GHQ/SCAP Records(RG 331)
Description of contents

(1) Box no. 2206

(2) Folder title/number: (30)
Education Ministry Bills

(3) Date: Jan. 1951 - Mar. 1951

(4) Subject:

Classification	Type of record
810	c, d, m

(5) Item description and comment:
Includes Contents List

(6) Reproduction: (Yes) No

(7) Film no. Sheet no.

1. Amendments to Social Education Law

2. Amendment to Law re: Share by Local Government of Pay of Municipal School Personnel

3. Amendments to National School Establishment Law

4. Amendment to Law re: Enforcement of Law for Certification of Educational Personnel

5. Amendment to Law for Certification of Educational Personnel

6. Rill for Annuity for Persons of Cultural Merits

7. Amendments to Ministry of Educat ion Establishment Law etc for Adjustment of Councils etc

8. Amendments to Law for Special Regulations reL Educational Public Service

9. Religious Juridical Persons Bill

10. Bill re: Supply of Textbooks to Children who enter school in year 1951

11. Bill for National University Administration

12. Bill for Public University Administration

13. Bill for Adjustment of Laws Consequent to Enforcement of National University Administration Kaw abd Public University Administrat ion Law

GENERAL HEADQUARTERS
SUPREME COMMANDER FOR THE ALLIED POWERS

C H E C K S H E E T

(Do not remove from attached sheet)

Subject: Draft Legislation

Capt Norris
26-6076

Note No.	From: Govt Sec To: LS/I&J Date: 18 January 1951
1.	1. Immedicate introduction of the attached draft bill in the Diet is proposed by Education Ministry. 2. Your prompt comment is requested. 1 Incl Partial Amendments to Social Education Law

C. W.

P & P

(1)

Subject: Partial Amendments to
Social Education Law

From: LS To: GS Date: 1 February 1951
A.C.Oppler, 57-8417

2. 1. The bill clarifies the status and functions of Social Education Directors and Social Education Assistant Directors.

2. No legal objections.

1 Incl. w/d

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

Need GS
2/5/51

See Ed Lee

Government Section
Buck Slip

1/18/ 1950

FROM: PAP

TO:	INITIAL	DATE
_____ CHIEF.....		.....
_____ EX OFF.....		.....
_____ DEPUTY CHIEF.....		.....
_____ Col Wheeler.....		.....
_____ Chief Adm Div.....		.....
_____ Stat & Review.....		.....
_____ Civil Serv Div.....		.....
_____ Par & Pol Div.....		.....
✓ Public Aff Div.....		.....
_____ Public Adm Div.....		.....
_____ Admin Asst.....		.....
_____ Personnel Clerk.....		.....
_____ Chief Clerk.....		.....
_____ File.....		.....

FOR:

_____ INFORMATION
_____ NECESSARY ACTION
_____ ACTION
_____ APPROVAL
_____ INITIAL
✓ COMMENT OR CONCUR
_____ RETAIN
_____ RETURN
_____ FIL
_____ BURN

Adm.

(rec'd 23 Jan from OIA)
24 Jan 51

No objection
NC

For Edna Lee

Government Section
Buck Slip

1/18 1950

FROM: PLP

TO:

		INITIAL	DATE
_____	CHIEF.....		.....
_____	EX OFF.....		.....
_____	DEPUTY CHIEF.....		.....
_____	Col Wheeler.....		.....
_____	Chief Adm Div.....		.....
_____	Stat & Review.....		.....
__X__	Civil Serv Div.....		.....
_____	Par & Pol Div.....		.....
_____	Public Aff Div.....		.....
_____	Public Adm Div.....		.....
_____	Admin Asst.....		.....
_____	Personnel Clerk.....		.....
_____	Chief Clerk.....		.....
_____	File.....		.....

FOR:

_____ INFORMATION
_____ NECESSARY ACTION
_____ ACTION
_____ APPROVAL
_____ INITIAL
__X__ COMMENT OR CONCUR
_____ RETAIN
_____ RETURN
_____ FIL
_____ BURN

Conn.

no objection
1.4.1.

For Edna Law

014

2. From: CIB To: Govt Sec Mr. Morgan 57-8702
Date: 23 January 51

1. Subject draft bill has been reviewed by personnel of CIB Section.

2. CIB Section has no objection to the bill as drafted.

1 Incl
n/c

- D. R. M. - - - - - - - - - - - -

Bill

Submitted to GS for Clearance
through Legislative Affairs Section,
Liaison Bureau, Ministry of Foreign Affairs
(Tel. 57-6010)

Jan. 18, 1951

1. Number: FOM No.12

2. Title: Bill For Partial Ammendments To The Social Education Law

3. Office in Charge: Ministry of Education.

4. Date of Cabinet Approval: Jan. 17 1951

5. SCAP Section concerned: Dr. J. C. Trainor,
Depaty Chief, Education Division,
Cvil Information & Education Section.

6. Remark (Reference): Law No.207 of 1949: official Gazette dated June 10 Extra No.81.

7. GS Reviewers:

Received by GS

Date 1/11/51

GS: CIE
LS/LS
GS/PA
OS/CS

GENERAL HEADQUARTERS
SUPREME COMMANDER FOR THE ALLIED POWERS

C H E C K S H E E T

(Do not remove from attached sheet)

Subject: Draft Legislation

Note No.

From: Govt Sec To: ESS Date: 24 February 1951

Capt Norris
26-6076

1. Immediate introduction of the attached draft bill in the Diet is proposed by Education Ministry

2. Your prompt comment is requested.

1 Incl

Amendment to Law re: Share by Local Government of Pay of Municipal School Personnel

C. S.

WFM/EMR/WKE/em
Mr. Etter, 26-6155

File No: 010(24 Feb 51)ESS/PF

10MAR 1951

From: ESS To: Govt Sec

2

There is no objection to the immediate introduction of the draft bill, Amendment to Law re: Share by Local Government of Pay of Municipal School Personnel.

1 Incl
w/d

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

(2)

GENERAL HEADQUARTERS
SUPREME COMMANDER FOR THE ALLIED POWERS

C H E C K S H E E T

(Do not remove from attached sheet)

Subject: Draft Legislation

Note No.	From: Govt Sec To: LS/LJ Date: 24 February 1951 Capt Curtis 26-8076
	1. Immediate introduction of the attached draft bill in the Diet is proposed by Ministry of Education 2. Your prompt comment is requested. 1 Incl Amendment to Law re: Share by Local Government of Pay of Municipal C. H.

P&P

1.

Subject: Amendment to Law re: Share by Local
Government of Pay of Municipal School Personnel

From: LS To: GS Date: 7 March 1951
Kurt Steiner, 57-3503

2. This Section has no legal objections to subject bill.

1 Incl. w/d
- A.C.S. - - - - - - - - - - - - - - -

GENERAL HEADQUARTERS
SUPREME COMMANDER FOR THE ALLIED POWERS

C H E C K S H E E T

(Do not remove from attached sheet)

Subject: Draft Legislation

Capt Norris

Note No.

From: Govt Sec To: **CIE** Date: **24 February 1951**

26-6076

1. Immediate introduction of the attached draft bill in the Diet is proposed by **Ministry of Education**

2. Your prompt comment is requested.

1 Incl
Amendment to Law re: Share by Local Government of Pay of Municipal School Personnel

C. I.

000.8 **Mr. Trainor 26-5679**
From: CIE To: Govt Sec **Date: 28 Feb 1951**

2 CIE has no objection to subject draft legislation.

1 Incl
n/c

- D. R. N. - - - - - - - - - - -

Municipal Bay

Government Section
Buck Slip

2/24 1950

FROM: PAO

TO:	INITIAL	DATE
CHIEF		
EX OFF		
DEPUTY CHIEF		
Col Wheeler		
Chief Adm Div		
Stat & Review		
Civil Serv Div		
Par & Pol Div		
✓ Public Aff Div		
Public Adm Div		
Admin Asst		
Personnel Clerk		
Chief Clerk		
File		

FOR:

- INFORMATION
- NECESSARY ACTION
- ACTION
- APPROVAL
- INITIAL
- ✓ COMMENT OR CONCUR
- RETAIN
- RETURN
- FIL
- BURN

28 Feb 51

no objection
PAO

Government Section
Buck Slip

2/24 1950

FROM: P&P

TO:	INITIAL	DATE
_____ CHIEF.....		.....
_____ EX OFF.....		.....
_____ DEPUTY CHIEF.....		.....
_____ Col Wheeler.....		.....
_____ Chief Adm Div.....		.....
_____ Stat & Review.....		.....
✓ Civil Serv Div.....		.....
_____ Par & Pol Div.....		.....
_____ Public Aff Div.....		.....
_____ Public Adm Div.....		.....
_____ Admin Asst.....		.....
_____ Personnel Clerk.....		.....
_____ Chief Clerk.....		.....
_____ File.....		.....

FOR:

_____ INFORMATION
_____ NECESSARY ACTION
_____ ACTION
_____ APPROVAL
_____ INITIAL
✓ COMMENT OR CONCUR
_____ RETAIN
_____ RETURN
_____ FIL
_____ BURN

C.S.D. has no objection

Bill

Submitted to GS for Clearance
through Legislative Affairs Section,
Liaison Bureau, Ministry of Foreign Affairs
(Tel. 57-6010)

Feb. 24,1951

1. Number: FOM 64

2. Title: Bill for Partial Amendments to the Law concerning Share by the Local Government of the Pay of Municipal School Personnel

3. Office in Charge: Ministry of Education

4. Date of Cabinet Approval: Feb.23, 1951

5. SCAP Section concerned: W.E. Morgan,
Education Division, CI&E GHQ. SCAP.

6. Remark (Reference):
Law No. 135 of 1948: Official Gazette, dated July 10, No. 128.
Law No. 1 of 1949 : Official Gazette, dated Jan. 12, Extra No. 6.

7. GS Reviewers:

Received by GS

Date 2/24/51

GS: CIE
ESS
LS/LS
GS/PA
GS/CS

3/5/51

Dr Williams

Pls note Mrs Sherwins

comment and act accordingly

JR

Mr. Rizzo:-

I agree with CI+E that these bills are unsound, particularly insofar as they require the retention in the service of superfluous and poorly qualified personnel. However, I am not aware of any SCAP directive or explicitly stated policy which is violated by them. I think they should be killed by the Diet rather than by GHQ. Mac

GENERAL HEADQUARTERS
SUPREME COMMANDER FOR THE ALLIED POWERS

C H E C K S H E E T

(Do not remove from attached sheet)

Subject: Draft Legislation

Note No.	
	From: Govt Sec To: CIE Date: 21 March 1951 — Capt Norris 26-6076 1. Immediate introduction of the attached draft amendment bill in the Diet is proposed by House of Councillors 2. Your prompt comment is requested. 1 Incl Amendments to Bill for Partial Amendments to National School Establishment Law
2	000.8 From: CIE To: Govt Sec Date: 23 March 1951 — Dr. Loomis 26-5679 CIE objects to proposed amendments to Bill for Partial Amendments to National School Establishment Law for the following reasons: a. Bill which subject draft legislation proposes to amend is a carefully worked out law implementing the reorganization program for institutions of higher education and provides for readjustments of personnel as required by recent amalgamations of institutions. b. Former normal schools, involved in amalgamation moves, had been characterized by numbers of seriously inadequately trained personnel. The retention of such personnel would jeopardize the chartering and accrediting status of the newly formed institutions. Original draft submitted by the Cabinet provided for necessary adjustments. Subject proposed amendments would nullify such a possibility and seriously threaten standards of programs in teacher training institutions by requiring retention of unnecessary and unqualified personnel. 1 Incl n/c D. R. K.

Cleared

GENERAL HEADQUARTERS
SUPREME COMMANDER FOR THE ALLIED POWERS

C H E C K S H E E T

(Do not remove from attached sheet)

Subject: Draft Legislation

Capt Norris

Note No.	From: Govt Sec To: [illegible] Date: 21 March 1951
	26-6076 Amendment XXXX
	1. Immediate introduction of the attached draft bill in the Diet is proposed by [illegible]
	2. Your prompt comment is requested.
	1 Incl Amendments to Bill for Partial Amendments to National School Establishment Law

P&P

Subject: Amendments to Bill for Partial Amendments to National School Establishment Law

From: LS To: GS Date: 22 March 1951
A.C.Oppler, 57-8417

2. This Section has no legal objections to the deletion of Paragraph 2 of the Supplementary Provisions. The same effect will be reached under Article 78, Paragraph 4, of the National Public Service Laws without any appearance of infringement upon the vested rights of the employees.

1 Incl.
w/d

- A.C.O. - - - - - - - - - - - - - - - -

Government Section
Buck Slip

3/21 1950

FROM: G-2

TO:	INITIAL	DATE
_____ CHIEF	.....	.....
_____ EX OFF	.....	.....
_____ DEPUTY CHIEF	.....	.....
_____ Col Wheeler	.....	.....
_____ Chief Adm Div	.....	.....
_____ Stat & Review	.....	.....
___L___ Civil Serv Div	.....	.....
_____ Par & Pol Div	.....	.....
_____ Public Aff Div	.....	.....
_____ Public Adm Div	.....	.....
_____ Admin Asst	.....	.....
_____ Personnel Clerk	.....	.....
_____ Chief Clerk	.....	.....
_____ File	.....	.....

FOR:

_____ INFORMATION
_____ NECESSARY ACTION
_____ ACTION (Prepare reply)
_____ APPROVAL
_____ INITIAL
___—___ COMMENT OR CONCUR
_____ RETAIN
_____ RETURN
_____ FILE
_____ BURN

No objection
mmf 20 Mar '51

HOUSE OF COUNCILLORS

Tues., March 20, 1951

Title

Proposed Amendments to the Bill partially amending the National School Establishment Law

I hereby certify that the above-mentioned amendments do not violate any directive issued by the Supreme Commander for the Allied Powers, the Constitution and any laws of Japan.

For the Director

Minoru Kishida

Minoru Kishida
Chief of 2nd Division of
the Legislative Bureau,
House of Councillors

(3)

GENERAL HEADQUARTERS
SUPREME COMMANDER FOR THE ALLIED POWERS

C H E C K S H E E T

(Do not remove from attached sheet)

Subject: Draft Legislation

Note No.	Capt Norris 26-6076 From: Govt Sec To: LS/I&J Date: 1 March 1951
1.	1. Immediate introduction of the attached draft bill in the Diet is proposed by Education Ministry. 2. Your prompt comment is requested. 1 Incl Bill for Partial Amends to National School Establish- ment Law

C. I. & E. P & P

Subject: Bill for Partial Amends to National
School Establishment Law

From: LS To: GS Date: 12 March 1951
A. C. Oppler, 57-8417

2. Since according to information from GS the bill has already been cleared for introduction in the Diet, this Section offers no comment thereon.

1 Incl.
w/d

- A.C.O. - - - - - - - - - - - - - - - - -

GENERAL HEADQUARTERS
SUPREME COMMANDER FOR THE ALLIED POWERS

C H E C K S H E E T

(Do not remove from attached sheet)

Subject: Draft Legislation

Note No.	
	Capt Norris 26-6076 From: Govt Sec To: CI&E Date: 1 March 1951
1.	1. Immediate introduction of the attached draft bill in the Diet is proposed by **Education Ministry.** 2. Your prompt comment is requested. 1 Incl **Bill for Partial Amends to National School Establishment Law**
	C. I.
2	000.8 From: CIE To: Govt Sec Dr. Loomis 26-5679 Date: 5 March 1951 CIE perceives no objection to subject draft legislation. 1 Incl n/c
	- D. R. M. - - - - - - - - - - - - -

Mark H. Adm Pers

Government Section
Buck Slip

3/1 1950

FROM: P & P

TO:

	INITIAL	DATE
CHIEF		
EX OFF		
DEPUTY CHIEF		
Col Wheeler		
Chief Adm Div		
Stat & Review		
Civil Serv Div		
Par & Pol Div		
✓ Public Aff Div		
Public Adm Div		
Admin Asst		
Personnel Clerk		
Chief Clerk		
File		

FOR:

- INFORMATION
- NECESSARY ACTION
- ACTION
- APPROVAL
- INITIAL
- ✓ COMMENT OR CONCUR
- RETAIN
- RETURN
- FIL
- BURN

Coltr Objection
No Ref. to U.C.

Dot 15 -
Include
Name Person

B111

Submitted to GS for Clearance
through Legislative Affair's Section,
Liaison Bureau, Ministry of Foreign Affairs
(Tel. 57-6010)

Mar. 1, 1951

1. Number: FOM **No.87**

2. Title: **Bill for Partial Amendments to the National School Establishment Law**

3. Office in Charge: **Ministry of Education**

4. Date of Cabinet Approval: **Feb. 23,1951**

5. SCAP Section concerned: **Dr. T.H. McGrail,**
University Division, CL&E.

6. Remark (Reference): **Law No.150 of 1949: Official Gazette dated May, 31, Law No.226 of 1949: Official Gazette dated Nov. 30. Law No.51 of 1950: Official Gazette dated March 31. Law No.269 of 1950: Official Gazette dated Dec. 16,**

7. GS Reviewers:

Received by GS

Date 3/1/51

GS:
CIE
LS/LS
GS/PH

No. 20

Date: February 22, 1951

Title of draft Law ~~Cabinet Order~~

Bill for Partial Amendments to the National School Establishment Law. (FORM 87)

The above draft Law ~~Cabinet Order~~ has been reviewed and approved by the Administrative Management Agency.

Katsuhiko Onogi

Katsuhiko ONOGI,
Deputy Director,
Administrative Management Agency.

GENERAL HEADQUARTERS
SUPREME COMMANDER FOR THE ALLIED POWERS

C H E C K S H E E T

(Do not remove from attached sheet)

Subject: Draft Legislation

Note No.	
	Capt Norris 26-6076 From: Govt Sec To: CIE Date: 22 March 1951
1.	1. Immediate introduction of the attached draft ~~bill~~ amendment in the Diet is proposed by House of Councillors. 2. Your prompt comment is requested. 1 Incl Amendments to Bill for Partial Amendments to Law Concerning Enforcement of Law for Certification of Educational Personnel
2	000.8 From: CIE To: Govt Sec Mr. Trainor 26-5679 Date: 26 March 1951 CIE objects to proposed subject draft legislation because it would result in lowering of standards of certification for teaching. The proposal appears to be an effort by a pressure group to obtain advantages and attempts to vitiate efforts to establish the certification of teachers on a sound and realistic basis. 1 Incl n/c D. R. N.

(4)

GENERAL HEADQUARTERS
SUPREME COMMANDER FOR THE ALLIED POWERS

C H E C K S H E E T

(Do not remove from attached sheet)

Subject: Draft Legislation

Note No.	
1.	From: Govt Sec To: LS/LAJ Capt Morris 26-6076 Date: 22 March 1951 1. Immediate introduction of the attached draft bill in the Diet is proposed by House of Councillors. 2. Your prompt comment is requested. 1 Incl Amends to Bill for Partial Amends to Law Concerning Enforcement of Law for Certification of Educational Personnel G. ".

P & P

Subject: Amendment to Bill for Partial Amendment to Law Concerning Enforcement of Law for Certification of Educational Personnel.

From: LS To: GS Date: 26 March 1951
R.T.Brunckhorst, 57-8502

2. This Section has no legal objections to the proposed amendment.

1 Encl.
w/d

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

HOUSE OF COUNCILLORS

Thurs., Mar. 22, 1951

Title

Proposed Amendments to the Bill for Partial Amendments to the Law concerning the Enforcement of the Law for Certification of Educational Personnel

I hereby certify that the above-mentioned amendments do not violate any directive issued by the Supreme Commander for the Allied Powers, the Constitution and any laws of Japan.

For the Director

Minoru Kishida

Minoru Kishida
Chief of 2nd Division
of the Legislative Bureau
House of Councillors

GENERAL HEADQUARTERS
SUPREME COMMANDER FOR THE ALLIED POWERS

C H E C K S H E E T

(Do not remove from attached sheet)

Subject: Draft Legislation

Note No.	From: Govt Sec To: ES/IAJ Date: 10 March 1951
1.	1. Immediate introduction of the attached draft bill in the Diet is proposed by Education Ministry. 2. Your prompt comment is requested. 1 Incl Bill for Partial Amends to Law Concerning Enforcement of Law for Certification of Educational Personnel

IAJ Guide
26-6076

C. I.

Subject: Bill for Partial Amendment to Law
Concerning Enforcement of Law for
Certification of Educational Personnel

From: LS To: GS Date: 23 March 1951
R.T.Brunckhorst, 57-8502

2. Since according to information from GS subject bill has already been cleared for introduction in the Diet, Legal Section offers no comments thereon.

1 Incl.
w/d

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

GENERAL HEADQUARTERS
SUPREME COMMANDER FOR THE ALLIED POWERS

C H E C K S H E E T

(Do not remove from attached sheet)

Subject: Draft Legislation

Maj Guida

Note No.	
1.	From: Govt Sec To: CI&E Date: 10 March 1951 (26-6076) 1. Immediate introduction of the attached draft bill in the Diet is proposed by Education Ministry. 2. Your prompt comment is requested. 1 Incl Bill for Partial Amends to Law Concerning Enforcement of Law for Certification of Educational Personnel C. L.
	000.8 From: CIE To: Govt Sec Dr. Loomis 26-5679 Date: 15 Mar 1951
2	CIE perceives no objection to subject draft legislation. 1 Incl n/c D. R. M.

Bill

Submitted to GS for Clearance
through Legislative Affairs Section,
Liaison Bureau, Ministry of Foreign Affairs
(Tel. 57-6010)

Mar. 10, 1951

1. Number: FOM No. 128

2. Title: Bill for Partial Amendments to the Law concerning the Enforcement of the Educational Personnel Certification Law.

3. Office in Charge: Ministry of Education

4. Date of Cabinet Approval: Mar. 27, 1951

5. SCAP Section concerned: Dr. A. K. Loomis,
Education Division, CI&E.

6. Remark (Reference):

Law No. 148 of 1949: Official Gazette dated May 31, 19
Extra 58.
Law No. 200 of 1950: Official Gazette dated May 23,
No. 1243.
Law No. 234 of 1950: Official Gazette dated Aug. 4,
No. 1306.

7. GS Reviewers:

Received by

Date 3/10/51

GS&I CIVE
LS/LVS

GENERAL HEADQUARTERS
SUPREME COMMANDER FOR THE ALLIED POWERS

CHECKSHEET

(Do not remove from attached sheet)

Subject: Draft Legislation

Note No.	
	From: Govt Sec To: CIE Date: 22 March 1951 — Capt Morris 26-6076
1.	1. Immediate introduction of the attached draft ~~bill~~ amendment in the Diet is proposed by House of Councillors. 2. Your prompt comment is requested. 1 Incl Amends to Bill for Partial Amends to Law for Certification of Educational Personnel
	C. I.
	000.8 From: CIE to: Govt Sec — Mr. Trainor 26-5679 Date: 26 March 1951
2.	CIE objects to proposed subject draft legislation because it represents an attempt of a pressure group to obtain protection for patently unqualified teachers. Teacher certification developments in Japan have progressed along a careful path which takes into recognition the need for professional competence and at the same time gives weight to the practical problems involved in the training of teachers. Proposed draft legislation is in complete violation of sound and feasible standards of certification. 1 Incl n/c
	D. R. M.

GENERAL HEADQUARTERS
SUPREME COMMANDER FOR THE ALLIED POWERS

C H E C K S H E E T

(Do not remove from attached sheet)

Subject: Draft Legislation

Note No.	From: Govt Sec To: GS/LAS Date: 22 March 1951 Capt Norris 26-6076
1.	1. Immediate introduction of the attached draft amendment bill in the Diet is proposed by House of Councillors. 2. Your prompt comment is requested. 1 Incl Amends to Bill for Partial Amends to law for Certification of Educational Personnel

P & P

Subject: Amendment to Bill for Partial Amendment to Law for Certification of Educational Personnel

From: LS To: GS Date: 31 March 1951
C.J.Smith, 57-3645

2. 1. No legal objections.

2. Above comment was telephoned to GS at its request on 29 March 1951.

1 Incl.
w/d

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

HOUSE OF COUNCILLORS

Thurs., Mar. 22, 1951

Title

Proposed Amendments to the Bill for
Partial Amendments to the Law for
Certification of Educational Personnel

I hereby certiry that the above-mentioned amendments do not violate any directive issued by the Supreme Commander for the Allied Powers, the Constitution and any laws of Japan.

For the Director

Minoru Kishida

Minoru Kishida
Chief or 2nd Division or
the Legislative Bureau,
House of Councillors

(5)

GENERAL HEADQUARTERS
SUPREME COMMANDER FOR THE ALLIED POWERS

C H E C K S H E E T

(Do not remove from attached sheet)

Subject: Draft Legislation

Note No.	From: Govt Sec To: [redacted] Date: [redacted]
1.	1. Immediate introduction of the attached draft bill in the Diet is proposed by [redacted].
	2. Your prompt comment is requested.
	1 Incl [redacted]

[redacted] Guide
26-6074

P & S

26 March 1951
C.J.Smith, 57-8645

From: LS To: GS

1. A necessarily hasty review of the bill discloses no legal objections.

2. The above comment was transmitted by telephone to GS at its request on 14 March 1951.

1 Incl
w/d

- A.C.C. -

GENERAL HEADQUARTERS
SUPREME COMMANDER FOR THE ALLIED POWERS

C H E C K S H E E T

(Do not remove from attached sheet)

Subject: Draft Legislation

Note No.	
	Maj Guida 26-6076 From: Govt Sec To: CIE Date: 10 March 1951
1.	1. Immediate introduction of the attached draft bill in the Diet is proposed by Education Ministry. 2. Your prompt comment is requested. 1 Incl Bill for Partial Amends to Law for Certification of Educational Personnel
	C. I. E.
	000.8 From: CIE Dr. Loomis 26-5679 To: Govt Sec Date: 13 March 1951
2	CIE perceives no objection to subject draft legislation. 1 Incl n/c
	- D. R. M. - - - - - - - - - - -

Bill

Submitted to GS for Clearance
through Legislative Affairs Section,
Liaison Bureau, Ministry of Foreign Affairs
(Tel. 57-6010)

Mar. 10, 1951

1. Number: FOM No.131

2. Title: Bill for Partial Amendments to the Educational Personnel Certification Law.

3. Office in Charge: Ministry of Education.

4. Date of Cabinet Approval: Feb. 27, 1951

5. SCAP Section concerned: A.K. Loomis,
Education Division, C.I.&E.

6. Remark (Reference): Law No.147 of 1949: Official Gazette dated May 31, Extra No.58. Law No.226 of 1949: Official Gazette dated Nov. 30, Extra No.134. Law No.199 of 1950: Official Gazette dated May 23, No.1243.

7. GS Reviewers:

Received by

Date 3/10/51

GS/CIE
LS/LAT

GENERAL HEADQUARTERS
SUPREME COMMANDER FOR THE ALLIED POWERS

C H E C K S H E E T

(Do not remove from attached sheet)

Subject: Draft Legislation

Note No.	
	From: Govt Sec To: CI&E Date: 27 March 1951 — Capt Norris 26-6076
1.	1. Immediate introduction of the attached draft amendment bill in the Diet is proposed by House of Councillors. 2. Your prompt comment is requested. 1 Incl Proposed Amends to Bill concerning Annuity for Persons of Cultural Merits
	G. ...
	000.8 From: CIE To: Govt Sec — Dr. Loomis 26-5679 Date: 2 April 1951
2.	CIE has no objection to proposed draft legislation. 1 Incl n/c

- D. R. N. - - - - - - - - - - - - -

GENERAL HEADQUARTERS
SUPREME COMMANDER FOR THE ALLIED POWERS

C H E C K S H E E T

(Do not remove from attached sheet)

Subject: Draft Legislation

Note No. 1.

From: Govt Sec To: ESS Date: 27 March 1951

Capt Norris
26-6076

1. Immediate introduction of the attached draft bill amendment in the Diet is proposed by House of Councillors.

2. Your prompt comment is requested.

1 Incl
Proposed Amends to Bill concerning
Annuity for Persons of Cultural Merits

C. W.

010(27 Mar 51)ESS/FIN

WFM/EMR/BNL/da
Mr. Larsen, 26-6142

From: ESS To: Govt Sect Date: 2 APR 1951

2. There is no objection to the introduction in the Diet of the proposed amendment to the Bill Concerning Annuity for Persons of Cultural Merits.

1 Incl
n/c

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

GENERAL HEADQUARTERS
SUPREME COMMANDER FOR THE ALLIED POWERS

C H E C K S H E E T

(Do not remove from attached sheet)

Subject: Draft Legislation

Capt Norris
26-6076

Note No.	From: Govt Sec To: LS/LAJ Date: 27 March 1951
1.	1. Immediate introduction of the attached draft amendment in the Diet is proposed by House of Councillors. 2. Your prompt comment is requested. 1 Incl Proposed Amends to Bill concerning Annuity for Persons of Cultural Merits

E. N.

P & P 3

Subject: Proposed Amends to Bill concerning
Annuity for Persons of Cultural Merits

2. From: LS To: GS Date: 29 March 1951
K. Steiner,87-8503

This Section has no legal objections to subject bill.

1 Incl.
w/d

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

HOUSE OF COUNCILLORS

Title

Proposed Amendments to the Bill concerning
Annuity for Persons of Cultural Merits

I hereby certify that the above-mentioned amendments do not violate any directive issued by the Supreme Commander for the Allied Powers, the Constitution and any laws of Japan.

K. Okuno

Ken-ichi Okuno

Director of the Legislative Bureau,
House of Councillors.

GENERAL HEADQUARTERS
SUPREME COMMANDER FOR THE ALLIED POWERS

C H E C K S H E E T

(Do not remove from attached sheet)

Subject: Draft Legislation

Capt Norris
26-6074

Note No.	From: Govt Sec To: ESS Date: 8 March 1951
1.	1. Immediate introduction of the attached draft bill in the Diet is proposed by Education Ministry. 2. Your prompt comment is requested. 1 Incl Bill Concerning Annuity for Persons of Cultural Merits C. S. [signature]

010(8 Mar 51)ESS/PF

WFM/EMR/ENL/CDK/da
Mr. Yeomans, 26-6148

From: ESS To: Govt Sect Date: 16 MAR 1951

2. There is no objection to the immediate introduction in the Diet of the attached Bill Concerning Annuity for Persons of Cultural Merits as proposed by the Ministry of Education.

1 Incl
n/c

W. F. M.

GENERAL HEADQUARTERS
SUPREME COMMANDER FOR THE ALLIED POWERS

C H E C K S H E E T

(Do not remove from attached sheet)

Subject: Draft Legislation

Capt Norris
26-6076

Note No.	From: Govt Sec To: [illegible] Date: [illegible]
1	1. Immediate introduction of the attached draft bill in the Diet is proposed by Education Ministry. 2. Your prompt comment is requested. 1 Incl Bill Concerning Annuity for Persons of Cultural Merits

C. I.

P & P

13 March 1951
K. Steiner, 57-8503

From: LS To: GS

2 This Section has no legal objections to subject bill.

1 Incl
w/d

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

GENERAL HEADQUARTERS
SUPREME COMMANDER FOR THE ALLIED POWERS

C H E C K S H E E T

(Do not remove from attached sheet)

Subject: Draft Legislation

Note No.	
	Capt Norris 26-6074 From: Govt Sec To: CI&E Date: 6 March 1951
1.	1. Immediate introduction of the attached draft bill in the Diet is proposed by Education Ministry. 2. Your prompt comment is requested. 1 Incl Bill Concerning Annuity for Persons of Cultural Merits
	C. I.
	000.8 From: CIE To: Govt Sec Mr. Trainor 26-5679 Date: 10 Mar 1951
2	CIE perceives no objection to subject draft legislation. 1 Incl n/c
	D. R. M.

Bill

Submitted to GS for Clearance
through Legislative Affairs Section,
Liaison Bureau, Ministry of Foreign Affairs
(Tel. 57-6010)

Mar. 8, 1951

1. Number: FOM No. 124

2. Title: Bill concerning Annuity for Persons of Cultural Merits.

3. Office in Charge: Ministry of Education

4. Date of Cabinet Approval: Feb. 23, 1951

5. SCAP Section concerned: Mr. Loomis, Chief of Education Division, CI&E.

6. Remark (Reference):

Law No. 146 of 1949: Official Gazette dated May 31, Extra 58.

7. GS Reviewers:

Received by GS

Date 3/8/51

GS:
ESS
CIE
LS/LD

No. 45

Date: March 8, 1951

Title of draft Law ~~Cabinet Order~~

Bill Concerning Annuity for Persons of Cultural Merits

The above draft Law ~~Cabinet Order~~ has been reviewed and approved by the Administrative Management Agency.

Katsuhiko Onogi

Katsuhikô ONOGI,
Deputy Director,
Administrative Management Agency.

GENERAL HEADQUARTERS
SUPREME COMMANDER FOR THE ALLIED POWERS

C H E C K S H E E T

(Do not remove from attached sheet)

Subject: Draft Legislation

Maj Guida
26-6076

Note No.	
1	From: Govt Sec To: [illegible] Date: 4 May 1951 1. Immediate introduction of the attached draft bill in the Diet is proposed by Ministry of Education. 2. Your prompt comment is requested. 1 Incl Bill for Partial Amends to Ministry of Education Establishment Law, etc. for the Adjustment of Councils, etc. F. R.

P & P

(5)

SUBJ: Bill for Partial Amendments to Ministry of Education Establishment Law, etc. for the Adjustment of Councils, etc.

C. E. Woomans 26-6148
WPM/MAR/EHL/CHF/er
Date: 18 MAY 1951

2 From: NSS To: Govt Sec

1. There is no objection to the immediate introduction in the Diet of the attached Bill for Partial Amendments to the Ministry of Education Establishment Law, etc. for the Adjustment of Councils, etc. as proposed by the Ministry of Education.

1 Incl
n/c

W.P.M.

GENERAL HEADQUARTERS
SUPREME COMMANDER FOR THE ALLIED POWERS

C H E C K S H E E T

(Do not remove from attached sheet)

Subject: Draft Legislation

Maj Guida
26-6076

Note No.	From: Govt Sec	To: LS/LAJ	Date: 1 May 1951
1	1. Immediate introduction of the attached draft bill in the Diet is proposed by Ministry of Education. 2. Your prompt comment is requested. 1 Incl Bill for Partial Amends to the Ministry of Education Establishment Law, etc. for Adjustment of Councils, etc.		F. R.

P & P

Subject: Bill for Partial Amends to Ministry of Education Establishment Law, etc. for Adjustment of Councils, etc.

From: LS To: GS Date: 10 May 1951
K. Steiner, 57-8503

2. This Section has no legal objections to subject bill. No opinion is expressed regarding the policy question involved in the abolition of the Text Book Publication Qualification Examination Council.

1 Incl
w/d

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

GENERAL HEADQUARTERS
SUPREME COMMANDER FOR THE ALLIED POWERS

C H E C K S H E E T

(Do not remove from attached sheet)

Subject: Draft Legislation

Note No.	
1	From: Govt Sec To: CI&E Maj Guida 26-6070 Date: 1 May 1951 1. Immediate introduction of the attached draft bill in the Diet is proposed by Ministry of Education. 2. Your prompt comment is requested. 1 Incl Bill for Partial Amends to the Ministry of Education Establishment Law, etc. for Adjustment of Councils, etc. F. R.
2	000.8 From: CIE To: Govt Sec Mr. Trainor 26-5679 Date: 4 May 1951 CIE perceives no objection to subject draft legislation. 1 Incl n/c -D. R. M.-

Government Section
Buck Slip

4 May 1950

FROM: PPA Div

TO:

		INITIAL	DATE
	CHIEF		
	EX OFF		
	DEPUTY CHIEF		
	Col Wheeler		
	Chief Adm Div		
	Stat & Review		
	Civil Serv Div		
✓	Par & Pol Div		
	Public Aff Div		
	Public Adm Div		
	Admin Asst		
	Personnel Clerk		
	Chief Clerk		
	File		

FOR:

- INFORMATION
- NECESSARY ACTION
- ACTION (Prepare reply)
- APPROVAL
- INITIAL
- ✓ COMMENT OR CONCUR
- RETAIN
- RETURN
- FILE
- BURN

CB 5/8

No Comment

Bill

Submitted to GS for Clearance
through Legislative Affairs Section,
Liaison Bureau, Ministry of Foreign Affairs
(Tel. 57-6010)

May 1, 1951

1. Number: FOM 149

2. Title: Bill for Partial Amendments to the Ministry of Education Establishment Law, etc. for the Adjustment of Councils, etc.

3. Office in Charge: Ministry of Education

4. Date of Cabinet Approval: April 24, 1951

5. SCAP Section concerned:

Dr. A.K. Loomis, Chief of Education Division, C.I.E.

6. Remark (Reference):

Law No. 146 of 1949, Official Gazette Extra No. 58 (May 31, 1949)

Law No. 149 of 1949, Official Gazette Extra No. 58 (May 31, 1949)

7. GS Reviewers:

Received by _____

Date 5/1/51

CS&S: CIVE
LS/LNT

No. 78

Date: April 19, 1951

Title of draft ~~Law~~ ~~Cabinet Order~~ Bill for Partial Amendments, ~~carried on for the purpose of readjusting Councils, &c.;~~ to the Ministry of Education Establishment Law, etc. for the Adjustment of Councils, etc.

The above draft ~~Law~~ ~~Cabinet Order~~ has been reviewed and approved by the Administrative Management Agency.

Tom Nakagawa

For Katsuhiko ONOGI,
Deputy Director,
Administrative Management Agency.

GENERAL HEADQUARTERS
SUPREME COMMANDER FOR THE ALLIED POWERS

C H E C K S H E E T

(Do not remove from attached sheet)

Subject: Draft Legislation

Capt Norris
26-6076

Note No.	From: Govt Sec To: LS/IAJ Date: 18 January 1951
1.	1. Immedicate introduction of the attached draft bill in the Diet is proposed by Education Ministry. 2. Your prompt comment is requested. 1 Incl Partial Amends to Law for Spec Regulations Concerning Educational Public Service C. W.

d R d

1 February 1951
C.J.Smith, 57-8645

From: LS To: GS

1. The bill is objectionable in that it would drastically curtail the protection now accorded educational personnel against arbitrary transfers, demotions, dismissals and disciplinary measures. At present, such personnel as respond to charges filed by the "immediate governing body" of an institution can demand a public hearing, select their own counsel, and present witnesses, books, records, and other pertinent data, in accordance with Articles 5, 6, and 9 of the basic law (Law No. 1 of 1949 Under the proposed legislation, these safeguards will be abolished and the respondents deprived of the right to adequately present their case in the first instance. While it is true that in regard to national educational personnel a public hearing may still be demanded of the National Personnel Authority on an appeal from any disciplinary action by an immediate governing body, pursuant to Article 90 et. seq. of the National Public Service Law, it is submitted that to confine that right only to the appeal stage is not in keeping with democratic processes. Also, in the case of those persons attached to schools established by local public bodies which have no boards of education (see Article 23(3) of the Bill), an adverse finding by the immediate governing body is reviewable under Article 50 of the Local Public Service Law at a public hearing before a prefectural personnel commission, and under Article 27 of the same law it is stated that "the status and disciplinary punishment of the personnel must be equitable in every respect." However, unlike the appellate proceedings before the National Personnel Authority, even on appeal the personnel of the aforementioned local educational bodies are given no right under the Local Public Service Law to select their own counsel and present witnesses, documents, etc. In any case, it need

(Cont'd) hardly be emphasized that a routine review by remote appellate authorities is an inadequate substitute for a first-instance public hearing with all the safeguards to which educational personnel are now entitled. Experience has shown that appeal boards as a rule rely on the findings of facts by the administrative agency concerned.

If the bill is intended as a weapon with which to combat unruly elements in the field of education, it is submitted that not only is such an attitude unrealistic but a sad commentary upon democratic institutions. Any attempt by political legislation to suppress freedom of speech, including the right to offer an adequate defense in administrative proceedings, is more likely to react against the decent rather than the vicious members. If this type of legislation is countenanced there is every reason to believe that in many cases the proficient, respectable components of the teaching profession might easily be intimidated by political action under the guise of a routine administrative proceeding and resign rather than submit to the measures contemplated by this bill. On the other hand, in cases involving disloyal personnel it can be stated as an almost foregone conclusion that such persons would contumaciously appeal to the bitter end. Furthermore, inasmuch as both under the National Public Service Law and the Local Public Service Law an open hearing is still a matter of right on review, the troublemakers would, if left to themselves, still have the same opportunity of creating disturbances during the appellate proceedings. Of course, it is the duty of the immediate governing body concerned to curb from the outset any contemptuous behavior at a hearing. If there is to be any new law on the subject it should be directed to the preservation of order rather than the abridgement of fundamental rights.

It is believed that to legislate the proposed amendments for the mere purpose of relieving the immediate governing bodies of the responsibility of properly supervising their job would strike at basic human rights guaranteed by the Constitution of Japan. Legal Section, as well as Government Section, has consistently urged that proper safeguards under due process of law be provided for administrative procedures, particularly where removal or punishment of teachers of schools and universities are involved. If such safeguards are withdrawn it can readily be foreseen what will happen to "academic freedom" in Japan, guaranteed under Article 23 of the Constitution.

2. Paragraph 2 of the Supplementary Provisions stipulates that paragraphs 3, 4, and 5 of Article 5 (as amended by subject bill) as well as paragraph 2 of Article 6 and paragraph 2 of Article 9, supra, "shall apply to the case under inquiry by the immediate governing body of such institution at the time of enforcement of this law." This retroactive effect, quite apart from the objections discussed in paragraph 1 of this check note, might seriously affect the defense of those persons now

2
(Cont'd) under charges. Such turn of affairs would of course be an aggravation of the substantive defects of the bill heretofore pointed out.

1 Incl
w/d

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

Ed Pub Serv Sec

014

From: CIE To: Govt Sec Mr. Morgan 57-8702
Date: 23 January 51

2. 1. Subject draft legislation has been reviewed by personnel of CIE Section in conference with representatives of the Ministry of Education, Japanese Government.

2. Agreement was reached to modify subject draft legislation in two respects, to wit:

a. Art. 22 (p 3): in the last line of said article, strike out the words "study or education", and insert in lieu thereof the words: "educational research".

b. Art. 25 (p 4): correct title of the law referenced in this article and insert correct English language and translation as follows: "Law Concerning the Share by the Local Government of the Pay of Municipal School Personnel".

3. Above amendments are to be transmitted officially by the Japanese Government to Government Section as soon as possible.

4. CIE has no objection to subject draft legislation with the amendments indicated above as agreed upon by officials of this Section and of the Ministry of Education, Japanese Government.

1 Incl
n/c

- D. M. W. - - - - - - - - - - - -

Government Section
Buck Slip

1/18 1950

FROM: P&P

TO:	INITIAL	DATE
_____ CHIEF.....		.....
_____ EX OFF.....		.....
_____ DEPUTY CHIEF.....		.....
_____ Col Wheeler.....		.....
_____ Chief Adm Div.....		.....
_____ Stat & Review.....		.....
__X__ Civil Serv Div.....		.....
_____ Par & Pol Div.....		.....
_____ Public Aff Div.....		.....
_____ Public Adm Div.....		.....
_____ Admin Asst.....		.....
_____ Personnel Clerk.....		.....
_____ Chief Clerk.....		.....
_____ File.....		.....

FOR:

_____ INFORMATION
_____ NECESSARY ACTION
_____ ACTION
_____ APPROVAL
_____ INITIAL
__X__ COMMENT OR CONCUR
_____ RETAIN
_____ RETURN
_____ FIL
_____ BURN

Conc.

no objection
I.H.T

Government Section
Buck Slip

1/18 1950

FROM: P&P

TO:

	INITIAL	DATE
CHIEF		
EX OFF		
DEPUTY CHIEF		
Col Wheeler		
Chief Adm Div		
Stat & Review		
Civil Serv Div		
Par & Pol Div		
X Public Aff Div		
Public Adm Div		
Admin Asst		
Personnel Clerk		
Chief Clerk		
File		

FOR:

- INFORMATION
- NECESSARY ACTION
- ACTION
- APPROVAL
- INITIAL
- X COMMENT OR CONCUR
- RETAIN
- RETURN
- FIL
- BURN

Clear

Rec'd from
OIH 23 Jan

24 Jan 51

(1) No objection Pub Affairs Div;
(2) Cleared w. Civil Serv. Div;
(3) No objection to point in Par 2
CN 32 Jan 51; CIE to GS on bill

VC

Bill

Submitted to GS for Clearance
through Legislative Affairs Section,
Liaison Bureau, Ministry of Foreign Affairs
(Tel. 57-6010)

Jan. 18, 1951

1. Number: FOM No. 14

2. Title: Bill for Partial Amendments to the Law for Special Regulations concerning Educational Public Service.

3. Office in Charge: Ministry of Education

4. Date of Cabinet Approval: Jan. 18, 1951

5. SCAP Section concerned: Mr. J. C. Trainer,
Deputy Chief, Education Division, CI&E.

6. Remark (Reference):

Law No. 1 of 1949: Official Gazette dated Jan. 12, Extra No. 6.
Law No. 120 of 1947: Official Gazette dated Oct. 21, No. 468.
Law No. 170 of 1948: Official Gazette dated July 15, Extra.

7. GS Reviewers:

Received by GS

Date 1/18/51.

GS: CIE
GS/CS
GS/PA
LS/LS

CIVIL SERVICE DIVISION
Government Section

12 February 1951

MEMORANDUM FOR THE RECORD:

SUBJECT: Proposed amendments to the Educational Public Service Law.

1. A group of Social-Democrats in the House of Councilors presented a bill amending the amendments, currently before the Diet, to the Educational Public Service Law. One important provision of the Social-Democrats' amendments is the exemption of educational personnel, both local and national, from the position-classification system. Upon the objections of both Civil Service Division and C.I. & E., the Parliamentary and Political Division disapproved the bill. The Social Democratic group requested a conference, which was held on Monday afternoon, 12 February, at C. I. & E.

2. The conference was attended by Messrs ARAKI, YAJIMA, and WAKAGI, and Mrs. TAKATA for the Social Democrats; and Messrs. Trainor and Morgan for C. I. & E., and Mr. Speicher for Civil Service Division. The Diet group was informed of the reasons for SCAP rejection of the bill. Mr. ARAKI, at first said that his amendments were only small changes and he did not understand why the whole bill was rejected. The deep and fundamental nature of the changes ARAKI advocated were pointed out to him. The delegation asked for approval of some part of the bill so that it could be presented to the present Diet. Mr. Trainor pointed out that while discussions between the Diet members and SCAP officials were proper and would be carried on if requested, it would be unrealistic to count on any agreement being reached during this session of the Diet. It was strongly urged that the Social Democrats prepare a well thought out and acceptable program for discussion and presentation to a later Diet session. Civil Service Division's attitude was also one of being willing to discuss any well prepared program of changes, but that at present there appear to be such fundamental differences between the Diet group and SCAP policy that any quick agreement would seem to be most unlikely.

3. It was impossible to forcast from the meeting whether the group would ask for additional conferences, especially with regard to Article 14 and 25 of the law, or let the matter drop.

JOSEPH L. SPEICHER
Chief, Examination Branch

GENERAL HEADQUARTERS
SUPREME COMMANDER FOR THE ALLIED POWERS

C H E C K S H E E T

(Do not remove from attached sheet)

Subject: Draft Legislation

Note No.	From: Govt Sec To: GS/L&J Date: 8 February 1951
1.	1. Immediate introduction of the attached draft bill in the Diet is proposed by House of Councillors. 2. Your prompt comment is requested. 1 Incl Proposed Amends to Bill for Partial Amends to Law for Spec Regulations Concerning Educational Public Service

Govt Div
26-6076

C. S.

P & P Div

Subject: Proposed Amends to Bill for Partial
Amends to Law for Spec Regulations
Concerning Educational Public Service

From: LS To: GS Date: 10 February 1951
C.J. Smith, 57-8645

2. This Section has no legal objections to subject bill.

1 Incl, w/d

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

Government Section
Buck Slip

2/6 1950

FROM: P+P

TO:	INITIAL	DATE
CHIEF		
EX OFF		
DEPUTY CHIEF		
Col Wheeler		
Chief Adm Div		
Stat & Review		
✓ Civil Serv Div		
Par & Pol Div		
Public Aff Div		
Public Adm Div		
Admin Asst		
Personnel Clerk		
Chief Clerk		
File		

FOR:

- INFORMATION
- NECESSARY ACTION
- ACTION
- APPROVAL
- INITIAL
- ✓ COMMENT OR CONCUR
- RETAIN
- RETURN
- FIL
- BURN

Call

Civil Service Division objects to the amendment of Art 4 21 (2) which removes educational personnel from the position classification system. Among the reasons is that such action would upset the compensation schedule. Also it would open the door for other groups to be exempted - Agri + Forestry training schools etc.

P. S. Spreckles
10 Feb 51

GENERAL HEADQUARTERS
SUPREME COMMANDER FOR THE ALLIED POWERS

C H E C K S H E E T

(Do not remove from attached sheet)

Subject: Draft Legislation

Note No.	
1.	Capt Norris From: Govt Sec To: CI&E 26-6076 Date: 8 February 1951 1. Immediate introduction of the attached draft ~~bill~~ amendment in the Diet is proposed by House of Councillors. 2. Your prompt comment is requested. 1 Incl Proposed Amends to Bill for Partial Amends to Law for Spec Regulations Concerning Educational ~~Public Service~~ C. E.
2.	Mr. Morgan 57-8702 From: CIE To: Govt Sec Date: 11 February 1951 1. CIE objects strongly to proposal in draft amendments to the Bill for Partial Amendments to the Law for the Special Regulations concerning Education Public Service that "the amending provisions of Article 5, paragraph 3 to paragraph 5 inclusive shall be deleted." Proposal in subject draft would negate efforts of Ministry of Education to solve a practical problem with which universities are faced and would leave untouched legal machinery which is demonstrably susceptible to subversion. The Ministry of Education proposed amendment of these articles in order to solve an intolerable abuse of the provisions in the original law regarding the machinery of hearings. In two cases, Hokkaido University and Tokyo University, the legal steps provided have been effectively thwarted through delaying and disruptive tactics of attorneys and outsiders who have forced such delays in the hearing procedures that no protection is left to secure administrative actions deemed highly necessary by Japanese university authorities. For example, hearings at Tokyo University have not yet been concluded although the incidents and charges with regard to them are over one year old. 2. CIE has no objection to proposal in subject draft legislation to amend "two years" in paragraph 1, Article 14, to "three years." 3. CIE objects to proposal in subject draft legislation

2. (cont) that article 15 be amended as indicated, for the same reasons as stated in paragraph 1, above.

4. CIE objects to proposal in subject draft legislation to amend Article 21(2) as indicated.

5. CIE objects to proposal to amend Article 25,(5),2, which appears to be based upon an unjustified assumption that clerical and similar personnel employed in schools are deserving of special additional salary considerations simply because they work in schools.

6. CIE has no objection to proposed revision of Article 25, (6),1,2,3.

7. CIE objects to proposed amendment of supplementary provisions which would grant indefinite right of simultaneous membership in assembly and holding of educational position.

1 Incl
n/c

- D.R.M. - - - - - - - - - - - - - -

For Approval

The Local Public Service Law coming into force on Feb. 13, this Bill in question should be enacted before that date, and the proposers of this amendment, as listed below, ardently desire that an appointment be made for them to see the competent authorities at the earliest date.

OUNCILLORS

, 7th, 1951

Mr. Shozaburo ARAKI (Soc.)
Mr. Katsuzo WAKAGI (Soc.)
Mr. Miyoshi YASHIMA (Ic)
Mrs. Naoko TAKADA (Soc.)

Proposed Partial Amendment to the Bill for Partial Amendment to the Law for the Special Regulations concerning Educational Public Service

I hereby certify that the above-mentioned amendment does not violate any directive issued by the Supreme Commander for the Allied Powers, the Constitution and any laws of Japan, provided that, the amendment of par. 3 to par. 5 of the Supplementary Provisions (permission for concurrent holding of a position in the educational public service personnel and of a membership of the assembly of local public body) is to admit a special instance instance concerning the preservation of political mutrality and the devotion to the service of the public service personnel which form the basis of Local Autonomy Law, Local Public Service Law and Public Offices Election Law.

Though the councillor who proposed this amendment believes that there is a rational and positive reason for such a special instance, I regret that I am not firmly convinced about that reason.

For the Director

Minoru Kishida

Minoru KISHIDA
Chief of 2nd Division
of the Legislative Bureau,
House of Councillors

HOUSE OF COUNCILLORS

Wed. Feb., 7th, 1951

Title

Proposed Partial Amendment to the Bill for Partial Amendment to the Law for the Special Regulations concerning Educational Public Service

I hereby certify that the above-mentioned amendment does not violate any directive issued by the Supreme Commander for the Allied Powers, the Constitution and any laws of Japan, provided that, the amendment of par. 3 to par. 5 of the Supplementary Provisions (permission for concurrent holding of a position in the educational public service personnel and of a membership of the assembly of local public body) is to admit a special instance instance concerning the preservation of political nutrality and the devotion to the service of the public service personnel which form the basis of Local Autonomy Law, Local Public Service Law and Public Offices Election Law.

Though the councillor who proposed this amendment believes that there is a rational and positive reason for such a special instance, I regret that I am not firmly convinced about that reason.

For the Director

Minoru Kishida

Minoru KISHIDA
Chief of 2nd Division
of the Legislative Bureau,
House of Councillors

HC amdmt to
Ed Pol Ser Permnl Bill

Government Section
Buck Slip

2/21 1950

FROM: PAP

TO:	INITIAL	DATE
CHIEF		
EX OFF		
DEPUTY CHIEF		
Col Wheeler		
Chief Adm Div		
Stat & Review		
Civil Serv Div		
Par & Pol Div	✓	
Public Aff Div		
Public Adm Div		
Admin Asst		
Personnel Clerk		
Chief Clerk		
File		

FOR:

- INFORMATION
- NECESSARY ACTION
- ACTION
- APPROVAL
- ✓ INITIAL
- COMMENT OR CONCUR
- RETAIN
- RETURN
- FIL
- BURN

Orig

21 Feb 57
No objection

HC

Government Section
Buck Slip

2/21 1950

FROM: PTP

TO:	INITIAL	DATE
CHIEF		
EX OFF		
DEPUTY CHIEF		
Col Wheeler		
Chief Adm Div		
Stat & Review		
✓ Civil Serv Div		
Par & Pol Div		
Public Aff Div		
Public Adm Div		
Admin Asst		
Personnel Clerk		
Chief Clerk		
File		

FOR:

- INFORMATION
- NECESSARY ACTION
- ACTION
- APPROVAL
- INITIAL
- ✓ COMMENT OR CONCUR
- RETAIN
- RETURN
- FIL
- BURN

No objection
JBS

Jones
26-5679

GENERAL HEADQUARTERS
SUPREME COMMANDER FOR THE ALLIED POWERS

C H E C K S H E E T

(Do not remove from attached sheet)

Subject: Draft Legislation

Note No.	
1.	Capt Norris From: Govt Sec To: LO/LSJ 26-6076 Date: 21 February 1951 1. Immediate introduction of the attached draft bill in the Diet is proposed by House of Councillors. 2. Your prompt comment is requested. 1 Incl Proposed Amends to Bill for Part. Amends to Law for Spec Regulations Concerning Education Public Service C. ...

P & P Div

27 February 1951
C.J. Smith, 57-8645

From: LS To: GS

2 1. This bill is the third of a series to amend subject basic law. The first, sponsored by the Ministry of Education, proposed to amend paragraphs 3 to 5 of Article 5 by withdrawing from educational personnel the right previously enjoyed to demand a public hearing in the first instance whenever threatened with transfer, demotion, dismissal, or disciplinary measures. In check note from LS to GS, 1 February 1951, serious objections were made to that first bill. Thereafter, in a second bill it was proposed, among other things, to delete the aforementioned changes proposed in the first bill. On the basis of such restoration of the law to status quo, no objections were offered to this second bill in check note from LS to GS, 10 February 1951. Subject bill merely repeats verbatim that part of the first two bills which dealt with the relatively inconsequential Articles 14 and 25 (6) without, however, making any reference to the critical Article 5, supra. Inasmuch as both the second and subject (third) bills have the same sponsors (Mr. Araki, et al, H.C.) it is to be wondered whether the instant legislation is the result of sheer inadvertence or whether the sponsors have changed their minds relative to public hearings for educational personnel and have decided to offer subject bill in lieu of the second bill. If the latter supposition is correct, and subject bill, which on its face appears harmless, is tantamount to a restoration of the first objectionable bill, Legal Section reiterates its comment in check note, 1 February 1951, supra.

1 Incl
w/d

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

GENERAL HEADQUARTERS
SUPREME COMMANDER FOR THE ALLIED POWERS

C H E C K S H E E T

(Do not remove from attached sheet)

Subject: Draft Legislation

Note No.	
1.	Capt Norris 26-6076 From: Govt Sec To: CIE Date: 21 February 1951 1. Immediate introduction of the attached draft amendment in the Diet is proposed by House of Councillors. 2. Your prompt comment is requested. 1 Incl Proposed Amendments to Bill for Part Amends to Law for Spec Regulations Concerning Education Public Service C. I.
2	000.8 From: CIE To: Govt Sec Mr. Trainor 26-5679 Date: 24 February 1951 CIE has no objection to subject draft legislation (Incl 1). 1 Incl n/c - D. R. H. - - - - - - - - - - - -

GENERAL HEADQUARTERS
SUPREME COMMANDER FOR THE ALLIED POWERS

C H E C K S H E E T

(Do not remove from attached sheet)

Subject: Draft Legislation

Capt Morris

Note No. 1.

From: Govt Sec To: CINCFE 26-6076 Date: 23 February 1951

1. Immediate introduction of the attached draft amendment bill in the Diet is proposed by House of Councillors.

2. Your prompt comment is requested.

1 Incl
Proposed Amends to Bill for Partial Amends to Law for Spec Regulations Concerning Educational Public Service

C. W.

000.8
From: CIC To: Govt Sec Mr. Trainor 26-5679 Date: 28 Feb 1951

2 CIC has no objection to subject draft legislation.

1 Incl
n/c

D. R. M.

GENERAL HEADQUARTERS
SUPREME COMMANDER FOR THE ALLIED POWERS

C H E C K S H E E T

(Do not remove from attached sheet)

Subject: Draft Legislation

Note No.	From: Govt Sec To: [illegible] Date: 23 February 1951
1.	1. Immediate introduction of the attached draft bill in the Diet is proposed by House of Councillors. 2. Your prompt comment is requested. 1 Incl Proposed Amends to Bill for Partial Amends to Law for Spec Regulations Concerning Educational Public Service

26-6076

P & P Div

C.J.Smith, 57-8645
27 February 1951

From: LS To: GS

2 Subject bill (which may be called the fourth of a series) is practically identical in all respects with a similarly entitled bill (which may be called the third) sponsored by another group (Mr. Araki and four others) and reviewed in check note of even date from LS to GS. The only difference is that in subject bill the period of temporary retirement in cases of contraction of tuberculosis is extended from two to three years "provided that the appointing authorities ----- deem it especially necessary," whereas the language just quoted does not appear in the other bill. The comments contained in LS check note of even date above referred to are of course applicable to subject bill.

1 Incl
w/d

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

Government Section
Buck Slip

2/23 1950

FROM: PAP

TO:	INITIAL	DATE
CHIEF		
EX OFF		
DEPUTY CHIEF		
Col Wheeler		
Chief Adm Div		
Stat & Review		
Civil Serv Div		
Par & Pol Div	✓	
Public Aff Div		
Public Adm Div		
Admin Asst		
Personnel Clerk		
Chief Clerk		
File		

FOR:

- INFORMATION
- NECESSARY ACTION
- ACTION
- APPROVAL
- INITIAL
- ✓ COMMENT OR CONCUR
- RETAIN
- RETURN
- FIL
- BURN Over

24 Feb 51
No Objection
No

Government Section
Buck Slip

2/23 1950

FROM: PAP

TO:	INITIAL	DATE
____ CHIEF		
____ EX OFF		
____ DEPUTY CHIEF		
____ Col Wheeler		
____ Chief Adm Div		
____ Stat & Review		
✓ Civil Serv Div		
____ Par & Pol Div		
____ Public Aff Div		
____ Public Adm Div		
____ Admin Asst		
____ Personnel Clerk		
____ Chief Clerk		
____ File		

FOR:

____ INFORMATION
____ NECESSARY ACTION
____ ACTION
____ APPROVAL
____ INITIAL
✓ COMMENT OR CONCUR
____ RETAIN
____ RETURN
____ FIL
____ BURN

CSP.

No objection on by

HOUSE OF COUNCILLORS

Wed. Feb. 21, 1951.

Title

Proposed Amendments to the Bill for Partial Amendments to the Law for the Special Regulations concerning Educational Public Service

I hereby certify that the above-mentioned amendment ~~bill~~ does not violate any directive issued by the Supreme Commander for the Allied Powers, the Constitution and any laws of Japan.

For the Director

Minoru Kishida

Minoru Kishida
Chief of 2nd Division
of the Legislative Bureau,
House of Councillors

GENERAL HEADQUARTERS
SUPREME COMMANDER FOR THE ALLIED POWERS

C H E C K S H E E T

(Do not remove from attached sheet)

Subject: Draft Legislation

Note No.	
1.	From: Govt Sec To: [illegible] Date: 23 February 1951 Capt Norris 26-6076 1. Immediate introduction of the attached draft bill amendment in the Diet is proposed by House of Councillors 2. Your prompt comment is requested. 1 Incl Proposed Amends to Bill for Partial Amendments to Law for Special Regulations Concerning Educational Public Service C. I.

G. S. & P Div

27 February 1951
C.J.Smith, 57-8645

From: LS To: GS

2 1. No legal objections.

2. Subject bill (which may be called the fifth of a series) amends another bill of similar name (which may be called the second) reviewed in check note from LS to GS, 1 February 1951, sponsored by the Ministry of Education.

1 Incl
w/d

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

GENERAL HEADQUARTERS
SUPREME COMMANDER FOR THE ALLIED POWERS

C H E C K S H E E T

(Do not remove from attached sheet)

Subject: Draft Legislation

Note No.	
1.	From: Govt Sec To: CIE Capt Morris 26-6076 Date: 23 February 1951 1. Immediate introduction of the attached draft ~~bill~~ amendment in the Diet is proposed by House of Councillors. 2. Your prompt comment is requested. 1 Incl Proposed Amends to Bill for Partial Amendments to Law for Special Regulations Concerning Educational Public Service
2	C. I. E. 000.8 From: CIE To: Govt Sec Mr. Trainor 26-5679 Date: 28 February 1951 CIE has no objection to subject draft legislation. 1 Incl n/c
	D. R. H.

Government Section
Buck Slip

2/23 1950

FROM: PPB

TO:

	INITIAL	DATE
CHIEF		
EX OFF		
DEPUTY CHIEF		
Col Wheeler		
Chief Adm Div		
Stat & Review		
Civil Serv Div		
Par & Pol Div	✓	
Public Aff Div		
Public Adm Div		
Admin Asst		
Personnel Clerk		
Chief Clerk		
File		

FOR:

- INFORMATION
- NECESSARY ACTION
- ACTION
- APPROVAL
- INITIAL
- ✓ COMMENT OR CONCUR
- RETAIN
- RETURN
- FIL
- BURN

24 Feb 51
no objection
NE

Government Section
Buck Slip

2/23 1950

FROM: NAT

TO:	INITIAL	DATE
CHIEF		
EX OFF		
DEPUTY CHIEF		
Col Wheeler		
Chief Adm Div		
Stat & Review		
Civil Serv Div	✓	
Par & Pol Div		
Public Aff Div		
Public Adm Div		
Admin Asst		
Personnel Clerk		
Chief Clerk		
File		

FOR:

- INFORMATION
- NECESSARY ACTION
- ACTION
- APPROVAL
- ✓ INITIAL
- COMMENT OR CONCUR
- RETAIN
- RETURN
- FIL
- BURN

No objection by C.S.D.

HOUSE OF COUNCILLORS

Thurs. Feb. 22nd, 1951

Title

Proposed Amendments to the Bill for Partial Amendments to the Law for the Special Regulations concerning Educational Public Service

I hereby certify that the above-mentioned amendments do not violate any directive issued by the Supreme Commander for the Allied Powers, the Constitution and any laws of Japan.

For the Director

Minoru Kishida

Minoru Kishida
Chief of 2nd Division
of the Legislative Bureau,
House of Councillors.

HOUSE OF COUNCILLORS

Thur. Mar. 1, 1951

Title

Proposed Amendments to the Bill for Partial Amendments to the Law for the Special Regulations concerning Educational Public Service

I hereby certify that the above-mentioned amendments do not violate any directive issued by the Supreme Commander for the Allied Powers, the Constitution and any laws of Japan.

For the Director

Minoru Kishida

Minoru Kishida
Chief of 2nd Division
of the Legislative Bureau,
House of Councillors

GENERAL HEADQUARTERS
SUPREME COMMANDER FOR THE ALLIED POWERS

C H E C K S H E E T

(Do not remove from attached sheet)

Subject: Draft Legislation

Capt Norris

Note No.	From: Govt Sec To: LS/I&J Date: 2 March 1951 26-6076
1.	1. Immediate introduction of the attached draft amendment in the Diet is proposed by House of Councillors. 2. Your prompt comment is requested. 1 Incl Amends to Bill for Partial Amends to law for Spec Regulations Concerning Educational Public Service

C. W.

P&P

NC agreement
3/2.

Spec Reg re Educ Pers
Pub Serv.

27 March 1951
C.J.Smith, 57-8645

From: LS To: GS

2 Since according to information from GS the bill has already been cleared for introduction in the Diet, this Section offers no comment thereon.

1 Incl
w/d

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

GENERAL HEADQUARTERS
SUPREME COMMANDER FOR THE ALLIED POWERS

C H E C K S H E E T

(Do not remove from attached sheet)

Subject: Draft Legislation

Note No.	From: Govt Sec To: CIE Date: 2 March 1951
1.	Capt Norris 26-6076 1. Immediate introduction of the attached draft bill in the Diet is proposed by House of Councillors. amendment 2. Your prompt comment is requested. 1 Incl Amends to Bill for Partial Amends to Law for Spec Regulations Concerning Educational Public Service

C. W.

P+P