Honorable Elmer Thomas  
United States Senate  
Washington, D. C.

Dear Senator Thomas:

Receipt is acknowledged of your communication of May 21, 1943 with inclosure from Mr. W. H. Pugh, Mangum, Oklahoma, concerning the treatment of evacuees in the Heart Mountain Relocation Center. I desire to take this opportunity to clarify the relationship of the War Department to three quite different groups of Japanese and persons of Japanese ancestry living in camps in the United States:

1. Evacuees from the West Coast
2. Civilian internees.
3. Prisoners of War.

The following paragraphs briefly define each of these groups and indicate the line of administrative responsibility for their custody and maintenance.

Evacuees are persons of Japanese ancestry, both alien and non-alien, who were evacuated from West Coast areas by order of the Commanding General, Western Defense Command and Fourth Army. The evacuation was in exercise of the President’s war powers delegated to the Secretary of War by Executive Order Number 9066, dated February 19, 1942, authorizing the Secretary of War and such military commanders as he might designate to take measures essential to the preservation of national security.

In the mass evacuation of all persons of Japanese ancestry from certain defined areas of the West Coast no attempt was made to determine the loyalty of any individual evacuee. All persons of Japanese ancestry, regardless of citizenship, were removed from the areas as a military security measure.

To provide for the custody, care and relocation of the evacuees, the War Relocation Authority, a civilian agency, was established in the Office for Emergency Management by Executive Order 9102, dated March 18, 1942. This Authority maintains and operates Relocation Centers where evacuees are sheltered and fed, and it exercises complete control over the menus in the Relocation Centers, the quality and quality of the food provided and the amount of reserve stocks of food maintained in warehouses at the Centers.
At the request of the War Relocation Authority, the Army provides Military Police to guard ingress to and egress from the Center (but not to police the Center itself.) Persons wishing to enter or leave the Center may do so when they present a properly signed permit issued by the War Relocation Authority or its Center Manager. The Army also assists the Authority in the procurement of food and certain supplies for Relocation Centers. Purchases are made only on requisition from the Center Manager who is the official agent of the War Relocation Authority for this purpose.

Civilian internees in the United States are natives, citizens, denizens or subjects of the Empire of Japan who:

a. Were within the United States or within any territories in any way subject to the United States, exclusive of the Panama Canal Zone, Hawaii and Alaska, and were apprehended and interned by order of the Attorney General of the United States.

b. Were within the Panama Canal Zone, Hawaii and Alaska and were apprehended and ordered interned by order of the Secretary of War.

c. Were within Latin-American countries and ordered apprehended and interned by the executive authorities in those countries and transferred to the United States for internment.

The President of the United States derives his power to apprehend and intern civilian internees within the jurisdiction of the United States from the Act of April 16, 1918, Chapter 55, 40 Stat. 531. This power was delegated to the Attorney General and the Secretary of War by Presidential Proclamation.

Pursuant to agreement, the Department of Justice is responsible for the custody, care and maintenance of all civilian internees in continental United States who were ordered interned by both the Attorney General and the Secretary of War. The transfer to the custody of the Justice Department of civilian internees in the custody of the War Department will be completed by June 30. The Justice Department also has custody of civilian internees transferred to the United States from Latin America.

Civilian internees are confined in internment camps maintained and operated by the Immigration and Naturalization service of the Department of Justice. The United States Government has agreed with the Italian and German Governments to apply the terms of the Geneva Convention of 1929 Relative to the Treatment of Prisoners of War to civilian internees so far as applicable. The Japanese government has been notified of this Government's intention to accord similar treatment to Japanese civilian internees and has asked that American civilians interned by the Japanese Government be treated in accordance with the Geneva Convention whenever applicable.
Prisoners of war, in general, are persons belonging to the Armed Forces of the enemy who are captured in the course of military operations. The maintenance and care of prisoners of war in the United States is exclusively within the jurisdiction of the War Department. The prisoners live in internment camps under constant military guard. They are treated in accordance with the provisions of the Geneva Convention of 1929 Relative to the Treatment of Prisoners of War. Because of numerous letters and inquiries that have been directed to members of Congress concerning the feeding and pay of prisoners of war, I should like to furnish you information concerning these matters.

Article 11 of the Geneva Convention provides that the food ration of prisoners of war shall be equal in quantity and quality to that furnished troops of the detaining Power at base camps. In compliance with this Article, Japanese as well as other prisoners of war are furnished the same ration as provided for United States troops.

No cash payments are made to prisoners of war nor is cash allowed in their possession during the term of their internment. Pursuant to the provisions of the Geneva Convention, certain agreements were concluded with the enemy for the payment to officer prisoners of war in script coupons on a reciprocal basis. German and Italian officer prisoners of war are paid sums ranging from $20.00 per month for Second Lieutenants to $40.00 per month for Majors and above. The corresponding pay of Japanese officer prisoners is $5.00 less in each grade. Enlisted personnel receive an allowance of ten cents a day in scrip coupons.

Prisoners employed on certain types of labor receive compensation of eighty cents a day. In general, compensation is not paid for labor incidental to the maintenance, administration and management of the internment camp. All coupons issued to prisoners of war are redeemable at internment camp canteens for merchandise.

The Geneva Convention also provides that all payments made to prisoners of war must be reimbursed at the end of hostilities by the power in whose Army they have served.

It is the desire and policy of the War Department to carry out this Government’s undertakings by adhering strictly to the terms of the Geneva Convention and also to insure the highest possible standard of treatment for members of our Armed Forces who are captured and interned by the enemy. We may be sure that any departure from strict adherence to those terms will be made an excuse for retaliation by our enemies in dealing with our soldiers and sailors in their hands.

I hope that the above statement will clarify the difference between prisoners of war who are the exclusive responsibility of the War Department, civilian internees in the continental United States who are the responsibility of the Department of Justice, and evacuees whose care and custody
rests exclusively with the War Relocation Authority.

I note that you state you have many inquiries similar to Mr. Pugh's. Doubtless your colleagues in both houses receive such inquiries. There is, of course, no objection to revealing the contents of this letter to anyone.

Sincerely yours,

(signed on June 10, 1943)

Allen W. Gullion,
Major General,
The Provost Marshal General.

Penned note:
This letter was prepared in reply to the attached letter from Senator Thomas (Oklahoma) to General Gullion. General Bryan and General Lerch collaborated, and General Gullion himself wrote the last paragraph.

C. L. Dedrick
6-10-43
(for Senator Thomas' basic ltr. see 014.311 WDC Gen.)