and that you had no part to take, that you had no steps to take until war actually broke out?

Admiral Stark: That is correct. We considered we had fully alerted them with the directives which were given both by the Army and by ourselves.

Senator Ferguson: Well, how do you explain the calling of the meeting Sunday morning in your office of the various officers?

Admiral Stark: I do not recall it.

Senator Ferguson: Was there such a meeting called?

Admiral Stark: Not to the best of my knowledge and belief.

Witness Stark

Questions by: Senator Ferguson

That has also been covered, I believe, in previous testimony.

Senator Ferguson: Were there various officers assembled in your office Sunday morning?

Admiral Stark: Not that I recall, except those that came in on routine business, and with the message, but as for a meeting that morning, a regularly scheduled meeting, I think it did not take place.

Senator Ferguson: Well, do I understand from the testimony that you gave to Mr. Richardson, the counsel, this morning, that your mind is rather a blank on what took place Saturday afternoon and Saturday night?

Admiral Stark: As regards the 13 point message, yes, sir.

Senator Ferguson: Well, as to where you were?

Admiral Stark: Yes, sir, and as to where I was, except that I was in the office Saturday afternoon.

Senator Ferguson: Would it do any good to try to refresh your memory on the people that were at this party? I think we have a list.

Admiral Stark: No, it would not, I can tell you that in advance. My opinion is and my belief is that I was not at that party.

Senator Ferguson: Do you know the Naval Attache from Canada, Mr. and Mrs. Brodeur? Do you know them?

Admiral Stark: Yes, I think I knew them.

Witness Stark

Questions by: Senator Ferguson

Senator Ferguson: Did you know the McCarthys?

Admiral Stark: Well, I knew so many people of slight acquaintance that I would remember their faces and perhaps not their names.

Senator Ferguson: Suppose you look at the Society column in the Sunday Star, Admiral.

(Handing document to Admiral Stark.)

Admiral Stark: Yes, sir.

Senator Ferguson: Will you just look and see whether or not the write-up on that party would in any way refresh your memory?

Admiral Stark: I would like to say as regards parties, Senator Ferguson, that in a very recent important party to which I had been invited, and at which I was not present, but the press having the list put me down as one of the important persons there.

Senator Ferguson: I did not mean to prove by the fact that the press listed you as being there, that you were there, but I thought that the write-up of the society editor would give you some information that would refresh your memory as to being at that kind of party.

Admiral Stark: I will gladly read it, sir.

Mr. Murphy: For the record, the "Star" you mentioned is the Washington Star?

Witness Stark

Questions by: Senator Ferguson

Senator Ferguson: Yes.

Mr. Murphy: You referred to the "Star".

Senator Ferguson: Yes, the Washington Star.

Admiral Stark: (After perusing document) No, it does not. It says I was there, but my knowledge on reporting things of this sort does not make that at all conclusive.

Senator Ferguson: Would the fact that the minister from the Commonwealth of Australia, Mr. Casey and Mrs. Casey, are listed there, would that in any way refresh your memory?

Admiral Stark: No, sir. I knew Mr. Casey quite well. I saw him frequently.

Senator Ferguson: So that does not refresh your memory in the least?

Admiral Stark: It does not. There were many such parties, to which I did not go generally.

Senator Ferguson: We have some more information on the question as to what happened Saturday. I want to know whether or not you were consulted by the President in relation to a message received from the Prime Minister, sent to the President of the United States, in relation to a message to be sent by the British Government and the Dominion Government. I will show you that document and let you read it.

(The document was handed to Admiral Stark.)

Senator Ferguson: Does counsel want to offer that in

Witness Stark

Questions by: Senator Ferguson

evidence now?

1
2
3 Mr. Richardson: I think it would probably be just as
4 well, if it suits the Chairman, to have it included in the
5 record.

6 The Chairman: Is this the document on our desks here?

7 Mr. Richardson: Yes. It might be included in the record
8 instead of making it an exhibit.

9 The Chairman: Dated December 7, 1941?

10 Mr. Richardson: Yes.

11 Senator Ferguson: I will read it into the record, or
12 suppose we let Mr. Masten read it into the record?

13 Mr. Masten: I think the record should show in addition,
14 Senator, the covering letter from the State Department, which
15 reads as follows:

16 "Dear Mr. Richardson:

17 "In further reference to Mr. Masten's memorandum
18 of February 23, regarding the clearance of certain documents,
19 the British Government has now notified us that clearance has
20 been obtained for documents numbered 6 and 8. We are informed,
21 however, that the Australian Government has requested that
22 document No. 8 should only be released together with a para-
23 phrase of a telegram from the Australian Minister of External
24 Affairs relating to this document. A paraphrase of that
25 telegram as received from the British Embassy is therefore

Witness Stark

Questions by: Senator Ferguson

enclosed herewith.

Sincerely yours,

/s/ Herbert S. Marks

Herbert S. Marks
Assistant to the Under Secretary"

Senator, do you want me to read this?

Senator Ferguson: Yes, you may read that.

Mr. Masten: The documents enclosed are as follows, and the first is a memorandum dated December 7, 1941, which appears to have been on stationery bearing the British seal, and reads as follows:

"The Prime Minister would be very glad of any comments which the President may have on the attached draft of a declaration to the Japanese Government.

"The Dominion Governments have yet to give their views on this text. They are being consulted urgently.

"The Netherlands Government have been given a copy of the draft."

The next one is:

"Your Excellency,

"I have the honour to inform Your Excellency that I have been instructed to make the following communication to the Imperial Japanese Government on behalf of His Majesty's Governments in the United Kingdom, Canada, the Commonwealth

Witness Stark

of Australia, New Zealand, and the Union of South Africa.

"His Majesty's Governments in the United Kingdom, Canada, Commonwealth of Australia, New Zealand, Union of South Africa have followed closely in consultation with the United States Government the negotiations in which the latter have been engaged with the Japanese Government with a view to relieving the present tension in the Far East. His Majesty's Governments viewed with the same concern as the United States Government the rapidly growing concentration of Japanese forces in Indo-China which prompted the enquiry by the United States Government to the Japanese Government on December 2nd. They have found Japanese reply to that enquiry extremely disquieting. However valid the explanations in regard to North Indo-China as to which they expressly reserve their views the reply entirely fails to explain the fact that the bulk of Japanese forces are stationed in South Indo-China and are being constantly and heavily augmented.

"There is no threat from any quarter against Indo-China and this concentration in South Indo-China is only explicable on the assumption that the Japanese Government are preparing for some further aggressive move directed against the Netherlands East Indies, Malays or Thailand.

"Relations between the Governments of the British Commonwealth and the Netherlands Government are too well known for

Witness Stark

1 the Japanese Government to be under any illusion as to their
2 reaction to any attack on territories of the Netherlands. In
3 the interest of peace His Majesty's Governments feel it in-
4 cumbent upon them however to remove any uncertainty which may
5 exist as regards their attitude in the event of attack on
6 Thailand.

7
8 "His Majesty's Governments have no designs against
9 Thailand. On the contrary preservation of full independence
10 and sovereignty of Thailand is an important British interest.
11 Any attempt by Japan to impair that independence or sover-
12 eignty would affect the security of Burma and Malay and His
13 Majesty's Governments could not be indifferent to it. They
14 feel bound therefore to warn the Japanese Government in the
15 most solemn manner that if Japan attempts to establish her
16 influence in Thailand by force or threat of force she will
17 do so at her own peril and His Majesty's Governments will
18 at once take all appropriate measures. Should hostilities
19 unfortunately result the responsibility will rest with Japan."

20 Those two documents, Senator, came from President
21 Roosevelt's file.

22 Senator Ferguson: I asked that they be cleared, and then,
23 as I understand it, before they could be cleared the Australian
24 Government insisted upon attaching the paper that you read now.

25 Mr. Masten: That is correct.

Witness Stark

Mr. Murphy: Will the gentleman yield for the purpose of making an explanation?

Senator Ferguson: Yes.

Mr. Murphy: Were those produced by Miss Tulley some months ago?

Mr. Masten: That is correct.

Senator Ferguson: But we were waiting for clearances until just recently.

Mr. Masten: That also is correct. The final document is the paraphrase of a telegram from the Australian Minister for External Affairs to the Secretary of State for Dominion Affairs of the United Kingdom, which is the telegram referred to by Mr. Richardson from the State Department, and is as follows:

"Subject to conditions that President gives prior approval to text of warning as drafted and also gives signal for actual delivery of warning, we concur in draft as a joint communication from all His Majesty's Governments. I point out that message from Australian Minister at Washington just received notes that,

1. President has decided to send message to Emperor.
2. President's subsequent procedure is that if no answer is received by him from the

Witness Stark

Questions by: Senator Ferguson

Emperor by Monday evening,

(a) he will issue his warning on Tuesday
afternoon or evening,

(b) warning or equivalent by British or
others will not follow until Wednesday
morning, i.e. after his own warning
has been delivered repeatedly to
Tokyo and Washington."

Senator Ferguson: Now, Admiral, my question on that is:
Were you ever consulted by the President of the United States
in relation to that document, the one first read?

Admiral Stark: I do not recall that I was, Senator
Ferguson. We often talked over the Thailand situation, and
that entire area, but as to this specific document, I do not
recall that I was ever consulted by the President with reference
to it.

Senator Ferguson: You were the Chief Naval Officer and
it would be very important. If any steps were to be taken,
you were the man that would take them, isn't that true?

Admiral Stark: Well, I would be very much interested, along
with the Army. He may have talked that over with me. I recall
so much conversation with reference to what whole area that
I do not pin it down to that specific document dated the 7th
of December, and to which the reply would be made after the 7th.

Witness Stark

Questions by: Senator Ferguson

Senator Ferguson: This does not state that a reply would be made necessarily after the 7th, unless you relate it to the last page.

Admiral Stark: I was relating it to the last page, yes, sir.

Senator Ferguson: The first item -- now this would indicate it was prior to 9:00 o'clock on the 6th of December, because the message to the Emperor was sent at 9:00 o'clock, or shortly after, on the 6th of December 1941, and it appears that the Australian Minister had a message from the President to this effect, "President has decided to send message to Emperor." That would indicate that it was not sent, that he had decided to send it and prior to sending it he had notified the Prime Minister, or the Australian Minister, which would be Mr. Casey.

Admiral Stark: Yes, sir.

Senator Ferguson: Did you know that the President had decided to send that message prior to its being sent on the night of the 6th?

Admiral Stark: Yes, sir, I recall the talk of the President sending a message to the Emperor. I did not see the message beforehand, as I recall, but it had been discussed when I was present.

Senator Ferguson: Do you know how long before the 6th -- or was it on the 6th that you discussed it with the President?

Witness Stark

Questions by: Senator Ferguson

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Admiral Stark: I was relating it to the last page, yes, sir.

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Admiral Stark: Yes, sir.

Senator Ferguson: Did you know that the President had decided to send that message prior to its being sent on the night of the 6th?

Admiral Stark: Yes, sir, I recall the talk of the President sending a message to the Emperor. I did not see the message beforehand, as I recall, but it had been discussed when I was present.

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Witness Stark

Questions by: Senator Ferguson

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Admiral Stark: I think that message to the Emperor was discussed some days before, as I remember. I have forgotten just when.

Senator Ferguson: The next item, "President's subsequent procedure is that if no answer is received by him from the Emperor by Monday evening", that he would do certain things, first, "he will issue his warning on Tuesday afternoon or evening." Did the President consult you in relation to that?

Admiral Stark: I do not recall it.

Senator Ferguson: That would be a very important matter, would it not?

Admiral Stark: It would be a very important matter.

Senator Ferguson: That he was going to send the message?

Admiral Stark: Yes, sir.

Senator Ferguson: And then he was going to wait until Monday evening as to whether or not a reply was made by the Emperor, and if no reply was made that he was going to issue his warning. That would be a warning to Japan, I take it, on Tuesday afternoon or evening.

Admiral Stark: It would be a very important State Department matter in that sphere and of course we would know of it. We might not necessarily be particularly consulted about it beforehand, although I do recollect the thought of a message to the Emperor.

Witness Stark

Questions by: Senator Ferguson

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Senator Ferguson: When we were on the verge of war a diplomatic move would be very material to the Navy, would it not, and you would not be consulted with relation to that?

Admiral Stark: Not necessarily. It would be very important, but the President's principal adviser in that connection was Mr. Hull, and while we would probably learn of it, we would not necessarily be consulted.

Senator Ferguson: Well, now, do I understand that you had practically washed your hands of the matter 10 days before and had sent a warning and were just sitting and waiting until something happened?

Admiral Stark: No, I do not mean to convey that at all. We were intensely interested. When you ask me if the President would not consult me as regards that message, he might and he might not have.

Senator Ferguson: Had not Mr. Hull told you and General Marshall sometime before that he was through, that it was up to the Navy and Army?

Admiral Stark: Yes, sir.

Senator Ferguson: And you do not recall being consulted by anyone, or hearing about "We will wait until Tuesday afternoon or evening before we will reply", or something of that sort?

Admiral Stark: I do not recall that point at all, no, sir.

Witness Stark

Questions by: Senator Ferguson

I might have known of it, but I do not recall.

Senator Ferguson: Then the (b) "warning or equivalent by British or others will not follow until Wednesday morning, i.e. after his own warning has been delivered repeatedly to Tokyo and Washington", that is the President's own warning.

Admiral Stark: Yes, sir. I do not think, Senator Ferguson, that because Mr. Hull stated he had washed his hands of it and it was now up to the Army and Navy, that that would in any sense indicate that Mr. Hull would not be the primary adviser of the President on anything of this sort, and would not continue to be until war actually broke.

Senator Ferguson: Was not this to be a military or naval decision, if a warning like this was to be given? I take it from the original, that is, the original memorandum from the Prime Minister of Great Britain, that they were talking about an ultimatum, they were talking about real action, they were going to warn Japan and she could not move any further, and therefore if you wanted to stop the movement by an army or a navy, you would have to stop it not by diplomacy, you would have to stop it by might. You and General Marshall controlled the might of the United States, did you not?

Admiral Stark: Well, we fight for peace after it has been lost by diplomacy and not beforehand. I would consider that the message which went out would be diplomatic and would be a

Witness Stark

Questions by: Senator Ferguson

State matter from the State Department political angle, and that that would be primarily their responsibility.

Senator Ferguson: You were controlling the Navy. Would not you have to be ready that if this warning was sent it might and could possibly mean war, and that war might or could possibly start immediately, and therefore a new alert, something new would be necessary?

Admiral Stark: Not to my mind, no, sir.

Senator Ferguson: You do not think so?

Admiral Stark: No, sir. We felt we were fully alerted. Our plans were ready, if war broke, in all theaters.

Senator Ferguson: Now I have another item here. I show you a message from OPNAV, which was your Department, to CINCAF, which was sent about noon prior to the attack on the 7th. Would you just read that and tell me if you know anything about it? I received that March 6th from counsel. It was requested prior to that but was sent to me on that day.

(The document was handed to Admiral Stark.)

Mr. Murphy: Will the Senator yield before we go on to another subject?

Senator Ferguson: Yes.

Mr. Murphy: I wonder if there is anything to show that this suggested paper, which has been read into the record, was ever sent by the British Government?

Witness stark

Senator Ferguson: Yes, the first sheet shows that the British Government sent it to us.

Mr. Murphy: No, but I mean to Japan. Did the President send that message to Japan?

Senator Ferguson: No, it does not show.

Mr. Murphy: This is just a tentative suggestion, isn't that right?

Mr. Masten: That is correct, so far as we know.

Mr. Murphy: So far as you know, there never was a message sent by the British to Japan?

Senator Ferguson: I would like to say here, Counsel, Mr. Hull no where in his statement mentions this item. So far the records have not shown that any message was delivered to the Australian Minister, or that the President had decided to do what is set forth here by the Australian Minister. I wish you would now check the records of the Secretary of State and White House to ascertain what memorandum we have about what the President had determined to do, when he determined to do it, and when the messages were sent, and when this message was sent to the Australian Minister. I think that is very important in this record.

Mr. Masten: We will be glad to do that. I think if there were any further documents in the State Department about that they would have turned it over in response to the numerous

Witness Stark

requests we have made to them, and the request which was made originally to them. We can ask them again.

Senator Ferguson: I just cannot conceive of the fact that our Government would send this kind of message to the Australian Minister and keep no memorandum of it. Our State Department functions in the way we have been shown by the record, that of anything that is done a memorandum is made.

Mr. Masten: Senator, this is not a memorandum from our Government.

Senator Ferguson: I appreciate that very much. It comes from the Australian Government, but it indicates clearly that the Australian Minister had this information from our Government, and I have never known our Government to give verbal information, they would make a memorandum of what they had given to another Government. Governments do not function along that line. For that reason I ask that the Secretary of State's office again be asked for this information.

Mr. Murphy: Will the Senator yield just for the one matter of the insertion in the record?

Senator Ferguson: There would be a memorandum of a conversation, because if they have a conversation they make a memorandum of it.

Mr. Murphy: Will the Senator yield?

Senator Ferguson: Yes, I will yield.

U.S. GOVERNMENT PRINTING OFFICE

Witness Stark

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Mr. Murphy: Don't you think the record should show what you are reading from is a paraphrase of a telegram from the Australian Minister of Australian Affairs to the Secretary of State for Dominion Affairs of the United Kingdom?

Senator Ferguson: That has already been read into the record.

Mr. Murphy: I do not believe it has.

The Chairman: I would like to ask one question about this. The first paper you read is dated December 7. That is the day on which the attack was made, and it refers to the papers that were read later.

Now obviously that message, that memorandum was made before the attack, otherwise it would have no purpose whatever, and when the attack came of course it vitiated and nullified all this talk of what was going to be done in that suggestion.

Does the record show at what time that memorandum was received or made or sent? It must have been on the morning of the 7th.

Mr. Masten: There is nothing on that shown in the document. We have photostats of the original here.

The Chairman: It is obvious it must have been made before the attack.

Mr. Masten: That is correct.

The Chairman: There would be no point to sending it after

Witness Stark

the attack, because the whole situation had changed.

Mr. Masten: That is correct.

Mr. Richardson: There is only one date, Mr. Chairman, on this entire photostat, and that is in the first memorandum, the first note of the Prime Minister, that bears the date on the bottom of December 7th.

The Chairman: It bears the date December 7, and it refers to these other documents you have read, and it seems obvious to me that all this must have happened on the morning of the 7th before the attack, because there would have been no point in having such documents or making any such suggestions or recommendations after the attack became known.

Senator Brewster: Will the Senator yield?

The Chairman: Yes. I am just trying to straighten this out here.

Senator Brewster: When you say it all transpired earlier, it appears that the message from the Prime Minister of the Dominion Government could have been one, two or three days earlier. It does not appear as to the date that message was submitted to our Government on the 7th, and there also appears no time on the paraphrase of the telegram. Do you know why that is? Why should not we have the day and time of that?

Mr. Masten: I understand we asked the State Department for that document.

Witness Stark

1 The Chairman: This December 7 document, the only one
2 that has any date on it, must have been submitted to the
3 President on that day, because it says the Prime Minister
4 would be glad to have any comments which the President may
5 have on the attack draft. Whenever that other draft was
6 written does not seem to appear.

7
8 Senator Ferguson: Mr. Chairman, I think it is material
9 if you look at the original photostatic copy, the first sheet,
10 which is a small paper from the British Embassy. It is mimeo-
11 graphed and therefore does not show it. At the top of it it
12 has the seal of the British Government, indicating that they
13 attach the sheet sent to our State Department, or to the
14 President, the next two sheets. But the significant part
15 of that is that the last page indicates the negotiations were
16 going on with Australia prior to that, because the President
17 had not sent his message to the Emperor until the night of
18 the 6th, and this says, "The President has decided to send a
19 message to the Emperor." It would indicate that he had not
20 sent it, that he had just decided to send it, and that this
21 is what he is going to do after it goes, he is going to wait
22 until Monday.

23 I think it is very material that we get all these dates.

24 The Chairman: That was all thrown out the window by what
25 happened at noon Sunday, which must have been not very long

Witness Stark

after this thing was delivered to the President, because it was delivered to him on the morning of the 7th. There seems to have been a confusion there as to the time. I do not know that it makes much difference when these other papers were drafted. They were evidently submitted to the President on the 7th.

Mr. Richardson: My view, and the interpretation we have made at our office of it was that this proposed dispatch from the British Government to Japan, consisting of two pages here in this photostat, was a document prepared by the British Government without date, for the purpose of being transmitted to the President, that is the idea the British Government had as to what the President might do, and as to its reliance on it. That, in connection with the preparation of this document by the British Government, the Australian for External Affairs, put a condition on his agreement to do something. Then that added to the other is presented to the President.

Now it seems perfectly clear that it was intended to be presented to the President, and it seems perfectly clear that before the Australian Minister made up his dispatch the President had not yet sent his message to Japan.

The Chairman: He had not received these papers either.

Mr. Richardson: The Australian Minister must have received the proposal of the British Government, because a

Witness Stark

part of the Australian Minister's answer is that the President has decided to send a message.

Now apparently they were not through with contact with the Dominion Government at that time, at the time this first note of December 7 was made, because of the recital that the Dominion Governments have yet to give their views on this text. Consequently it would seem as though the thing was all tentative and was to be crystallized when the President issued his message to Japan.

The important thing about it, from our standpoint, was the second clause which indicates a knowledge on the part of the Australian Minister of what the President proposed to do if he received no reply from Japan.

Now the interesting thing is, or was to us as soon as we saw this, which was recently, and that is where did the Minister from Australia get his authority to state what the President's procedure was to be? Now if that was a conversation between him and the President, then we have to look in the Presidential files possibly for the basis for that conversation.

If the State Department had anything to do with it, I am satisfied we would find in the State Department records a memorandum of the President's procedure, but until this Australian document came in we found nothing that indicated

Witness Stark

any procedure on the part of the President at all after his
 speech. But of course it is true that before any of it
 could be crystallized into action the attack came about, but
 that still does not dispose of the question as to whether
 the President had made up his mind as to what he intended to
 do.

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Mr. Clark: I would like to ask, counsel, if you have any evidence that the President ever saw these papers before he sent his message to Japan.

Mr. Richardson: These papers came to us from Miss Tulley in answer to our request that she take from the records anything that had any reference to Pearl Harbor.

So they went to the President. There is nothing to indicate here that the President saw them before the Pearl Harbor attack.

Mr. Clark: I mean before he sent his message to Japan, to the Emperor.

Mr. Richardson: There is nothing in these papers to indicate that the President saw any of these documents before he made his address to the Emperor.

Mr. Clark: Then what is the significance of them here?

Mr. Richardson: The only significance -- I won't say the only significance -- but the sharp significance to us, Mr. Congressman, was that Australia seemed to have learned from the President that if the Japanese did not reply to the prospective message that President Roosevelt was to send to the Emperor, that then President Roosevelt had determined that he would issue the Presidential warning on Tuesday afternoon or evening.

Up to now we have had no such information from any source.

h2

Mr. Clark: But he did actually send it on the 6th?

Mr. Richardson: Yes.

Mr. Clark: The night of the 6th.

Mr. Richardson: He sent it on the 6th. Now, did he receive a reply to his message to the Emperor?

Mr. Murphy: Not until after the attack.

Mr. Richardson: Then before he could act on it, under the procedure identified by the Australian Minister, presumably the attack on Pearl Harbor came about.

The Chairman: The message sent on the night of the 6th was not the warning contemplated by these papers.

Mr. Richardson: That is right.

The Chairman: His message was more in the nature of an appeal.

Mr. Richardson: That is right.

The Chairman: Not a warning. These papers indicate that if he got no reply by the following Tuesday, he then would issue to the Japanese Government what was regarded as a warning.

Mr. Richardson: Yes, sir.

The Chairman: The attack cut that all off.

Senator Ferguson: Mr. Chairman, I don't think the record should stand as it now stands, that the Australian Minister knew facts and circumstances that the Secretary of State of

h3

1 the United States did not know. For that reason I would like
2 to clear up as to whether it is possible that the Australian
3 Minister in Washington knew these facts set forth which our
4 own Secretary of State didn't know, and which the American
5 people haven't known until this morning.
6

7 Mr. Murphy: Will the Senator Yield?

8 Senator Ferguson: I think that we ought to look into the
9 facts in the Secretary of State's office to see whether that
10 is possible.

11 Mr. Murphy: Will the Senator yield?

12 Senator Ferguson: Yes.

13 Mr. Murphy: I would like to inquire whether, since this
14 has been known long enough for us to have clearance from the
15 British Government, if counsel, or anyone has asked the State
16 Department that specific question, or Sumner Welles, as to
17 their knowledge as to this particular document.

18 Senator Ferguson: Mr. Welles was examined in detail.

19 Mr. Murphy: The fact is that we had to wait until
20 counsel got clearance through the State Department.

21 Since it was known that it was going to be introduced,
22 has the State Department or Mr. Welles, formerly with the
23 State Department, been asked this question, as to whether the
24 American State Department knew about it?

25 Mr. Masten: That question has not been asked.

h4

Mr. Murphy: I don't think it is a fair inference to say that our State Department did not know, and that it was not known by the American people until this morning, then.

Mr. Masten: I think perhaps the record should show where the documents came from, and when.

Two British documents were found in the President's file by Miss Tulley, and were not found in the State Department files. They were in the papers that were submitted to the committee informally several months ago, and it was decided to request a clearance. That request was made as soon as the instructions were given by the committee.

Clearance was not given until this letter from the State Department was received, last Friday, I believe. It is undated, but I understand that it came in the office last Friday. And the reason clearance was held up was because the British Government advised the State Department that they wanted to submit this document to the Dominions -- because the first memorandum says the Dominions were being consulted at the time it occurred. The documents were then mimeographed and were distributed here this morning.

Senator Ferguson: So the record may be clear, I don't purport to state what the Secretary of State knew. I merely stated that our record up to date indicates that he didn't know this, and that is why I think he ought to have a chance

Witness stark

Questions by: Senator Ferguson
Senator Brewster

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to look into it.

3 The Chairman: Counsel will inquire of the State Depart-
4 ment any further facts relating to these documents that are
5 on record.

6 Senator Ferguson: Admiral Stark, we can prove one fact
7 here this morning, can we not, that the Navy, as far as you
8 were concerned had no knowledge of the contents of these docu-
9 ments that we have been speaking so much about this morning?

10 Admiral Stark: That is correct, to the best of my
11 remembrance; and after hearing the discussion, I don't think
12 I could be expected to have any, in view of the time and date.

13 Senator Ferguson: All of this discussion has not refreshed
14 your memory?

15 Admiral Stark: That is correct.

16 Senator Brewster: May I interrupt?

17 Senator Ferguson: Yes.

18 Senator Brewster: What you say as to the timing, Admiral,
19 is not quite relevant, as, if this document of the Australian
20 is correct, and that a decision had been reached on procedure,
21 that must have been, I would assume, prior to December 7,
22 as the clear implication of the document is that the Australian
23 Government had sent this message to the Prime Minister and
24 had received prior thereto word from the Australian Minister
25 in Washington as to what was contemplated would be done. That

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Witness Stark

Questions by: Senator Brewster

must have been a decision at or earlier than December 6, and would, presumably have been the result of consultations between the responsible authorities, among whom you would be included.

So I don't think you can dispose of the matter by saying it was simply relating to December 7. If there were a decision, it must have been certainly some days earlier.

Admiral Stark: Yes, sir, I see your point.

Senator Brewster: You would agree that that was so?

Admiral Stark: Yes, sir.

Senator Brewster: It seems to me that this illustrates very clearly the necessity of thorough exploration and the tremendous value of cross-examination -- not in any hostile sense, but in simply seeking out all of the relevant material, since we have been on this question now for nearly six months and here is something which would appear to be the basis for decision relating to this affair which none of us have been previously advised of, and either the Secretary of State did not know about it, which seems unlikely, or didn't consider it material in his review of the situation.

The result is to leave one pondering how many other documents, or material of this character may still have not been developed.

The Chairman: Before you go on to your next matter,

h7

Witness Stark

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2 Senator Ferguson, there is a question of procedure that has
3 to be settled.

4 I have got to be on the floor at 12 o'clock on account
5 of the housing bill, and the members of the House tell me
6 that they have to be over in the House.

7 The other day you indicated to me that you couldn't be
8 here tomorrow.

9 Senator Ferguson: That is correct.

10 The Chairman: And I can't be here tomorrow because I
11 have to be before another committee.

12 Under those circumstances we cannot hold a session this
13 afternoon. It may have to go over until Thursday morning.

14 Senator Ferguson: On Thursday, I couldn't reach Washington
15 until about 11 o'clock.

16 The Chairman: General Marshall advises me that he is
17 extremely anxious to return to China on account of the situa-
18 tion that we are all familiar with. He is getting daily re-
19 quests to return immediately. For that reason I don't like
20 to hold him here longer than necessary.

21 This is off the record.

22 (Discussion off the record)

23 The Chairman: Come around then, General. Maybe we can
24 finish with you now.

25 Admiral Stark, you will be available?

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Witness Marshall

Questions by: Mr. Richardson

Admiral Stark: Yes, sir.

The Chairman: It is very essential that we conclude these hearings at the earliest possible date. Time is running against us. We are all hoping that there will not be another request for an extension of time to make a report.

But that is another matter.

Go ahead, counsel.

TESTIMONY OF GENERAL GEORGE C. MARSHALL

(Resumed)

Mr. Richardson: General, where were you living on the 6th and 7th?

General Marshall: Fort Myer, Virginia, sir.

Mr. Richardson: The evidence that has been taken here indicates, at pages 2930, and 3091, that your records show nothing to indicate that you were not home on the night and evening of December 6th.

General Marshall: That is correct, sir.

Mr. Richardson: There was at all times at your home, people who knew your whereabouts?

General Marshall: That is correct, sir.

Mr. Richardson: And who answered telephone inquiries as to your whereabouts?

General Marshall: Correct, sir.

Mr. Richardson: You recall when you came to your office

h9

Witness Marshall

Questions by: Mr. Richardson

1 on Sunday morning, the 7th, seeing the message that was re-
2 ferred to as the 14-parts message?

3
4 General Marshall: That is correct, sir.

5 Mr. Richardson: When you first saw that message, it was
6 complete was it not, General?

7 General Marshall: It was complete.

8 Mr. Richardson: With the 1 o'clock p. m., notice in
9 connection with it?

10 General Marshall: That is correct, sir.

11 Mr. Richardson: That was the first time, as I understand
12 your testimony, which you already have given, that you ever
13 saw that message, or any part of it?

14 General Marshall: That is correct, sir.

15 Mr. Richardson: Did anyone at any time prior to your
16 seeing that message, tell you the nature of the intercept which
17 constituted the 14-part message?

18 General Marshall: Only to the extent that when I came
19 in from a ride on that Sunday morning of December 7, I was
20 told, either after I got in the shower, or as I went into it,
21 that the officer in charge of the Magic, Colonel Bratton,
22 desired to come out right away to show me an important message.
23 But the contents were not mentioned. The fact that it was
24 important was mentioned. And my reply was that I would reach
25 the Department immediately, not to come out to the house.

h10

Witness Marshall

Questions by: Mr. Richardson

Mr. Richardson: Were you first contacted by your aide?

General Marshall: I had no aide. My orderly gave me the message.

Mr. Richardson: He gave you the message that Colonel Bratton --

General Marshall: Wanted to come out to the house.

Mr. Richardson: Then your reply was, Colonel Bratton testified, was to take it to your office, and that you would come to your office.

General Marshall: Correct.

Mr. Richardson: The only description of what the message was, was that it was an important message?

General Marshall: That is correct, sir.

Mr. Richardson: Was there any attempt, do you know of any attempt prior to Colonel Bratton's contact with your orderly, to engage your attention in connection with any part of this 14-part message?

General Marshall: I know of no such attempt.

Mr. Richardson: Would there, in your opinion, have been any difficulty in reaching you on Saturday night at your home?

General Marshall: None whatever.

Mr. Richardson: Would you be able to testify definitely, General, that no one did reach you with any message in refer-

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Witness stark

questions by: Mr. Richardson

ence to the 14-part message on the night of December 6?

General Marshall: No one did reach me in regard to that message.

Mr. Richardson: And when you rose in the morning, went for your ride, you were entirely without any knowledge whatever that any such message, any part of the message, had been received the night before, or that the balance of it had already been received on the morning of the 7th?

General Marshall: That is correct, sir.

Mr. Richardson: There was no communication to you that the 13-part message had been presented to the President?

General Marshall: That is correct, sir.

Mr. Richardson: Or that the President had characterized its nature?

General Marshall: That is correct, sir.

Mr. Richardson: And, so far as you know, no one made any attempt whatever to get information to you until Colonel Bratton attempted to on the morning of December 7?

General Marshall: That is correct.

Mr. Richardson: No further questions.

The Chairman: No questions.

Mr. Cooper?

The Vice Chairman: Just one point, if I may, General.

As I recall, Colonel Bratton testified that he called

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Witness Marshall

questions by: The Vice Chairman

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your home Sunday morning, and talked to your orderly there, and was told that you had gone for your horseback ride and that he asked the orderly if he knew how to get in touch with you and he stated that he did; that Colonel Bratton thereupon requested the orderly to get in touch with you and ask you to go to the nearest telephone and call him; and, as I recall Colonel Bratton also stated that his recollection was that you called him about 10:30 and that he told you that he had an important message that he wanted to show you and that you told him you would be at the War Department in a short time.

Do you have any recollection of having called Colonel Bratton that morning, and having such a conversation?

General Marshall: None whatever.

The Vice Chairman: I thank you.

The Chairman: Mr. Clark.

Mr. Clark: No questions.

The Chairman: Mr. Murphy.

Mr. Murphy: No questions.

The Chairman: Senator Brewster?

Senator Brewster: General, there is just one matter that I wanted to have a little more formally established than was before in your evidence.

It seems to have some significance.

h13

Witness Marshall

Questions by: Senator Brewster

1 That is, your expression of opinion -- I do not know
2 how casual it was, which appears on page 1149 of the printed
3 proceedings now, page 3,028 of the record, concerning the
4 decision of the Japanese, and this was the language which
5 you used:

6 "Had they" -- meaning the Japanese -- "not attacked on
7 December 7th, had they waited, for example, until January 1st,
8 there is a possibility that they would not have launched the
9 attack."
10

11 That, I assume, represents a rather considered judgment
12 as to, at least, what was a possibility?

13 General Marshall: Yes, sir.

14 Senator Brewster: And that was based, as the context
15 shows, on the events around Moscow, where the German attack
16 was going forward, but the turn came at just about that time.

17 General Marshall: Yes, sir.

18 Senator Brewster: In the early days.

19 General Marshall: Yes, sir.

20 Senator Brewster: The Japanese found themselves then
21 committed.

22 General Marshall: Yes. It also related to what we were
23 going to be able to do in the interim.

24 Senator Brewster: Yes.

25 General Marshall: Between, we will say, the first of

hl4 Witness Marshall

Questions by: Senator Brewster

December, and the first of January.

Senator Brewster: Yes. You and Admiral Stark had both concurred in hoping that decision might be deferred for at least two or three months.

General Marshall: That was our great desire.

Senator Brewster: Yes. That was the occasion of the discussion of the modus vivendi?

General Marshall: That is correct.

Senator Brewster: And the documents in relation thereto?

General Marshall: Yes, sir.

Senator Brewster: To what extent was their knowledge in our Department here and your information, if you have any recollection at this time, as to the imminence of any change in the situation around Moscow at that time, do you recall?

General Marshall: I don't recall what the status of that information was on December 6 and December 7. I recall when the cumulative information came in, we became aware that the change of weather had ruined the German Army, in addition to the added troop defense of Moscow. But whether that came to us on that date or later, I couldn't say. The newspaper files could tell us a great deal on that.

Senator Brewster: Did we have intelligence operating at that time regarding those events?

That is, what sources did we have?

Witness Marshall

Questions by: Senator Brewster

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General Marshall: Our sources were largely those that came from the Russian Government in its official communiques.

Senator Brewster: From what?

General Marshall; The Soviet Government, in its official communiques.

Senator Brewster: Well, didn't the British have additional Intelligence, as a result of their involvement?

General Marshall: I don't recall whether they gave us anything at that time.

Senator Brewster: But whether they would have had it?

General Marshall: They might have had.

Senator Brewster: My question was as to whether they would have any more means, as they were actively involved.

General Marshall: Yes.

I don't know how well their system was built up at that time, but they might have had more.

Senator Brewster: Would there be records as to the interchange of information between our Government and the British Government at the military level regarding the developments prior to December 7?

General Marshall: There might be in the G-2 files.

Senator Brewster: Well, presumably there was a great change after December 7.

General Marshall: Yes, sir.

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Witness Marshall

Questions by: Senator Brewster

Senator Brewster: What I am concerned with is how far you had gone in developing the interchange of the military information regarding enemy movements.

General Marshall: At that time, I am quite certain that the facts of the British source of information was not known to us -- I am quite certain of that, naturally, it was not known to us -- but in addition they were not giving us the facts. They were not jeopardizing the source.

Senator Brewster: Yes, and they would probably --

General Marshall: It was quite some time after that, quite a long time after that before they took the risk of telling us exactly what they had. They gave us the sense of the reports, but the actual authoritative statements of what it was, and who said it, we did not know.

Senator Brewster: Would it be a fair inference that prior to December 7, the British were in all probability far better informed regarding events around Moscow, in the month of November than was our own Intelligence?

General Marshall: I couldn't give an opinion on that, Senator Brewster, for the reason that I don't know just when the British accomplished the breakdown of the German codes. It was not only a question of breaking it down, but the rapidity with which you could pick up the changes. All of which was a tremendous development. I don't know what that was at

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Witness Marshall

Questions by: Senator Brewster

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that time. They may have been three or four weeks behind the events.

Senator Brewster: Didn't the British necessarily have some form of liaison with the Russians during that period?

General Marshall: I don't know that they had any better than we had.

Senator Brewster: They were at war and we were not.

General Marshall: Yes; but after we were in the war we still depended largely on the Soviet communiques for a long time. The Soviet Government didn't trust our security.

Senator Brewster: Yes.

General Marshall: And they were very reluctant to open that up to us.

Senator Brewster: Do you think they may have been equally skeptical regarding the British?

General Marshall: Well, the British have a pretty firm law on the question, which we do not have.

Senator Brewster: That is right.

General Marshall: They have the means of maintaining security which we lack.

Senator Brewster: There might be closer coordination between two nations that were actually involved in war on the same side, and another country which was not.

General Marshall: I was judging that through the back side

Witness Marshall

hl8

1
2 of my knowledge of our relationships with the Soviet Govern-
3 ment later on.

4 Senator Brewster: Yes. What interested me was the dropping
5 of the modus vivendi around November 26, concerning which
6 Secretary Welles testified, which apparently occasioned some
7 surprise to Lord Halifax, who, as he said, came down quite
8 early the next morning, and wanted to know what happened
9 with the modus vivendi, and was simply surprised that London
10 had indicated the day before that they thought it had better
11 be dropped.

12 That may have been a very important turning point, if
13 your opinion is correct, if the modus vivendi which, apparently
14 was being very seriously considered, and had been approved
15 by you and Admiral Stark on November 25, I think it was, as
16 adequate to protect our interests, had gone into effect for
17 three months, then we should have had exactly the situation you
18 envisaged in your opinion, the Japanese having discovered mean-
19 while that the Moscow retreat was on, and it might have re-
20 oriented their entire view.

21 Would that be a fair inference?

22 General Marshall: That might be, but as I recall -- I
23 am trying to think back to the terms of discussion of that day,
24 and the documents -- the Chinese reaction was quite pertinent
25 to the occasion; as I recall that was the most vigorous opposi-

Witness Marshall

Questions by: Senator Brewster

h19

1
2 tion to the affair, and that the real decision was largely
3 based on that, where we dropped the matter; that the Generalis-
4 simo was terribly upset over the psychological reaction to
5 China.

6 Senator Brewster: Do you recall discussion of the deci-
7 sion to drop the modus vivendi around November 25, when that
8 decision was reached? Do you recall, Secretary Stimson's
9 report to us showed, and Colonel Knox's that some two days
10 before they carefully considered this modus vivendi, in con-
11 ference with you and Admiral Stark, and had decided that it
12 would adequately protect us. Then, Secretary Stimson showed,
13 a day or two later, that that had been dropped. This showed
14 it was on November 25.

15 "Mr. Hull: This was a very full day indeed. At 9:30
16 Knox and I met in Hull's office for our meeting of three.
17 Hull showed us the proposal for three months truce which he
18 was going to lay before the Japanese today or tomorrow. It
19 adequately safeguarded all of our interests, I thought, as
20 we read it, but I don't think there is any chance of the
21 Japanese accepting it, because it was so drastic."

22 Mr. Murphy: I think you said Mr. Hull. Those are
23 Mr. Stimson's words, aren't they?

24 Senator Brewster: If I said Mr. Hull, I meant to say
25 Mr. Stimson.

h20

Witness Marshall

Questions by: Senator Brewster

1 Mr. Murphy: I think you did.

2 Senator Brewster: Yes.

3 This is Mr. Stimson's report of his conference with Mr.
4 Hull and with Colonel Knox.

5 Now, immediately following that, two days later, this
6 was dropped and Mr. Hull reported that they decided to drop
7 the modus vivendi, and were going forward with the document
8 which has been variously discussed as to whether it was an
9 ultimatum or not. Do you recall any conversations following
10 the approval of the modus vivendi as adequate, which, I as-
11 sume, Secretary Stimson had arrived at after consultation with
12 you, do you recall any conversations following that as to the
13 dropping of the modus vivendi?
14

15 General Marshall: My recollection is, and I have a
16 fairly clear recollection of our disappointment, that from
17 the military point of view, meaning Army and Navy, that we
18 would not gain any more time; our relationship to these
19 discussions was on the one side the desire to gain as much
20 time as we possibly could and on the other to see that
21 commitments were not made that endangered us from a military
22 point of view.

23 Senator Brewster: Do you recall the day you went away?

24 General Marshall: I left, I think, the night of -- I
25 wasn't here the 27th --

h21

1 Witness Marshall

Questions by: Senator Brewster

2 Senator Ferguson: The night of the 26th.

3 General Marshall: I left the night of the 26th.

4 Senator Brewster: On the 26th Mr. Stimson records in
5 his dairy:

6 "Hull told me over the telephone this morning that he
7 had about made up his mind not to give (make) the proposition
8 that Knox and I passed on the other day to the Japanese, but
9 to kick the whole thing over -- to tell them that he has no
10 other proposition at all. The Chinese have objected to
11 that proposition -- when he showed it to them; that is, to
12 the proposition which he showed to Knox and me, because it
13 involves giving to the Japanese a small modicum of oil for
14 civilian use during the interval of the truce of the three
15 months. Chang Kai-Shek had sent a special message to the
16 effect that that would make a terrifically bad impression in
17 China; that it would destroy all of their courage and that
18 they (it) would play into the hands of his, Chang's, enemies,
19 and that the Japanese would use it."

20 "A few minutes later I talked to the President over the
21 telephone and I asked him whether he had received the paper
22 which I had sent him over last night about the Japanese having
23 started a new expedition from Shanghai down towards Indo-China.
24 He fairly blew up, -- jumped up into the air, so to speak, and
25 said he hadn't seen it * * *."

Witness Marshall

Questions by: Senator Brewster

h22

1 The decision by Hull was, apparently, arrived at in a
2 24-hour period there, but it is not clear as to the considera-
3 tions other than the objections of the Japanese --

4 General Marshall: Chinese, you mean.

5 Senator Brewster: Yes, the Chinese.

6 The British message, meanwhile, as I recall it, the only
7 cable we have regarding it, the morning of the 26th, to which
8 Secretary Welles referred, said, speaking of the Chinese opposi-
9 tion, "Isn't this a pretty thin diet?"

10 That was the comment.

11 Now, can you recall any conversations in those two-day
12 periods, the 25th and the 26th, regarding the dropping of the
13 modus vivendi, which was of, certainly, great significance
14 from your viewpoint, because it, instead of giving you the
15 three months that you and Admiral Stark desired, it meant
16 that you might have to face the eventualities in the immediate
17 future?

18 General Marshall: I do not recall the specific conver-
19 sations. I do recall our disappointment that the objections
20 made by the Chinese Government had caused the matter to be
21 dropped, as I recall, at the time.

22 Senator Brewster: Counsel reminds me that there was a
23 memorandum to the President from you and Admiral Stark regard-
24 ing this period. Do you recall that?

Witness Marshall

Questions by: Senator Brewster

h23

Senator Ferguson: Dated the 27th of November.

Senator Brewster: What was the date of it?

Mr. Masten: The 27th of November.

Senator Brewster: Have you got it there?

(Exhibit No. 17 was handed to Senator Brewster.)

Senator Brewster: Exhibit 17.

Senator Ferguson: There were two messages that were very similar, one of November 5, which is Exhibit 16, and this, which is Exhibit 17.

Mr. Murphy: November 5 was the one at the time they were going to go into Hunan Province; the 27th was before you went south?

General Marshall: Oh, yes.

Senator Brewster: That is a matter of record. Undoubtedly it represents your views on the matter at that time. But you do not recall whether you had any conversations regarding the matter with Mr. Stimson or Admiral Stark on the 25th or 26th following your approval of the modus vivendi?

General Marshall: I would be pretty certain that I did discuss it with Mr. Stimson because we were talking every day, a number of times a day, on what was going on.

Senator Brewster: My attention is called to this, I don't know what significance it may or may not have, but on December 7, 1941, in the Sunday Star, Washington, in a review

h24

Witness Marshall

Questions by: Senator Brewster

1
2 of the war, there appears this report, apparently summarizing
3 the events of the preceding week:

4 "By Friday, Moscow claimed 4,000 square miles re-won.
5 Berlin admitted reverses but minimized their extent and
6 emphasized Russian losses. Although the present phase of
7 this Red counter-offensive is an early one, the immediate ef-
8 fect is to relieve for the present the threat of the Nazi
9 entrance into the oil areas of the Caucasus."

10 That, apparently, is the information which we had here.

11 Now, to what extent was consideration of the Russian
12 situation entering into your calculations in estimating pro-
13 bable Japanese actions at that time? Did you at that time
14 think of that as a factor?

15 General Marshall: I would have great difficulty in
16 giving an accurate answer to that. It was quite evident to
17 us, of course, when the German Army was repulsed, and had to
18 retreat, that there had been a tremendous change in the
19 European situation.

20 Senator Brewster: Yes.

21 General Marshall: But until we knew that, until that
22 was conclusively established, and not subject to the suspicion
23 of over-propagandized communiques, we were going along, you
24 might say, from day to day in the general battle. The
25 German advances had been consistent throughout and here came

Witness Marshall

Questions by: Senator Brewster

h25

a turning point.

Until we knew that, of course, I doubt if great emphasis was being placed by us on the current situation in Russia, other than the fact that so far as the Japanese would be concerned, the Russian Army was imperiled, and of course there situation was vastly simplified if the Russian Army was out of the picture because of Manchuria.

Senator Brewster: Yes.

Well, to what extent were you revising your estimates of the Russian strength in the light of developments? In the earlier case there had been a pretty general opinion that they probably wouldn't be able to hold out. As time went on, I assume your respect for their military potential increased.

General Marshall: Respect for their endurance and their prodigious ability to take losses increased. Later on, beginning with the Moscow incident, our respect for their technical, military capabilities rapidly increased and came to a very decided point with the surrender of the German Army before Stalingrad.

Senator Brewster: This is the memorandum which was referred to, of November 27, when, as I understand it, you were out of town.

General Marshall: Yes.

Witness Marshall

Questions by: Senator Brewster

h26

Senator Brewster: "Memorandum for the President.

"Subject: Far Eastern Situation."

It must have been prepared --

General Marshall: Prepared on the 26th, I think, after
a Joint Board meeting.

Senator Brewster: Yes. That would be coincident with
Mr. Hull's advice to Mr. Stimson that he thought he would
drop the modus vivendi, that he would drop that arrangement
which had been approved by the Secretary of War and the Secre-
tary of the Navy the day before, the 25th, and now he thought
he would drop it.

General Marshall: Whether or not that is coincident de-
pends on whether or not we knew the minute that thing was
being drafted what the Secretary said.

Senator Brewster: You said you thought it was probably
prepared the day before.

General Marshall: Yes, sir.

Senator Brewster: That happens to be the precise time,
November 26, when Mr. Stimson records in the diary, "Hull told
me over the telephone this morning that he had about made up
his mind not to give (make) the proposition that Knox and I
passed on the other day, to the Japanese, but to kick the
whole thing over * * *."

And so, on the 27th, this memorandum goes to the President

Witness Marshall

Questions by: Senator Brewster

h27

signed by yourself and Admiral Stark which emphasizes, apparently, the importance of delay. This is a portion of your language.

"The most essential thing now, from the United States viewpoint, is to gain time. Considerable Navy and Army reinforcements have been rushed to the Philippines, but the desirable strength has not yet been reached. The process of reinforcement is being continued. Of great and immediate concern is the safety of the Army convoy now near Guam, and the Marine Corps' convoy just leaving Shanghai. Ground forces to a total of 21,000 are due to sail from the United States by December 8, 1941, and it is important that this troop reinforcement reach the Philippines before hostilities commence.

"Precipitance of military action on our part should be avoided so long as consistent with national policy. The longer the delay, the more positive becomes the assurance of retention of these islands as a naval and air base. * * *"

And then you conclude:

"It is recommended that:

"Prior to the completion of the Philippine reinforcement, military counteraction be considered only if Japan attacks or directly threatens the United States, British, or Dutch territory as above outlined; * * *"

This is where you used the latitude:

Witness Marshall

Questions by: Senator Brewster

h28

"However, a Japanese dispatch to the west of 100 degrees east or south of 10 degrees north, immediately becomes a threat to Burma and Singapore. Until it is patent that Japan intends to advance beyond these lines, no action which might lead to immediate hostilities should be taken."

That is your reference to the threat.

Continuing your recommendations:

"In case of a Japanese advance into Thailand, Japan be warned by the United States, the British and the Dutch Governments that advance beyond the lines indicated may lead to war; prior to such warning no joint military opposition be undertaken; * * *"

And, finally:

"Steps be taken at once to consummate agreements with the British and Dutch for the issuance of such warning."

That, apparently, was what may have been a factor in the President's decision regarding these warnings, but the thing which is of significance, in the light of all that transpired, is the extent of the British expression of viewpoint on that; that is the thing I think becomes of possible significance in the light of Lord Halifax's apparent surprise on the morning of November 27 that the modus vivendi had been dropped. Apparently he was not informed of the communications. And Secretary Welles said, well, that is not the way London

Witness Marshall

Questions by: senator Brewster

h29

sounded yesterday, I think, was his comment on it to Lord Halifax.

Now, do you have any recollection as to any emphasis on the British viewpoint in the situation at that time apart from the Chinese?

General Marshall: I have no recollection.

Senator Brewster: Would that have been a matter that would have come to your attention under any normal circumstances?

General Marshall: Normally, I think I would have heard it from the Secretary of War, Mr. Stimson.

Senator Brewster: Now, the report of Secretary Stimson to the committee, which is now before the committee, on page 18, reads:

"Later, Mr. Knox and Admiral Stark came over and conferred with me and General Gerow. General Gerow was Chief of the War Planning Division. General Marshall was absent, having left the Department to attend certain Army training maneuvers which were going on that day. Both Admiral Stark and General Gerow were urging that any crisis be postponed as long as possible, to enable our preparations to proceed. A memorandum had been prepared by General Marshall and Admiral Stark to the President on this subject. The opinion of our top military and naval advisers was that delay was very desirable but

Witness Marshall

Questions by: Senator Brewster

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that nevertheless we must take military action if Japan attacked American or British or Dutch territory or moved her forces in Indo-China west of 100 degrees east or south of 10 degrees north. I told them, which was the fact, that I also would be glad to have more time but I did not want it at the cost of humiliation of the United States or of backing down on any of our principles which would show a weakness on our part."

That represents, apparently, a summary of what went on as far as the War Department and your advice was concerned.

Now, to what extent, since you have ventured an opinion on Japanese psychology and action, in connection with your suggestion that if they had delayed until January they might not have attacked, to what extent would Japanese opinion be affected by knowledge of our contemplated action?

General Marshall: What action are you referring to?

Senator Brewster: There are two hypotheses. One indicated by the President's statement to Admiral Richardson that even if the Japanese attacked the Philippines he wasn't certain that we would go to war. The other, the discussions which indicated, apparently, that this Government had reached the point where we had concluded that if there was an attack on the Dutch or British in the Orient we would be obliged to participate. That was the expression of opinion of the Cabinet, that it would be supported by the people. The other was that

1 Witness Marshall

Questions by: Senator Brewster

2 opinion you could not allow the Japanese to go any further
3 south or west without taking action. Now, to what extent
4 would the Japanese decision be affected by knowledge as to our
5 contemplated action?

6 Let us assume first that they knew that we were going to
7 go to war if they attacked Malaya or any portion of that land
8 there. Let us assume on the other hand that they knew we
9 were not going to participate unless we were directly attacked
10 ourselves.

11 To what extent would their decisions as to action be
12 affected by that knowledge?

13 Mr. Murphy: Will the Senator yield?

14 Senator Brewster: Yes.

15 Mr. Murphy: You must also take into consideration our
16 note of August 17 to the Japanese. The note we gave to the
17 Japanese on August 17 stating what our position was.

18 General Marshall: Japanese psychology being what it is
19 and the Japanese Army domination being what it was, their
20 general scheme for the assumption of power throughout the
21 Far East, particularly the Southwest Pacific, being known
22 now, I don't think that would have had any particular effect
23 one way or the other.

24 Their misjudging regarding us I think was more a question
25 of our willingness, our energy, our ability to fight effectively.

Witness Marshall

Questions by: Senator Brewster^{13,787}

1 They had misjudged us on that. They thought we would be
2 ineffective after we started to fight, that we could not
3 organize sufficiently to fight effectively.

4 They felt that we were highly dangerous with our fleet,
5 when it was actually in being, but it requires support, it
6 requires defense of its bases at distant points, which means
7 land troops and means sufficient air force for areal pro-
8 tection.

9 Beyond that I don't think that they would be deterred
10 from their purpose.

11 To that extent they would have felt that it was vital
12 that we be isolated out of the war in order that they might
13 go ahead with the obstruction of British power and, of course,
14 the British Empire, and the Dutch, in the Southwest Pacific.

15 That is a rather involved statement.

16 Senator Brewster: I think it is clear, General.

17 That is, you feel that their estimate of our potential
18 military striking force was so low that they didn't care
19 particularly whether we were in the war or out?

20 General Marshall: Except as to the fleet.

21 Senator Brewster: Except as to the fleet.

22 General Marshall: And they recognized with the fleet
23 that we were incapable at that time, apparently, of furnishing
24 the fleet with a base in the Far East, unless we took Singapore,
25 because, as you recall, and I think the testimony showed, that

Witness Marshall

Questions by: Senator Brewster

1 with, I think it was 26 ocean-going submarines sent to the
2 Philippines, we couldn't even give them one anti-aircraft
3 gun for coverage.

4
5 The matter of Russia would have had dominant importance
6 in their minds because that affected the picture.

7 Senator Brewster: Because of the Manchurian picture?

8 General Marshall: Because of Manchuria, and because of
9 the effect that would have on the conduct of the war in Europe,
10 which up to that time had been assumed as a certain eventual
11 German triumph.

12 Senator Brewster: In other words, you think that the
13 elimination of Russia from the war was something of far more
14 significance to them than the possible participation of the
15 United States in the war?

16 General Marshall: Very much so.

17 Senator Brewster: That is, of course, interesting, and
18 in a way complimentary to our Russian friends.

19 General Marshall: It is a humiliating admission but that
20 was the judgment of the Japanese I think. One of their greatest
21 errors was their misjudgment of our fighting capacity.

22 Senator Brewster: Yet you would agree that, simply from
23 the immediate military situation, that if they had felt at all
24 sure that they would have had six months or a year to carry
25 on their conquests in the Orient without intervention by the

Witness Marshall

Questions by: Senator Brewster

United States, they would have felt that was a considerable advantage?

General Marshall: Well, I think they would have felt it was an advantage to conduct that campaign without the intervention of the United States because our naval force that remained after Pearl Harbor was sufficient to enable us to establish bases in Australia.

Senator Brewster: Yes.

General Marshall: Now, the Japanese had appeared with their heavy war vessels in the Indian Ocean, which meant that the line to Australia was very definitely threatened from that side. If the line to Australia was also impossible to establish in the Pacific then the problem of the Japanese in the long run was infinitely simpler.

Senator Brewster: Has there ever been any indication that the Japanese did anything in breaking our codes?

General Marshall: We have had no indication of that.

Senator Brewster: That has been explored?

General Marshall: I think conclusively.

Senator Brewster: Of course, this is all hypothetical and has no particular relation to the primary purpose here except as the object of this inquiry is to keep us out of another difficulty of this kind, but would this be a fair inference that if the Japanese knew that we were going to

1 Witness Marshall

Questions by: Senator Brewster

2 intervene in the event of attack on Malaya, they would then
3 recognize that they must, if possible, eliminate our fleet
4 on their flank, and, therefore, strike at the only real
5 potential we then had, which was our fleet?

6 General Marshall: That is a possible assumption.

7 Senator Brewster: Well, wouldn't that be, from a military
8 standpoint, almost inevitable, that the Japanese would never
9 dare move out of Malaya if they knew it was going to mean our
10 participation in the war, without undertaking to eliminate the
11 fleet on their flank?

12 General Marshall: It depends on what you mean by the word
13 "eliminate". They had already established themselves in Indo-
14 China. They were stretched, we thought, even then, into Siam.
15 The question was whether they would boldly go with their
16 shipping into the Gulf of Siam. They could have dominated
17 the China Sea in any event. They had Korea to the north of
18 the Philippines. They had the whole China coast and the bulge
19 of Indo-China all under their control at that time. We had
20 no bases. If we had tried, at least in limited number, to take
21 Singapore, which was the only form of base in the Far East, we
22 would have come under the Japanese air out of Indo-China and
23 out of Siam.

24 So there was a very restricted use for our fleet. We had
25 no base in Guam. Manila was hopeless. It would have been

Witness Marshall

Questions by: Senator Brewster

1 suicide to put the base in Manila. So that whatever operation
2 we did would have to be based back at Hawaii, and the fleet
3 would be out, we might say, most of the time, on the end of a
4 plank, as it were, in its operations.

5 Under those conditions, the Japanese could have gone ahead.
6 Not as freely as they could if we were severely damaged, possibly
7 not spread out so much as they did if we were not severely
8 damaged, but that might have been to their advantage also,
9 because they got too large an extension of perimeter; but
10 they still could have gone ahead with their affairs with the
11 limitations I have just stated.

12
13 But it would be a very difficult thing for the fleet to
14 operate in the Western Pacific without any base of any kind
15 unless it was Singapore. That lacked all the essentials
16 necessary to maintain large ships of the character which we
17 had. And also that would have been under air attack from the
18 Japanese air establishments that already were in Indo-China
19 and were, apparently, creeping into Siam.

20 Senator Brewster: You would emphasize then that the only
21 thing for which the Japanese had much respect, as far as we
22 were concerned, was our fleet?

23 General Marshall: That is correct.

24 Senator Brewster: That was at least potential. But all
25 of these considerations and factors entered into your estimate

1 Witness Marshall

Questions by:

2 of why you did not expect an attack on Pearl Harbor?

3 General Marshall: I will say as to the attack on Pearl
4 Harbor, we felt that was a vital installation, but we also
5 felt that that was the only installation we had anywhere that
6 was reasonably well equipped. Therefore, we were not worried
7 about it. In our opinion, the commanders had been alerted.
8 In our opinion, there was nothing more we could give them at
9 the time for the purpose of defense. In our opinion, that
10 was one place that had enough within itself to put up a
11 reasonable defense.

12 MacArthur, in the Philippines, was just beginning to
13 get something. His position was pitiable, and it was still
14 in a state of complete flux, with the ships on the ocean enroute
15 out there and the planes half delivered and half still to go.
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Witness Marshall

Questions by: Senator Brewster

The Panama Canal was quite inadequate at that period, seriously inadequate in planes, and, of course, of vast importance to anything in the Pacific.

The only place we had any assurance about was Hawaii, and for that reason we had less concern about Hawaii because we had worked on it very industriously, we had a tremendous amount of correspondence about it, and we felt reasonably secure at that one point.

Therefore we felt that it would be a great hazard for the Japanese to attack it.

Senator Brewster: I hadn't intended to reopen those questions, but only to go into the broader question of your estimate of whether the Japanese attack might be logically expected.

General Marshall: Yes, sir. I read Mr. Stimson's report this morning, and his summary of the conditions, and that expresses my opinion very well. We had these positive conditions, a little by magic and mainly by reconnaissance of the various movements being carried on in the Far East, so it was quite evident that the most serious intentions were there, which was the case in the general campaign.

Senator Brewster: Hindsight is, of course, easier than foresight.

General Marshall: Much more convenient.

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WARD & PAUL, WASHINGTON, D. C.

Witness Marshall

questions by: senator Brewster

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Senator Brewster: In the light of your review now, it would appear that if the advice which you and Admiral Stark had given had been accepted, on November 25, 26, and 27, to enter into the modus vivendi which, it was the considered conclusion of the Army and Navy, including the Secretaries of War and Navy, was adequate to protect our interests, we do not know what the course of history might have been.

General Marshall: No, we do not know what would have happened. You might have had a complete collapse there which might have had a tremendous effect on the balance of the war.

Senator Brewster: It would be interesting when you have concluded your labors, to know. I address myself to this only for posterity. They have got to gather as much wisdom as they can from our conduct.

General Marshall: I might add there, that is what I am engaged in in China now. This war started out there, and now the desire is to try in some way to arrange it so there will not be a recurrence.

Senator Brewster: That is all.

The Vice Chairman: Senator Ferguson.

Senator Ferguson: General Marshall, you have read Secretary Stimson's memorandum. I want to go to page 12 and ask you if you were notified of this -- quoting the Secretary of

Witness Marshall

Questions by: Senator Ferguson

h3

War:

"The President at the meeting undertook to take an informal vote of the Cabinet as to whether it was thought the American people would back us up if it became necessary to strike at Japan, in case she should attack England in Malaya, or the Dutch in the East Indies. The Cabinet was unanimous in the feeling that the country would support such a move."

That comes from the diary as of November 7.

Were you advised as to that vote?

General Marshall: I have no recollection of it, but I am pretty certain he must have told me, because he was telling me the results of these meetings.

Senator Ferguson: Then I go to page 27 of his memorandum. This is on November 25. This is the day before the Secretary of State sent his message to the Japanese. He is quoting the President:

"Then, at 12 o'clock, General Marshall and I went to the White House where we were until nearly half-past one. At the meeting were Hull, Knox, Marshall, Stark and myself. There the President, instead of bringing up the Victory Parade * * *"

He says of the Victory Parade:

"This was an office nickname for the General Staff strategic plan of national action in case of war in Europe."

Witness Marshall

Questions by: senator Ferguson

h4

Going on:

"* * * brought up entirely the relations with the Japanese. He brought up the event that we were likely to be attacked perhaps (as soon as) next Monday, for the Japanese are notorious for making an attack without warning, and the question was what we should do. The question was how we should maneuver into the position of firing the first shot without allowing too much danger to ourselves. It was a difficult proposition."

Do you recall that discussion with the President?

General Marshall: Yes, sir.

Senator Ferguson: How was it thought that we could maneuver them into firing the first shot? Was that discussed?

General Marshall: I don't recall the details of that particular phase of the matter.

Senator Ferguson: This takes place before we sent the message of the 26th.

General Marshall: Yes, sir.

Senator Ferguson: Or before you had sent your message to General Short on the 27th.

General Marshall: Yes, sir.

Senator Ferguson: What were we going to do to maneuver them into firing the first shot? What was the plan of operation?

General Marshall: You are talking, I take it, about the

Witness Marshall

Questions by: Senator Ferguson

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diplomatic procedure?

Senator Ferguson: Yes.

General Marshall: I am assuming that it is the diplomatic procedure that is being discussed at the present time. We knew our resources. We knew our deployment. It was impossible to change that on any brief notice. We were committed to deployment thousands of miles away from the United States.

So far as the war plan goes, the concern was whether or not the final alert should be given.

I took a discussion of this kind -- at least I take it now -- was a discussion of the diplomatic procedure involved, having in mind that it was the accepted thought in all of our minds at that time, that if we were forced to take offensive action, immediate offensive action, that it would be a most serious matter as to its interpretation by the American people, whether we would have a united nation, or whether we would have a divided nation in getting into a world conflict.

Senator Ferguson: But this --

General Marshall: The planning they are talking about is the discussion that came later, as I understood.

Senator Ferguson: You would take it that Mr. Stimson has in mind that we were going to maneuver diplomatically into a position where they would be compelled to fire the first shot?

Witness Marshall

Questions by: Senator Ferguson

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General Marshall: No, I don't mean to imply that. I mean the expression he is using relates to what would be the diplomatic procedure we would follow, so we would not find ourselves in a dangerous position where we had to do something initiating a fight. He was not trying to provoke the Japanese to fight.

Senator Ferguson: Let's take his language:

"The question was how we should maneuver into the position of firing the first shot without allowing too much danger to ourselves."

General Marshall: That is exactly what I said, sir. When you are sitting back and the other man is doing all of the maneuvering, you are in a very dangerous position. The question and the desire at that time was to delay in every way possible a rupture in the Pacific.

Now, if they were going to attack, it was very important

--

Senator Ferguson: Right there, General, may I interrupt to ask, were we of the opinion at that time that they were going to attack?

General Marshall: That was the general opinion, that they were going to attack, definitely, in the Southwest Pacific.

Senator Ferguson: And we wanted to lay our course diplomatically so that we would make sure that they would fire the

Witness Marshall

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first shot?

General Marshall: So that we would make sure that we would not be in such a dangerous position that we would be forced to fire the first shot ourselves. That is another way of putting it, but that is what he is talking about.

Senator Ferguson: That is one of the things that led to this restricted language in the message of the 27th.

General Marshall: So far as the first shot is concerned, yes, sir.

Senator Ferguson: And also as to -- well, the first overt act is the same thing as the first shot.

General Marshall: Yes.

Senator Ferguson: And that was leading up to that message; is that correct?

General Marshall: No, this was leading up, as I understood it, and as I recall it, to what the diplomatic procedure was to be. The alert, to a certain extent, you might say, is a routine. Not in one sense that alert for war is ever routine, but the arranging, the phrasing of that alert to fight. What the diplomatic and political situation was, was another matter.

Senator Ferguson: Now, was this discussed at the same meeting:

Mr. Stimson said, at the bottom of page 47;

"I pointed out to the President that he had already taken

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the first steps toward an ultimatum in notifying Japan way back last summer that if she crossed the border into Thailand, she was violating our safety, and that therefore he had only to point out (to Japan) that to follow any such expedition was a violation of a warning we had already given. So Hull is to go to work on preparing that."

Now, I take it he was talking about the memorandum and the conversation he had on the 27th of August. That is when the President returned from the Atlantic Conference.

We had taken, as Mr. Stimson defines it, the first step in an ultimatum, and that if America wanted to, we could rely upon that particular message as saying, "We have warned you. Therefore if you do anything you take the first step and fire the first shot."

Is that correct? Is that a fair analysis?

General Marshall: I think that is the rough idea of the thing, yes.

Senator Ferguson: And it says then:

"So Hull is to go to work on preparing that."

What did he mean by "preparing that"? Have you any idea?

General Marshall: You are having me act as both Mr. Stimson and Mr. Hull.

Senator Ferguson: Well, the reason I am asking you, General, is that you were supposed to be at this meeting.

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General Marshall: Yes. As I said, they were trying to arrange a diplomatic procedure, rather than firing off a gun, that would not only protect our interests, by arranging matters so that the Japanese couldn't intrude any farther in a dangerous way, but also that anything they did do, they would be forced to take the offensive action, and what we were to do had to be prepared for the President by Mr. Hull. It was not a military order. It was not a military arrangement.

Senator Ferguson: Do I understand it correctly then that it was agreed that day among you and Admiral Stark, the two Secretaries and the President, that this message of the 17th of August was, in effect, a first ultimatum?

General Marshall: I don't recall that that specific thing was discussed other than the statement Mr. Stimson makes here. I am not the judge of that.

Mr. Murphy: Will the Senator yield?

Senator Ferguson: General, did you have one of these messages in the Army that if the winds code came in that you could receive a telephone call -- "east wind," and so forth?

General Marshall: I had no such arrangement, that I would receive a telephone call. I knew that they were monitoring to receive this message, to pick up this message if it came, and that would be in the general arrangement whereby anything

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of importance was conveyed to me as quickly as possible.

Senator Ferguson: Now, did you have a plan or a policy as to what steps you would take if such a message had been received?

General Marshall: Once the alert had been given, of course, the commanders were supposed to be in a state of readiness. If such a message as that had come in, showing conclusively its relation to previous magic, that they were going to attack, it is probable that we would have acted toward that in some way as we endeavored to act toward the one o'clock Sunday message.

Senator Ferguson: In other words, another alert?

General Marshall: No, sir. Not another alert. An item of information.

Senator Ferguson: An item of information. Now, the language of the President, as given here by Commander Schulz is:

"When the President saw or read the first 13 parts of the message, he said 'This means war.'"

That would be equally as definite as the winds message, would it not -- "This means war"?

General Marshall: You mean the President's statement?

Senator Ferguson: Yes.

Now, if you had had the President's statement Saturday

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Witness Marshall

Questions by: Senator Ferguson

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4 evening, "This means war," in relation to the 13 part message,
would you have acted on that the same as you did at 11:35,
or whatever the time was, on Sunday, the 7th of December?

5
6 General Marshall: I don't think I could give you an
accurate backsight on that, Senator. There was some discussion
7 over the one o'clock message. I thought the one o'clock
8 should go in, because that was a new item of information of
9 a very peculiar character.

10 Now, whether the President, making that statement would have
11 inspired me, as Chief of Staff in the War Department to start
12 off another message, I couldn't tell you now, as a backsight.

13 We had given certain definite instructions, which we assumed
14 were being carried out, and which were being carried out, in
15 most places.

16 Senator Ferguson: General, it is a very significant fact
17 that the President stated: "This means war" and if that mes-
18 sage had been conveyed to you, that language, the President
19 saying "This means war," --

20 General Marshall: Does the record show that the Presi-
dent told the Secretary of War, "This means war"?

21 Senator Ferguson: Not the Secretary of War.

22 General Marshall: He didn't tell me, and he didn't
23 tell the Secretary of War. So he made a statement offhand on
24 reading the thing.
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