EXHIBIT Ε

Transcript of telephone conversation between Colonel BENDETSEN and Mr. McCLOY, Asst. Secy. of War, Washington, D. C.

Mr. McCLOY: I got your report, but I'm surprised to see it in bound form. I thought it was arranged that we were to get a galley of it before you printed it up.

Colonel BENDETSEN: That is the report of the Commanding General to the Secretary of War. All the type face is here now. That isn't — has not been distributed except as an official report. If there are any changes which are desired to be made by the War Department, that complies with the arrangement. Everything is set to carry that out. This is merely his report to - from him on to the War Department.

M: That is the thing that I understood you were going to have us take a look at. Because we worked together on the thing. There is no such thing as a separate report it contains a lot of stuff that I question the wisdom of and it certainly complicates it to get it in a printed form such as this. I thought it was perfectly clear that you

B: This was only a ten copy affair. There has been no distribution wherever except those that have been sent in to you. This doesn't seal anything as far as the use of the report for any purpose by the War Department in connection with the distribution for any purpose - any change that you feel that ought to be made, can easily be made. That

M: The arrangement that I understood was that you were going to submit a galley that you could go over and we could work on that and make any suggestions. I'm not trying to tell you that you can't say what you want to say, but I wanted to put some considerations — we might went to put some considerations before you before you made any report. To anybody. But this is all in the air of finality — the letter of transmittel is already printed and signed — completed — done — pat. That is what disturbs me. The whole thing disturbs me - frankly. I have the feeling that we have gotten apart from each other — War Department and the Western Defense Command and we are not cooperating as we once were. I'm distressed about it. I know the people are here. I don't know quite what to do about this thing. There are a number of things in it now which I feel should not be made public — I feel that it, to a large extent, is a sort of selfserving document on this matter of relocation and the tone of it isn't the sort of thing that I think would make it valuable. The tables and the other stuff is all right, but the first part of it — is too self-glorifying and too self-serving for the type of document that I think should be perpetuated.

B: Sir, in the first place, I didn't so understand it. I'm sure that General Dewitt

Mr. I talked to him several times about it — I said that we wanted to see a galley and I understood that we were going to get the galley: Middidn't take down the telephone conversations - I Alam think I receded to.

B: There was no intention of this report, stituting a thing of finality. as far as any publication is concerned, con-

W: It wasn't a matter of publication. It was a matter of the report itself that I'm talking about. However, if you want to do it that way, you can do it that way. But whether we want to publish it or not, we don't know. Wee have the question up now as to whether the document the War Department publishes is what the Commending General sent in indication of a difference in view and it may be handled in a way that I think is unfortunate. I expected to have a crack at the thing before it was made up in the final form so that we could together work on something that would be of real value and could be given wide dissemination. Now it is sort of a document to support the contention that no Jap is ever going to get back into the Western Defense Command. Which was not at all the purpose of the original idea — it was a report on the evanuation and that was all.

B: Sir, I didn't think that there was ever any thing that the report should not contain the basis upon which the action was taken — and that has been attempted religiously.

M: Bendetsen, you know as well as I do that when you go through that report, that it is pointed to this issue — this question that is now up. Even the negation of the suggestion that it wasn't a question of time — it was a matter of — as you put it — facing the facts — clearly — too clearly pointed to the issue at hand to make any mistake about it.

B: That part of it — the first part, which is the smallest part of the document, was written a long time ago and had no direct connection with this at all. I assure you of that. The thing that held it up was the last part — the detailed part — which is the main part of the volume.

M: It certainly was awfully pointed toward the question as to whether the Japanese should be relocated now or not until after the duration. That certainly wasn't up at that time. We never thought about it. But I don't know now — we have got to send it around to the Department of Justice and the — anybody else that is quoted there before we can determine whether we ought to publish any more copies and distribute them or not. I notice that DeWitt recommends that the classification of "Confidential" be removed and it be published very widely. It is somewhat critical of the War Relocation Authority and the Department of Justice — they will probably object to that. I don't know whether we will ever get it out. Those few things could have been left out very easily — without raising any questions. However, we will go through with it and see whether it is a practical matter — you can eliminate some of this stuff, or whether we want to publish the appendixes. I haven't seen anything but volume I.

B: In that connection, first of all, I can assure you that there is no change of attitude whatever on willingness or desire to cooperate fully. I think that that is a reaction that you might have, but it certainly isn't the case. The second thing is I don't quite see where you feel — in that connection — that there is involved here a finality — even if it came in a galley to you or between two covers or came in in type script. I can't see the different.

M: The difference is this. This way it comes in in a completely definitive form—with a letter of transmittal already printed and bound into it and signed, sealed and delivered. The act of the final report has now been consummated as of April 15. That is what disturbs me. There is no taking that back. Maybe you don't want to take it back but I certainly thought I was going to get a look at it before it became \_\_\_\_\_\_\_\_ Certainly we never did anything else in connection with this whole evacuation program c that basis. We have been in daily. We have been in daily conversation in it and it surprises me that we are not now.

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His All along I ve had this sort of a feeling that — growing feeling that appears in the press notices and what not that there is a suggestion out there that the Western Defense Command is taking a view which is a little at variance with that of the War Department view. It is the first time a thing has crept in. This seems to me as sort of stealing the gun and a confirmation of that impression.

B: There is no such intention whatever as far as any press notices are concerned. We haven't seen any out here except those that might have appeared in the Washington papers there — which were read — the article in the Washington Post and the one in the Star — but that is an isolated thing that was based upon a misquote of what the General said.

M: We are getting a lot of inquiries from California Congressmen on it. Apparently it is stirring up a great many inquiries. Well I don't know what to do about the thing now except to. You have got to treat this as the report of DeWitt has been made. Final recommendations — even as to how the — how long the Japanese are going to stay there — how a man can make such a recommendation without knowing what developments the war is going to take, I don't see.

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or what development the War is going to take I don't see. It looks to me as if there is a pre-judgment of the problem without getting the facts, but, however, that is done, that s over the dam because if any action is taken now it involves the question of over-ruling which we might have avoided. Maybe that is what you want; it seems to me you are rather asking for it and I think that is unfortunate. I don't see how you can get around that. Now, as to what you want to do with the rest of those copies, I think it is going to be a long time before we can get a clearance on all this stuff to get it published. We will probably have to take out a good bit of the stuff of the correspondence of the Department of Justice, perhaps some of the references to the War Relocation Authority. I think the whole tone of the original first part of the thing could have been written up with a little more objectivity so as to have made it a more valuable document that I think it is now but I don't believe we can change that. Whether the form of it is in such shape as to enable you to-print just the appendices or the tabs or whatever they are; whatever comes along in the next seventeen or whatever numbers of volumes it is, I don't know. You have a better judgment on that than I do. There is another thought about it: I don't know what the cost of this thing is. It looks like a pretty expensive job of printing to me with all these things in it. I think we ought to get some sort of an estimate as to how much it costs before we make any recommendations as to how wide these should be distributed.

B: That can be very readily obtained. I don't think it is so very expensive.

McC: It looks like a pretty good job; there are some very good cuts in it.

B: Yes, sir. Very good. But, of course, those cuts and those plates are already for use and to have them pressed on more paper or less wouldn't make much difference.

McC: We ought to find out how much that is and we ought to...it will take us some time to go through it and make up our minds as to what if anything in this thing should be deleted but that is an awkward thing to do; to delete something from a report that is already rendered or even if we add something at the beginning of it it puts us immediately into a difference of view with the Commanding General which is again unwise.

B: Well, of course, his report, bare to you as it now stands, his report which is a confidential document with no distribution whatever and if in your judgment it should be changed ... I can't see the finality about it as far as a lasting record is concerned if it is put out at all it is put out as a War Department report. All such documents would have to be, wouldn't they? And if it is put out in that way as a War Department document it couldn't reflect any difference of opinion.

McC: What is required is an entire revesping of the first part of the thing in order to make it something that you would want to put out in the name of the War Department. It will take a good bit of work from here out to change it.

B: Well, the same would have been true of a galley, sir. In other words....

McC: Maybe you can do it but it's going to complicate the work and it seems to me wecould have at least had a much more valuable affair, at least we could have flushed the question as to whether or not there was a difference of view and could have talked

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about these points that have hit my eye as you go along, before they were incorporated in the print and made a part of the final report. Heretofore there hasn't been anything but the closest cooperation is connection with this whole movement.

B: There is certainly no change here, Mr. McCloy and I don't know how to persuade you of it except to give my assurances which I give in the best of faith and I think you know me well enough to know that there is no change of attitude and I can assure you that there isn't on the part of the Commanding General at all.

McC: I don't doubt your good faith . . . . the facts hit you in the eye . . . .

B: Even if there is a difference of point of view that doesn't mean there's any unwillingness fully to cooperate. I think all the way along the line, all of us have differences of view but once the decision is made it is carried through with enthusiasm. Just in the case of this last thing . . . we are doing all we can to see to it that everybody knows they are coming in, to see that the uniforms are respected and so on, well the Commanding General's viewpoint was different but he feels no different once the decision is made . . . he carries it out with good faith and enthusiasm . . . there is no change, sir, I can assure you of that. I mean, in the rush of events, I know sometimes it might appear that way but I can assure you that there isn't.

McC: Allright, Maybe so . . . I can only judge from what I see before me. What we will do is go through this report and see whether we want to delete it or what the best thing to do with the report as it is now printed is, in the light perhaps to put out a substantial number of additional copies to libraries and whatnot. That is, if it is reasible . . . I don't know where we will end up . . . whether we will just stay with these ten copies and let the rest of them go or whether we will feel that we should publish the thing as it is now with an adendum by the War Department. But in making up our minds what that is I would like to get the cost of various numbers of these things, say from 50 to 1,000.

B: Allright, sir . . . that can be obtained readily. The actual cost of additional numbers won't — once the plates are cut and the type face readied is small.

M: You might let me know how much the whole thing cost to date. I suppose the additional volumes.. they have arrived.

B: There are only 3 sets of those — additional — we printed \_\_\_\_. They comprise things that are irreplaceable. We have used original documents — like for example, assembly center paper — four volumes of that. Those are the original papers themselves. The thought was that if you approved, there should be one set on file in the War Depart ment and one perhaps in the Library of Congress. There is no thought that the accompanying volumes ever would be printed in full — to the same number as the report might or night not be. They are more or less secondary source materials upon which the report is based.

M: Well, we will give you a ring back one of these days. I have an idea that whenever you can get away out there, you ought to come east to go over this whole business of — at least so you will know what we are thinking about here. I think you might come prepared, whenever your duties out there will permit you, to, to spend three or four days or a week here to go over the whole thing.

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B: All right, sir. Would Friday be all right

M: Sure.

B: All right sir. Fine. I assure you that there is no disposition not to cooperate.

M: All right. I accept your assurance. All right.

B: Thank you. .