

1 A RESOLUTION urging the President and Congress to advance on the retired list
2 the late Rear Admiral Husband E. Kimmel and the late Major General Walter C. Short to
3 their highest held ranks, as was done for all other senior officers who served in positions
4 of command during World War II.

5 WHEREAS, Rear Admiral Husband E. Kimmel, formerly the Commander in Chief
6 of the United States Fleet and the Commander in Chief, United States Pacific Fleet, had
7 an excellent and unassailable record throughout his career in the United States Navy prior
8 to the December 7, 1941, attack on Pearl Harbor; and

9 WHEREAS, Major General Walter C. Short, formerly the Commander of the
10 United States Army Hawaiian Department, had an excellent and unassailable record
11 throughout his career in the United States Army prior to the December 7, 1941, attack on
12 Pearl Harbor; and

13 WHEREAS, numerous investigations following the attack on Pearl Harbor have
14 documented that Admiral Kimmel and Lieutenant General Short were not provided
15 necessary and critical intelligence that was available, that foretold of war with Japan, that
16 warned of imminent attack, and that would have alerted them to prepare for the attack,
17 including such essential communiques as the Japanese Pearl Harbor Bomb Plot message
18 of September 24, 1941, and the message sent from the Imperial Japanese Foreign
19 Ministry to the Japanese Ambassador in the United States from December 6–7, 1941,
20 known as the Fourteen-Part Message; and

21 WHEREAS, on December 16, 1941, Admiral Kimmel and Lieutenant General
22 Short were relieved of their commands and returned to their permanent ranks of rear
23 admiral and major general;

24 WHEREAS, Admiral William Harrison Standley, who served as a member of the
25 investigating commission known as the Roberts Commission that accused Admiral
26 Kimmel and Lieutenant General Short of "dereliction of duty" only six weeks after the
27 attack on Pearl Harbor, later disavowed the report maintaining that "these two officers

1 were martyred" and "if they had been brought to trial, both would have been cleared of
2 the charge"; and

3 WHEREAS, on October 19, 1944, a Naval Court of Inquiry exonerated Admiral
4 Kimmel on the grounds that his military decisions and the disposition of his forces at the
5 time of the December 7, 1941, attack on Pearl Harbor were proper "by virtue of the
6 information that Admiral Kimmel had at hand which indicated neither the probability nor
7 the imminence of an air attack on Pearl Harbor," criticized the higher command for not
8 sharing with Admiral Kimmel "during the very critical period of 26 November to 7
9 December 1941, important information... regarding the Japanese situation," and,
10 concluded that the Japanese attack and its outcome was attributable to no serious fault on
11 the part of anyone in the naval service; and

12 WHEREAS, on June 15, 1944, an investigation conducted by Admiral T. C. Hart at
13 the direction of the Secretary of the Navy produced evidence, subsequently confirmed,
14 that essential intelligence concerning Japanese intentions and war plans was available in
15 Washington but was not shared with Admiral Kimmel; and

16 WHEREAS, on October 20, 1944, the Army Pearl Harbor Board of Investigation
17 determined that Lieutenant General Short had not been kept "fully advised of the growing
18 tenseness of the Japanese situation which indicated an increasing necessity for better
19 preparation for war," detailed information and intelligence about Japanese intentions and
20 war plans were available in "abundance" but were not shared with the General Short's
21 Hawaii command; and General Short was not provided "on the evening of December 6th
22 and the early morning of December 7th, the critical information indicating an almost
23 immediate break with Japan, though there was ample time to have accomplished this";
24 and

25 WHEREAS, the reports by both the Naval Court of Inquiry and the Army Pearl
26 Harbor Board of Investigation were kept secret, and Rear Admiral Kimmel and Major
27 General Short were denied their requests to defend themselves through trial by court-

1 martial; and

2 WHEREAS, the joint committee of Congress that was established to investigate the
3 conduct of Admiral Kimmel and Lieutenant General Short completed, on May 31, 1946,
4 a 1,075-page report which included the conclusions of the committee that the two officers
5 had not been guilty of dereliction of duty; and

6 WHEREAS, the then Chief of Naval Personnel, Admiral J. L. Holloway, Jr., on
7 April 27, 1954, recommended that Admiral Kimmel be advanced in rank in accordance
8 with the provisions of the Officer Personnel Act of 1947; and

9 WHEREAS, on November 13, 1991, a majority of the members of the Board for the
10 Correction of Military Records of the Department of the Army found that Lieutenant
11 General Short "was unjustly held responsible for the Pearl Harbor disaster" and that "it
12 would be equitable and just to advance him to the rank of lieutenant general on the retired
13 list"; and

14 WHEREAS, in October 1994, the then Chief of Naval Operations, Admiral Carlisle
15 Trost, withdrew his 1988 recommendation against the advancement of Admiral Kimmel
16 and recommended that the case of Admiral Kimmel be reopened; and

17 WHEREAS, although the Dorn Report, a report on the results of a Department of
18 Defense study that was issued on December 15, 1995, did not provide support for an
19 advancement of Rear Admiral Kimmel or Major General Short in grade, it did set forth as
20 a conclusion of the study that "responsibility for the Pearl Harbor disaster should not fall
21 solely on the shoulders of Admiral Kimmel and Lieutenant General Short, it should be
22 broadly shared"; and

23 WHEREAS, the Dorn Report found that "Army and Navy officials in Washington
24 were privy to intercepted Japanese diplomatic communications... which provided crucial
25 confirmation of the imminence of war;" that "the evidence of the handling of these
26 messages in Washington reveals some ineptitude, some unwarranted assumptions and
27 misestimations, limited coordination, ambiguous language, and lack of clarification and

1 follow-up at higher levels"; and, that "together, these characteristics resulted in failure . . .
2 to appreciate fully and to convey to the commanders in Hawaii the sense of focus and
3 urgency that these intercepts should have engendered"; and

4 WHEREAS, on July 21, 1997, retired Vice Admiral David C. Richardson
5 responded to the Dorn Report with his own study which confirmed findings of the Naval
6 Court of Inquiry and the Army Pearl Harbor Board of Investigation and established,
7 among other facts, that the war effort in 1941 was undermined by a restrictive intelligence
8 distribution policy, and that the degree to which the commanders of the United States
9 forces in Hawaii were not alerted about the impending attack on Hawaii was directly
10 attributable to the withholding of intelligence from Admiral Kimmel and Lieutenant
11 General Short; and

12 WHEREAS, the Officer Personnel Act of 1947, in establishing a promotion system
13 for the Navy and the Army, provided a legal basis for the President to honor any officer of
14 the Armed Forces of the United States who served his country as a senior commander
15 during World War II with a placement of that officer, with the advice and consent of the
16 Senate, on the retired list with the highest grade held while on the active duty list; and

17 WHEREAS, Rear Admiral Kimmel and Major General Short are the only two
18 eligible officers from World War II who were excluded from the list of retired officers
19 presented for advancement on the retired lists to their highest wartime ranks under the
20 terms of the Officer Personnel Act of 1947; and

21 WHEREAS, this singular exclusion from advancement on the retired list serves
22 only to perpetuate the myth that the senior commanders in Hawaii were derelict in their
23 duty and responsible for the success of the attack on Pearl Harbor, a distinct and
24 unacceptable expression of dishonor toward two of the finest officers who have served in
25 the Armed Forces of the United States; and

26 WHEREAS, Major General Walter Short died on September 23, 1949, and Rear
27 Admiral Husband Kimmel died on May 14, 1968, without the honor of having been

1 returned to their wartime ranks as were their fellow veterans of World War II; and

2 WHEREAS, the Veterans of Foreign Wars, the Pearl Harbor Survivors Association,
3 the Admiral Nimitz Foundation, the Naval Academy Alumni Association, the Retired
4 Officers Association, and the Pearl Harbor Commemorative Committee, and other
5 associations and numerous retired military officers have called for the rehabilitation of
6 the reputations and honor of Admiral Kimmel and Lieutenant General Short through their
7 posthumous advancement on the retired lists to their highest wartime grades;

8 NOW, THEREFORE,

9 *Be it resolved by the Senate of the General Assembly of the Commonwealth of*
10 *Kentucky:*

11 ➔Section 1. The Senate does hereby urge and petition the President and Congress
12 of the United States to advance the late Rear Admiral Husband E. Kimmel on the retired
13 list of the Navy to the highest grade held as Commander in Chief, United States Fleet,
14 during World War II, and to advance the late Major General Walter C. Short on the
15 retired list of the Army to the highest grade held as Commanding General, Hawaiian
16 Department, during World War II, as was done under the Officer Personnel Act of 1947
17 for all other senior officers who served in positions of command during World War II,
18 and for other purposes.

19 ➔Section 2. The Clerk of the Senate is hereby directed to transmit copies of this
20 resolution to President Donald J. Trump, The White House, 1600 Pennsylvania Avenue
21 NW, Washington, DC 20500, Senate Majority Leader Mitch McConnell, 317 Russell
22 Senate Office Building, Washington, D.C. 20510; Senator Rand Paul, 167 Russell Senate
23 Office Building, Washington, D.C. 20510; Representative Andy Barr, 1427 Longworth
24 House Office Building Washington, D.C. 20515; Representative James Comer, 1513
25 Longworth House Office Building, Washington, D.C. 20515; Representative Thomas
26 Massie, 2453 Rayburn House Office Building, Washington, D.C. 20515, Representative
27 Brett Guthrie, 2434 Rayburn House Office Building, Washington D.C. 20515;

- 1 Representative Harold Rogers, 2406 Rayburn House Office Building, Washington, D.C.
- 2 20515; and Representative John Yarmuth, 131 Cannon House Office Building,
- 3 Washington, D.C. 20515.