

## Department of Justice

Alien Enemy Control Unit

JLB:AH

Washington

EXHIBIT

X

February 23, 1944.

MEMORANDUM TO MR. ENNISRe: Evacuation of Japanese from West Coast

Pursuant to arrangements made by Mrs. Shea, at 3 o'clock this afternoon I had a conference with Mr. Denny, General Counsel of Federal Communications Commission, and Mr. George E. Sterling, Assistant Chief Engineer and Chief of the Radio Intelligence Division, on the subject of the statements made in General DeWitt's report pertaining to the alleged existence of the illicit radio transmitters on the Pacific Coast following Pearl Harbor. Both Mr. Denny and Mr. Sterling spoke very frankly, and showed me a number of documents. As a result of this conference I have formed the conclusion that General DeWitt's statements are not only misleading, but were made by him at a time when he personally knew the facts to be otherwise. Since his statements are slightly ambiguous, it cannot be flatly said, however, that General DeWitt was deliberately untruthful. We can say, however, that he was deliberately misleading.

The facts are that General DeWitt had one company of radio intelligence troops on the West Coast. I have seen actual reports made by FCC and FBI agents on the operation of these troops, and it seems abundantly clear that they were not trained for the specialized work of radio locating.

On the other hand, the FCC had a number of highly trained crews with specialized equipment on the West Coast, which were immediately placed at General DeWitt's disposal. General DeWitt turned over to FCC a great number of reports of broadcasts by illicit stations, some of these broadcasts being in the Japanese language or in a Japanese equivalent of the Morse code. Without exception, however, the FCC succeeded in locating every station concerning which the Army complained, and without exception every station turned out to be either an authorized and identifiable station in the United States, a station located in Japan, or, in a few cases, a Japanese submarine off the coast. FCC was never unable to identify a radio signal reported to it, and found no illicit transmitter at any time on the West Coast until the Fall of 1943, when they found the two extremely low-powered stations at Tule Lake.

About the 1st of January, 1942, General DeWitt's intelligence officers thought they had established a fix on a station somewhere near Salinas, California, in Monterey County. FCC was able to demonstrate that this was a station located in Japan, the call signal of which was registered

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on the official Bearn List, which is the international list of radio stations published in Switzerland.

The technical difficulty was that the relatively untrained Army radio technicians were using loop direction finders to get bearings and were then plotting the intersection of the bearings to get what they thought was the location of the station. Loop direction finders can be used only to ascertain the direction of radio impulses traveling along the ground. If radio signals are reflected from the ionosphere, the direction of the point of origin cannot be ascertained by the type of direction finder being used by the Army.—It is possible for a trained engineer to distinguish between the relatively near ground signals and very distant signals reflected off the ionosphere, since, for example, the long distance signals fade and are accompanied by an echo effect.

Prior to FCC's location of the "Salinas" station in Japan, General DeWitt had thrown a cordon of troops around Salinas, and, since he could not locate the radio, had ordered every resident of the city to reduce his aerial to a length of ten feet, on the theory that this would prevent any short-wave transmission. Mr. Sterling pointed out that this was a foolish measure, since (a) short-wave transmission can be accomplished with an aerial of less than ten feet, and (b) an aerial of any length can be concealed in a house or other structure with great ease.

Mr. Sterling further pointed out that had there been a radio transmitter in fact in Salinas, California, it would not have been necessary to throw troops around the whole city, since his unit could not only locate the house in which the transmitter was operated, but could even locate the floor of the house and the room on the floor containing the transmitter.

The significance of this is that one of General DeWitt's principal arguments in favor of mass alien enemy raids was that it was impossible to locate radio transmitters precisely, and therefore impossible to obtain search warrants, which made it necessary to be able to enter every house in a locality in which a transmitter was thought to be operated. Mr. Sterling stated categorically that a search warrant could always be obtained since his men would be in a position to swear to the precise location of the transmitter. (Mr. Sterling told me that the Germans started a short-wave radio set operating in the German Embassy two days after Pearl Harbor.) For some reason the State Department wished to know whether the transmitter was in the Embassy building or in the Chancellery next door. FCC was able to tell them this without difficulty.)

You will recall that General DeWitt states that following the evacuation of the Japanese the reports of the illicit transmissions fell off. This is to be expected, even if we know that there were in fact no illicit transmissions, since the popular spy scare would be diminished with all the Japanese behind barbed wire. It is interesting to note, however, that here

again General DeWitt is incorrect. FCC has a chart of complaints coming in by week, which shows a high point shortly after Pearl Harbor, a low point just before the evacuation, and another high point in the Summer of 1942.

Mr. Sterling read to me reports transmitted by his representatives of their discussions with General DeWitt's radio intelligence officers, in which it was explained to the Army men that their fixing operations were being poorly conducted, and particularly in which it was explained to them that the "Salinas" station was in Japan. His men also reported to the Army in every case in which the Army referred a complaint to them, and thus the Army had notice that every complaint was unfounded. Mr. Sterling further states that he personally attended a conference with General DeWitt, and that General DeWitt was told about the technical inefficiency of his own radio locators and was told that FCC had been able to locate every radio signal reported and had found no illicit signal. (Incidentally, Mr. Sterling called General DeWitt before the report came out, when he learned of the existence of the limited ediction, and expressed concern about the implications that FCC had not sufficiently attended to Japanese broadcasting. General DeWitt at that time said that he thought the report had never been printed.)

In conclusion, General DeWitt's report suggests that there was a great deal of illicit radio communication and that the failure of the Department of Justice adequately to provide for prevention of it necessitated the evacuation of the Japanese. If the report can be construed as stating this directly, then, as General DeWitt well knew, the statement is a lie (a) because there were no illicit transmissions, and (b) if there had been, they could have been located and dealt with by FCC and by the use of judicial search warrants. If General DeWitt's statement is construed as being merely ambiguous, then his intent was to mislead without directly lying.

Mr. Denny suggested that the Attorney General write to the Chairman of FCC and ask for his comments on the radio aspect of General DeWitt's report, and stated that he thought the Commission would be willing to reply substantially along the lines suggested above (without, of course, the attribution of deliberate misstatement to Lieutenant General John L. DeWitt.)

JLB  
John L. Burling.