

May 7, 1943

**UNDERSTANDING WITH RESPECT TO ACTION UNDER
EXECUTIVE ORDER NO. 9066 DATED FEBRUARY 19, 1943**

1. [It is understood that, except as herein provided, all matters of general policy and all general programs pertaining to the control of civilians under Executive Order No. 9066, dated February 19, 1943, will be cleared by the War Department with the Department of Justice before they are put into effect. No publicity will be issued by either Department which is in conflict with the policy or program so established, and wherever any question of such a conflict may arise, each Department will endeavor to clear with the other before any such publicity is issued.]

2. The procedure for carrying out matters of general policy and general programs, including any participation by the Department of Justice in any such procedure that may be agreed upon, is included within the scope of matters to be cleared with the Department of Justice. However, after agreement upon procedure is reached, it is recognized that all details connected with carrying out such procedure ^{by the War Dept} must be left to the Commanding General of the particular area. In the case of major or fundamental disagreement on the part of the Department of Justice with any such details of procedure, the matter may be taken up with the War Department to determine whether such details may not be altered.

3. The Department of Justice agrees that it will respect the judgment of the War Department as to any matters which the War Department may deem to require urgent consideration.

Interpretations, orders or instructions

Box 6
Folder 6
Item 24
Page 2

-2-

4. The foregoing provisions do not apply to occasions of threatened or actual invasion or raids, under which circumstances authority has been given by the War Department to the appropriate Commanding Generals to take necessary action. The War Department reserves the right to act without consultation with the Department of Justice in any emergency which in its judgment renders such consultation impracticable, provided that any such action must have the personal approval of the Secretary of War or, ^{the As. Sec. of War} in his absence, the Acting Secretary of War. In case any action taken in accordance with this provision is objected to by the Department of Justice, the War Department will endeavor thereafter to adjust matters to the satisfaction of the Department of Justice.

5. Both Departments agree to cooperate in the enforcement of all Proclamations that may be mutually agreed to and issued under Executive Order No. 9066, each taking such steps as may be appropriate in the premises.