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January 6, 1943

Dear Mr. Fahy:

From time to time doubt has been informally expressed by the Department of Justice as to the enforceability of the provision in the form of individual exclusion order which prohibits entry into military areas outside the command of the Military Commander issuing the order. You will perhaps recall that this specific problem arose in the Adriano case where it was suspected that Adriano might, after exclusion from the Western Defense Command, come to Washington within the Eastern Military Area in direct contravention of General DeWitt's order.

In order to clear up the matter, General DeWitt has suggested in a letter to me, copy enclosed, that the War Department issue a proclamation prohibiting an excluded from entering such military areas as are designated in his exclusion order, whether they come within the jurisdiction of the Military Commander issuing the order or not, in order to safeguard the national security. In considering the question, you should doubtless have before you the Secretary of War's letter to General DeWitt of July 15, 1942. I enclose a copy for your convenience.

Sincerely,

ASW 014.311 GENERAL EXCLUSION ORDERS  
Classif: No. ASW 014.311 WDC Exclusions

(SIGNED) JOHN J. McCLOY  
John J. McCloy

Honorable Charles Fahy  
The Solicitor General  
Department of Justice  
Washington, D. C.

- Encls.
1. Cc ltr 12-16-42 Gen. DeWitt to J.J. McCloy
  2. Cy ltr 7-15-42 Henry L. Stimson to Gen. DeWitt.
  3. Cy Proclamation

OASW:JMH:MGB

