

BY COMMAND OF LIEUTENANT GENERAL WALKER:

M.B. HALSEY
Major General, GSC
Chief of Staff

OFFICIAL:

/s/J.W. Donnell
/t/J.W. DONNELL
Colonel, AGD
Adjutant General

Section III - Off Limits Areas

1. Reference.

Section I, Circular 81, this headquarters, 5 November 1948, subject: "Hotels."

2. The provisions of this circular are applicable to all persons in Japan on official business who are on duty with, attached to or associated with governments or the agencies thereof, (other than the Japanese Government) which are accredited to or affiliated with the Supreme Commander for the Allied Powers and to the dependents of such persons.

3. The following areas and installations in Japan are "Off Limits" to all persons defined in paragraph 2 above:

a. Japanese banks.

b. Public bath houses

c. All eating and drinking establishments except those posted "Approved for Allied Personnel."

d. All private homes except those procured, rented or leased under authority of the Supreme Commander for the Allied Powers, or those owned and/or occupied by members of the Occupation Forces or personnel accredited thereto. Occupation Personnel may be guests in private homes other than those excepted above between the hours of 0700 and 2300 upon invitation of the owner and/or occupant. When warranted, exceptions to these time limits may be made in specific instances, by headquarters commanded by general officers, military government team commanders, regimental commanders or the equivalent thereof authorized to issue leave orders, passes or Absence and Travel Authority. Each authorization will contain a statement to the effect that the individual concerned is authorized, under the authority of this circular, to stay overnight in a specified home on a specified date or dates.

e. All Japanese civilian areas around which fences or barriers have been constructed.

f. Temporary inclosures and stockades for war criminals, except to those persons having official business in and specific authority to enter such areas.

g. Dump areas containing confiscated war materials and supplies, except to authorized personnel.

h. Japanese hospitals, except for admittance of emergency cases or on official business.

i. Japanese theaters.

j. Any building, house, business establishment or area which has been placed "Off Limits" by this headquarters; Commanding General, Far East Air Forces; Commander, United States Naval Forces; Commanding General, Headquarters and Service Group, General Headquarters, Far East Command; General Officer Commanding, British Commonwealth Occupation Force; Commanding Generals, Yokohama Command, Kobe Base, corps and divisions.

k. All hotels except those prescribed in the reference cited above.

Cir 87, Hq Eighth Army

1. All fish hatcheries, fish ponds, fisheries, experimental stations and such like installations. Visits to such places by occupation personnel will be restricted to individuals who must do so in the conduct of official business. Passes will be secured for each visit, signed by a general officer, or by the commanding officer of a military government team.

m. For the purpose of bathing, all beaches or streams, unless specifically placed "On Limits" by division or higher commanders and all lakes which are posted as water supply sources. (AGD 250.1

JAPAN AFFAIRS

27 Apr 49

Director has been killed

CW
Carrie

CONFIDENTIAL

Display of Flags in Japan

Govt Sec

G-1

21 April 1949

1. Government Section does not concur in the proposed memorandum to the Japanese Government, subject: "Display of Flags in Japan." Such memorandum would impose restrictions upon the display of the Allied flags and particularly that of the United States when there is seemingly no particular need therefor, and much more harm than good could result. The Japanese are coming increasingly to display the American flag in homes and offices, and even to wear it in their lapels, and there is little evidence to indicate that such action is ill-motivated or improperly taken. It is believed that a respect and admiration for the American flag by the Japanese should be encouraged. The restrictions suggested, on the other hand, at this stage of the Occupation would cause the utmost confusion in the Japanese mind and impose upon the Japanese police agencies and our own forces in the field a police burden of inestimable proportions.

2. If the primary purpose of the proposed memorandum is, as it is understood to be, to bring under control display of the North Korean flag, it is believed that even there, discretion now vesting in local unit commanders to take such action as may be deemed necessary to forestall violence and disorder threatening local security is ample. Thus, display of the North Korean flag was expressly banned by the Supreme Commander during the visit to Japan of Korean President Syngman Rhee in order to prevent violent factional disputes which such display threatened to arouse.

3. Government Section recommends that the proposed memorandum to the Japanese Government be not dispatched. That instead reply to the specific questions posed in the communication of the C.G. Eighth Army be made to the effect that while this headquarters does not view with favor public display of the North Korean or Chinese Communist flags or any other similar revolutionary symbols, suppression of the same should be limited to situations in which the local unit commander deems it necessary thereby to forestall violence and public disorder threatening local security; that display of Allied, neutral and non-enemy flags in Japan will continue to be permitted in general consonance with the custom and practice prevailing in the United States; that there is only one Japanese national flag with no SCAP limitations upon its display or use within Japan's territorial limits; that display of Japanese battle flags presents no current problem; and that the territorial limits of Japan have, for the time being, been defined as embracing the areas prescribed by Memorandum for the Japanese Government, AG 091 (22 March 46) GS, SCAPIN 841, subject: "Governmental and Administrative Separation of Certain Outlying Areas from Japan."

(over)

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Govt. Section File

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Display of Flags in Japan

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21 April 1949

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4. If, on the other hand, despite the views of the Government Section to the contrary, it is believed that the problem with respect to the flying of the North Korean flag is of sufficient moment to warrant the issuance of a directive to the Japanese Government, it is suggested that the full purpose could be accomplished thru the issuance of a simple directive banning, without the specific authority of the Supreme Commander, the public display in Japan of any national flag other than the Japanese, that of any member nation of the Far Eastern Commission, or any other nation which has a mission duly accredited to the Supreme Commander for the Allied Powers.

----- C. W. -----

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Maj Wilderman
26-6600

Display of National Flags

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Chief of Staff

9 April 1949

1.

1. References:

- a. Letter, Headquarters Eighth Army, file AEMGL 424.2, subject, "Display of All Flags," dated 25 Feb 49 (Tab A).
- b. Checknotes 1 to 6, dated 1 to 8 Oct 48, subject, "Flying of North Korean Flag in Japan." (Tab B).
- c. SCAPIN 1956, 6 Jan 49, subject, "Display of Japanese National Flag" (Tab C).
- d. SCAPIN 677, 29 Jan 46, subject, "Governmental and Administrative Separation of Certain Outlying Areas from Japan," (Tab D) as amended by SCAPIN 841, 22 Mar 46, same subject (Tab E).
- e. COMNAVFE Memorandum to the Ministry of Transportation, file CNFE/S70-2, subject, "Display of Flags by Japanese Manned Vessels" dated 25 Jan 49 (Tab F).
- f. SCAP letter, file AG 322.1 (1 Mar 48)GA, subject, "Display of National Flags," dated 1 Mar 48, to CG Eighth Army (Tab G).
- g. SCAPIN 1912, 21 Jan 48, subject, "Definition of United, Neutral, Enemy, Special Status and Undetermined Status Nations" (Tab H).
- h. News item from March 16, 1949, issue of Stars and Stripes (Tab I).

2. Tab A requests that clarification be made of regulations concerning the display of flags in Japan. Some problems in this respect are:

- a. No written instructions have been sent to the Japanese Government concerning the display of North Korean Flags. Therefore, the Japanese police are hampered in their efforts to arrest and prosecute persons who fly the flag in violation of prohibitions against the display.
- b. No instructions have been issued to Eighth Army specifically outlining the prohibitions concerning the display of the North Korean flag, i.e., display of the flag itself, or the display of posters, lapel buttons and bunting showing replicas of the North Korean flag.
- c. In addition the following have never been adequately clarified in written instructions.

- (1) Display of the Japanese flag in conjunction with Allied flags.

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Display of National Flags

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9 April 1949

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especially the U. S. flag.

- (2) The flying of Japanese national flags on Japanese manned vessels within the territorial limits of Japan.
3. a. Reference the display of North Korean flag:
 - (1) Tab B in discussion of this subject in Oct 48 shows that a verbal directive was issued to G-2 Eighth Army, prohibiting the display of the flag of the so-called North Korean Democratic People's Republic. At the time of publication of the said instructions it was understood by G-1 that no written directive would be sent to the Japanese Government inasmuch as such a directive would imply that a lawful North Korean government existed.
 - (2) Since no directive has been issued to the Japanese Government prohibiting display of this flag, no Japanese law has been passed on the subject and the Japanese courts are at a loss to explain the law violated by leftist Koreans displaying the flag. The Koreans realize this and make every effort to embarrass the Japanese police and local Military Government units.
 - (3) CG Eighth Army does not know whether the verbal instructions issued should be construed to prevent the display of not only the flag, but any reasonable facsimile thereof, including posters, bunting and lapel buttons.
 - b. Reference the display of the Japanese flag.
 - (1) SCAPIN 1956, Tab C, gave to the Japanese permission to display the Japanese national flag with the restrictions that the flag would be flown within the territorial limits of Japan as defined in Tabs D and E.
 - (2) Tab G informs the Eighth Army that the Japanese flag would under no circumstances be flown in conjunction with the Allied flags. This letter has not been rescinded, however, the Japanese Government has not been informed of this regulation.
 - (3) Tab F informs the Ministry of Transportation of the right of Japanese vessels to display flags under the authority of

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28-6600

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SCAPIN 1956. This directive was coordinated with G-1. However, the Japanese Ministry of Transportation has raised several questions concerning the display of the flag by vessels between islands or within a 3 mile limit.

4. G-1 feels that a single directive should be issued to the Japanese Government concerning the display not only of the Japanese flag, but of flags of any other nations in Japan. This directive should include regulations concerning the display of:

- a. Allied flags by Japanese nationals.
- b. The North Korean flag.
- c. Replicas or facsimiles of any flag forbidden to be displayed.
- d. The Japanese flag on Japanese manned vessels.

5. a. Eighth Army representatives have reported frequently that since January nationals have tended to display the Japanese national flag in conjunction with Allied flags, especially the United States flag. These displays are generally not associated with Japanese celebrations, but rather are individual attempts to give the appearance that a commercial firm, or a Japanese society, is connected with a similar organization in the U.S. In the opinion of G-1, such displays should be forbidden, and the Japanese Government so informed.

b. Reference the display of the flag of the so-called North Korean People's Republic, G-1 feels that this problem has three possible solutions:

(1) Directly forbid the display of any flag representing an alleged North Korean Government. However, Tab I shows that Communist groups in Japan are now commencing to display the Chinese Communist flag. This would also have to be forbidden whereupon it is entirely reasonable to assume that the Communist elements would choose another flag to represent their interests.

(2) Base the display of flags on the provisions of SCAPIN 192 (Tab H) which defines the status of the various nations. In such a case the proposed directive to the Japanese Government concerning the display of flags would have to be changed

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upon the change in status of any nation. In addition, it is to be noted that par 5 of said SCAPIN includes Korea as a special status nation. Some special indication would have to be made in the SCAPIN to insure that by "Korea" is meant the South Korean Government. These peculiar circumstances make such a solution undesirable.

- (3) To inform the Japanese Government which flags may be displayed and forbid the display of any other national flags. This would prevent Communistic elements from seizing upon the flag of a Soviet dominated country as their symbol. G-1 feels that citizens of the member nations of the FEC and of those countries which have a diplomatic representative accredited to SCAP should be permitted to display their flag if they so desire. The flags of nations not members of the FEC and not having a diplomatic representative accredited to SCAP should not be displayed within the territorial limits of Japan. Merchant vessels of all nations may display their flags as they so desire, in accordance with Maritime custom. In this connection, CTS (Mr. Veckroff) has informed G-1 that no requests have been received from flag vessels to enter Japan from North Korea, and none are anticipated.

c. Tabs D and E define Japan as consisting of a series of Islands, but give no definite latitude or longitude which might be used to define the area within which Japanese vessels might display the national flag. Tab F informs the Japanese Ministry of Transportation that Japanese vessels may fly the national flag when "in port" within three miles of territory over which the Japanese Government exercises authority. COMNAVFE has interpreted this as authorizing the vessels to display the flag when within three miles of harbor. This precludes Japanese vessels from displaying the national flag when traveling in waters which are certainly to be considered as within Japanese jurisdiction, i.e., the Inland Sea, Tokyo Bay, et al. On the other hand, G-1 can foresee the possibility of international incidents arising from the use of the Japanese flag on vessels sailing between islands near the outer fringe of what might be called Japanese territory. However, LS (Mr. Bassin) states that under international law, nations bordering on sea areas are considered to have jurisdiction within three miles of the coast, therefore, when permission was granted by SCAP for the Japanese people to display the national flag within the territorial limits of Japan, under international law this permitted the display on Japanese vessels within three miles of land. At the present time, Japanese are manning vessels which are under SCAJAP control, as follows:

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1. cont'd

- (1) Japanese owned. These are used in repatriation, and cargo carrying, and prior to 1 January flew the International "Easy" with a triangle cut out, under authority granted in 1945. Since they are Japanese owned, they should be permitted to display the Japanese flag within three miles of land. In addition, Maritime Safety Board vessels have been permitted to fly a special MSB flag to show their police functions. This should be continued.
- (2) U. S. owned vessels, also carrying military cargo and some repatriates. Prior to 1 January such vessels flew the modified "Option"; since these are not Japanese vessels, they should continue to display the same flag.
- (3) Foreign owned or having titles not exclusively Japanese. These are engaged in carrying repatriates and cargo, and display the International "Easy" at all times. As in (2) above, these vessels should continue to display this insignia.

In addition, there are in Japan thousands of fishing and merchant vessels which would on occasion display national flags. Since these are exclusively Japanese owned, these vessels should be permitted to fly the Japanese national flag within three miles of shore.

d. With reference to the Eighth Army query, concerning Japanese battle flags, G-1 considers that such displays should be forbidden at all times.

6. It is concluded that:

- a. Display of flags of member nations of the FEC and of those nations having a diplomatic representative accredited to SCAP should be permitted by nationals of those countries when so desired.
- b. Non-Japanese merchant vessels having permission to enter Japan should be allowed to display their national ensign in accordance with maritime custom.
- c. Those flags which may be flown in Japan should not be permitted to be displayed by Japanese nationals nor in conjunction with the Japanese flag at any time.
- d. Display of the Japanese flag on Japanese manned vessels should be permitted as outlined in paragraph 5c above.

14 April 1949

MEMORANDUM FOR: MR. FRANK RIZZO

SUBJECT: Proposed SCAPIN: Display of Flags in Japan

1. Herewith Staff Study supporting a proposed memorandum to the Japanese Government purporting to define procedures under which display of the Japanese Flag and of flags of other nations will be permitted. The proposal presently bears the concurrence of Legal Section and of Diplomatic Section. It is strongly supported by Eighth Army, and Tilton came to this Section a few days ago asking that it be expedited and stating that he had contributed to the proposed draft which was aimed at "settling the difficulty of the North Korean Flag".

2. While I interpose no objection to the stated principles which have dictated the drafting of this memorandum, I do believe that there are some technical faults in the draft. Some of these are very minor and perhaps quite petty, while others appear to be of some moment:

a. For the purpose of this Memorandum, Paragraph 3 defines "display of flags". It appears that the definition is not as inclusive as could be desired.

b. Paragraph 3b states: "Flags of other nations may not be displayed...." Should this not read: "Flags of other nations will not be displayed."?

c. Paragraph 3d reads: "...battle flags, regimental colors, and the like.." Could this not better read: "...and any other symbols of the Japanese Military Establishment"?

d. Paragraph 3e states: "...nations of the United Nations and of those nations having diplomatic representatives accredited to the Supreme Commander for the Allied Powers may display their national flag" It seems rather odd to express this permission in a Directive to the Japanese Government, and particularly so in consideration of the rather confused second sentence of this paragraph referring to parades, demonstrations, etc.

e. Paragraph 5: The words "may be confiscated", as used in this paragraph, appear to be indefinite. I suggest: "will be confiscated."

JACK P. NAPIER
Maj AGD

MAJOR NAPIER'S CURRENT FILE

Maj Wilderman
26-6600

Display of National Flags

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Chief of Staff

9 April 1949

1. e. No Japanese battle flags, regimental colors, etc., should be
cont'd displayed.

7. Recommend approval of:

a. Proposed Memorandum to the Japanese Government.

b. Proposed 1st Ind to CG Eighth Army.

8. Concurrences: G-2

LS

DS

GS

11 Incls:

1. Prpsd SCAP to Japanese Govt.

2. Prpsd 1st Ind to CG 8th Army

TAB A: Hqs 8th Army ltr 25 Feb 49

TAB B: C/N's 1 to 6

TAB C: SCAPIN 1956

TAB D: SCAPIN 677

TAB E: SCAPIN 841

TAB F: COMNAVFE Memo

TAB G: SCAP ltr 1 Mar 48

TAB H: SCAPIN 1912

TAB I: News Item

----- W. A. B. -----

D R A F T

D R A F T

Ltr. Hq 8th Army, APO 343, AGMGL 424.2, Subj, "Display of All Flags,"
25 Feb 49.

AG 322.1 (25 Feb 49)GA

1st Ind

GENERAL HEADQUARTERS, SUPREME COMMANDER FOR THE ALLIED POWERS, APO 500

TO: Commanding General, Eighth Army, APO 343

1. Reference is made to memorandum to the Japanese Government, file
AG 322.1 ()GA, SCAPIN , subject, "Display of
National Flags," inclosure No. 1.

2. Reference paragraph 1 above clarifies the display of national
flags in Japan.

3. Request routine surveillance over the Japanese Government in
the implementation of inclosure 1 hereto.

4. Attached as Inclosure 2 are replicas of flags authorized to be
displayed by Japanese nationals.

BY COMMAND OF GENERAL MacARTHUR:

2 Incls

1. SCAPIN No.
2. Replicas of Flags

DRAFT

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MEMORANDUM FOR: JAPANESE GOVERNMENT

SUBJECT: Display of Flags in Japan

1. References:

a. Memorandum for the Japanese Government, AG 091 (29 Jan 46)GS, SCAPIN 677, Subject, "Governmental and Administrative Separation of Certain Outlying Areas from Japan," dated 29 January 1946.

b. Memorandum for the Japanese Government, AG 091 (22 Mar 46)GS, SCAPIN 841, subject "Governmental and Administrative Separation of Certain Outlying Areas from Japan," dated 22 March 1946.

2. Memorandum for the Japanese Government, AG 322.1 (29 Jan 46)GA, SCAPIN 1956, subject, "Display of Japanese National Flag," dated 6 January 1949, is rescinded.

3. Effective this date, flags may be displayed in Japan in accordance with the regulations below. For the purpose of this memorandum, "display of flags" is defined to include the manufacture, sale, reproduction or distribution of any emblem, bunting, insignia, symbol, or facsimile of any national flag.

a. The Japanese national flag may be displayed and used without restriction within the territorial limits of Japan as defined by reference 1a and b above except that it will on no occasion be displayed in conjunction with Allied flags.

b. Flags of other nations may not be displayed by Japanese nationals unless specific approval is secured from the government of the nation concerned through the Supreme Commander for the Allied Powers on each occasion such display is desired.

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c. Display of flags by Japanese manned vessels is authorized as indicated below.

- (1) Japanese owned vessels may display the national flag within 3 miles of the areas authorized in reference paragraph 1 above. Outside such areas Japanese owned vessels shall fly only the international "Easy" with cut out triangle. Maritime Safety Board vessels are authorized to fly the Maritime Safety flag in addition to the above.
- (2) United States owned vessels shall fly only the modified "Option" at all times.
- (3) Foreign owned vessels or vessels whose titles are not exclusively Japanese shall fly only the international "Easy" at all times.

d. Japanese battle flags, regimental colors, and the like are not authorized to be displayed.

e. Nationals of member nations of the United Nations and of those nations having diplomatic representatives accredited to the Supreme Commander for the Allied Powers may display their national flag at any time they so desire. Permission must be obtained from local occupation authorities only when such display is connected with parades, demonstrations, public meetings and similar affairs, and such permission will pertain to the demonstrations themselves rather than to the flag.

f. Non-Japanese merchant vessels having permission to enter Japanese ports may display their national flag at any time in accordance with maritime custom.

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4. No other national flags or flags purporting to represent foreign elements claiming or asserting governmental powers may be displayed in Japan at any time except upon express approval by the Supreme Commander for the Allied Powers.

5. Flags displayed unlawfully may be confiscated and delivered to the local occupation authorities for disposition. Any person violating any provision hereof will be prosecuted pursuant to the terms of Imperial Ordinance No. 311, 11 June 1946.

FOR THE SUPREME COMMANDER:

Chief of Staff
Approved

Initials CMA

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D R A F T

MEMORANDUM FOR: JAPANESE GOVERNMENT

SUBJECT: Display of Flags in Japan

1. References:

a. Memorandum for the Japanese Government, AG 091 (29 Jan 46)GS, SCAPIN 677, subject, "Governmental and Administrative Separation of Certain Outlying Areas from Japan," dated 29 January 1946.

b. Memorandum for the Japanese Government, AG 091 (22 Mar 46)GS, SCAPIN 841, subject, "Governmental and Administrative Separation of Certain Outlying Areas from Japan," dated 22 March 1946.

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a. The Japanese national flag may be displayed and used without restriction within the territorial limits of Japan as defined by reference 1a and b above, except that it will on no occasion be displayed in conjunction with Allied flags.

b. Flags of other nations may not be displayed by Japanese nationals unless specific approval is secured from the government of the nation concerned through the Supreme Commander for the Allied Powers on each occasion such display is desired.

c. Display of flags by Japanese manned vessels is authorized as indicated below.

- (1) Japanese owned vessels may display the national flag within 3 miles of the areas authorized in reference paragraph 1 above. Outside such areas Japanese owned vessels shall fly only the international "Easy" with cut out triangle. Maritime Safety Bureau vessels are authorized to fly the Maritime Safety flag in addition to the above.
- (2) United States owned vessels shall fly only the modified "Option" at all times.
- (3) Foreign owned vessels or vessels whose titles are not exclusively Japanese shall fly only the international "Easy" at all times.

d. Japanese battle flags, regimental colors, and the like are not authorized to be displayed.

e. Citizens of member nations of the Far Eastern Commission and of those nations having diplomatic representatives accredited to SCAP may display their national flag at any time they so desire. Permission must be obtained from local occupation authorities only when such display is connected with parades, demonstrations, public meetings and similar affairs, and such permission will pertain to the demonstrations themselves rather than to the flag.

f. Non-Japanese merchant vessels having permission to enter Japanese ports may display their national flag at any time in accordance with maritime custom.

4. No other national flags may be displayed in Japan at any time except upon express approval by the Supreme Commander for the Allied Powers.

5. Flags displayed unlawfully may be confiscated and destroyed.

FOR THE SUPREME COMMANDER:

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Page 5 ~~Page 5~~ any person violating
any provision hereof will be prosecuted pursuant
to the terms of Imperial Ordinance No. 311
11 June 46

Par 5 ~~of the~~ any person violating
any provision hereof will be prosecuted pursuant
to the terms of Imperial Ordinance No 311
11 June 46

C R O S S R E F E R E N C E

FILE UNDER: JAPAN AFFAIRS

DATE: 8 April, 1949

FROM:

TO:

SUBJECT: *8/April, 1949//*

PRINCIPLES FOR REORGANIZATION OF THE LIAISON
AND COORDINATION OFFICE

DOCUMENT FILED UNDER:

Japan/affairs C.L.O.

CLASSIFICATION

CABINET # 20, drawer 1

SHELF #

10

Statement Commemorating Third
Anniversary of Women's Suffrage

Miss Weed
26-6500

000.7

CIE

GS

6 April 1949

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1. April 10 marks the third anniversary of women's suffrage in Japan. To celebrate the occasion Japanese women throughout the country have designated April 10 to 16 as Women's Week. During this time they will review their social, economic and political gains under the new Constitution; appraise their progress in implementing these gains, and indicate the direction they need to take next year.

2. The celebration of April 10 originally resulted from a split between the Communists and all other citizens' groups, political and civic. In a measure, it is the non-Communist substitute for the Moscow-inspired International Women's Day, which was celebrated March 8. However, while this fact compels attention, it must be noted there is no clean-cut political division so far as April 10 is concerned. All groups are participating, since the date has limitless significance for Japanese women.

3. It is recommended, in view of the importance of the date, that the Supreme Commander issue a statement congratulating the Japanese women on their accomplishments over the three-year period.

4. To assure the utmost use of this statement throughout the country, it is further recommended that it be issued in advance for release on April 10.

5. Attached are a copy of last year's release on this subject and a draft for this year's release.

TAB A (1948 Press Release)

TAB B (Draft 1949 Press Release)

D. R. N.

GS COPY

9A

GENERAL HEADQUARTERS
SUPREME COMMANDER FOR THE ALLIED POWERS
Civil Information and Education Section

PRESS RELEASE:

10 April 1948

Two years have now elapsed since the women of Japan first went to the polls as participants in a free election, there to discharge their solemn responsibility of citizenship which the franchise entails.

It has been a notable two years in the history of Japan, for its women have worn the mantle of political equality with becoming grace and dignity and contributed immeasurable spiritual strength and wisdom to the political decisions designed to solve the complex issues of the times. For today over eight hundred elective officials are from this newly enfranchized segment of the Japanese society, and the courage and determination with which they are meeting this new challenge of public responsibility is a heartening demonstration of the inherent capabilities of their race.

I send to all of the women of Japan on this second anniversary of their equality before the law my admiration for the great strides toward political maturity they have already made and my abiding confidence in the leading role they are yet to play in the orientation of Japan's destiny toward an enduring peace based upon liberty, tolerance and justice.

DOUGLAS MacARTHUR

C O P Y

DRAFT

Suggested Statement Commemorating Third Anniversary of Women's Suffrage

To the Women of Japan:

In the three years since Japanese women first cast a ballot there has been heartening evidence of growing understanding of the connection between daily living and the government. With this understanding, there has been increased participation in and acceptance of responsibilities for social, economic and political changes.

Today, in common with people all over the world, Japanese women want world peace that will be lasting. They want the self-respect for their country that will come with a peace treaty. They want economic and political stabilization. For their homes they want security in all forms and they want it without surrendering their individual freedom. All of this can be accomplished, but it requires sacrifice and cooperation, a constant effort to understand the true facts behind complex situations. Only chaos will result from blind following of those elements which confuse and mislead, or from retiring and letting others handle difficult situations.

Today, more than ever before, Japanese women, in common with men, need a constant awareness, of current events. In controversies, they must take a fearless stand based on facts that they know are right, and must examine the underlying motives and meaning of totalitarian ideologies that are constantly fighting for dominance. In the light of accomplishments over the past three years, I am confident that they will do all that is necessary in their homes, in their communities and in their country to build a new Japan on a firm foundation.

DRAFT

Japan Affairs

Col Miller 26-6305

Billboard Nuisance

Chief, CTS

Chief, ESS
Chief, GS ✓

29 March 1949

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1. During recent visits to transportation facilities in various parts of Japan, I have noticed a beginning of the outdoor advertising billboard nuisance so common in the United States. The billboards in question are large structures, usually about 8 feet high and 20 or more feet long, and located, not in metropolitan areas on industrial or commercial property, but in rural areas adjacent to metropolitan communities and in places where they constitute a serious detraction to the scenery.

2. While this nuisance became noticeable a few months ago both in Honshu and Kyushu, a very substantial increase in these signs has been noted on the trip just completed. A typical example was near Shimazu where a group of six to eight of these signs has been built along the edge of a rather attractive small lake in such a manner as to definitely spoil the scenic effect. Adjacent to this group is another group under construction, 2 signs being erected but not painted as yet. A short distance farther along a similar advertising sign - for shoe polish - is erected in front of a very attractive Shinto shrine in such a manner as to partially conceal the Torii.

3. Unless prompt action is taken now by SCAP, to insure national legislation prohibiting this practice, there is danger of a vested interest being built up before legislation will be possible in subsequent sessions of the Diet. ESS is interested because of its concern with the tourist traffic and it is believed that Govt Section is interested in like manner. It should be noted that these signs are being constructed in the areas that attract the heaviest traffic - i.e. - the main railroad and highway lines south and west of the Tokyo-Yokohama area on Honshu and similar areas in northern Kyushu from Moji to Beppo.

4. It is suggested that the proper action would be to advise the Japanese Government to enact legislation similar to the model laws now on the books of several states of the U.S. - laws to the effect that outdoor advertising involving displays of over 10 square feet is prohibited except on real property whose products are the subject of the advertising matter involved.

H. T. W.
H. T. W.

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Govt Section

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Jap Affairs

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Compensation for Damage Caused
by Allied Military Personnel

Govt Sec

G-1

28 March 1949

13

1. In its memorandum of 7 Aug 46 to the Chief of Staff, subject, "Compensation for Damage Caused by Allied Military Personnel," Government Section stated the following opinion and conclusion: "What should be done with claims arising out of the conduct of war and the conduct of military occupation should be determined at the peace settlement....."

"The Japanese request for SCAP consideration of procedures for the payment of claims by Japanese nationals arising from acts of Occupation personnel is an attempt to involve the SCAP in preliminary consideration of matters which will become the basis for claims when the Peace Treaty is negotiated. SCAP consideration in any manner, acceptance of any responsibility for receipt or review, or recognition of existence of such claims through directing the Japanese Government to set up procedures for their processing might well be the cause of serious embarrassment for the United States and other Allies at the peace table.

"Not only should the SCAP not participate in any way, shape or form in consideration or review of such claims or the procedure set up by the Japanese Imperial Government, but the SCAP should inform the Japanese Imperial Government that it accepts no responsibility therefor."

2. This position, concurred in by Legal Section, was approved by the Chief of Staff, and accordingly the Japanese Government was notified on 11 Sept 1946 (SCAPIN 1195) that: ".....The Supreme Commander for the Allied Powers recognizes no legal basis for liability with respect to such claims and accepts no responsibility for the adjustment and payment therefor."

3. After a careful study of the attached papers, Government Section sees no justification for changing its position, but on the contrary perceives several cogent reasons reinforcing its original stand.

a. Basic to any discussion of this problem is the international character of the Occupation and of the post of the Supreme Commander as agent for the eleven powers represented on the Far Eastern Commission. Any procedure to compensate Japanese nationals for claims arising from acts of Allied personnel inevitably affects the rights of all the Allied Powers, not the United States alone.

b. The difficulties to which this basic consideration gives rise are evident from the solution proposed by the Judge Advocate which in order to be comprehensive and legally adequate necessarily becomes administratively burdensome and in some respects appears unworkable, as for example:

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Govt. Sec File

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Compensation for Damage Caused by Allied Military Personnel

Govt Sec

G-1

28 March 1949

15
cont.

(1) In the suggestion that each participating Allied nation be called upon to determine whether it is answerable for the liability of its nationals as determined by a United States or Allied claims court or commission under Japanese law, and that each Allied nation be charged with providing measures for enforcing the pecuniary liability of its nationals.

(2) In the suggestion that the United States Government initiate action to secure modification of Far Eastern Commission policy so as to permit Allied occupation personnel to enter Japanese courts as litigants, and

(3) In the provisions for payment into and out of a special custody fund without any likelihood that the various currencies going into and out of this fund would ever balance.

c. If the question of compensating Japanese nationals for damage arising from acts of Occupation personnel is raised in the Far Eastern Commission, which it will be, whether actually referred to the Commission by the United States or upon establishment of procedures by SCAP in his executive capacity, it may be expected that a number of the Allies will raise the question of compensation of their nationals for damages sustained through acts of Japanese personnel during the Japanese occupation of North China, Malaya, Netherlands East Indies, and the Philippines.

d. To the extent that claims paid by the Japanese Government under the proposed procedure were not covered by dollar or other foreign exchange contributions by Occupation personnel or their governments, they would constitute an added burden on the Japanese budget over and above present relief expenditures of the Japanese Government. In the present precarious condition of Japanese finances and in view of the efforts currently being made by SCAP to force the Japanese Government to practice strict governmental economy, the imposition of any added expenditure should be avoided. While it may be urged that the sum total of claims now known to be on file is not huge, it may be expected that upon the establishment of a procedure for settling claims the number and size of such claims would certainly increase manyfold. It may also be expected that elements hostile to the Occupation will maximize their opportunities for unfavorable propaganda by stirring up dissatisfaction with the procedures, the size of settlements, and the added immediate cost to the Japanese Government. Such propaganda would, to some extent, neutralize the public relations value to the United States of any publicity attending the huge contributions being made by the United States Treasury to keep the Japanese people alive until they can become self-supporting.

2
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Compensation for Damage Caused
by Allied Military Personnel

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28 March 1949

15
cont.

e. Since receipt of SCAPIN 1195 of 11 Sept 46 the Japanese Government has not once raised the question of settlement of tort claims of its nationals nor, although completely free to do so, has it established any special procedure of its own, except for the usual relief measures for needy persons, for compensating any of its nationals for damages suffered through acts of Occupation personnel. This confirms the correctness of the Government Section's belief in August 46 that the Japanese Government was primarily interested not in relieving the hardship of the persons affected but in involving SCAP in financial responsibility therefor. Reopening the question now would certainly involve SCAP as recognizing Allied responsibility for claims of this nature.

f. Finally, while it is generally agreed that there is no legal liability on the part of the occupying powers for damages resulting to Japanese nationals from acts of Occupation personnel, there are those who will argue a moral obligation to see that such damages are compensated. To those it should be pointed out that the financial amounts and the number of persons involved in such damages are insignificant compared to the vast quantities of food, medicines and other aid furnished by the United States since the beginning of the Occupation to save or benefit the lives of millions of Japanese nationals.

4. Since the message from the Department of the Army which has raised the current discussion of the issue (W-87258 dated 8 Aug 48) merely requests comment on the desirability of establishing procedures for the settlement of claims, the reply thereto need not necessarily be favorable. If the position of Government Section is upheld, the reply to subject radio should state that the question has been thoroughly and carefully considered by SCAP and that substantially for the reasons stated above it is considered unwise to establish the procedures suggested.

5. Recommend that attached reply, Tab L, be dispatched.

14 Incls.

13 Incls N/C

1 Incl added, Tab L

C. W. -----

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Compensation for Damage Caused
by Allied Military Personnel

Govt Sec

C-1

28 March 1949

15
cont.

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g. Since the message from the Department of the Army which has raised the current discussion of the issue (W-37258 dated 8 Aug 48) merely requests comment on the desirability of establishing procedures for the settlement of claims, the reply thereto need not necessarily be favorable. If the position of Government Section is upheld, the reply to subject radio should state that the question has been thoroughly and carefully considered by SCAP and that substantially for the reasons stated above it is considered unwise to establish the procedures suggested.

h. Recommend that attached reply, Tab L, be dispatched.

14 Incls.

13 Incls N/C

1 Incl added, Tab L

----- C. W. -----

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CONFIDENTIAL

Tort Claims of Japanese Nationals Against
Occupation Personnel

LS

Thru: G-1
ESS
GS (in turn)

7 March 1949

11
(Cont'd)

4. a. It is realized that this solution will not cover the situation where meritorious claims are presented by occupation personnel against Japanese, other occupation personnel or United Nations nationals. The proposal to open Japanese courts to occupation personnel does not appear consonant with FEC policy more recently confirmed by the United States Government in SANACC 352/1, 9 Apr 48, which indicated that permitting occupation personnel to be subjected to the courts of the occupied territory, even in civil cases, would ignore "legal policies and principles" (p. 26).

b. A solution advanced in this SANACC paper was the creation of military courts with civil jurisdiction. But even then SANACC pointed out that certain administrative obstacles were present to the establishment of these courts such as the lack of a mechanism for the exchange of currencies where the parties did not have access to similar moneys; budgetary and personnel restrictions preventing a complex judicial system and impracticability of enforcing judgments against certain occupation personnel who have no property subject to levy in Japan or pay subject to garnishment.

c. The Eighth Army Claims Division estimates that 95% of the claims filed are based on tortious acts of occupation personnel acting within the scope of employment. Since these claims can be disposed of under the present Legal Section proposal it would appear that the question of claims by occupation personnel could be appropriately postponed for further study, without detriment to occupation objectives.

5. Legal Section submits a proposed reply to Washington for consideration.
(Tab K)

13 incls
11 incls n/c
2 incls added,
Tabs J & K

A. C. G.
-----Chief, Legal Section-----

W.K.LeCount, 57-8801

WFM/WKL/zl

11 March 1949

12.

From: ESS

To: G-1
Thru: GS

Concur in recommendations submitted per check sheet # 11 above.

13 incls
n/c

CONFIDENTIAL

-----W.F.M.-----

CONFIDENTIAL

Tort Claims of Japanese Nationals Against
Occupation Personnel

LS

G-1

7 March 1949

Thru: ESS

GS (in turn)

11

1. a. On 26 August 1946 Legal Section submitted an opinion to Government Section with regard to the then proposed SCAPIN 1195 (Tab J). In this opinion Legal Section expressed the view that it would be inadvisable to participate in a claims compensation program with the Japanese Government because it might be considered as an admission by SCAP of Allied responsibility for such claims and thus embarrass the Allies at the peace table when the question of the payment of claims would arise. It was further pointed out at that time that the United States policy then indicated disapproval of procedures whereby the Japanese Government would be held responsible for payment of claims arising as a result of tortious acts of occupation personnel. Furthermore, a JAG opinion in 1920 had disapproved such procedure when a similar problem arose during the occupation of Germany after World War I. This opinion was based on the view that there was no requirement under International Law for compelling payment by the enemy state, by its own nationals, on account of damages caused by the occupying Army and that no provision in the Armistice between Germany and the Allies altered this principle of International Law (See Tab B).

b. In the light of these circumstances the radio from Washington, Tab A, would seem to indicate a change in thinking on the subject to the extent that it is now considered feasible for the Japanese Government to be directed to pay meritorious claims arising from the wrongful acts of occupation personnel.

2. Legal Section is of the opinion that the proposed reply to the Department of the Army should be limited in scope at this time to the direct problem raised in the basic communication from Washington, W 87238, 8 Aug 48 (Tab A). The problem so raised implies a procedure whereby meritorious claims by Japanese nationals against occupation personnel for tortious acts would be paid by the Japanese Government as an occupation cost. Consequently, Legal Section concurs in so much of the proposed letter by G-1 as pertains to this specific problem.

3. Specifically, Legal Section believes that the procedures to be established for the treatment of these claims should be analogous to AR 25-90. Thus claims by Japanese nationals against occupation personnel would be processed as if the Japanese were considered "friendly" except that payment would be made out of funded yen, as suggested by Washington. The advantage to this proposal is that such claims could be processed within the framework of the present claims system in Japan. Provision should also be made for the review of all claims certified for payment by the Japanese Government, either administratively or by an Allied claims commission.

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10. From: C-1

To: IS
HSS
GS
(In turn)

Lt Col Erlenbusch (26-5926)
Date: 16 February 1949

1. Attention is invited to comments of D C/S, SCAP in C/N No. 9 above.
2. Request your comments or concurrences.

11 Incls
n/c

----- W.A.B. -----

CONFIDENTIAL

CONFIDENTIAL

DRAFT RADIO

FROM: SCAP
TO : DA (GSCAD)

Reurad W-87238. After thorough study of the problem believe the establishment by SCAP of procedure for the payment of claims of Japanese nationals against occupation personnel undesirable.

This question was considered at length in 1946 pursuant to a request by the Japanese Government for SCAP consideration of "the establishment of procedure for the investigation, adjustment and payment of claims resulting from the Occupation." On that occasion it was concluded that the establishment of any procedure whereby the claims in question would be processed, checked or reviewed by SCAP even though they would be paid by the Japanese Government, would make SCAP a party to settlements which would become the basis for claims at the time of the peace treaty and might well be the cause of serious embarrassment for the United States and other allies at the peace table. Accordingly, the Japanese Government was informed that ".....the Supreme Commander for the Allied Powers recognizes no legal basis for liability with respect to such claims and accepts no responsibility for the judgment and payment thereof" (SCAPIN 1195 dated 11 Sept 46). Since receipt of this notification, the Japanese Government has not once raised the question again, nor, although completely free to do so, has it established any special procedure of its own for compensating any of its nationals for damages suffered through acts of occupation personnel. Reopening the question at this time would certainly involve SCAP as recognizing Allied responsibility for claims of this nature and add to the problems of the final peace settlement.

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Tab L

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Basically, the obstacles to establishment of any procedure to compensate Japanese nationals from claims arising from acts of allied occupation personnel arise from the international character of the occupation and of the post of the Supreme Commander as agent for the powers represented on the Far Eastern Commission. Any such procedure would inevitably affect the rights of all the Allied powers, not the United States alone. Such procedure in order to be comprehensive and successful in its operation would require the active cooperation of all the participating powers. For example, although occupation courts or commissions might determine the liability of individuals involved in tort claims, it would be up to each participating nation to determine whether it was answerable for the liability of its nationals, and in other cases to provide measures for enforcing the pecuniary liability of its nationals. Further, the procedure should also include provision for settling claims of occupation personnel for damages suffered from acts of Japanese nationals. The inclusion of such provision would involve the exercise by occupation courts or commissions of civil jurisdiction over Japanese nationals or a change in Far Eastern Commission policy which would permit Allied occupation personnel to enter Japanese courts as litigants for the determination of these matters. Lastly, it is doubtful in the extreme whether the question of compensation of claims of Japanese nationals arising from acts of Allied occupation personnel can be raised without at the same time raising the question of compensation of Allied nationals for damages sustained through the acts of Japanese personnel when the latter were in occupation of China, Malay, Netherlands East Indies, and the Philippines.

Moreover, while there is general agreement that there is no legal liability on the part of the occupying powers for damages suffered by nationals

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of the occupied country through acts of occupation personnel, a moral obligation might be argued on the grounds of humanitarianism, economic rehabilitation, and goodwill value. The case for such moral obligation, however, appears unsubstantial when the ~~small~~ amounts of money and number of people involved are measured against the vast quantities of aid poured in by the United States since the beginning of the Occupation to save the lives or improve the conditions of millions of Japanese nationals.

Aside from these considerations, account must be taken of the possible effects on the local situation. To the extent that claim payments to Japanese nationals would not be covered by corresponding payments by occupation personnel or their governments, they would be an added burden on the Japanese national treasury. In view of the precarious condition of Japanese public finances and the current efforts of SCAP to force the Japanese Government to effect drastic governmental economies, the imposition of such added burden by SCAP action should be avoided. The anti-occupation propaganda potentialities of the addition of such expenditures to occupation costs might seriously counteract the beneficial results of whatever publicity attends the financial contribution currently being made by the United States to the support of Japan.

CONFIDENTIAL

March 26, 1949
Chief of G.S. SCAP
Chief of ESS, SCAP

Chief of CIE, SCAP

Education Minister

Prime Minister

Finance Minister

Commerce & Industry Minister

Director-General of ESB.

Chiefs of Political Affairs

Research Commission of all Parties

Chairman Committee of Education at

House of Representatives

Chairman Committee of Education at

House of Councillors

For Hastening of Establishment of the
Textbook Public Corporation

The matter of establishing the Textbook Public Corporation which was reported to the Education Minister from our Commission some time ago, has been delayed half a year since our report, and on the part of the Government, although they recognize its necessity and the modernity and validity of its construction, it has not yet been brought to existence.

Our Commission is in fear that this situation will cause a grave consequence in the matter of supplying textbooks to the nation.

Since the reasons for hastening of establishment are manifold and complicate we will state them in an appended paper, but the new situation which has appeared since our report makes all the more clearer the necessity of establishing the public corporation and also accelerates its hastening.

7A

That is to say, we are now faced with the situation that the open-gate policy of manufacturing textbooks written by the Education Ministry which is possible only by operation of the public corporation must immediately be practiced, and also with the fact that the Japan Publication and Distribution Company which is capable to handle more than one third of entire textbooks has been dissolved under designation of Closed Institutions.

Now when several of the corporation are under way of dissolution or amalgamation, to establish another new one way seem to be against times, but the Textbook Corporation not only is free from the defects which can be detected in other corporations and is to be organized in a most efficient and democratic way as a corporation, but also it is of a small scale and will have enough self-sufficiency (scarcely any national cost required for it), and yet is an essential organ for the educational work which undertakes reconstruction and fostering of the Japanese nation. Therefore, in view of the hearty demand of the nation's educational circles as well as publishers concerned, our Commission today with a unanimous vote decided to ask you for hastening the establishment of the above-mentioned Public Corporation. Understanding the present situation, we heartily beseech your good offices for realization of our purpose

Takemichi Kuroiwa
TAKEMICHI KUROIWA

Chairman of the Textbook Commission

(Date) March 26, 1949.

Chief of Government Section
To Sōtaro Takase,

Minister of Education

Takemichi Kuroiwa.

From TAKEMICHI KUROIWA,

Chairman of the Textbook Commission.

Concerning Exemption of Sales
Tax toward Textbooks

Our Commission files a request for your good offices about revision of No. 4, Art. 7, Sales Tax Law as stated below

"Publication, sale or agency of textbooks which have passed the authorization of the Education Minister or whose royalty is owned by the same Minister"

Reason

It is stipulated in the present Sales Tax Law as an untaxed transaction, "publication, sale or agency of elementary or lower secondary school textbooks" ~~and~~ ^{from which} the upper secondary school textbooks are excluded, but this exclusion is based upon the presumption of general textbooks used in the former high school, while those which are used in the present upper secondary school are the special books which are to be equally treated as the textbooks in the elementary and the lower secondary school under the temporary measures concerning publication of textbooks. Taking the fact in consideration, at revision of the Sales Tax Law, we should like to have them treated as goods for an untaxed transaction.

Especially as for the textbooks,

Commonly used in the elementary, lower and upper secondary schools, according to difference of departments, where they are used, some times they become goods of taxed transaction and other time those of untaxed transaction, and for that reason, not only indication of a double price becomes necessary, but also in

the technical matter of collecting tax, a great deal of difficulty is actually felt. Besides, when we see that the total sum of sales tax toward upper secondary school textbooks amounts only to two million yen through out the whole year, we believe it good to exempt taxation on them in view of promotion of education.

ならずその徴税の技術上においても甚だ困難を生ずる実情である。更に高等学校用の教科用図書に対する取引高税の繰上は年商を通じても僅かに二千万円に過ぎざることを見れば教育振興の点よりもこれが免除を可と信ずるものである。

昭和二十四年三月二十六日

教科用図書委員会

委員長 黒岩武道



文部大臣 高 嶺 莊太郎 殿
連合國軍總司令部政治局長 殿

教科用図書に対する取引高税免除方について

本委員会は、取引高税法第七條第四号を左記の通り改正方について取
計らわれるよう要望する

「文部大臣の決定を経た教科用図書又は文部大臣において著作権を有す
る教科用図書の発行、販賣又は取次

(理由) 現行の取引高税法においては、その非課税取引として「小学校
又は中学校の教科用図書の発行販賣又は取次」と規定し高等学校の教
科用図書を除外しているが右は旧制度の高等専門学校に使用せられる
一或図書を予誌したことに基づくもので現在の高等学校の採用する教
科用図書は教科書の発行に用する臨時措置法により小学校、中学校の
教科用図書と全く同一の取扱いを受ける特殊の図書であることを考慮
し取引高税法の改正に際しては苟しく非課税取引とせられたい。
特に小学校、中学校および高等学校に共通に使用せられる教科用図書
の場合にあつてはその使用部門の異なることにより課税取引となる場合
と、然らざる場合とを生ずるために二重定價の表示を必要とするのみ

たに又一つの公議を作ることは矛盾のようにも思われましようが、教育
 審公議は他の公議に就かれた欠点を排除し、公議として極めて能率的、
 而も民主主義的に作られる筈であるのみならず、小規模であり、自立性
 を充分に（殆んど）遺憾を感しないに持ち、而も日本國民の改進黨成を
 計る教育の在り事に不可欠なものであること、および全量教育界並びに
 係業者の要望に鑑み、委員等は、本日協議一致を以つて貴方に右公議設
 立促進方をお願することをお決意した次第であります。何卒事情を御了承
 の上御盡力をお願致します。

昭和二十四年三月二十六日

教科用図書委員会

委員長

黒岩

武



連合國軍總司令部政治教育局長

連合國軍總司令部陸海科字局長

連合國軍總司令部民間情報教育部長

文部大臣

内務大臣

大藏大臣

商工大臣

經濟安定本部總務長官

各党派諮詢委員長

衆議院文部委員會委員長

參議院文部委員會委員長

殿

教科書公團設立促進について

先に当委員会から文部大臣に答申した教科書公團設立の件は、答申以來半歳を経、又政府としてもその必要性和構成の新新妥当性とを認めて居るにも拘らず、その実現が遅れて居ることは、やがて教科書の供給上由々しい問題を引き起すであらうことを、当委員会は恐れて居る次第であります。

理由は、諸般の事情が重なつて表裏を極めて居りますので、之は別紙にゆづりますが、当委員会が公團の設立を答申してから後発生した新事態は、愈々以つて公團設立の必要を明瞭ならしめると共に、その設立促進を要求して居るのであります。即ち公團の活動を待つて始めて可能であるべき文部省著作教科書製造の門戸開放を既に実施しなければならぬ事情に差迫つたこと、および全教科書の三分の一の量を取扱う能力を持つ日本出版供給株式会社が集団併給法の適用を受けて所管を行うに至つたことなどであります。

先進公團のいくつかが解散又は融合される機運に向いつつある今日、新

Jap. affair

Letter 10 Nov 48 from Justine E. Pimental

Gen. Willoughby

Gen. Whitney

14 March 1949

Your comments and recommendations are desired on the attached letter dated 10 November 1948 from Justine E. Pimental regarding his attempt to gain recognition for guerrilla service.

1 Incl: as cited

C.A.W.

2 FROM : General Whitney TO : General Willoughby 15 March 49

1. I have neither recollection nor records concerning this man's service although this does not necessarily tend to discredit his claims. He was not in the reconnaissance battalion but may have been among those whose services were secured by Major Cabangbang after he reached the Philippines.

2. My suggestion is that you send him a reply to the effect that the matter is entirely outside of the administrative control of this headquarters and suggest that he file his claim either with PHILCOM or the proper agency of the Japanese Government through Cabangbang.

1 Incl: n/c

C.W.

Gov't Section file

7

Jap affairs

Capt Sewell
Meiji 434

Subject: H.R. 1298, 81st Congress, a bill "For the Relief of Edward T. Hunter."

From: JA

To: G-3
THRU: G-2

2 March 1949

1 1. This office has received the attached correspondence from the Department of the Army relative to a bill pending before a House Judiciary Committee for the relief of Edward T. Hunter.

2. It is requested that this office be furnished with any file or information which may be of assistance in preparing a reply to the Department of the Army.

3. In consideration of the source of inquiry, it is requested that this matter be expedited.

1 Incl
DA ltr, (same subj)
11 Feb 49 w/incl

-----G. W. H.-----

Govt. Section files

2 From: G-2

TO: Gen Whitney
(Govt Section)

SCW/md
10 March 1949

Your attention is invited to D/A request (Incl 1) and to G-2 draft reply (Incl 2). Your comments and recommendation are desired.

2 Incl
1. n/c
2. Added
Draft c/n G-2 to JA

-----C.A.W.-----

3 From: Gen. Whitney

To: Gen. Willoughby

15 March 1949

I am sorry that I have neither records nor memory which can throw any light upon this matter.

2 Incl: M/C

-----G. W.-----

Gap Affairs

Letter from Major Abcede

Gen Willoughby

Gen Whitney

SCW/be
8 March 1949

Request your comment and recommendation regarding enclosed letter.

1

- 1 Incl:
- Ltr 26 Feb 49
- Maj Abcede

-C.A.W.-

2

From: Gen. Whitney

To: Gen. Willoughby

15 March 1949

My suggestion is that you reply to Abcede calling attention to the fact that this headquarters has no administrative authority or responsibility in the recognition of guerilla service and that you have no records of those operations which would throw any light upon the questions which he specifically raises, or words to that effect. This, as you know, is a peculiarly hot subject in the Philippines today and gives General Anderson plenty of headaches.

- 1 Incl: H/C

C. W.

Govt. Section File

5

GENERAL HEADQUARTERS
SUPREME COMMANDER FOR THE ALLIED POWERS

CHECK SHEET

P. S. *W*ajii 26-6573 *MMC/mk*

(Do not remove from attached sheets)

File No.: 420(13 FEB 1950)ESS/IN Subject: Inspection of Textile Products
for Domestic Economy

Note No.:

From: ESS

To: GS

Date: 13 FEB 1950

1

1. Reference is attached memo from MITI dtd 17 Jan 50, subj: Inspection of Textile Products for Domestic Economy, requesting instructions pertaining to proposed prefectural ordinances requiring inspection of textile products by designated cooperative unions.

2. The prefectural authorities in question have interpreted the local Autonomy Law in such a way that they propose to establish mandatory inspections executed by private organizations. Such action is not in consonance with SCAPINs 1108, 1394 and 1860.

3. Attached is ESS reply to MITI memo. Since the local Autonomy Law has been interpreted to permit the prefectures to violate the intent of the listed SCAPINs, it is requested that GS take the necessary steps to accomplish an amendment to the reference law to comply with SCAP policies.

2 Incls

1. Memo fr MITI dtd 17 Jan 50, subj. as above, copy
2. Memo to MITI dtd 7 Feb 50, subj. as above, copy

W. F. M.
AL. F. NOYES, M., Col., ASD

W. F. M.

4-A

MMC/mk

P. S. Fujii 26-6573

420(13 FEB 1950)ESS/IND

Inspection of Textile Products
for Domestic Economy

ESS

GS

13 FEB 1950

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2 Incls

1. Memo fr MITI dtd 17 Jan 50, subj. as above, copy
2. Memo to MITI dtd 7 Feb 50, subj. as above, copy

----- W. F. M. -----

COPY

GENERAL HEADQUARTERS
SUPREME COMMANDER FOR THE ALLIED POWERS
Economic and Scientific Section
APO 500

420(7 Feb 50)ESS/IND

7 February 1950

MEMORANDUM FOR: Ministry of International Trade and
Industry

SUBJECT: Inspection of Textile Products for Domestic
Economy

1. Reference memorandum from Ministry of International Trade and Industry, International Trade and Textile Bureau, file number 50-ITBFI-2, dated 17 January 1950, subject as above, requesting instructions pertaining to proposed prefectural ordinances requiring inspection of textile products by designated cooperative unions.

2. The proposed mandatory inspections are in opposition to Supreme Commander for the Allied Powers' policy as established under SCAPINs 1108, 1394 and 1860 which state that such mandatory controls may not be delegated to private organs and may rightly only be functions of the government.

3. It is not deemed necessary at present or in the future to promulgate such textile inspection ordinances and inspection organs.

4. Conformity to trade standards should be a purely commercial matter and as such on a competitive good will basis.

FOR THE CHIEF, ECONOMIC AND SCIENTIFIC SECTION:

MAURICE M. CLASS
Chief, Industry Division

COPY

Arch 2

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MINISTRY OF INTERNATIONAL TRADE AND INDUSTRY
International Trade and Textile Bureau

17 January 1950

50-ITTFBI-2

TO : Industrial Division, ESS, GHQ, SCAP
FROM : International Trade and Textile Bureau,
Ministry of International Trade and Industry
SUBJECT: Inspection of Textile Products for Domestic Economy

With regard to the inspection of textile products for domestic economy, there have recently been requests from several prefectural authorities of Yamanashi and Shizuoka etc., to the effect that they have intentions of improving quality by promulgating prefectural ordinances relative to the inspection of textile products basing upon No. 16 of Par. 2, Article 2 of Local Autonomy Laws.

The substance of the above is that the prefectural authorities are intending to designate medium or minor industries' cooperative unions as inspection organs and to enforce manufacturers by all means to be subjected to inspection carried out by the designated inspection organs and if necessary, to make the inspectors appointed by prefectural governors carry out the supervision of inspection.

We should appreciate it greatly if you would give us some instructions as the above might be thought to conflict with the inspection policies of GHQ, SCAP.

s/ Motobumi Kondo
Director of the International
Trade and Textile Bureau,
Ministry of International
Trade and Industry.

COPY

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REFERENCE

EXTRACTS FROM LOCAL AUTONOMY LAW

(April 17 1947, Law No. 67)

Article 2.

Local public body shall be incorporated.

Ordinary local public body shall handle its public business and those which had formerly belonged, or will belong to ordinary local public body in future, by laws or ordinances as well as those other administrative businesses not belonging to the national ones within its jurisdiction.

The example of the above businesses is generally as follows.

But this rule shall not be applicable provided that there is a special prescription in laws and orders.

(omission)

16. To carry out the inspection for gauges, various kinds of products and domestic animals.

COPY

Incl 1 to 1

FILE UNDER: JAPAN AFFAIRS

I N D E X S H E E T

DATE: 9 February, 1949

FROM: RIZZO

TO: ROBISON

SUBJECT: PUBLICATION BY MR. ALCO.

DOCUMENT FILED UNDER:
PUBLICATIONS
Cabinet # 20
Drawer # 4

CLASSIFIED FILE:

4

CA 428

GENERAL HEADQUARTERS
SUPREME COMMANDER FOR THE ALLIED POWERS
CIVIL PROPERTY CUSTODIAN

WFM:HCK:BCD:VFL:gy

CHECK SHEET

(Do not remove from attached sheets)

Major V.F. LaPiana - 57-8485

File No.:

Subject: Transfer of Radium to CPC

Note No.:

From: ESS

To: CPC

Date:

22 Jan 1949

Attn: Precious Metals Unit

1.

1. A quantity of radium (described in inclosure #2) was delivered to the Special Projects Branch, Scientific and Technical Division, Economic and Scientific Section, by Mr. Yoshio KODAMA on 28 December 1948, with the request that it be used for the benefit of the Occupational Forces or disposed of as the Occupational Forces see fit. Mr. Kodama had just been released from Sugamo Prison, where he had been incarcerated since the beginning of the Occupation. Kodama's firm, Kodama Kikan, prior to and during World War II, acted as purchasing agent of copper for the Japanese Navy. At the end of the war the Navy owed Kodama Kikan ¥2,500,000, but could not pay this sum. Vice-minister of the Navy, Vice-admiral Takeo TADA, in token of appreciation for services rendered, gave Kodama a box, stating that while he did not have knowledge of the actual contents he believed it contained valuable minerals.

2. Takeo TADA, when interviewed, stated that he received the box from the Navy Paymaster's Office and that he was not aware of its actual contents. He gave the box to Kodama as a token payment. He did not believe that the contents would fully cover the ¥2,500,000 that the Navy owed Kodama. When questioned, Tada stated that to the best of his knowledge the box did not contain looted property.

3. Former Chief Navy Paymaster, Rear-admiral Kyoji TSUTSUMI was interviewed. He stated that there was so much confusion in his office at the end of the war that he does not remember having received the radium in question.

4. Information received from records at CPC (Mr. F.R. Wall) indicated that 23 radium needles of the material delivered by Kodama to this office were looted property of the Hong Kong Sanatorium and Hospital. Indications are that additional needles may also be looted property. Arrangements have been made to deliver all of the radium in question to Civil Property Custodian representative (Mr. F.R. Wall).

5. Records of the various interviews conducted to date are available in the Special Projects Branch, Scientific and Technical Division, ESS.

6. Inclosure 1 lists the names and addresses of persons interviewed.

7. Upon receipt and inventory of the radium by the Civil Property Custodian formal acknowledgment by check note is requested.

8. It is further requested that this office, for purposes of record, be advised of the final disposition of the radium.

2 Incls

- 1. List of names and addresses.
- 2. Itemized list of radium.

COPY

W.F.M.

S-1343

3-A

31151

CA 4245

CIVIL PROPERTY CUSTODIAN
Property Liquidation Division
Looted Property Division
Precious Metals Unit

Date 24 January 1949

Received, this date, from the Special Projects Branch, Scientific and Technical Division, Economic and Scientific Section, GHQ, SCAP, APO 500, radium listed below:

Description:	Code Number	Length
Needle	MATH 50	2 cm
"	MATH 51	" "
"	MATH 53	" "
"	MATH 56	" "
"	MATH 57	" "
"	MATH 58	" "
"	MATH 47	" "
"	MATH 49	" "
"	M7H 46	" "
"	M7H 52	" "
Needle	Mat H 120	4 cm
"	Mat H 121	" "
"	Mat H 122	" "
"	Mat H 123	" "
"	Mat H 124	" "
Needle	HKS&H 2 1	3 cm
"	HKS&H 2 2	" "
"	HKS&H 2 3	" "
"	HKS&H 2 4	" "
"	HKS&H 2 5	" "
"	HKS&H 2 6	" "
"	HKS&H 2 7	" "
"	HKS&H 2 8	" "
"	HKS&H 2 9	" "
"	HKS&H 2 10	" "
"	HKS&H 2 11	" "
"	HKS&H 2 12	" "

2

31151

Needle	HKS&H 3	1	4 cm
"	HKS&H 3	2	" "
"	HKS&H 3	3	" "
"	HKS&H 3	4	" "
"	HKS&H 3	5	" "
"	HKS&H 3	6	" "
"	HKS&H 3	7	" "

Needle	SH2	1	4.5 cm
"	SH2	2?	" "
"	SH2	3	" "
"	SH2	4	" "
"	SH2	5	" "
"	SH2	6	" "
"	SH2	7	" "
"	SH2	8	" "
"	SH2	9	" "
"	SH2	10	" "
"	SH2	11	" "
"	SH2	12	" "
"	SH2	13	" "
"	SH2	14?	" "
"	SH2	15?	" "
"	SH2	16	" "
"	SH2	18	" "
"	SH2	19	" "
"	SH2	20	" "
"	SH2	21	" "

Brass Tube	8714	5.3 cm
" "	8751	" "
" "	8766	" "
" "	8754	" "
" "	8675	" "
" "	8730	" "
" "	9011	" "
" "	9019	" "
" "	8736	" "

Button (unidentified)

Needle (some of the needles bearing SH codes were wrapped in paper bearing letter-head of Shanghai Country Hospital)	SH3	1	6 cm
	SH3	2	" "
	SH3	3	" "
	SH3	4	" "
	SH3	5	" "
	SH3	6	" "

Needle	SH3	7	6 cm
"	SH3	8	" "
"	SH3	9	" "
"	SH3	10	" "
"	SH3	11	" "
"	SH3	12	" "
"	SH3	13	" "
"	SH3	14	" "
"	SH3	15	" "
"	SH3	16	" "
"	SH3	17	" "
"	SH3	18	" "
"	SH3	19	" "
"	SH3	20	" "

Needles	2	1	2 cm
"	2	2	" "
"	2	3	" "
"	2	4	" "
"	2	5	" "

Needle	SH 066	1	2 cm
"	SH 066	2	" "
"	SH 066	3	" "
"	SH 066	4	" "
"	SH 066	5	" "
"	SH 066	6	" "
"	SH 066	7	" "
"	SH 066	8	" "
"	SH 066	9	" "

Capsule, screw cap SH 50 1

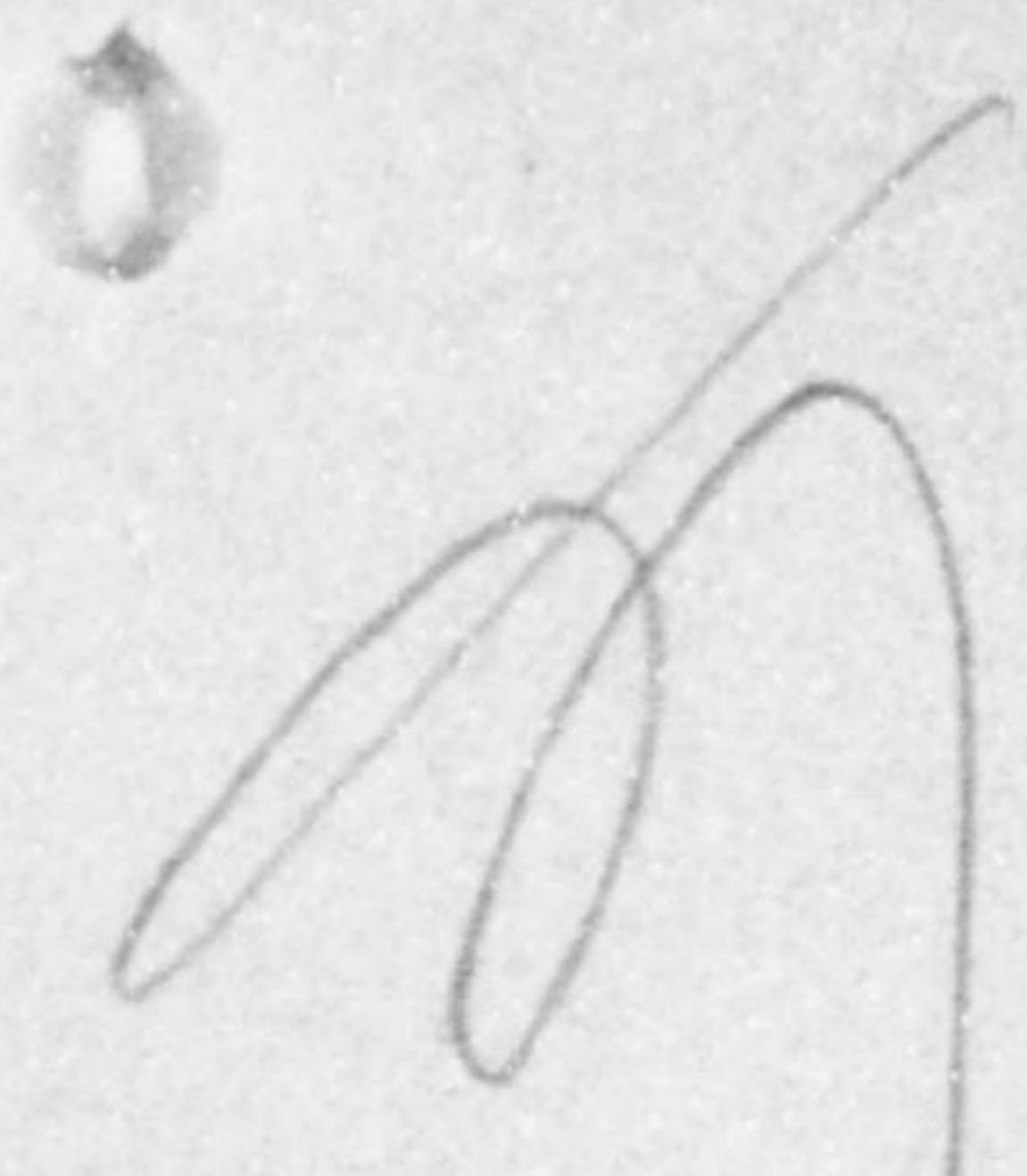
Cube, approximately
1 1/2 cm x 1 1/2 cm
x 1/2 cm SH10 48200 or 46200

Brass tube	Marking on nickle plated container;	on tube
" "	Radium Belge 8254	8762
" "	Radium Belge 5050	8968
Nickle plated capsule	Radium Belge 4599	AM

Subject to confirmation and inventory.

F. R. Wall
F. R. WALL

file
post
Japan affairs



18 January 1949

A letter from General MacArthur concerning the program at the "Pro-American Appreciation National Rally" (Shinbei Kansha Zengoku Daikai) to be held at Imperial Theatre on 25 November 1948 and sponsored by our party.

SIGNED BY GENERAL MACARTHUR

MR. OGAWA, Yuzo.
Pro-American Charity Labor Party Head, Member of House of Councillors,
elected from National Electorate.

20

FILE UNDER: JAPAN AFFAIRS

I N D E X S H E E T

DATE: 1949

FROM:

TO:

SUBJECT: THE NEW POLITICAL LIFE IN JAPAN

DOCUMENT FILED UNDER:

CLASSIFIED FILE:

PURGE
Cabinet # 19
Drawer # 2

Gov't Section

Maico A44

SCAP Civ Com, Tokyo Japan Conference

Service 24. Copies of American draft assignment plan recently distributed. Plan would assign for June mediat to Japan 54 for Domestic and 15 for International, as follows. Domestic GMT hours and frequencies respectively are: 22 to on 4 on 5995 and on 7105, 19 to 08 on 6105, 23 to 08 on 7175. International area, GMT hours and frequency respectively are: To South America 01 to 02 on 17805, East Asia 03 to 04 on 17795 and 10 to 14 on 15375, West North American 04 to 06 on 17795, Hawaice 06 to 07 on 17795, Austria and New Zealand 09 to 10 on 15375, India 15 to 16 on 17815, China and Korea 08 to 10 on 11915, Philippines and Indonesia 11 to 13 on 21455.

25

The "East Asia" assignments could be directed to any area in east Asia as we desire. The Domestic assignments could be used as we desired to serve the 3 programs.

In explaining plan US makes following statements: "The US has been guided by engineering principles but their application has been tempered by a recognition of the special needs of the various countries. It is recognized that negotiations and modifications are inevitable prior to final agreement."

As classified delegations will be interviewed shortly to determine acceptability request comments soonest. In view requirements of countries 3 times greater than can be satisfied recommend acceptance with minimum of modifications, in spite of fact acceptance would mean present channel hours would have to cut in half when plan comes into effect a year of 2.

Signed: Johnsonle

SUMMARY OF COMMUNICATION RECEIVED FROM
DEPARTMENT OF STATE

The Department of State refers to the visit to Japan of Dr. Kuo Yu-Shou, UNESCO Adviser on Far Eastern Affairs, September 9 to 20, 1948. Dr. Kuo visited Washington on his way back to Paris and expressed his gratitude for the cooperation of SCAP.

The Department is most appreciative of the assistance given to Dr. Kuo by SCAP officials. It is noted with interest that the Supreme Commander approved the UNESCO program in Japan recommended by Dr. Kuo. It is understood that this proposed program in substance was submitted for approval to the 3rd Session of the UNESCO General Conference, held at Beirut, Lebanon, November 17 to December 11, 1948.