MEMORANDUM FOR THE ASSISTANT SECRETARY OF WAR.

FROM: Mr. Jaretzki.

SUBJECT: Cooperation with the Department of Justice on Matters Relating to Executive Order No. 9066.

1. I sincerely believe in the principle enunciated by you in letter of April 30, 1942 to Mr. James Rowe, Jr., namely, that the Department of Justice has an entirely legitimate interest in the formulation of broad policies under Executive Order No. 9066. I believe that a joint formulation of these policies is in the best interest of this country and that there is need of representation of the civilian point of view in these matters.

2. The value of any joint formulation of policies is, however, predicated upon an honest endeavor on the part of both Departments to recognize the points of view of the other and to work expeditiously towards a common solution. If, as appears to be the case, certain persons in the Department of Justice use our proposed agreement as an opportunity to sabotage, or at least slow up, the taking of any action under Executive Order No. 9066, no good can result from the attempted program of cooperation. On the one hand we would be unable to discharge the responsibility which is ours under the Executive Order, and on the other hand, any attempt at working out a moderate program will be rendered almost impossible, because energies will be diverted to unnecessary wrangling with the Department of Justice, and the position of those in the War Department who are unsympathetic to the civilian approach will be strengthened by the unreasonable attitude of those in the Department of Justice.

3. I accordingly recommend, that this be made clear to the Attorney General at the outset, and that he be requested that the matter be placed in the hands of someone in his Department who is willing to cooperate. It is essential that the Department of Justice respect any request from the War Department for prompt consideration.

4. I attach hereto a time table of the negotiations with the Department of Justice to date.

1 Inclosure.