

WAR FOOD ADMINISTRATION
EXTENSION SERVICE
Washington 25, D. C.

SUBJECT: Policy and Procedure To Be Followed in Arranging for the Use of
Prisoners-of-War in Agricultural Work

1. Authority. Section 5(j) of Public Law 229, 78th Congress, reads as follows:
"If the Administrator finds that there is inadequate farm labor in any area, the Administrator and the agricultural extension service of the land-grant colleges in the respective States are hereby authorized, for the purpose of this title, to negotiate directly with the War Department for the utilization of prisoners of war and the emergency use of soldiers of the United States for the production and harvesting of agricultural commodities within the several States upon such terms and conditions as may be mutually agreed upon, subject, in the case of prisoners of war, to the terms of any treaties or international agreements to which the United States of America is signatory and which are now in effect. For the purpose of this title the War Department may utilize the Administrator and the extension services in the respective States to make such investigations and certifications with respect to the need for utilizing prisoners of war and the emergency use of soldiers of the United States and with respect to the terms and conditions of employment, as may be required by the War Department in order to assure that the terms of such treaties or international agreements are complied with."
2. Policy. In certifying the need for prisoners-of-war to assist in the production and harvesting of essential food, it is mandatory that proof be established that sources of free labor have failed to provide the necessary workers. Prisoners-of-war shall not be used in any way which will impair wages, working conditions, and employment opportunities of resident free labor, or to displace workers employed in agriculture. All certifications will be based on bona fide orders from farmers filed with the State Extension Service. Such certification must clearly state that the employers' orders contain no discriminatory specifications and that prevailing wages or piece-work rates, which they will be paid, have recently been ^{determined} by County Farm Wage Boards. The certifications must also indicate that working conditions will be equivalent to those prevailing in the locality for freeworkers. It is the intention that negotiations for the use of prisoners of war will be decentralized to the extent that the county agents will, by authority from the State Director of Extension and in accordance with procedures established by him, deal directly with the designated officer of the service command. In order to implement the decentralization as indicated, the State Director should designate areas of need for specified periods of time, crops, and prevailing wages.
3. Procedure.
 - a. The State Director of Extension will negotiate for the use of prisoners-of-war directly with the Commanding General of the Service Command of which the State is a part, and with such Camp Commanders as the Commanding General may designate.

- b. Certification of the need for prisoners-of-war will be sent by the Director of Extension direct to the Commanding General or his designated agent on the attached form. A copy of the certification will be sent to the State Director of War Manpower Commission who will determine and certify to the Service Command the priorities of agricultural projects in relation to other projects involving the use of prisoner-of-war labor.
- c. The certification must show the prevailing wages for the various types of agricultural work paid in the area of employment which have been established in accordance with procedure approved by the Administrator, War Food Administration. Extreme care should be taken to see that the procedures for determining prevailing wages as prescribed in E.F.L. Circular No. 8, dated June 4, 1943, are carefully followed.
- d. In addition to the determination of prevailing wages on a piece-work basis, wherever possible, the determination should also be made of the number of piece-work units that are normally produced by the average free laborer for the various kinds of agricultural work under the varying conditions existing in the area.
- e. The establishment of prevailing wages and the amount of productive work which can be performed by an average worker in a given period of time should relate to civilian work and should not take into consideration specific conditions under which prisoners-of-war are available to do farm work. The principle of equal cost to grower for the work performed regardless of whether war prisoner or free labor is used must be maintained. No consideration of special conditions of transportation, furnishing of noon meals, or other local detail should be given. These are conditions for separate determination under and inclusion in, each contract between an employer and the contracting officer.
- f. Since the Provost Marshall General's office advises that no War Department funds are available for the construction of new prisoner-of-war camps, the State Extension Service must arrange for such shelter and other facilities as the War Department cannot provide.
- g. It is important that each State Director of Extension maintain close and continual contact with the appropriate Army Officer of his respective Service Command to determine whether prisoners-of-war are, or may be, available for employment in agriculture; the extent to which prisoners-of-war should enter into farm labor planning; and the shelter requirements which may have to be met in specific instances.
- h. The Commanding General or his designated officer will advise the State Director of Extension or his designated agent of the availability of prisoners of war to fill the approved certification.
- i. If prisoners of war are available, the designated officer will negotiate a contract with the employer farmer (farmers) conforming to the terms set forth in the certification.
- j. The officer of the War Department will collect from the employing farmer the sum due in accordance with the terms of the contract. The State Extension Service will make available to the contracting officer the services of the State Extension Service in making collections from the employers.