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MEMORANDUM FOR RECORD:

Subject: Termination of Martial Law in Hawaii.

The Under Secretary of the Interior, Mr. Fortas, Mr. Harper of the Department of Interior, Mr. Ennis of the Department of Justice and representatives of the Assistant Secretary of War's office discussed the means available to adequately control labor, traffic and civilian citizen internees should martial law be terminated in Hawaii. The Under Secretary of Interior stated, in his opinion, under the provisions of the M-Day proclamation, in effect, transferred powers of the legislature to the civil Governor. The civil Governor has all necessary powers to control traffic and labor. The penalties imposed for such offenses as absenteeism are in excess of those which are currently being imposed by the provost courts. As to the cooperation of the courts, should jurisdiction be taken by the Federal courts, he believes that no trouble will result inasmuch as the appointment of judges to these courts is made upon recommendation of the Department of Justice and Department of Interior. It was the consensus of opinion that jurisdiction would remain in the territorial courts, in which case the Under Secretary of Interior stated that he believed cooperation could be secured. In this line, he recommended that representatives of the Federal Government from the Department of Justice, preferably the Attorney General, and the Department of Interior, preferably himself, visit the Hawaiian Islands and discuss the proposals with the Hawaiian civil authorities.

It might be advisable to form a board on which the civil Governor, Admiral Himitz, and General Richardson would serve so that the transition from military to civil government would be smoothly accomplished.

The citizens now interned in Hawaii, (Japanese-Americans), would be handled in identical manner with those who are interned at Tule Lake under Executive Order 9066. It may be necessary to transport these internees to the Mainland.

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The Under Secretary was of the opinion that there was no necessity for additional legislation but should it become necessary it could be undertaken.

Representatives of the Assistant Secretary of War said that the matter was being currently studied by the Navy and that a report was expected within the next few days.

HAG