

~~SECRET~~

9 January 1945

Major General Henry C. Pratt  
Commanding General, Western Defense Command  
Presidio of San Francisco, California

Dear General:

I have your letter of December 31 and agree with you that the Ende Case has lessened the need for a new Executive Order. Although I do not think that the Ende decision can be cited authority for the proposition that detention of disloyal persons is proper, it certainly avoids even an inference that such detention is improper.

As to the delegation under Executive Order No. 9835, I am inclined to think, as you do, that a delegation by the Secretary to the Attorney General is preferable, unless considerations of administrative convenience are found to require a delegation by you. I will be glad to have the results of your further study of the question.

Sincerely,

(SIGNED) JOHN J. McCLOY

John J. McCloy

DECLASSIFIED  
DOD Div 5200.9 Sept. 27, 1958  
AJNM by ERC Date 3-30-71

~~SECRET~~