

Exhibit 2864

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Defense Doc. 1500-W-3

Excerpt from Exhibit No. 37 of the Joint Committee on the Investigation of the Pearl Harbor Attack - Congress of the United States, Seventy-Ninth Congress, First Session.

EXHIBIT NO. 37

BASIC EXHIBIT OF DESPATCHES

(38) 28 November 1941 to CNO, Action: COM PNNCP, COM PSNCF

(38) Top Secret

November 8, 1941

From: Chief of Naval Operations

Action: Com PNNCF Com PSNCF

Info: CINCPAC Com PNCF

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Refer to my 272338 X Army has sent following to commander western defense command quote negotiations with Japan appear to be terminated to all practical purposes with only the barest possibilities that the Japanese Government might come back and offer to continue X Japanese future action unpredictable but hostile action possible at any moment X If hostilities cannot repeat not be avoided the United States desires that Japan commit the first overt act X This policy should not repeat not be construed as restricting you to a course of action that might jeopardize your defense X Prior to hostile Japanese action you are directed to undertake such reconnaissance and other measures as you deem necessary but these measures should be carried out so as not repeat not to alarm civil population or disclose intent X Report measures taken X A separate message is being sent to G two Ninth Corps Area re subversive activities in United States X Should hostilities occur you will carry out the tasks assigned in rainbow five so far as they pertain to Japan X Limit dissemination of this highly secret information to minimum essential officers X Unquote XX WPL52 is not applicable to Pacific area and will not be placed in effect in that area except as now in force in southeast Pacific sub area and Panama naval coastal frontier X Undertake no offensive action until Japan has committed an overt act X Be prepared to carry out tasks assigned in WPL46 so far as they apply to Japan in case hostilities occur.

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