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HEADQUARTERS WESTERN DEFENSE COMMAND  
PRESIDIO OF SAN FRANCISCO, CALIFORNIA  
OFFICE OF THE COMMANDING GENERAL

WAR DEPT  
SEP 1944  
ASST SEC  
15 September 1944

Honorable John J. McCloy,  
Assistant Secretary of War,  
War Department,  
Washington, D. C.

REGRADED UNCLASSIFIED  
ORDER SEC ARMY BY TAG PER 210806

Dear Mr. McCloy:

You will recall the case of Miss Mitsuye Endo, an American Citizen of Japanese ancestry who was excluded from Military Area No. 1 in May, 1942. Miss Endo was a clerk-stenographer employed in Sacramento, California as a Civil Service employee of the State of California.

On July 13th, 1942, she filed a petition for a writ of habeas corpus in the Federal District Court at San Francisco, California, alleging in substance that she was unlawfully confined in a camp by order of the Commanding General, Western Defense Command. Her petition for a writ was denied, an appeal was taken and the case certified to the Supreme Court of the United States. It is my understanding that her case is pending and will come up for decision at the October term of the Supreme Court.

Upon inquiry I find that there is nothing in Miss Endo's record which warrants her continued exclusion when considered on an individual basis. If she should apply at the present time for permission to return to the exclusion area, her application would undoubtedly be granted.

It appears to me that Miss Endo's case falls in the same category as that of Mrs. Shiramizu to whom I recently (August 21, 1944) issued a certificate exempting her from any further exclusion.

Under the circumstances, and following the analogy of the Shiramizu case, I propose to issue a certificate of exemption in the usual form to Miss Endo unless you direct me to take other action. I am reporting my proposed action in view of the pendency of Miss Endo's suit and the interest of the Department of Justice and the War Relocation Authority in the case.

Very sincerely yours,

*C. H. Bonesteel*

C. H. BONESTEEL,  
Major General, U.S.A.,  
Commanding.

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