

NND 740062

NARS, Date 7/8/93

SECRET

Box 9
Folder 8
Item 25
Page 172

DECLASSIFIED

DOD Dir. 5200.9 Sept. 27, 1958
/ NM by zec Date 3-31-71

30 November 1944

MEMORANDUM FOR THE SECRETARY OF WAR:

Subject: Methods for dealing with disloyal Japanese.

My previous memorandum raised the legal questions relating to the detention of disloyal Japanese now at Tule Lake. This memorandum relates to some of the administrative questions which have been raised. The Commanding General of the Western Defense Command wants an Executive Order under which the Department of Justice detains those Japanese who the Western Defense Command has determined should be detained. The Western Defense Command asserts an interest in detention as ~~well as~~ opposed to exclusion on the theory that enforcement of individual exclusion is so difficult as applied to Japanese (All of whom look alike etc.) that mass exclusion can be safely rescinded only if the ones whom the ^{WDC} military determines are the most dangerous are ~~actually~~ ^{by WRA} locked up. The Western Defense Command realizes that once Justice got custody of these segregees they would detain only those they thought should be detained, but hoped that there would be informal consultation between Justice and the Western Defense Command on this point.

SECRET

DECLASSIFIED

NND 740062
NARS, Date 7/8/93

Box 9
Folder 8
Item 25
Page 2 of 2

~~SECRET~~

The Department of Justice takes the position that our proposed Executive Order, at least the most recent, would require them to go into the segregation business as to all persons whom the Army thought should be segregated. They state that the most they are willing to do is to take over Tule Lake Segregation Center after the segregation has been completed by WRA and all the segregees are at Tule Lake. They state that they feel that the Army should limit itself to exclusion and that WRA should be permitted to make the decisions as to segregation. They also take the position that when they take over Tule Lake they would oppose an Executive Order giving them the power to detain on the theory that such power, if it can be granted at all, could be granted just as well by a delegation under Executive Order No. 9066.

J.J. McC.

~~SECRET~~