

A History of Notable Senate Investigations **prepared by the United States Senate Historical Office**

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Joint Committee on the Investigation of the Pearl Harbor Attack *(The Pearl Harbor Committee)*

Resolution passed: September 6, 1945 (Senate), September 11, 1945 (House)

Report issued: June 20, 1946

Chairman: Senator Alben Barkley (D-KY)

Vice Chairman: Representative Jere Cooper (D-TN)

Committee members:

Senator Owen Brewster (R-ME)

Representative J. Bayard Clark (D-NC)

Senator Homer Ferguson (R-MI)

Representative Bertrand W. Gearhart (R-CA)

Senator Walter George (D-GA)

Representative Frank Keefe (R-WI)

Senator Scott Lucas (D-IL)

Representative John Murphy (D-PA)

Origins

The Japanese surprise attack at Pearl Harbor on December 7, 1941, took the lives of more than 2,400 Americans and sunk or damaged 21 ships in the U.S. Pacific fleet.¹ As a stunned nation mourned its losses, many demanded to know why the U.S. was unprepared for the attack. Rumors even circulated that President Franklin Roosevelt, determined to draw the nation into war, baited Japan with an unguarded harbor. Numerous investigations, including one ordered by the president under the direction of Supreme Court Justice Owen Roberts, blamed military commanders at the naval base for being ill-prepared. On August 29, 1945, President Harry Truman released army and navy investigation reports which found commanders in Washington, especially former secretary of state Cordell Hull and army chief of staff General George Marshall, largely responsible for the lack of preparedness at Pearl Harbor. Congress postponed an investigation while the nation was at war. Germany's surrender on April 8th, and the formal surrender of Japan on September 2, 1945, created an opportunity for Congress to act. Senate Majority Leader Alben Barkley was the first to call for action, presenting a Senate resolution on September 6, 1945. He urged the creation of a joint investigatory committee to explore the "contradictions and inconsistencies" within the preceding reports.²

Process

The Senate unanimously approved Barkley's Concurrent Resolution 27 the same day and the House concurred on September 11, creating the Joint Committee on the Investigation of the Pearl Harbor Attack, commonly known as the Pearl Harbor Committee. The resolution authorized a 10-member committee, evenly divided between members of the House of Representatives and the Senate, and chaired by Senator Barkley, to investigate "the facts relating to the events and circumstances leading up to or following the attack made by Japanese armed

forces upon Pearl Harbor.”³ The committee selected William Mitchell, former attorney general under Republican president Herbert Hoover, as its first counsel. (Seth Richardson served as counsel from January through June of 1946.) Originally authorized to issue a final report on January 3, 1946, Congress passed a series of resolutions extending the life of the committee to allow members more time to hear witnesses.

From November of 1945 through May of 1946, the committee heard testimony in the Senate Caucus Room from 44 people, including top level military commanders such as Admiral Husband Kimmel and General Walter Short, and former ambassador to Japan Joseph Grew and former secretary of state Cordell Hull. The hearing transcripts filled more than 5,000 printed pages and included some 14,000 pages of printed exhibits.⁴

Public Relations

The Pearl Harbor investigation never piqued the public interest like other notable Senate inquiries. After four long years of war, a weary nation longed for peace and reconciliation. News media accounts often characterized the committee as politically divided, featuring headlines such as: “Angry Senators Debate on ‘Records’ of Pearl Harbor,” and “GOP Senators Say Democrats Block Pearl Harbor Probe.”⁵

Investigation

On August 28, 1945, President Truman issued an executive order directing several government departments and the joint chiefs of staff “to take such steps as are necessary to prevent release to the public” information related to a U.S. cryptanalysis program to crack Japanese coded transmissions.⁶ When Congress formed the Pearl Harbor Committee a few weeks later, members objected to the withholding of information by the executive branch. The president revised the order, directing some individuals to “make available to the Joint Committee on the Investigation of Pearl Harbor Attack . . . any information in their possession material to the investigation.”⁷

Though numerous investigations of the attack preceded the congressional inquiry, some files related to the attack had never been located. Partly to facilitate the search for missing documents and partly because, in the words of one historian, Republicans “did not trust counsel to find and produce all relevant information,” Senator Owen Brewster proposed a resolution to authorize individual committee members “in company with a member of the staff, to examine any records deemed to be relevant to the current investigation.”⁸ The committee voted down Brewster’s resolution on a straight party-line vote.⁹ Senators Homer Ferguson and Brewster, both members of the Select Committee to Investigate the National Defense Program (also known as the Truman committee) were seasoned investigators. Frustrated by the committee’s decision, they appealed to their colleagues from the Senate floor. Senator Brewster complained that committee members had not been “granted the same latitude in the examination of governmental records that was always accorded without question during the history of the Truman committee.”¹⁰ The Pearl Harbor investigation, Brewster urged, should pursue new lines of inquiry, rather than “review what had already been put in the record.”¹¹ Senator Ferguson asked, “Are we confined in our investigation only to the matters appearing in the existing official reports?”¹² In reality, the executive branch deluged the committee with documents and exhibits, prompting Senator Brewster to lodge his “regret and protest” at the first public committee hearing about the “premature beginning of this inquiry” noting, “it is just a physical impossibility to go over the [more than 1000 exhibits] prior to this hearing.”¹³

Disagreements over committee procedure led, at times, to acrimonious exchanges among senators on the Senate floor. James Tunnell of Delaware denounced Brewster and Ferguson's demands for greater access to material as a partisan plan to "dig up something" that could be used to "besmirch the reputation of the Nation's wartime Commander in Chief [Franklin Roosevelt]." ¹⁴ Brewster dismissed Tunnell's "extreme attack" as an inaccurate characterization of his effort to simply "explore the files." ¹⁵

Debates over procedure were driven, at least in part, by Republican concerns that Barkley's long-standing allegiance to President Roosevelt made him incapable of objectively pursuing the Pearl Harbor inquiry. Barkley's close association with the president dated to 1937 when Roosevelt intervened on Barkley's behalf to ensure his election as majority leader and continued until Roosevelt's death on April 12, 1945. As one historian observed, "Barkley accepted his role of presidential flag carrier, but it took him years to regain confidence or to command the loyalty" of members of his own party. ¹⁶

Outcome

"The ultimate responsibility for the attack and its results rests upon Japan," the final report concluded, and "the diplomatic policies and actions of the United States provided no justifiable provocation whatever for the attack by Japan on this Nation." The eight members who signed the majority report found that "officers, both in Washington and Hawaii, were fully conscious of the danger from air attack." The Hawaiian commands and the Intelligence and War Plans Divisions of the War and Navy Departments made "errors of judgment and not derelictions of duty." Authors rejected the claim that President Roosevelt and top advisors "tricked, provoked, incited, cajoled, or coerced Japan" into attacking the United States in order to draw the nation into war. ¹⁷

Senators Brewster and Ferguson penned a minority report, dismissing the majority's conclusions as "illogical." "When all the testimony, papers, documents, exhibits, and other evidence duly laid before the Committee are reviewed," they wrote, "it becomes apparent that the record is far from complete." ¹⁸

In the end, the committee left many questions unanswered. "Why, with some of the finest intelligence available in our history," wondered the committee, "why was it possible for a Pearl Harbor to occur?" The final report noted "interdepartmental misunderstanding" which "prejudiced the effectiveness" of intelligence. Even if its findings were not conclusive, however, the committee's recommendations had a lasting effect. The majority report recommended centralizing "operational and intelligence work" and drawing more "clear-cut" lines of responsibility among intelligence agencies. Some of these recommendations became law when Congress passed and the president signed the National Security Act of 1947. The law consolidated the military into a newly-formed Department of Defense directed by a secretary of defense. The act also established the Central Intelligence Agency to gather and evaluate intelligence related to national security. ¹⁹

¹ Naval History and Heritage Command, "Overview of the Pearl Harbor Attack, 7 December 1941," accessed November 15, 2011, <http://www.history.navy.mil/faqs/faq66-1.htm>.

² Congressional Record, 79th Congress, 1st sess., 8338.

³ Congress, Joint Committee on the Investigation of the Pearl Harbor Attack, *Pearl Harbor Attack: Hearings before the Joint Committee on the Investigation of the Pearl Harbor Attack, Part 1*, 79th cong., 1st sess., 4.

⁴ Polly Ann Davis, *Alben W. Barkley: Senate Majority Leader and Vice President*, New York: Garland Publishing, 1979, 202-203.

⁵ *New York Times*, 3 Nov 1945, 1; *Washington Post*, 3 Nov 1945, 1.

⁶ Congressional Record, 79th Congress, 1st sess., 10342.

⁷ *Ibid.*, 10343.

⁸ Wayne Thompson, "The Pearl Harbor Committee, 1945-1946," in Roger A. Bruns, David L. Hostetter, Raymond W. Smock, eds.; New York: Facts on File, 2011, 675; Congressional Record, 79th Congress, 1st sess., 10345.

⁹ Congressional Record, 79th Congress, 1st sess., 10344.

¹⁰ *Ibid.*, 10341.

¹¹ *Ibid.*, 10432.

¹² *Ibid.*, 10344.

¹³ *Pearl Harbor Attack: Hearings before the Joint Committee on the Investigation of the Pearl Harbor Attack*, 1-2.

¹⁴ Congressional Record, 79th Congress, 1st sess., 10856.

¹⁵ *Ibid.*, 10956.

¹⁶ Donald Ritchie, "Alben W. Barkley, the President's Man," in Richard Baker and Roger Davidson, eds., *First Among Equals: Outstanding Senate Leaders of the Twentieth Century*, Washington, D.C.: Congressional Quarterly, Inc., 1991, 129.

¹⁷ U.S. Congress, *Report of the Joint Committee on the Investigation of the Pearl Harbor Attack*, 79th cong., 2d sess., 251-252.

¹⁸ *Ibid.*, 499-500.

¹⁹ *Ibid.*, 251-253.