

It was this background of related developments that determined the fate of General DeWitt's recommendation, submitted through Colonel Bendtsen on 10 May 1942, for a limited collective evacuation of German and Italian aliens from Military Area No. 1.¹⁰³ When General DeWitt was told on the following day that Mr. Stimson and Mr. McCloy were not inclined to agree with his recommendation, he insisted that the removal of German and Italian aliens as recommended by him was an essential war measure; and he insisted, too, that, if the War Department refused to adopt his recommendation, then he must be given definite instructions to the contrary that would exempt him from all responsibility for the consequences.¹⁰⁴ Before General DeWitt's recommendation could be discussed with the President, the Congressional committee that had been studying the west coast evacuation of the Japanese issued its second report, which, among other observations, labeled any mass evacuation of German and Italian aliens "out of the question if we intend to win this war."¹⁰⁵ On 15 May the President approved an alternative to General DeWitt's recommendation upon which the War Department secretaries had already agreed. Instead of a collective evacuation of German and Italian aliens from the west coast or from anywhere else in the United States, the War Department would authorize the defense commanders to issue individual exclusion orders against both aliens and citizens under the authority of Executive Order 9066. Instructions to this effect, including a caution enjoining strict secrecy, went to General DeWitt on 22 May and, although they did not contain the waiver of responsibility he had requested, apparently they gave him a broad enough grant of authority to satisfy his concern over the problem of German and Italian aliens.¹⁰⁶

¹⁰³ Memo, Col Bendtsen for ASW, 10 May 42, ASW 014.311 WDC Gen. Colonel Bendtsen had returned to Washington to present General DeWitt's recommendation in person, and he prepared the memorandum as a formal recommendation of General DeWitt rather than as a personal expression of his own opinion.

¹⁰⁴ Tel Conv, Gen DeWitt with Col Bendtsen, 11 May 42, WDC-CAD 311.3 Tel Convs (DeWitt, 42-43); Memo, Col Bendtsen for ASW, 12 May 42, ASW 014.311 WDC Gen.

¹⁰⁵ H. Doc. 2124, 77th Cong., 13 May 42, p. 31.

¹⁰⁶ Memo, ASW for SW, 15 May 42; Memo, Col Bendtsen for ASW, 15 May 42. Both in ASW 014.311 Gen. Stimson Diary, entry of 15 May 42; SW's Notes after Cabinet Mtg, 15 May 42, WDCA 334 Mtgs and Confs; Ltr, TAG to CG WDC, 22 May 42, AG 014.311 (1-13-41), sec. 10; Memo Jaretki for Col Tate, 4 Jun 42, ASW 014.311 Gen.

The rejection of General DeWitt's May recommendation concerning the removal of German and Italian aliens, which he explicitly justified on grounds of military necessity and at a time when the Pacific outlook was considerably grimmer than it had been in February (see Chapter IV, above), certainly weakens the theory, advanced in the War Department, *Final Report* and elsewhere after 1942, that the War Department acted on evacuation in accordance with recommendations of the commanding general that in turn were based on the general's estimate of the military necessity of the situation. There is no more than a trace of this theory in War Department records that antedate the preparation of the *Final Report* by the Western Defense Command in early 1943.