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1 reluctant to adjudge a severe sentence in a case of this
2 kind where the general picture would be clouded by a claim
3 that others were contributory causes. (Cf., Roberts Report,
4 Conclusion 18, p. 21) There is also in cases like this the
5 historic precedent of President Lincoln's refusal to rebuke
6 Secretary of War Simon Cameron for a gross error of judgment.
7 (Life of Abraham Lincoln by Nicolay & Hay, Vol. 5, p. 125-
8 130) I am therefore forced to conclude that if General
9 Short is tried and if such trial should result in his conviction
10 there is considerable likelihood the Court would adjudge
11 a sentence less than dismissal and might well adjudge nothing
12 beyond a reprimand.

13 As, on the whole, there is doubt whether a court would
14 convict or if it convicted would adjudge a sentence in excess
15 of reprimand, I am inclined to feel that some disposition of
16 the matter other than by a trial should be made rather than
17 to permit the case to linger on as a recurrent public irritation.
18 I suggest therefore that a public statement be
19 made by you giving a brief review of the Board's proceedings
20 and pointing out that General Short was guilty of errors of
21 judgment for which he was properly removed from command,
22 and that this constitutes a sufficient disposition of the
23 matter at this time. In the event further investigation
24 should disclose a different situation the matter could later
25 be reexamined in the light of such additional evidence.

Myron C. Cramer, Major General,
The Judge Advocate General.

14 September 1945

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MEMORANDUM FOR THE SECRETARY OF WAR

SUBJECT: Top Secret Report, Army Pearl Harbor Board

This will confirm my views heretofore expressed to you orally.

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

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

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

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

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1 Therefore, Washington was in possession of essential
2 facts as to the enemy's intentions.

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

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

18 "This was not done.

19 "Under the circumstances, where information has
20 a vital bearing upon actions to be taken by field
21 commanders, and this information cannot be disclosed
22 by the War Department to its field commanders, it is
23 incumbent upon the War Department then to assume the
24 responsibility for specific directions to the theater
25 commanders. This is an exception to the admirable

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policy of the War Department of decentralized and complete responsibility upon the competent field commanders.

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

"The War Department had the information. All they had to do was either to give it to Short or give him directions based upon it." (Pp 1 & 2)

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

The Board then set forth what it called "the details of this information." I have analysed these details and con-

1 clusions of the Board in the light of Colonel Clausen's
 2 investigation and find that they should be revised in accord-
 3 ance with the new and additional evidence. These revisions
 4 include the following:

5 As to information available to the War Department, the
 6 Board set forth on page 2:

7 "Story of the Information as to the Japanese Actions
 8 and Intentions from September to December 1941. The
 9 record shows almost daily information as to the Japanese
 10 plans and intentions during this period.

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

15 The reference "(R.86)" is to Page 86 of the Top Secret
 16 transcripts of the proceedings before the Army Pearl Harbor
 17 Board. These consist of volumes A to D. Examination of Page
 18 36 shows, as a basis for the record reference in its report,
 19 a quotation by General Russell from a document as follows:

20 "On the 24th of November we learned that November
 21 29, 1941, Tokyo time, was definitely the governing date
 22 for offensive military operations of some nature. We
 23 interpreted this to mean that large-scale movements
 24 for the conquest of Southeast Asia and the Southwest
 25 Pacific would begin on that date, because, at that

1 time, Hawaii was out of our minds."

2 The document from which General Russell quoted was the
3 record of the Examination conducted by Admiral Thomas C. Hart
4 from April to June, 1944, for the Secretary of the Navy.
5 The testimony read by General Russell was an excerpt of that
6 given by Captain L. F. Safford, USN. A more detailed exami-
7 nation of this testimony shows that it was in reality the
8 interpretation by Captain Safford of a Japanese intercept
9 message which was translated on 22 November 1941, being a
10 message from Tokyo to the Japanese Embassy at Washington.
11 This message authorized the Japanese envoys to extend the
12 time for signing an agreement with the United States from
13 25 November to 29 November and it stated that the latter
14 time was the absolute deadline and "after that, things are
15 automatically going to happen."

16 The War Department did not send this specific informa-
17 tion to the Hawaiian Department.

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

21 The Board further found:

22 "On November 26 there was received specific evidence
23 of the Japanese' intentions to wage offensive war
24 against Great Britain and the United States. (R.87)" (P 2)

25 "***On November 26th specific information received

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1 from the Navy indicated that Japan intended to wage
2 offensive war against the United States. (R. 123-124)

3 ***" (P 5)

4 This finding of the Board was based on the same reference
5 by General Russell to the testimony of Captain Safford. The
6 reference "(R. 123-124)" is to the testimony of Captain Safford
7 before the Army Pearl Harbor Board. He was asked by a member
8 of the Board as to the source of the information which he
9 mentioned in his testimony to Admiral Hart. He stated that
10 he could not then recollect the source. He further stated
11 that on 26 November the Navy had information that Japan
12 contemplated offensive action against England and the United
13 States and probably against Russia. He gave as a basis
14 for this information his interpretation of an intercept,
15 SIS No. 25392, which was a circular message from Tokyo on
16 19 November 1941. Reference to additional testimony of
17 Captain Safford set forth on page 125 shows that what he
18 had in mind was the so-called Japanese "Winds Code" message.

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1 Colonel Clausen's investigation shows that this inform-
2 ation reached Colonel Bicknell, Short's Assistant G-2,
3 the latter part of November 1941.

4 Colonel George W. Bicknell, Assistant G-2, Hawaiian
5 Department, testified before Colonel Clausen that in the
6 latter part of November, 1941, he learned that the Navy
7 had intercepted and decoded this Japanese "Winds Code."
8 He took immediate action to monitor in Hawaii for the
9 execute message. He further testified that his attention
10 was again called to the "Winds Code" when he saw on the
11 desk of General Fielder a warning message from G-2,
12 War Department, dated 5 December, 1941, asking that the
13 G-2, Hawaiian Department, communicate with Commander
14 Rochefort immediately regarding weather broadcasts from
15 Tokyo. This obviously refers to the "Winds Code."

16 Colonel Bicknell further testified that he also received
17 information of the "Winds Code" broadcasts from Mr. Robert
18 L. Shivers, FBI agent in charge, Honolulu, and information
19 that Commander Joseph J. Rochefort, in charge of the Navy
20 Combat Unit, Pearl Harbor, was also monitoring for the
21 execute message.

22 Commander Rochefort testified before Colonel Clausen
23 that he and General Kendall J. Fielder, G-2, Hawaiian De-
24 partment, had established and maintained liaison pertaining
25 to their respective functions, and that he gave General

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1 Fielder such information as he had received concerning
2 intercepts and Japanese diplomatic messages, and concerning
3 other information of importance in which the Army and Navy
4 were jointly interested, and which came to his knowledge
5 in the course of his duties. The information thus given
6 to General Fielder during the latter part of November,
7 1941, included the substance of the "Winds Code" intercept.

8 The Board found:

9 " * * * War Department G-2 advised the Chief of
10 Staff on November 26 that the Office of Naval Intel-
11 ligence reported the concentration of units of the
12 Japanese fleet at an unknown port ready for offen-
13 sive action." (Pp 2 & 3)

14 The basis for this conclusion was testimony of Colonel
15 Rufus S. Bratton as he read from a summary called "A Sum-
16 mary of Far Eastern Documents" which he prepared in the
17 fall of 1943. The pertinent portion reads as follows:

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

24 This information was available in the Hawaiian Depart-
25 ment before 7 December 1941.

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1 Testimony given before Colonel Clausen by Captain
2 Layton, Captain Rochefort, Captain Holmes, Captain Huckins
3 and Commander Holtwick, of the Navy, in the additional
4 investigation indicates the probability that General Short
5 was advised of the presence of Japanese navy task forces
6 in the Marshalls. The Fleet Intelligence Officer had an
7 established liaison relationship with the G-2, Hawaiian
8 Air Force. In the two months preceding 7 December the
9 Fleet Intelligence Officer gave to G-2, Hawaiian Air Force,
10 pertinent information of the increasing Japanese naval acti-
11 vity in the Marshalls. The Navy Combat Intelligence Officer
12 supervised a unit at Pearl Harbor primarily engaged in in-
13 tercepting, decrypting and analyzing radio traffic of the
14 Japanese navy. The Daily Radio Intelligence Summaries dis-
15 tributed by the Combat Intelligence Officer, during Novem-
16 ber and continuing down to 7 December, indicated consider-
17 able Japanese military activity in the Mandates and con-
18 centrations of Japanese naval forces in the Marshalls.
19 (See documentary evidence attached to Col. Clausen's Report.)

20 The Board found:

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

25 This, again, was based on the testimony of Captain Jafford

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1 in the Admiral Hart Examination. General Russell read from
2 this while questioning Colonel Bratton, as follows:

3 "General Russell. Yes. I will identify the questions.
4 That is the December 1st message, Colonel.

5 "Colonel Bratton. I have nothing on the 1st of December,
6 General. * * *" (P 88)

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

19 As shown above, the "Winds Code" information was avail-
20 able in the Hawaiian Department. But the "Winds Code"
21 in itself was not definite information that Japan was going
22 to attack Great Britain and the United States.

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The Board stated:

"The culmination of this complete revelation of the Japanese intentions as to war and the attack came on December 3 with information that Japanese were destroying their codes and code machines. This was construed by G-2 as meaning immediate war. (R. 280) ***" (P 3)

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

"Highly reliable information has been received that categoric and urgent instructions were sent yesterday to the Japanese diplomatic and consular posts at Hong Kong, Singapore, Batavia, Manila, Washington, and London to destroy most of their codes and ciphers at once and burn all other important confidential and secret documents."

Colonel Clausen's investigation further discloses that at about the time Colonel Bicknell received this information it was discussed with Commander Joseph J. Rochefort, in charge of the Navy Combat Intelligence Unit in Honolulu; and that Mr. Shivers told him that the FBI in Honolulu had intercepted

1 a telephone message from the Japanese Consulate in Honolulu
2 which disclosed that the Japanese Consul General there was
3 burning his papers. The additional evidence also shows
4 that on the morning of 6 December 1941, at the usual Staff
5 Conference conducted by General Short's Chief of Staff, those
6 assembled were given this information. General Fielder
7 testified before Colonel Clausen that he was present at the
8 Staff Conference and that on 6 December 1941 he gave to
9 General Short the information that the Japanese Consul at
10 Honolulu had destroyed his codes and papers. (Colonel Phillips,
11 Short's Chief of Staff, also gave this information to Short.)
12 General Fielder further testified that he gave General Short
13 any pertinent information that came to his attention.

14 The Board further stated:

15 "As Colonel Bratton summed it up:

16 'The picture that lay before all of our policy
17 making and planning officials, from the Secretary of
18 State, the Secretary of War down to the Chief of the
19 War Plans Division, they all had the same picture;
20 and it was a picture that was being painted over a
21 period of weeks if not months.' (R. 243-244)" (P 3)

22 "***All the information that the War Department G-2
23 had was presented in one form or another to the policy
24 making and planning agencies of the Government. These
25 officials included Secretary of State, Secretary of War,

1 Chief of Staff, and Chief of the War Plans Division.

2 In most instances, copies of our intelligence, in what-
3 ever form it was presented, were sent to the Office of
4 Naval Intelligence, to keep them abreast of our trend
5 of thought. (R. 297)" (P 3)

6 The basis for this conclusion of the Board was the
7 testimony given by Colonel Bratton. When testifying before
8 Colonel Clausen, however, Colonel Bratton corrected his pre-
9 vious testimony and asked that his prior testimony be modified
10 in accordance with his testimony to Colonel Clausen. He
11 stated that his testimony to Colonel Clausen represented
12 a better recollection than when he previously testified. He
13 had previously testified that the intercepts, of the character
14 mentioned and which were contained in the Top Secret Exhibit
15 "B" before the Board, had been delivered to the President,
16 the Secretary of War, the Secretary of State, the Chief of
17 Staff, the Assistant Chief of Staff, W.P.D., and the Assistant
18 Chief of Staff, G-2. But in testifying before Colonel
19 Clausen, he stated that he could not recall with any degree
20 of accuracy what material was delivered to whom during the
21 period in question, and that there were no records to show
22 who delivered or who received the material. He had also
23 previously testified that he personally delivered these inter-
24 cepts to the officials mentioned. But in his testimony to
25 Colonel Clausen, he stated that, as to such deliveries as

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were made, the deliveries were made not only by himself, but also by then Lieutenant Colonel or Major Dusenbury, Major Moore and Lieutenant Schindel.

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

"All of this important information which was supplied to higher authority in the War Department, Navy Department, and State Department did not go out to the field, with the possible exception of the general statements in occasional messages which are shown in the Board's report. Only the higher-ups in Washington secured this information. (R. 302)"

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

The Board found, pages 4 and 5, other testimony of Colonel Bratton to the effect that on 3 December, when he was informed that the Japanese were under instructions to destroy their codes and code machines, he asked General Gerow to send more warnings to the overseas commanders and that

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1 General Gerow replied, "Sufficient had been sent." Following
2 this, according to the testimony of Colonel Bratton, he con-
3 ferred with Navy personnel, at whose suggestion he sent, on
4 5 December 1941, a message to G-2, Hawaiian Department, to
5 confer with Commander Rochefort concerning the Japanese "Winds
6 Code."

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

13 The Board set forth, on pages 5 and 6, the general type
14 of information which, according to Captain Safford, came to
15 the Navy at Washington during November and December 1941.
16 This included the information already mentioned that Tokyo,
17 on 22 November, informed the Washington Japanese Embassy that
18 the deadline for signing an agreement, first fixed for 25
19 November, was extended to 29 November; and also information
20 available at Washington on 28 November in the form of an
21 intercept of a message by Nomura and Kurusu to Tokyo, advising
22 that there was hardly any possibility of the United States
23 considering the "proposal" in toto, and that if the situation
24 remained as tense as it then was, negotiations would inevitably
25 be ruptured, if, indeed, they might not already be called so,

1 and that "our failure and humiliation are complete" and
2 suggesting that the rupture of the present negotiations did
3 not necessarily mean war between the Japanese and the United
4 States but would be followed by military occupation of the
5 Netherland's Indies by the United States and the English which
6 would make war inevitable. The proposal referred to was the
7 reply given the Japanese envoys on 26 November 1941 by the
8 Secretary of State. The Board further referred to information
9 available to the War Department on 5 December, as related by
10 Colonel Sadtler, relative to the "false alarm" execute
11 message to the "Winds Code."

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

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

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

8 "Our considered opinion concludes that Japan
9 envisages early hostilities with Britain and U. S.
10 Japan does not repeat not intend to attack Russia
11 at present but will act in South."

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

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

22 Also, the Navy had derived some information from commer-
23 cial radio traffic out of the Japanese Consulate.

24 Colonel Clausen's investigation shows that the files
25 of the Hawaiian Department G-2 contained much material

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1 gathered from observers, travelers, and Washington sources,
2 which, together with the other intelligence and information
3 mentioned, was evaluated and disseminated by the G-2 sections
4 of the Hawaiian Department. These are mentioned by Colonel
5 Clausen in his report to the Secretary of War. Some are
6 initialed by General Short.

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

10 General Short's G-2 asked, on 6 September 1941, that the
11 War Department cease sending certain G-2 summaries of inform-
12 ation for the reason that they were duplicates of informa-
13 tion made available to him in Hawaii, and that his coopera-
14 tion with the Office of Naval Intelligence and the FBI
15 was most complete. (See Memo., 25 Nov. 1944, p.6)

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

20 Hence, while the War Department did not send to General
21 Short the specific intercepts mentioned, there was avail-
22 able to him or his Hawaiian command similar information. The
23 reasons why the War Department did not send the actual inter-
24 cepts were, according to witnesses before Colonel Clausen
25 that this type of information and its source, of necessity,

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1 had to be guarded most carefully, and that its dissemina-
2 tion to the overseas commanders would have included not
3 only General Short but also the overseas commanders and
4 that this, in itself, would be dangerous from a security
5 standpoint since it would spread the information into too
6 many hands. There has been considerable evidence given
7 Colonel Clausen to the effect, as General Marshall testi-
8 fied before Colonel Clausen.

9 " * * * Many of our military successes and the
10 saving of American lives would have been seriously
11 limited if the sources of intelligence mentioned
12 had been so compromised."

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

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

21 The Board did not conclude that the War Department had
22 advance information that Pearl Harbor was a specific attack
23 target. It should be observed, however, that in addition
24 to the intercepts received by the War Department, which are
25 contained in Top Secret Exhibit "B" before the Board, there
were others which, in retrospect and with the benefit of

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1 hindsight, indicated a possible attack on Pearl Harbor.
2 These intercepts were radio messages, exchanged between
3 Tokyo and the Japanese Consul at Honolulu, concerning reports
4 to Tokyo of ship movements in Pearl Harbor according to
5 a pre-arranged division of Pearl Harbor. The requests of
6 Tokyo increased and the reports by Honolulu were made with
7 more frequency and in greater detail as 7 December approached.
8 Two intercepts, which were not decrypted and translated
9 until 8 December, were part of the series mentioned. These
10 were not included in the Top Secret Exhibit given the Board.
11 They were sent 6 December by the Japanese Consul at Honolulu
12 to Tokyo, Japanese Numbers 253 and 254. The two in question
13 Nos. 253 and 254, are attached to Colonel Clausen's report
14 to the Secretary of War. These letters, Colonel Clausen's
15 investigation shows, were apparently intercepted at San-
16 Francisco and transmitted to Washington by teletype on 6
17 or 7 December. They were not in the code which had the
18 highest priority for immediate attention, and the teletype
19 between San Francisco and Washington was not in operation
20 until the night of 6 December or the morning of 7 December.
21 Even so, time elapsing between receipt at Washington and
22 dissemination in readable English form (2 days) was less than
23 the normal time required of 3.5 days.

24 There was available to General Short, at Hawaii, informa-
25 tion from which he could have inferred that Pearl Harbor

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1 would be the attack target in the event of war with Japan.
2 Colonel Clausen's investigation shows that the Navy at
3 Honolulu arranged to obtain information from commercial
4 traffic sources shortly before 7 December. These arrange-
5 ments included an opportunity to the Navy for obtaining the
6 commercial cable traffic of the Japanese Consulate at
7 Honolulu. Some of this traffic included the same types
8 of reports as were intercepted and forwarded to Washington
9 concerning ship movements in Pearl Harbor. It is not entire-
10 ly clear just what commercial traffic was decrypted and
11 translated by the Navy at Honolulu before 7 December. While
12 similar reports were being made to Tokyo by Japanese Con-
13 sulates in other places as we, in like manner, attempted to
14 keep track of Japanese ships, still the types of reports from
15 Honolulu were more suspicious, since they were requested by
16 Tokyo and made by the Japanese Consulate at Honolulu with
17 increasing frequency as 7 December approached, and were made
18 according to the pre-arranged division of Pearl Harbor.

19 The Board set forth the findings concerning the Japanese
20 "Winds Code" at pages 6 and 17. On page 6, the Board re-
21 ferred to testimony of Colonel Sadtler that, on 5 December,
22 Admiral Noyes, Chief of Naval Communications, called him
23 and stated the execute message had been intercepted. Colonel
24 Sadtler then conferred with General Miles and Colonel
25 Bratton. From Colonel Clausen's investigation it appears
that Admiral Noyes, in his testimony before Admiral Hewitt,

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1 who conducted for the Secretary of the Navy the same type
2 of investigation Colonel Clausen conducted for the Secretary
3 War, stated that he did not recall having so informed
4 Colonel Sadtler. Colonel Sadtler testified before Colonel
5 Clausen that he did not follow up the information given by
6 Admiral Noyes on 5 December and that to his knowledge this
7 was not done by anyone else at the time. He assumed that
8 the Navy would send to the Army the actual intercept which
9 was before Admiral Noyes when he telephoned.

10 Captain Stafford had testified before the Board that on
11 4 December he saw a Navy intercept which contained the exe-
12 cute message to the Japanese "Winds Code", and that two
13 copies were sent to the Army. Colonel Clausen's investiga-
14 tion discloses no evidence that the Army ever received any
15 such copies and I understand the testimony of Captain Safford
16 has been qualified considerably by testimony of himself and
17 other Navy personnel before Admiral Hewitt.

18 Colonel Clausen has uncovered what amounts to a possible
19 inference that the Japanese did broadcast an execute message
20 to the "Winds Code" or some equivalent warning code, and that
21 this was intercepted by the British Intelligence Service and
22 formed the basis for the dispatch from London to Manila and,
23 in turn, from Manila to Honolulu mentioned above. This
24 dispatch was disseminated to the British Intelligence
25 Service sub-agent in Honolulu on 4 December. A complete

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file of the dispatches from the British Intelligence Service, and available to the Hawaiian Department at Honolulu, and the British response to Colonel Clausen's query as to the basis for the dispatch of 4 December, are contained in the documentary evidence collected by Colonel Clausen and attached to his report.

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1 Attention is invited to the testimony of General Gerow
2 and General Smith before Colonel Clausen concerning the find-
3 ings by the Board based on the testimony of Colonel Sadtler
4 that he asked General Gerow and General Smith to send more
5 warning to the overseas commanders. Colonel Sadtler also
6 testified before Colonel Clausen, as follows:

7 "I have read the comments of General Gerow
8 and General Smith in affidavits given Colonel
9 Clausen, dated respectively 20 June 1945 and 15
10 June 1945, referring to my testimony before the
11 Army Pearl Harbor Board as to my conference with
12 them for the purpose stated on 5 December 1941. I
13 believe the comments by General Gerow and General
14 Smith, contained in the affidavits mentioned, are
15 correct statements of fact, wherein they set forth
16 as follows concerning this subject:

17 "General Gerow:- "I have no such recollection
18 and I believe that Colonel Sadtler is mistaken. It
19 was my understanding at the time that he was purely
20 a Signal Corps officer and that he was not concerned
21 with the dissemination or interpretation of "Magic."
22 I would naturally expect that enemy information of
23 such grave moment would be brought to my attention
24 and to the attention of the Chief of Staff by the
25 Assistant Chief of Staff, G-2, and not by a Signal

AH 2 1

2 Corps Officer. To the best of my recollection,
3 I did not receive, prior to 7 December 1941, no-
4 tification from any source of an implementing mes-
5 sage to the Japanese "Winds Code." If I had re-
6 ceived such a message or notice thereof, I believe
7 I would now recall the fact, in view of its import-
8 ance. It is possible that Colonel Sadtler told me
9 of an unverified report, or that he had received
10 some tentative information which was subject to
11 confirmation. In any event, there should be written
12 evidence available in either the War or Navy De-
13 partments as to the fact, which evidence would be
14 more reliable than any person's memory at this
15 time, especially since so many major events have
16 intervened.

17 "General Smith:- 'I do not recall Colonel
18 Sadtler's coming to me as he ^{has} stated. However, since
19 the matter in question was obviously a difference
20 of opinion between the A.C. of S., G-2, and the
21 A.C. of S., War Plans Division, both of whom had
22 direct access to the Chief of Staff, it was not
23 one in which I had any responsibility or authority,
24 and I cannot imagine why Colonel Sadtler would have
25 asked me to intervene in a question of this kind,
particularly since I was not at that time an "Ultra"

AH 3

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officer, and it would have been impossible for him
2 to give me any information to support his con-
3 tention that I should step out of my rather minor
4 province." (P 2 - Affidavit of Colonel O. K.
5 Sadtler)

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

"* * * I have no recollections of having
20 received the War Department radio, but had it come
21 to me, I would in all probability have turned it
22 over to Lt Col Bicknell for action since he knew
23 Commander Rochefort and had very close liaison
24 with Captain Mayfield, the 14th Naval District
25 Intelligence Officer; particularly since the way

AH 4

1 the radio was worded it would not have seemed
2 urgent or particularly important. * * *

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

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

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

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

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

(R. 307)

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

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

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

"Therefore, Colonel Bratton had completed his distribution by 10:30, had urged Colonel

AH 6

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Smith, Secretary to the General Staff, to communicate with General Marshall at once, and had discussed the matter with General Miles after reading the message. This record shows no action on the part of General Smith and none by General Miles. Apparently the Chief of Staff was not advised of the situation until the following morning." (Pp 11, 12)

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

AH 7

1 the War Plans Division, each of whom was ad-
2 vised of the vital importance of this infor-
3 mation that showed that the hour had struck,
4 and that war was at hand. Before 10:30 o'clock
5 that night, this same officer personally delivered
6 the same information to the Secretary of State's
7 duty officer.

8 "General Marshall was in Washington on De-
9 cember 6. This information, as vital and impor-
10 tant as it was, was not communicated to him on that
11 date by either Smith or Gerow, so far as this re-
12 cord shows." (P 16)

13 These conclusions must be completely revised in view of
14 the new evidence. The basis for these conclusions is the
15 testimony of Colonel Bratton. In testifying before Colonel
16 Clausen, he admitted that he gave the Board incorrect testi-
17 mony; that the only set of the 13 parts he delivered on the
18 night of 6 December was to the duty officer for the Secre-
19 tary of State; that the sets for the Secretary of War, Assist-
20 ant Chief of Staff, G-2, and the Assistant Chief of Staff,
21 War Plans Division, were not delivered the night of 6 De-
22 cember; that these sets were not given the night of 6 De-
23 cember to General Gerow, General Smith or General Miles;
24 that he could not recall having discussed the message with
25 General Miles on 6 December; and that he did not know how

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1 the set for the Chief of Staff came into his possession
2 the morning of 7 December. Colonel Bratton claimed that
3 on the night of 6 December he had asked Colonel Dusenbury to
4 deliver the set to the home of the Chief of Staff. Colonel
5 Dusenbury testified before Colonel Clausen that he received
6 the messages the night of 6 December but did not deliver any
7 until after 9:00 a.m., on the morning of 7 December. Colonel
8 Dusenbury stated Colonel Bratton went home before the 13
9 parts were entirely received.

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10 On the subject of the delivery of the 13 parts, atten-
11 tion is also invited to the testimony given Colonel Clausen
12 by General Gerow, General Smith and General Miles. From
13 Colonel Clausen's investigation, it appears that General
14 Gerow and General Smith did not receive any of the 13 parts
15 before the morning of 7 December. General Miles testified
16 that he became aware accidentally of the general contents of
17 the 13 parts the evening of 6 December. He was dining at
18 the home of his opposite number in the Navy, Admiral Wilkin-
19 son, when Admiral Beardall, the President's Aide, brought
20 the information to Admiral Wilkinson, who transmitted it
21 to General Miles.

22 The Board, on page 14 and again on page 17, finds that
23 Colonel Bratton telephoned General Marshall's quarters at
24 9:00 a.m. the morning of 7 December to give him the 14th
25 part of the 14-part message and the Japanese messages

AH 9

1 directing the Ambassador to deliver the 14-part message at
2 1:00 p.m., 7 December, and to destroy their code machines.
3 The Board further finds that General Marshall did not come
4 into his office until 11:25 a.m.

5 These times so found by the Board are subject to quali-
6 fication in light of additional evidence given Colonel
7 Clausen. Colonel Bratton testified before Colonel Clausen
8 that he gave the actual intercepts to the Chief of Staff,
9 which would be in the office of the Chief of Staff "between
10 10:30 and 11:30 that morning." Major General John R. Deane
11 testified before Colonel Clausen that on the morning of 7
12 December he and Colonel Bratton did not arrive at the
13 Munitions Building until between 9:00 and 9:30 a.m.
14 General Miles testified before Colonel Clausen that he con-
15 ferred with General Marshall the morning of 7 December in
16 his office at about 11:00 a.m. Colonel Dusenbury testified
17 before Colonel Clausen that the intercept instructing the
18 envoys to deliver the reply to the United States at 1:00 p.m.,
19 7 December, was not received by Colonel Bratton until "after
20 he arrived that morning, between 9:00 and 10:00 a.m."

21 The Board further found:

22 "There, therefore, can be no question that
23 between the dates of December 4 and December 6,
24 the imminence of war on the following Saturday
25 and Sunday, December 6 and 7, was clear-out

AH 10 1

and definite." (P. 15)

2 The evidence does not seem to justify any such conclu-
3 sion. There was not received between the dates of 4 Decem-
4 ber and 6 December any information which indicated that war
5 would take place on Saturday or Sunday, 6 and 7 December.
6 It is true that on the night of 6 December the War Department
7 received the intercepted text of thirteen parts of
8 the fourteen-part reply of the Japanese Government to the
9 proposal of the United States, but this at most suggested
10 a possible breach of diplomatic relations at some time in
11 the near future, which may or may not have been followed by
12 war. The only other information that was received between
13 4 and 6 December of significance, in addition to what had
14 already been transmitted to General Short, was information
15 received on 4 December that certain Japanese diplomatic and
16 consular posts had been instructed to destroy certain codes.
17 As I have heretofore pointed out, this information was fully
18 available to General Short from his own sources in Hawaii.
19 The intercept which indicated that the Japanese reply was
20 to be delivered at 1:00 p.m., Washington Time on 7 December
21 was, as heretofore pointed out, not received until the morn-
22 ing of 7 December and it itself was not a "clear-cut and de-
23 finite" indication that war would occur at that time.

24 The Board further found:

25 "Up to the morning of December 7, 1941,

AH 11

1 everything that the Japanese were planning
2 to do was known to the United States except the
3 final message instructing the Japanese Em-
4 bassy to present the 14th part together with
5 the preceding 13 parts of the long message at
6 one o'clock on December 7, or the very hour and
7 minute when bombs were falling on Pearl Harbor."
8 (P. 18)

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

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

24 "I think I would because one thing struck
25 me very forcibly in there, about the destruction

AH 12

1 of the code machines. The other matter wouldn't
 2 have made much of an impression on me." (Under-
 3 scoring supplied)

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

9 The "other matter" referred to was the information which
 10 General Marshall included in his message which read as fol-
 11 lows:

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

19 My Conclusion:

20 The view expressed by me in my memorandum of 25 November
 21 1944, based upon the evidence then collected by the Army
 22 Pearl Harbor Board and its reports, should be considered mo-
 23 dified in accordance with the views expressed herein.

24 MYRON C. CRAMER
 25 Major General
 The Judge Advocate General

14 September 1945

MEMORANDUM FOR THE SECRETARY OF WAR

SUBJECT: Supplemental Pearl Harbor Investigation

This will confirm my views heretofore expressed to you orally.

Lieutenant Colonel Henry C. Clausen, JAGD, appointed by you pursuant to your public statement, dated 1 December 1944, to continue the Army Pearl Harbor Investigation, has submitted the affidavits obtained by him in the course of his further investigation. The present memorandum is my opinion as to whether my original memorandum to you, dated 25 November 1944, reviewing the report of the Army Pearl Harbor Board, dated 20 October 1944, requires modification either in respect of the conclusions reached or the statements of fact contained therein drawn from the Army Pearl Harbor Board report. In my opinion, the conclusions therein are in no way affected by the additional data obtained by Colonel Clausen's investigation. Certain statements of fact, however, made by me in my prior memorandum, which statements I made as a result of my examination of the Army Pearl Harbor Board report, require clarification in some respects.

The "Winds" Message:

On pages 24-28 of my memorandum I discussed as part of the information the War Department possessed and which Short claimed he did not receive, the so-called "Winds Code" message

of 20 November 1941 from Tokyo to Japanese diplomatic representatives. This was to the effect that

"In case of emergency (danger of cutting off our diplomatic relations), a warning message would be given in the middle and at the end of the Japanese daily short-wave news broadcasts as follows:

(1) In case of a Japan-U. S. relations in danger:

HIGASHI NO KAZEAME (EAST WIND RAIN)

(2) Japan-U. S. S. R. relations:

KITANOKAZE KUMORI (NORTH WIND CLOUDY)

(3) Japan-British relations:

NISHINO KAZE HARE (WEST WIND CLEAR)"

When this signal was heard, all codes and ciphers were to be destroyed.

It is admitted by all that this first "Winds" message, setting up a code or signal to be given later, was received by the War Department around 20 November 1941. However, the testimony before the Army Pearl Harbor Board left in doubt whether a second or activating or execute "Winds" message was ever received and if so by whom. The testimony of Colonel Sadtler, in charge of Army codes and ciphers, (my Memo., p. 24) that an activating "Winds" message indicating a breach in Japanese-British diplomatic relations had been received was not entirely satisfactory. This is likewise true of the

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1 testimony of Captain Safford, head of the Navy's Security
2 Division, to the same effect (my Memo. P. 25).

3 Colonel Clausen's subsequent investigation fails to
4 disclose any testimony that an activating or implementing
5 "Winds" message indicating breach of Japanese relations with
6 either Great Britian, Russia or the United States was ever
7 received by the War Department. Thus, Colonel Harold Doud,
8 in charge of B Section, Signal Intelligence Service, which
9 was the Code and Cipher Solution Section, in November and De-
10 cember 1941, stated:

11 "I did not see any execute message as thus con-
12 templated and so far as I know there was no such execute
13 message received in the War Department." (Affid., Col.
14 Harold Doud)

15 Captain Edwin T. Layton, USN, Fleet Intelligence Officer,
16 Pacific Fleet, testified no such message was ever received at
17 Pearl Harbor (affid., Capt. Edwin T. Layton, p. 2). A statement
18 of Commander J. S. Holtwick, Commander Rochefort's assistant
19 at Pearl Harbor, was to the same effect. (Memorandum of Comdr.
20 J. S. Holtwick)

21 Colonel Rox W. Minckler, Signal Corps, in charge of
22 Signal Intelligence Service at the time, stated:

23 "I never saw or heard of an authentic execute mes-
24 sage of this character either before or since 7 December
25 1941. It is my belief that no such message was sent."

1 (Affid., Col. Rex. W. Minckler)

2 He said there were "one or two 'false alarms'", which he
3 discussed with representatives of G-2 and the Navy. His
4 opposite number in the Navy was Captain L. F. Safford.

5 Major General Sherman Miles, in charge of G-2 at the
6 time did not recall meeting Colonel Bratton or Colonel Sadt-
7 ler on 5 December 1941, at which meeting Colonel Sadtler is
8 supposed to have advised him of Admiral Noyes' telephone
9 call that "The message is in." (See Memo., 25 November 1944,
10 p. 24) General Miles stated: "To the best of my knowledge
11 and belief, no authentic execute message was ever received
12 in the War Department before the outbreak of hostilities."

13 (Affid., Maj. Gen. Sherman Miles, p. 2) General Miles stated
14 that the Far Eastern Section of G-2 was especially alerted
15 to watch for the activating "Winds" message which was regarded
16 as of vital concern. He stated there were several messages
17 intercepted which were thought at first to be the execute
18 message but which turned out not to be authentic. He thought
19 that if there was any meeting with Colonel Sadtler on 5 De-
20 cember 1941, it concerned an unauthentic message. (Affid.,
21 Maj. Gen. Sherman Miles, p. 2)

22 Colonel Otis K. Sadtler, Signal Corps, in charge of
23 military codes and ciphers in the Chief Signal Office, in
24 November and December 1941, stated that when he got word from
25 Admiral Noyes that "The message is in" (See Vol. D., Top Secret

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1 testimony, p. 251), he did nothing further to ascertain from
2 Admiral Noyes or other persons the exact wording of the
3 intercept as he assumed that according to standard practice,
4 it would be transmitted without delay to G-2 (Affid., Col.
5 Otis K. Sadtler). In his affidavit given to Colonel Clausen,
6 Colonel Sadtler stated that after talking to General Miles and
7 Colonel Bratton about Admiral Noyes' message he went to his
8 office and typed a proposed warning as follows:

9 "C. G. - P. I., Hawaii - Panama. Reliable informa-
10 tion indicates war with Japan in the very near future
11 stop take every precaution to prevent a repetition of
12 Port Arthur stop notify the Navy. Marshall."

13 However he did not show this message to anyone or make a
14 copy of it and he quoted it only from memory. (Affid., Col.
15 Otis K. Sadtler) According to his original testimony he con-
16 ferred with General Gerow and General Bedell Smith about
17 Admiral Noyes' message. He did not show them the above-quoted
18 draft but stated he did suggest that a warning message be sent
19 the overseas commanders as he testified before the Army Pearl
20 Harbor Board (Vol. D, Top Secret testimony, p. 253). He re-
21 iterated this testimony before Colonel Clausen (Affid., Col.
22 Otis K. Sadtler, p. 1). Neither General Gerow nor General Smith
23 had any recollection of any such conference with Colonel Sadt-
24 ler or any such recommendation by him. General Gerow pointed
25 out quite appositely that Colonel Sadtler was "purely a Signal

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1 Corps officer and that he was not concerned with the dissemina-
2 tion and interpretation of "Magic" messages (Affid., Gen.
3 Leonard Gerow). General Smith likewise has no recollection
4 of Colonel Sadtler discussing the matter with him. General
5 Smith stated that he was not on the very restricted list of
6 officers with whom top secret matters of the "Magic" type
7 could be discussed, and thus it would have been impossible
8 for Colonel Sadtler to have discussed the matter with him.
9 (Affid., Lt. Gen. W. Bedell Smith)

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Colonel Sadtler in his affidavit given to Colonel Clausen stated that other than his testimony relative to the Admiral Noyes message (probably a "false alarm"), he had never seen any execute message to the "Winds Code" and, so far as he knew, no such execute message was received in the War Department. He at no time urged General Miles, G-2, or any other representative of G-2 to send a warning message to overseas commanders. (Affid., Col. Otto K. Sadtler, p. 3)

I have been informed that Admiral Noyes and other witnesses appearing before Admiral Hewitt in the Navy inquiry into the Pearl Harbor matter, denied the receipt of an authentic execute "Winds" message.

Colonel Rufus W. Bratton, in charge of the Far Eastern Section, G-2, in 1941, recalled a meeting 5 December 1941 with General Miles and Colonel Sadtler at which Colonel Sadtler presented the information he had received from Admiral Noyes. Colonel Sadtler was instructed to get the exact text from Admiral Noyes, as there had been several "false alarm" reports to the same effect. So far as he knew, Colonel Sadtler never returned to G-2 with the text or any additional information. Colonel Bratton had no information about any alleged visit of Colonel Sadtler to General Gerow or General Bedell Smith. Colonel Bratton never brought Colonel Sadtler's report to the attention of the Chief of Staff. (Affid., Col. Rufus W. Bratton, p. 2)

Colonel Bratton stated that at no time prior to 7 December

rbm 18

1 1941 did he ever see or hear of an authentic message implementing
2 the "Winds Code." As to the testimony of Captain Safford of the
3 Navy to the effect that two copies of such a message were sent to
4 the Army, Colonel Bratton pointed out that not two but six copies
5 of any such message were required to be sent by the Navy to the
6 Army, the inference being that no copies at all were sent. Prior
7 to 7 December 1941, representatives of the Navy had discussed
8 with him several "false alarms" relative to the "Winds" message
9 but no one in the Navy or in G-2 ever discussed with him the
10 message supposed to have been sent to the Army according to Cap-
11 tain Safford's testimony. (Affid., Col. Rufus W. Bratton)

12 Colonel Robert E. Schukraft, Signal Corps, in charge of
13 radio interception for the Signal Intelligence Service, War
14 Department, prior to 7 December 1941, testified that on receipt
15 of the original "Winds" message, he directed the San Francisco
16 interception station to be on the watch for an activating mes-
17 sage and to send it to him. To the best of his knowledge, no
18 execute message was ever picked up. (Affid., Col. Robert E.
19 Schukraft)

20 General Gerow's and General Bedell Smith's comment on
21 Colonel Sadtler's testimony relative to the alleged execute
22 "Winds" message received from Admiral Noyes has already been
23 discussed (See Affidavits, Gen. Gerow, p. 2; Gen. W. Bedell
24 Smith, p. 3).

25 Brigadier General Thomas J. Betts, the 1941 Executive

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Assistant to the Chief, Intelligence Branch, MID, General Staff, testified to Colonel Clausen that the source of his information on all "Ultra" (or "Magic") messages concerning Japan was Colonel Bratton and Major Dusenbury, Colonel Bratton's assistant. He inquired of Colonel Bratton on several occasions as to whether any execute message had come in under the "Winds Code." He did not recall receiving any such information from Colonel Bratton and stated that if he had received it, he would have remembered it. No other person informed him of any such execute "Winds" message prior to 7 December 1941 (Affid., Brig. Gen. Thomas J. Betts).

General of the Army Douglas MacArthur testified to Colonel Clausen that he had no recollection of having received any of the messages in Top Secret Exhibit B (see my first memorandum of 25 November 1944, pp. 19-23). He never got the "Winds Code" nor any activating or implementing message. He believed he had seen every "Ultra" message delivered to his headquarters. (Affid., Gen. Douglas MacArthur) His Chief of Staff, Lieutenant General Richard K. Sutherland, testified to the same effect. (Affid., Lt. Gen. Richard K. Sutherland) Major General C. A. Willoughby, assistant Chief of Staff, Southwest Pacific Area, stated he had never seen any of the messages in Top Secret Exhibit B except isolated fragments of the Kurusu series. Neither he nor anyone else in the USAFFE to his knowledge were advised of the "Winds Code" or of any execute message. (Affid., Maj. Gen. C. A. Willoughby)

1 Lieutenant Colonel Frank B. Rowlett testified to Colonel
2 Clausen that immediately prior to the Pearl Harbor attack he
3 was a civilian technical assistant to the officer in charge of
4 the Crypto-Analytic Unit, Signal Intelligence Service, War Depart-
5 ment, Washington, D. C., at present Branch Chief, Signal Security
6 Agency, Signal Corps, War Department. In the latter capacity,
7 he made a search for an activating "Winds" message, which he
8 failed to find. (Affid., Lt. Col. Frank B. Rowlett)

9 My conclusion, from the above testimony, read in connec-
10 tion with the testimony in the Pearl Harbor Report as to the
11 "Winds" message, discussed by me in my memorandum dated 25 Novem-
12 ber 1944, is that the most diligent search fails to reveal that
13 any activating or execute "Winds" message was ever received by
14 the War Department. In this connection, General Marshall's testi-
15 mony will be recalled, "I find that no officer of the Navy ad-
16 vised Gen. Miles or Col. Bratton that any message implementing
17 the 'Winds' Code had been received by the Navy." (Vol. A, Top
18 Secret Tr., Marshall, P. 38)

19 The Rochefort Message:

20 In my original memorandum (p. 27), I referred to Colonel
21 Bratton's testimony that on receipt of the 2 December message,
22 translated 4 December, from Tokyo to the Embassy at Washington,
23 ordering destruction of codes and code machines, he took a copy
24 of this message to General Miles and General Gerow and after dis-
25 cussing it, recommended a further warning or alert to our overseas

rbm 21

1 commanders. General Gerow felt that sufficient warning had al-
 2 ready been given and General Miles stated he was in no position
 3 to overrule him, Colonel Bratton, however, still feeling uneasy
 4 about the matter, went to the Navy, where he discussed it with
 5 Commander McCollum, who felt as he did. McCollum stated that as
 6 Commander Rochefort, the Naval Combat Intelligence Officer with
 7 the Fourteenth Naval District in Honolulu, had gotten the first
 8 "Winds" message and was listening for the second or implementing
 9 message, a radiogram he sent to General Short's G-2 in Hawaii
 10 to see Commander Rochefort at once. Colonel Bratton thereupon
 11 drafted a radiogram, signed "Miles," which was sent to the Assist-
 12 ant Chief of Staff, Headquarters G-2, Hawaiian Department, on
 13 5 December 1941, reading as follows:

14 "Contact Commander Rochefort immediately thru
 15 Commandant Fourteenth Naval District regarding broad-
 16 casts from Tokyo reference weather"

17 No testimony is contained in the original Army Pearl Harbor
 18 Board Report or in the Top Secret report as to whether Short was
 19 informed of the above message. However, realizing its importance,
 20 Colonel Clausen in his subsequent investigation examined General
 21 Fielder, Short's G-2 and Colonel Bicknell, his Assistant G-2,
 22 as to whether this radiogram was received and what action was
 23 taken. General Fielder testified he had no recollection of ever
 24 having seen this radiogram (Affid., Brig. Gen. Kendall J. Fielder,
 25 p. 2)

1 As to the likelihood of the "Winds" information being
2 sent to him by the Navy, independently of the so-called Rochefort
3 message, General Fielder testified:

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"My relations with the Navy were in general cordial, but none of their combat intelligence was passed on to me. The conferences and the passage of information between the Intelligence Agencies of the Navy and myself had to do primarily with counter-subversive measures. No information was given to me by anyone in the Navy, which indicated in any way that aggression by the Japanese against Hawaii was imminent or contemplated. It was well known that relations with Japan were severely strained and that war seemed imminent, but all my information seemed to predict sabotage and internal troubles for Hawaii." (Affid., Brig. Gen. Kendall J. Fielder, par. 6, p. 2)

General Fielder further said:

"No direct liaison was maintained by me with Navy Intelligence Agencies except those concerned with local of Territorial problems. I believed the Pacific Fleet Intelligence Section to have excellent information of the Japanese fleet and assumed that if any information which I needed to know was possessed by Navy agencies, it would be disseminated to me. I know now that had I asked for information obtained by the Navy from intercept sources it would not have been given me. For example Captain Layton stated that if he had turned any over to me he would not have divulged the source,

1 but in fact, would have given some different derivation
2 and that this he did do with Lt. Col. Bicknell. The
3 Hawaiian Department was primarily a defensive command
4 justified principally to defend the Pearl Harbor Naval
5 Base with fixed seacoast batteries, anti-aircraft
6 batteries, mobile ground troops and the 7th Air Force
7 as the weapons. The latter being the only one capable
8 of long range offensive action along with the Navy con-
9 stituting the first line of defense for Hawaii. I have
10 been told that prior to December 7, 1941, the Intelligence
11 Officer of 7th AF, Lt Col Raley, was in liaison with
12 and received some information from Commander Layton,
13 Pacific Fleet Combat Intelligence, but was honor bound
14 to divulge it only to his Commanding General. It did
15 not come to me and I didn't know of the liaison until
16 after the war started." (Affid., Brig. Gen. Kendall J.
17 Fielder, par. 8, p. 2)

18 General Fielder had no recollection of ever having seen
19 any of the Japanese messages contained in Top Secret Exhibit
20 B which included the "Winds" message (referred to in my
21 original memorandum, pp. 19-23) (Affid., Brig. Gen. Fielder,
22 par. 11, p.3).

23 Colonel George W. Bicknell, Short's Assistant G-2, in
24 charge of the Contact Office in downtown Honolulu, stated
25 that he maintained very close liaison with Commander Rochefort

1 and knew prior to Pearl Harbor Day that the latter was
2 engaged in intercepting and decrypting Japanese messages.
3 During the latter part of November, 1941, he learned that
4 the Navy had intercepted the Japanese message containing
5 the "Winds Code." He took immediate action to have the local
6 Federal Communications Commission agency monitor for the
7 execute message, which was not received (Affid., Col. George
8 W. Bicknell, p.1). His attention was again called to the
9 "Winds Code" when on 5 December 1941 he saw on General (then
10 Colonel Fielder's desk the radiogram from General Miles to
11 contact Commander Rochefort. (This directly conflicts with
12 General Fielder's testimony that he never saw the Rochefort
13 radiogram.) Colonel Bicknell that day communicated with
14 Commander Rochefort to ascertain the pertinent information
15 and was told that Commander Rochefort was monitoring for the
16 execute message. This information was also given to Mr.
17 Robert L. Shivers, in charge of the FBI in Honolulu.

18 The affidavit of Colonel Moses W. Pettigrew, Executive
19 Officer of the Intelligence Branch, G-2, War Department,
20 who assisted in sending the Rochefort message, contains
21 hearsay statements to the effect that "Hawaii had everything
22 in the way of information that Washington had" (including
23 the "Winds message), the source of which was Navy personnel
24 whose identity he could not recall. His undisclosed Navy
25 sources were also authority for his statement that Commander

JLL 16

1 General Fielder, when presented with Commander Rochefort's
2 affidavit indicating the "Winds Code" message was given to
3 him, specifically denied that he received it. General Fielder
4 stated:

5 "I feel sure Commander Rochefort is thinking of
6 Lt Col Bicknell, who according to his own statement did
7 receive information from Rochefort. If any of it came
8 to me indirectly, it was in vague form and not recogniz-
9 able as coming from reliable sources. I certainly had
10 no idea that Lt Col Bicknell was getting the contents of
11 intercepted Japanese diplomatic messages. In any event
12 Rochefort did not give it to me direct." (Affid., Gen.
13 Fielder, par. 10, p.3)

14 General Short was not specifically examined as to whether
15 he received the "Winds Code" message. Impliedly it is covered
16 by his general denial of the receipt of information other
17 than that he admitted he received.

18 In my opinion, the state of the present record fails
19 to show conclusively that the "Winds Code" message as such
20 reached General Short personally either through the medium of
21 liaison between the Navy and the Army Intelligence Sections
22 in Hawaii or as a result of the Rochefort message. Whether
23 Short received equivalent information will now be considered.

24 Other Information Possessed by General Short:

25 I have been informed that Short, when he appeared before

JLL 17

1 the Navy Board, testified that had he gotten General Marshall's
2 7 December radiogram prior to the attack, it might have been
3 a different story. In answer to a question as to whether he
4 would then have gone on a different alert, he said:

5 "I think I would because one thing struck me very
6 forcibly in there, about the destruction of the code
7 machines. The other matter wouldn't have made much
8 of an impression on me. But when you destroy your
9 codes or code machines, you are going into an entirely
10 new phase. I would have had this advantage also: I
11 could have asked him the significance to him. But
12 leaving that out, the destruction of the code machine
13 would have been very significant to me. I would have
14 been very much more alarmed about that than the other
15 matter. *** I would have taken the destruction of the
16 code machines very seriously." (Italics supplied)

17 It is a fair inference that long prior to Pearl Harbor
18 Day, Short obtained equivalent information from Colonel Bicknell
19 and possibly others. In my memorandum of 25 November 1944
20 (p. 10, 19, 30), I referred to General Fielder's and Colonel
21 Bicknell's testimony that they had information prior to
22 7 December that the Japanese Consulate in Honolulu was
23 "destroying its codes and burning its secret paper," which
24 information in the opinion of Colonel Bicknell meant war.
25 This information Colonel Bicknell brought to the attention

JLL 18

1 of General Short's staff conference on the morning of 6 Decem-
2 ber, a conference presided over by General Short's Chief of
3 Staff, Colonel Phillips. (Memo., 25 November 1944, p. 10, 19)
4 Colonel Phillips stated he brought it to the attention of
5 General Short (Memo. 25 November 1944, p. 19).

6 The above testimony was amplified by further testimony
7 by Mr. Shivers, the FBI Agent in charge in Honolulu. Mr. Shivers
8 testified that on 3 December 1941 Captain Mayfield, District
9 Intelligence Officer for the Navy, called him, asking him if
10 he could verify information that the Japanese Consul General
11 in Honolulu was burning his codes and papers. About two
12 hours later the FBI intercepted a telephone message between
13 the cook at the Japanese Consulate and a Japanese in Honolulu,
14 during which the cook stated that the Consul General was
15 "burning and destroying all his important papers." Shivers
16 immediately gave this information to Captain Mayfield and
17 Colonel Bicknell. Shivers likewise telegraphed Mr. J. Edgar
18 Hoover, Director of the Federal Bureau of Investigation,
19 "Japanese Consul General Honolulu is burning and destroying
20 all important papers." Worthy of note also is Mr. Shivers'
21 statement that on 28 November 1941 he received a radiogram
22 from Mr. Hoover to the effect that peace negotiations between
23 the United States and Japan were breaking down and to be on
24 the alert at all times as anything was liable to happen.
25 Shivers gave this information to Captain Mayfield and Colonel

JLL 19

1 Bicknell, who stated they had already received similar informa-
2 tion from their respective heads in Washington. (Affid.,
3 Robert L. Shivers)

4 General Fielder confirmed Colonel Bicknell's testimony
5 that the destruction by the Japanese Consul General in
6 Honolulu of "codes and papers" was related by Colonel Bicknell
7 at the staff conference on 6 December 1941. General Fielder
8 testified, "I gave this latter information to General Short
9 the same day." (Affid., Brig. Gen. Kendal J. Fielder, p.3)

10 Colonel Bicknell testified that about 3 December 1941 he
11 learned from Navy sources of the destruction of codes and
12 papers by Japanese diplomatic representatives in Washington,
13 London, Hong Kong, Singapore, Manila, and elsewhere. This
14 apparently was radio OpNav No. 031850, dated 3 December 1941,
15 addressed to the Commander-in-Chief, Asiatic Fleet, Pacific
16 Fleet, Commandant, 14th Naval District, Commandant, 16th Naval
17 District, reading as follows:

18 "Highly reliable information has been received
19 that categoric and urgent instructions were sent yester-
20 day to the Japanese diplomatic and consular posts at
21 Hong Kong, Singapore, Batavia, Manila, Washington, and
22 London to destroy most of their codes and ciphers at
23 once and to burn all other important confidential and
24 secret documents." (Top Secret Vol. C, Saffor, p.183)

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fl 1 Colonel Bicknell saw the above radiogram. (Affid.,
2 Col. Bicknell, p. 2)

3 About this time he got the information above referred
4 to from Mr. Shivers, and told the staff conference "what I
5 had learned concerning the destruction of their important
6 papers by Japanese consuls." (Affid., Col. Bicknell, p. 2)

7 He also informed the conference that because of this
8 and subsequent information which he had from reliable sources,
9 the destruction of such papers had a very serious intent and
10 that something war like by Japan was about to happen some-
11 where. He had previously prepared and signed weekly esti-
12 mates given to the Chief of Staff to the same effect. (Vol.
13 30, Army Pearl Harbor Board Transcript, p. 3684-3685)

14 Colonel Bicknell also testified further relative to giving
15 General Fielder and General Short the Dr. Mori message inter-
16 cepted by the FBI on 6 December 1941 (referred to in Memo.,
17 25 November 1944, p. 11). Their reaction was as follows,
18 according to Colonel Bicknell:

19 "Both Colonel Fielder and General Short indicated
20 that I was perhaps too 'intelligence conscious' and that
21 to them this message seemed to be quite in order, and
22 that it was nothing to be excited about. My conference
23 with General Short and Colonel Fielder was comparatively
24 brief and seemed to last only for about five minutes.

25 "Following 7 December 1941, I met General Short

1 while waiting to testify before the Roberts Commission.

2 We were alone and at that time he stated to me words to

3 the effect, "Well, Bicknell, I want you to know that

4 whatever happens you were right and I was wrong."

5 (Affid., Col. George W. Bicknell, p. 3)

6 It is difficult to believe that General Short was not ad-
7 vised prior to Pearl Harbor Day by General Fielder, Colonel
8 Phillips, Colonel Bicknell, or all three, of current intelli-
9 gence reports and, in particular, that the Japanese Consulate
10 in Honolulu was burning its papers. In the interest of strict
11 accuracy, however, I must mention statements made by me on
12 pages 10, 19 and 30 of my prior memorandum, based on the Army
13 Pearl Harbor Board record, that Short's G-2 and Assistant G-2
14 had information that the Jap Consulate in Honolulu was destroy-
15 ing its codes and secret papers. Mr. Shivers, the source of
16 this information, does not mention "codes" in his affidavit
17 but simply states the Consul General was "burning and destroy-
18 ing all his important papers." To most people, this would
19 mean codes, since it is well known Consulates possess codes,
20 which are in paper form. Colonel Bicknell evidently so inter-
21 preted it, judging from his statement that he evaluated the
22 Dr. Mori message (See Memo., 25 November 1944, p. 11) in the
23 light of the information he had received concerning the
24 destruction by Jap Consuls of their "codes and papers." This
25 is confirmed by General Fielder's testimony that Colonel Bick-

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1 told the Staff Conference 6 December 1941 that the Jap Con-
2 sul was burning his "codes and papers. (Affid., Brig. Gen.
3 Kendall J. Fielder, p. 3)

4 Without, however, bringing home to General Short in
5 strict accuracy the information that the Japanese Consul
6 General in Honolulu was destroying his codes, as distinguished
7 from other papers, the fact that he was destroying his secret
8 papers and not some but all such papers at that juncture of
9 world affairs is entitled to great weight in considering
10 whether General Short had adequate knowledge of the true
11 Japanese-American situation. While it may be said that codes
12 are technically different from secret papers, or "papers,"
13 of the Jap Consulate, and Colonel Bicknell or other Hawaiian
14 contacts are quite different as sources of information from
15 the Chief of Staff, the fact remains that to an alert com-
16 mander information, from whatever source, of the destruction
17 of either codes, secret papers, or merely "all important
18 papers" by the Jap Consulate in Honolulu at that time should
19 have had extreme significance.

20 The Manila Warning Message:

21 This was an urgent cablegram dispatched 3 December 1941
22 by Colonel G. H. Wilkinson, the British representative of
23 Theodore H. Davies & Co., Honolulu, one of the Big Five, to
24 Mr. Harry L. Dawson, an employee of the Davies Company, and
25 the British Consul in Honolulu. Colonel Wilkinson was a member

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1 by marriage of the Davies family and was secretly working
2 for the British Government as a secret agent in Manila. The
3 cablegram received by the Davies Company in Honolulu the
4 night of 3 December read as follows

5 "We have received considerable intelligence confirm-
6 ing following developments in Indo-China:

- 7 A. 1. Accelerated Japanese preparation of air
8 fields and railways.
9 2. Arrival since Nov. 10 of additional 100,000
10 repeat 100,000 troops and considerable
11 quantities fighters, medium bombers, tanks
12 and guns (75 mm).
13 B. Estimates of specific quantities have already
14 been telegraphed Washington No. 21 by American
15 Military Intelligence here.
16 C. Our considered opinion concludes that Japan
17 envisages early hostilities with Britain and
18 U. S. Japan does not repeat not intend to
19 attack Russia at present but will act in
20 South.

21 You may inform Chiefs of American Military and Naval
22 Intelligence Honolulu."
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1 Immediately upon receipt of it, Mr. John E. Russell,
2 President of Theodore H. Davies & Company, cancelled a con-
3 siderable volume of orders for delivery in the Philippines.
4 A copy of the cablegram was given to Colonel Bickness, Short's
5 Assistant G-2, Mr. Shivers, head of the FBI in Honolulu, and
6 Captain Mayfield, the District Intelligence Officer of the
7 Navy. (Statement of Mr. John E. Russell and exhibit)

8 Mr. Shivers has already been informed by Colonel Wil-
9 kinson of his undercover activities and of his connection with
10 Mr. Harry Dawson, the British Vice Consul in Honolulu, like-
11 wise an employee of the Davies Company. Colonel Wilkinson
12 arranged with him in July of 1941 to give him information
13 through Mr. Dawson. Mr. Shivers said his files indicated
14 his receipt of the cablegram of 3 December 1941 from Colonel
15 Wilkinson. Major General C. A. Willoughby, at that time G-2
16 of the Philippine Department, knew of Wilkinson and of his
17 activities.

18 Colonel Bicknell, Short's Assistant G-2 Admitted receipt
19 of the Manila cablegram from Colonel Wilkinson, He stated
20 he gave the information contained in it to General Short.
21 (Amendment to affidavit of Col. George W. Bicknell)

22 In addition to the cablegram above referred to, Colonel
23 Bicknell stated he obtained a mass of information from the
24 British SIS, through Colonel Wilkinson, which he brought to
25 the attention of General Short, in one form or another. (Amend.

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1 affid., Col. George W. Bicknell) A file of this information
 2 is attached to Colonel Clausen's report. General Fielder
 3 was shown this file. Some few items struck a responsive
 4 chord in his memory, but he could not remember if they were
 5 brought to his attention prior to 7 December 1941. The source
 6 of the information was not brought to his attention, accord-
 7 ing to General Fielder. (Affid., Gen. Fielder, p. 3)

8 It is difficult to believe that General Short was not
 9 made aware of the highly important information contained in
 10 the 3 December cablegram from Manila. The same comment is
 11 applicable to the 27 November cablegram from Colonel Wilkin-
 12 son to Mr. Dawson, the British Vice Consul, which stated:

13 "Japanese will attack Krakow Isthmus from sea
 14 on Dec. 1 repeat Dec. 1, without any ultimatum or
 15 declaration of break with a view to getting between
 16 Bangkok and Singapore."

17 A copy of this cablegram also went to Colonel Bicknell,
 18 Mr. Shivers, and Captain Mayfield. Colonel Bicknell said
 19 this was part of the information he gave to Short "in one form
 20 or another." (Amend. affid., Col. George W. Bicknell)

21 British SIS Reports Furnished Colonel Bicknell:

22 These reports, referred to above, which were trans-
 23 mitted in triplicate by Colonel Wilkinson at Manila, through
 24 the British Vice Consul at Honolulu, Mr. Dawson, to Colonel
 25 Bicknell, Short's Assistant G-2, Mr. Shivers of the FBI, and

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1 Captain Mayfield, District Intelligence Officer of the Navy,
2 are too voluminous to be discussed in detail. In the aggre-
3 gate, these reports make an impressive showing of growing
4 tension in the Far East. Much of the data contained in these
5 reports found its way into Colonel Bicknell's estimates of
6 the Japanese Situation, which he testified he furnished Gen-
7 eral Short. (Amend. Affid., Col. George W. Bicknell)

8 Information Received By Captain Edwin T. Layton, USN:

9 Captain Edwin T. Layton, USN, was, for a year prior to
10 the Pearl Harbor disaster, Fleet Intelligence Officer of the
11 Pacific Fleet. He testified to Colonel Clausen that about
12 three months prior to 7 December 1941 the Assistant Chief of
13 Staff for Intelligence, Hawaiian Air Force, Lieutenant Colonel
14 Edward W. Raley, came to him and requested various items of
15 intelligence. About ten days to two weeks prior to 7 December
16 1941, Captain Layton gave Colonel Raley certain top secret
17 intelligence, without, however, disclosing its origin, which
18 included the "Winds Code" message and information tending to
19 show a general movement of Japanese naval forces to the South.
20 When the Army proposed to make photographic reconnaissance
21 of the Japanese mandated islands in November, 1941, he held
22 a series of conferences with Colonel Raley about the matter.
23 From time to time when General Short was in conference with
24 Admiral Kimmel, he was called to present the intelligence
25 picture to them. (Affid., Capt. Edwin T. Layton, USN)

1 According to Colonel Raley, his contacts with Captain Layton
 2 were limited to about six conversations with him over the
 3 entire year 1941, the last in October, 1941. He told Captain
 4 Layton and Colonel Bicknell that hostilities with Japan were
 5 possible at any moment. This was in October, 1941. They ap-
 6 parently shared his view. He also reported this to General
 7 Martin. (Affid., Col. Edward W. Raley)

8 Comment on Information Which Reached General Short:

9 In my memorandum of 25 November 1944, after discussing
 10 the information as to Japanese activities which admittedly
 11 reached Short and additional information possessed by the War
 12 Department which was not sent him, I said:

13 " * * * while there was more information in Wash-
 14 ington than Short had, Short had enough information to
 15 indicate to any responsible commander that there was
 16 an outside threat against which he should make prepara-
 17 tions." (P. 30)

18 Colonel Clausen's investigation has fortified me in my
 19 conclusions above stated. Reference is made to my memorandum
 20 to you of even date, subject "Top Secret Report, Army Pearl
 21 Harbor Board," for a further discussion on this subject.

22 Short's SOP Against Attack:

23 In my memorandum of 25 November 1944, I stated:

24 "Indicating his awareness of the threat of an air
 25 attack, Short sent General Marshall a tentative SOP,

1 dated 14 July 1941, containing three alerts, Alert No. 1
2 being the all-out alert requiring occupation of field posi-
3 tions; Alert No. 2 being applicable to condition not suf-
4 ficiently serious to require occupation of field positions
5 as in Alert No. 1; and Alert No. 3 being a defense against
6 sabotage and uprising within the Islands "with no particular
7 thread from without." It will be noted that these alerts
8 are in inverse order to the actual alerts of the final plan
9 of 5 November 1941. It will be noted further that in para-
10 graph 14 of the SOP, HD, 5 November 1941, as well as in the
11 earlier tentative draft of the SOP, sent to Washington, Short
12 expressly recognized the necessity for preparation for "a
13 surprise hostile attack." (Short, Ex. 1, pp. 5, 64) (Italics
14 supplied)

15 As stated in my memorandum of 25 November 1944, Short
16 on receipt of the radiogram from General Marshall, dated
17 27 November 1941, within half an hour ordered Alert No. 1,
18 which is SOP described as a defense against sabotage "with
19 no threat from without." (Memo., 25 Nov. 1944, p. 2).
20 In response to so much of General Marshall's radiogram as
21 ordered him to "report measures taken," he sent the short
22 reply "Department alerted to prevent sabotage. Liaison with
23 the Navy." (Memo., 25 Nov. 1944, p. 13) Short testified
24 that his SOP of 5 November 1941 was sent to the War Depart-
25 ment on that date or about that time (Tr., Short, p. 431,

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1 Vol. 5) Under this SOP, Alert No. 1 was against sabotage
2 only. Apparently Short's present contention is that in ad-
3 vising the War Department by radiogram that the Department
4 was alerted against sabotage, he brought home to the War De-
5 partment that only Alert No. 1 under his SOP of 5 November
6 1941 was being put into effect. (Tr., Short, p. 431)

7 Colonel Clausen's investigation fails to disclose any
8 evidence that Short transmitted his SOP of 5 November 1941
9 to the War Department on or around that date. The best evi-
10 dence indicates that it was not received in the War Department
11 until March of 1942. Colonel Clarence G. Jensen, A. C.,
12 was specially deputized to make a careful investigation to
13 ascertain the date of receipt by the War Department of this
14 document. He searched in the files of The Adjutant General,
15 the War Plans Division, and the Army Air Forces, and made
16 specific inquiries of those likely to have any knowledge of
17 the matter. His search indicated that no such SOP was received
18 by the War Department until March, 1942. A letter from the
19 Commanding General, Hawaiian Department (Lt. Gen. Emmons),
20 dated 29 January 1942, transmitting the SOP to the War Depart-
21 ment bears a receipt dated 10 March 1942. (Affid., Col.
22 Clarence G. Jensen)

23 Receipt and Distribution of the 13 Parts and the 14th Part
24 of the Japanese Intercept of 6-7 December 1941:

25 Attached hereto is a copy of a separate memorandum by

me to you of even date which sufficiently discusses Colonel Clausen's investigation of the above matter. No further comment is deemed necessary in this place.

Conclusion:

My conclusions contained in my memorandum of 25 November 1944 relative to the Board's findings as to General Short, General Marshall, General Gerow and Secretary Hull have been reexamined by me in the light of Colonel Clausen's investigation. I find nothing in Colonel Clausen's investigation which leads me to modify these conclusions. The statements of fact made in my memorandum of 25 November 1944, based upon the testimony before the Army Pearl Harbor Board and that Board's report, are clarified and modified in accordance with the present memorandum.

MYRON C. CRAMER
MAJOR GENERAL
THE JUDGE ADVOCATE GENERAL

1 Incl
Copy memo from TJAG
To S/W, "Top Secret
Report, Army Pearl
Harbor Board."

(Whereupon, at 4:15 p.m. the committee recessed until 10:00 a.m., of the following day, Thursday, December 13, 1945.)

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