

Amendment to
Settler's Fund Financing Law

1. The following sentence should be added to the amended Art. 3, par. 1;

"Except that the minimum annual installment on the financed fund in any one year shall not be less than the quotient of the original financed fund divided by the redeeming number of years."

Addition of this sentence has been discussed with the Ministry of Agriculture & Forestry and they concur.

GENERAL HEADQUARTERS
SUPREME COMMANDER FOR THE ALLIED POWERS

C H E C K S H E E T

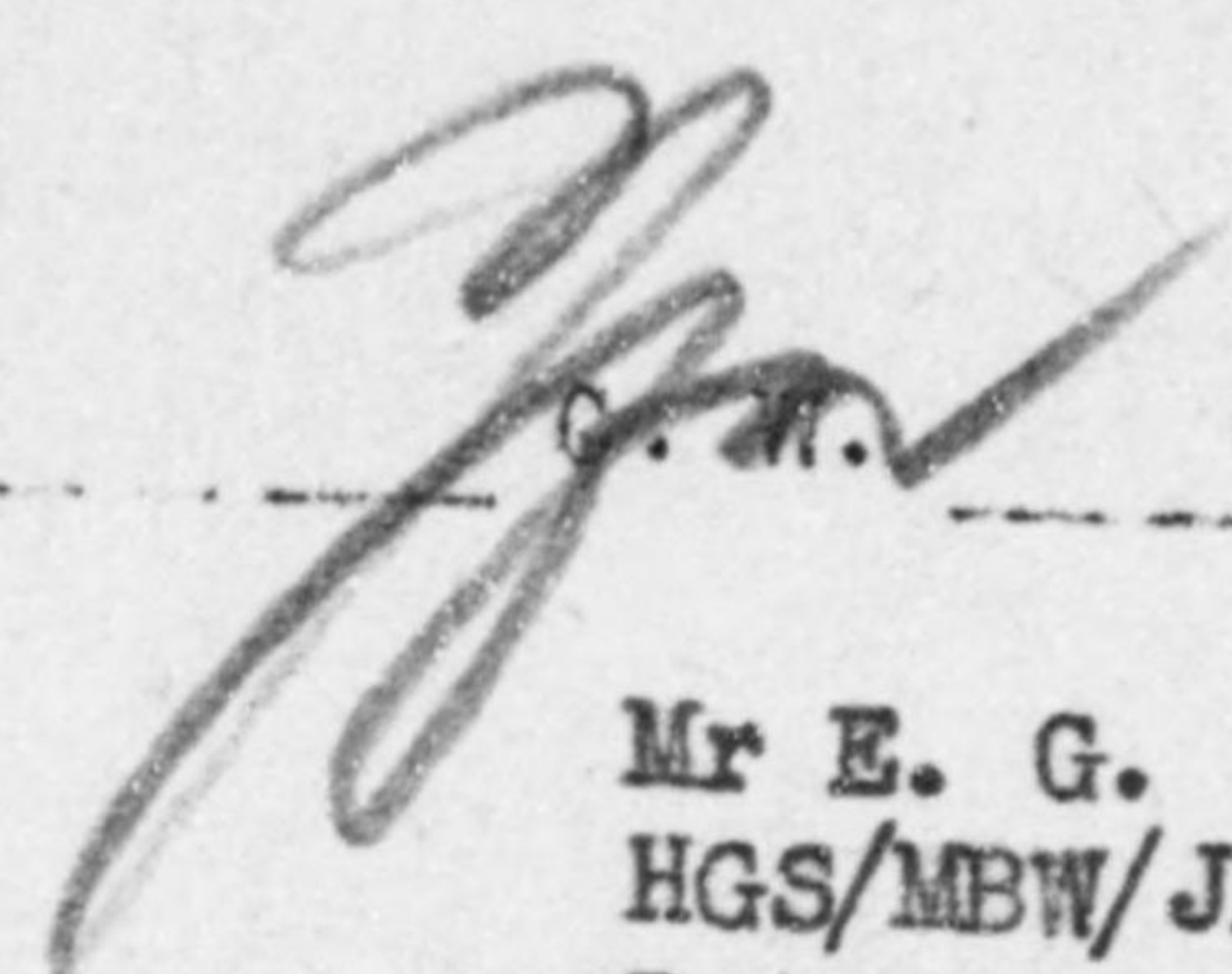
(Do not remove from attached sheet) CW/JN/JW/CFG/vs

Subject: Draft Legislation

Note No. From: Govt Sec To: NRS Date: 8 March 1950
Capt. Guida
26-6076
revised

1. Immediate introduction of the attached/draft bill in the Diet is proposed by the Agriculture & Forestry Ministry.
2. Your prompt comment is requested.

1 Incl
Partial Amendment to
Settler's Fund Financing
Law



Mr E. G. Johnson - 26-8465
HGS/MBW/JLC/EGJ/daj
Date:

From: NR To: GS

16 MAR 1950

2 NR has no objection to the attached bill.

1 Incl
w/d



H.G.S.

Rec'd GS
3/17/50

19

GENERAL HEADQUARTERS
SUPREME COMMANDER FOR THE ALLIED POWERS

C H E C K S H E E T

(Do not remove from attached sheet) CW/JN/JW/CPG/vs

Subject: Draft Legislation

Capt. Guida
26-6076

Note No. From: Govt Sec To: ESS Date: 8 March 1950
revised

1. Immediate introduction of the attached draft bill in the Diet is proposed by the Agriculture & Forestry Ministry.

2. Your prompt comment is requested.

1 Incl
Partial Amendment to
Settler's Fund Financing
Law

Cy to NRS

C. W.

File: 010(8 Mar 50)ESS/FF

ECID
WFM/ECH/AMM/BNL/eb
Mr. Larsen, 26-6142
14 MAR 1950

From: ESS To: Govt Sec

2

There is no objection to the introduction in the Diet of the Revised Bill for Partial Amendment to Settlers Fund Financing Law as proposed by the Agriculture & Forestry Ministry.

1 Incl:
n/c

-N.F.M.-

*Recd GS
3/15/50*

19

Bill

to be submitted for GS approval
Legislative Affairs Section, FOM
(TEL. 57-6010)

February 22, 1950

1. FOM Number: 142
2. Name of Bill: The Pasture Bill
3. Competent Ministry: Ministry of Agriculture & Forestry
4. Date of Cabinet Approval: February 17, 1950
5. SCAP Section concerned:
Mr. R. R. Ritchie, Agriculture Div. NRS.

6. Remarks: (Reference:)

1. The Central Bank for Agriculture and Forestry Law...
(Law No. 42 of 1923) ~~was~~ submitted to GS on Dec.
17, 1949 as the reference of FOM No. 8 Bill of this
Diet Session.
.....
2. The Trade Association Law (Law No. 191 of 1948)
Official Gazette No. 698 July 29, 1948.
.....

7. G.S Reviewers:

OS:
NRS
LS/LJ
ESS
GS/PA

Received by GS
Date 2/22/50

(20)

Passive Bell

Government Section
Buck Slip

4/22 1950

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

FOR:

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

no objection
Me

GENERAL HEADQUARTERS
SUPREME COMMANDER FOR THE ALLIED POWERS

C H E C K S H E E T

(Do not remove from attached sheet) CW/JN/JW/CHN/vs

Subject: Draft Legislation

Capt. Norris

Note No.

From: Govt Sec

To: LS/L&J

26-6076

Date: 23 February 1950

1. Immediate introduction of the attached draft bill in the Diet is proposed by the Agriculture & Forestry Ministry.
2. Your prompt comment is requested.

1 Incl
The Pasture Bill

C. W.

P & P DIV

20

2/23

Subject: The Pasture Bill

(Agri + For)

From: LS

To: GS

F.C. Goodman-2635-269

Date: 24 March 1950

2.

1. The provisions of Chapter 2 of subject bill should be clearly confined to land owned or managed by public entities, in order to avoid the mandatory provisions for pasture improvement from being applicable to land owned or managed by private persons or bodies unless "national land security" is involved.

2. Chapter 5 of said bill which provides for the management plan, inspection, etc., "in cases where the pasture is remarkably denuded and where decrease in capacity of holding moisture, soil erosion, or any other fact is liable to offer a serious obstacle against national land security", and Chapter 4 which contains similar provisions, "in cases where injurious insects develop on the pasture and are likely to expand to other pastures", are considered reasonable provisions for the protection of the interests of the general public and may, therefore, be applicable to privately owned pastures. However, the term "persons" as used in Chapter 3 should be clarified to include juridical persons and associations.

3. Article 28 is objectionable because, in effect, this provision would create a conclusive presumption of guilt on the part of the employer (natural or juridical) for the unlawful acts of his employees or agents even in cases where, in reality, the individual employer or the responsible officers of the juridical person are completely innocent.

Rec'd GS 3/24

(Cont'd)

The Pasture Bill

LS/L&J

GS

F.C. Goodman-2635-269
24 March, 1950

2
Cont'd

4. The bill is of primary concern to HRS/Agricultural Division.

5. Whether the provisions of subject bill violate the principle of local autonomy is a question of policy. Reference is made to Article 2, Item 10, of the Local Autonomy Law (Law No. 67 of 1947).

1 Incl. w/d

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

20

RESTRICTED

GENERAL HEADQUARTERS
SUPREME COMMANDER FOR THE ALLIED POWERS

C H E C K S H E E T

(Do not remove from attached sheet) CW/JN/JW/CHN/vs

Subject: Draft Legislation

Capt. Norris
26-6076

Note No. From: Govt Sec To: ESS Date: 23 February 1950

- 1. Immediate introduction of the attached draft bill in the Diet is proposed by the Agriculture & Forestry Ministry.
- 2. Your prompt comment is requested.

1 Incl
The Pasture Bill

[Handwritten signature]

From: ESS To: GS

WFM/ECW/EGG
E.C. Welsh, 26-6561
7 March 1950

- 2.
 - 1. Reference is made to C/N 1 of 23 February 1950 from GS to ESS requesting comment regarding the draft of "The Pasture Bill."
 - 2. In informal conferences between representatives of this Section and representatives of the appropriate Ministry concerned with this draft legislation, it was agreed that the latter would take steps to delete from this draft legislation reference to agricultural cooperative associations. Since it would be in direct conflict with established policy for such associations to be required to carry out government functions, the deletion of reference to such associations would meet such objections.
 - 3. If the Japanese Government amends reference draft in such fashion as to remove the reference to or any requirement upon agricultural cooperative associations, this Section has no objection to the proposed legislation.

1 Incl
n/c

[Handwritten signature]
M. F. NOYES, Lt. Col. AGD
W. E. M.

Copy sent to NBS (Goodwin) 3/7

RESTRICTED
7B

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GENERAL HEADQUARTERS
SUPREME COMMANDER FOR THE ALLIED POWERS

C H E C K S H E E T

(Do not remove from attached sheet) CW/JN/JW/CHN/vs

Subject: Draft Legislation

Capt. Norris
26-6076

Note No. From: Govt Sec To: NBS Date: 23 February 1950

- 1
1. Immediate introduction of the attached draft bill in the Diet is proposed by the Agriculture & Forestry Ministry.
 2. Your prompt comment is requested.

1 Incl
The Pasture Bill

From: NR To: GS

Miss D.C. Goodwin - 26-7860
HGS/MEW/JLC/DCG/dem
Date:

3 MAR 1950

- 2.
1. The proposed bill has two major purposes:
 - a. Establishment of procedures primarily compulsory in character for group action on pasture land improvement. (Chapter 2)
 - b. Establishment of controls for purposes of pasture land conservation. (Chapter 3)
 2. The bill also proposes to repeal the existing authoritarian Pasture Land Law (Law No 37 of 1931, as amended).
 3. In NR opinion pasture land improvement by group action should be on a voluntary basis pursuant to principles and procedures established for other land improvement work in the Land Improvement Law (Law No 195 of 1949), and pasture land conservation controls should be handled in general conservation legislation covering all types of land.
 4. The Ministry of Agriculture and Forestry has proposed that the Pasture Bill be withdrawn from consideration, and that amendment to the Land Improvement Law to cover pasture land improvement work be substituted at this session of the Diet, with general conservation legislation covering all land to be developed and presented at a later date.
 5. NR endorses the proposal of the Ministry of Agriculture and Forestry provided that amendment to the Land Improvement Law is

Rec'd GS 3/4

20

C/S, GS to NR, Subj: Draft Legislation, 23 Feb 50

CN #2

accompanied by repeal of the existing Pasture Land Law.

(Cont)

1 Incl
w/d

H. G. S.

H. G. S.

Miss D C Goodwin - 26-7880
HGS/MBW/JLC/EGG/mhk

NR 313 (17 MAR 1950)A

Pasture Bill

NR

GS

17 MAR 1950

1

1. Ref is made to:

a. NR check note 2, to c/s, GS to NR, Subj: Draft Legislation re the Proposed Pasture Bill, 23 Feb 50.

b. ESS check note 2 to c/s, GS to ESS, Subj: Draft Legislation re the Proposed Pasture Bill, 23 Feb 50.

2. Ministry of Agriculture and Forestry reports that contrary to information noted in par 4 of ref 1a, it now plans to introduce the Pasture Bill (incl 1 to basic c/s) into the Diet, and to support in addition, a proposed member bill amending the Land Improvement Law (Law No 195 of 1949) to provide for formation of voluntary pasture land improvement projects on a basis similar to that provided for other land improvement work.

3. In NR opinion, the problem of pasture land improvement and conservation programs can best be accomplished in the manner noted in par 3 of ref 1a. NR will not offer objection to the plan noted in par 2 above provided the amendments to the Land Improvement Law are found to be acceptable when submitted for review and provided the following conditions with respect to the Pasture Bill are met:

a. Application of Chapter 2 of the proposed law should be limited to land owned or managed by public entities, in order to remove the feature of compulsion from improvement on land managed by private bodies where no problem of "national land security" can be shown. This change would involve deletion of reference to agricultural cooperative associations in Chapters I and II of the bill. By this means, the objection raised to the bill by ESS in ref 1b would be met.

b. Where a problem of national land security is involved, however, agricultural cooperative associations owning or using pasture land should be subject to regulations against misuse of the land or providing for protection of the land on the same basis as any owner or user of pasture land. The provisions of Chapter 3 should therefore be understood to include agricultural cooperative associations as "persons."

c. The Pasture Land Law (No 37 of 1931 as amended) should be repealed.

Recd 65
3/18/50

NR 313 (17 MAR 1950)A

CE#1
(Cont)

4. Ministry of Agriculture and Forestry reports that it has no objection to the foregoing conditions.

5. It is understood that ESS reserves judgment on the proposal to amend the Land Improvement Law noted in par 2 above.

6. Concurrence: ESS → *(L/N #2, reference 17, for ESS (action) (questions of Mr. E. S. Welch submitted to ESS (for comment) Edw.)*
Land Improvement Law to be amended when bill is submitted to ESS (for comment) Edw.

Copy furnished: ESS

----- H. G. S. -----

20

THE PASTURE BILL FOM 142

1. Application of Chapter 2 should be limited to land owned or managed by public entities in order to remove the feature of compulsion from improvement on land managed by private bodies where no problem of "national land security" can be shown. This change would involve the deletion of references to agricultural cooperative associations in Chapters I and II. (The agricultural cooperative associations are found to be objectionable in this legislation)

2. Where a problem of national land security is involved, agricultural cooperative associations owning or using pasture land should be subject to regulations against misuse of the land or providing for protection of the land on the same basis as any owner or user of pasture land. The provisions of Chapter 3 should therefore be understood to include agricultural cooperative associations as "persons".

~~3. The Pasture Land Law (No 37, 1931) should be repealed.~~

*LS comment not considered.
amended to later*

al

(20)

Bill

to be submitted for GS approval
Legislative Affairs Section, F.O.
(TEL. 57-6010)

February 23, 1950

1. FOL Number: 146
2. Name of Bill: Bill for Partial Amendment to the Food Management Law
3. Competent Ministry: Ministry of Agriculture & Forestry
4. Date of Cabinet Approval: February 14, 1950
5. SCAP Section concerned:
E.S.S. P.D. ^{Mr.}Smith; N.R.S. ^{Mr.}Dudson; ^{Mr.}Finance Wall
6. Remarks: (reference:)
 1. Food Management Law (Law No. 40 of 1942) is... attached herewith.
 2. Food Maintenance Temporary Measures Law (Law No. 182 of 1948) Official Gazette No. 690 July 20, 1948
7. G.S. Reviewers:

CS:

NRS
ESS
WS/KS

Received by CS
Date 2/23/50

(21)

GENERAL HEADQUARTERS
SUPREME COMMANDER FOR THE ALLIED POWERS

C H E C K S H E E T

(Do not remove from attached sheet) **CW/JH/JW/CBH/nk**

Subject: Draft Legislation

Capt. Morris

26-6076

Note No.

From: Govt Sec

To: **LS/LJ**

Date: **23 Feb. 1950**

P & P DIV

1. Immediate introduction of the attached draft bill in the Diet is proposed by **the Ministry of Agriculture & Forestry.**
2. Your prompt comment is requested.

1 Incl

**Partial Amendment to the
Food Management Law**

C. W.

D

(21)

*Food Management Law
Agri & Forestry*

2.

From: LS

To: GS

H.B. Appleton 2635-473
3 March 1950

No legal objections.

Incl: w/d

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

(21)

GENERAL HEADQUARTERS
SUPREME COMMANDER FOR THE ALLIED POWERS

C H E C K S H E E T

(Do not remove from attached sheet) CW/JN/JW/CHN/nk

Subject: Draft Legislation

Capt. Norris

Note No.

From: Govt Sec

To: NRS

26-6076

Date: 23 Feb. 1950

1. Immediate introduction of the attached draft bill in the Diet is proposed by the Ministry of Agriculture and Forestry.
2. Your prompt comment is requested.

1 Incl

Partial Amendment to the Food
Management Law

C. W.

Mr J.L. Cooper - 26-7949

HGS/MBW/JLC/dem

Date:

2 MAR 1950

2

From: NR

To: GS

NR has no objection to the proposed partial amendment to the Food Management Law.

1 Incl
w/d

H. G. S.

Recd GS
3/3/50

21

GENERAL HEADQUARTERS
SUPREME COMMANDER FOR THE ALLIED POWERS

C H E C K S H E E T

(Do not remove from attached sheet) CW/JH/JW/CHH/nk

Subject: Draft Legislation

Capt. Morris

26-6076

Note No.

From: Govt Sec

To: ESS

Date: 25 Feb. 1950

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

2. Your prompt comment is requested.

1 Incl

**Partial Amendment to the Food
Management Law**

C. W.

P & P DIV

21

*Ag & Forestry
Food Management Co*

CHECK SHEET

Subject: Draft Legislation

From: Govt section To: ESS

Date: 23 Feb 50

From: ESS

To: Govt Sec

Date:

[Signature]
WPK/PJA/KSA/go
1 MAR 1950

2.

No objection is offered to the subject legislation.

1 Incl
n/c

Rec'd G2 3/1

W.F.N.

(21)

Bill

to be submitted for GS approval
Legislative Affairs Section, FOM
(TEL. 57-6010)

February 23, 1950

1. FOM Number: 145
2. Name of Bill: The Afforestation Temporary Measures Bill

3. Competent Ministry: Ministry of Agriculture & Forestry

4. Date of Cabinet Approval: February 14, 1950

5. SCAP Section concerned:
Mr. Wise, Agriculture Div., NRS.

6. Remarks: (reference:)

Excerpt Copies of Forest Law are attached herewith.

7. G.S. Reviewers:

CS: NRS
ESS
LS/LJ
US/PA

Received by

GS

Date

2/23/50

22

Government Section
Buck Slip

23 Sept 1949

FROM:	INITIAL	DATE
CHIEF.....		
<u>1</u> EX OFF.....	<i>[initials]</i>	2/5
<u>2</u> DEPUTY CHIEF.....	<i>[initials]</i>	2/3
Col Wheeler.....		
CHIEF Adm Div.....		
Stat & Review.....		
Civil Serv Div.....		
<u>(3)</u> Parl & Pol Div.....	<i>[initials]</i>	
Public Adm Div.....		
Public Aff Div.....		
Personnel Clerk.....		
Chief Clerk.....		
File.....		

FOR:

- 1-2 INFORMATION
- NECESSARY ACTION
- ACTION (Prepare Reply)
- APPROVAL
- INITIAL
- COMMENT OR CONCUR
- RETAIN
- RETURN
- (3) FILE
- BURN

*Proposed informed of
9/30/49
[initials]*

Joe: NRS points well taken, except the suggestion that Diet members withdraw their bill in favor of the Min. of Agr. & For. Propose to sponsoring members to collaborate with Agr. & For. & NRS in improving the bill, but to insist upon a member bill if they so desire. J.W.

HGS/HED/HFW/lm
Mr Wise 26-5902

NR 525 ()Fo

Urgent Afforestation Work

NR

GS

1

1. Reference is made to legislation "Main Points of Urgent Afforestation Work Bill" submitted by the House of Councillors and routed to NRS by Government Section, 5 Aug 49.

2. Forestry Division does not endorse the Afforestation Work Bill proposed by the House of Councillors for the following reasons:

a. The bill does not provide a solution to the current problem of reforestation. The scope of this bill covers only the forest planting phase of the problem. No provision is made to increase the output of nursery stock for reforestation purposes. At the present time all nursery stock is being planted and the planting program sponsored by this bill will only tend to make the shortage of seedlings more acute.

b. The provisions of the bill are too vague, particularly the following:

(1) The various classes of forest land to be designated for reforestation purposes are not clearly defined.

(2) The provision for granting subsidies and loans is not specific as to the disposition of the funds.

c. The arbitrary designation of private lands for reforestation purposes, as authorized by this bill, will provide a means whereby large private corporations and interests can gain control of private forests for sixty years.

d. Under the provisions of the bill a private owner can be forced to surrender his rights of land use during this period of instability, whereas under normal conditions he would be able to satisfactorily manage his land

e. The bill provides for subsidies to lessees which could be better granted to current land owners.

f. The bill does not provide for the application of improved forest management methods to the forests.

g. The bill condones clearcutting of the forests which, in itself, will eventually create a reforestation problem.

NR 525 (22 SEP 1940)Fo

Note
No
1
(Cont'd)

3. NR is of the opinion that this legislation would be detrimental rather than beneficial.

4. Action is being taken by the Forestry Agency, Ministry of Agriculture and Forestry to prepare a bill that will correct the deficiencies of this legislation.

-----H. G. 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) CW/JN/JW/CHN/vs

Subject: Draft Legislation

Note No.

From: Govt Sec

To: NBS

Capt. Norris

26-6076

Date: 23 February 1950

1. Immediate introduction of the attached draft bill in the Diet is proposed by the Agriculture & Forestry Ministry.

2. Your prompt comment is requested.

1 Incl
Afforestation Temporary
Measures Bill

2

FROM: NR

TO: GOVT SEC

Mr L. J. Cummings, 26-8849
HGS/HBD/LJC/ad

Date:

NR concurs on attached draft bill.

1 MAR 1950

1 Incl:
w/d

Rec'd Gs 3/1

22

*Appraisal on
Temporary
Measured Bud*

Government Section
Buck Slip

2/23 1950

FROM:	INITIAL	DATE
CHIEF.....
EX OFF,.....
DEPUTY CHIEF.....
Col Wheeler.....
Chief Adm Div.....
Stat & Review.....
Civil Serv Div.....
Par & Pol Div.....
Public Adm Div.....
Public Aff Div.....
Personnel Clerk.....
Chief Clerk.....
File.....

FOR:

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

*No objection
Me*

GENERAL HEADQUARTERS
SUPREME COMMANDER FOR THE ALLIED POWERS

C H E C K S H E E T

(Do not remove from attached sheet) CW/JN/JW/CHN/vs

Subject: Draft Legislation

Capt. Norris

26-6076

Note No.

From: Govt Sec

To: LS/LAJ

Date: 23 February 1950

1. Immediate introduction of the attached draft bill in the Diet is proposed by the Agriculture & Forestry Ministry.

2. Your prompt comment is requested.

1 Incl

Afforestation Temporary
Measures Bill

C. W.

P & P DIV

22

2

From: IS

To: GS

R.B. Appleton 2635-473
Date: 18 March 50

1. Subject bill proposes a compulsory national program of afforestation by artificial planting of trees on lands designated by prefectural governors as requiring immediate afforestation. Procedure is provided for prior notice to owners of the areas concerned and to other persons who use or take profits from such areas, and for a public hearing of their objections. However, once the area has been designated as afforestation land, Article 11 provides that no transformation or installation of facilities on, or establishment of a right to use or to take profits from the land concerned shall be done without permission from the governor, unless such conduct does not hinder the planting. No provision is made for compensating the owner for loss caused by denial of such permission. Provision is made for designation of persons other than owners as afforesters unless the owner agrees to carry out the planting program. The only compensation to the owner in such cases is that he is given joint ownership in the planted trees. But the afforester is granted a superficies (or type of lease to use the land) regardless of the desires of the owner, who is given in return only a share in some trees which will have no realizable value for approximately 15 years after the planting. The afforester is required to compensate persons other than owners for loss caused by lapse, restriction or suspension of their right to use the land for purposes other than raising forest trees, but no compensation is provided to the owners from either the afforester or the State, except his joint ownership of the planted trees.

2. IS is thoroughly in sympathy with the purpose of safeguarding
(Cont'd)

Afforestation Temporary Measures Bill

LS

GS

18 March 50

2

(Cont'd) the forest resources of Japan. However, LS believes that either such a program of afforestation should be carried out by securing the voluntary cooperation of private land owners and rendering them necessary financial and technical assistance, or that they should be given just compensation for loss of their private property rights. LS believes that subject bill violates Article 29 of the Constitution of Japan by depriving private land owners of the right to use their own land without just compensation for the public use compelled by the law. It is suggested that the bill be modified to emphasize a program of securing voluntary cooperation of land owners through offers of financial and technical assistance. Where such cooperation cannot be secured the simplest method would be to expropriate the land upon adequate compensation for public use as a national forest area. This is the present system used for forest conservation by the United States Government. If such modification is considered inadvisable in Japan, and the system of compulsory planting is the only practicable one, LS suggests that a provision be added in Article 11 granting the owners to whom the governor has denied permission to use their land for purposes other than planting trees, a right to apply for State compensation for any loss suffered thereby.

3. Objection is also made to Article 30 of subject bill because, in effect, this provision creates a conclusive presumption of guilt on the part of an employer (natural or juridical) for the criminal acts of his employees or agents even in cases where in reality the individual employer or the responsible officers of the juridical person are completely innocent.

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) **CH/JH/JW/CHM/vs**

Subject: Draft Legislation

Capt. Morris

Note No.

From: Govt Sec

To: **RSS**

Date: ²⁶⁶⁰⁷⁶ **25 February 1950**

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

2. Your prompt comment is requested.

1 Incl
**Afforestation Temporary
Measures Bill**

C. W.

U

P & P DIV

22

Ag. Forestry

2/27.

Afforestation Scrapping
Memorandum

2

From: ESS

To: GS

I. E. ~~26,666~~ 26,666
RFM/100/1/2/10/28
Date: 8 March 1950

1. Reference is made to C/n 1 from GS to ESS, dated 23 February 1950, subject: Draft Legislation, requesting comment on the Afforestation Temporary Measures Bill. Reference is also made to (a) SCAPINS 1108 of 6 August 1946, 1394 of 11 December 1946 and 1860 of 16 February 1948, as well as Cabinet Order No. 56 of 1948 and ESS Instruction No. 3 of 16 June 1947, which deal with policy against control associations and substitutes therefor, such as industry advisory councils; to (b) Article 76 of the Japanese Constitution, to the effect that all judicial power is vested in the courts and may not be exercised by any Executive agency; and to (c) Article 41 of the Japanese Constitution and Staff Memorandum No. 81, dated 1 October 1947, condemning the exercise of legislative powers by Cabinet Order.

2. Reference Bill authorizes plans for afforestation to be administered by Governors of To, Do, Fu or Prefectures, with the assistance of Councils. When a Governor establishes a plan of afforestation (Article 7, para. 5), passes on objections thereto, (Art. 9, para. 8),

Rec'd GS
3/10/50

22

Draft Legislation

ESS

GS

8 March 1950

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(Cont'd)

designates an afforester (Art. 14, para. 6), decides to delay or change a program (Art. 15, para. 2, 4), determines the right of superficies which the afforester may have in the land (Art. 19, para. 7), rules on the claim of the afforester as against one owning forestry rights (Art. 21, para. 6), the Governor must first hear the opinion of the local Afforestation Council. Such Councils are to be appointed by the Governors and are each to consist of not more than fifteen members of learning and experience concerning forestry and local officials. Necessary matters concerning the Councils are to be provided by Cabinet Order (Art. 24).

3. Reference Bill also mentions a Prefectural Agriculture and Forestry Land Utilization Program Council, whose opinion must be heard when certain kinds of land are involved (Art. 7, para. 5) or when a change in a program is contemplated, if a Ministerial Ordinance so requires (Art. 15, para. 4). Reference Bill contains no provisions as to the organization of the latter Council.

4. Although proposed Bill is not a matter of primary interest to this Section, comments as requested follow:

a. It is considered undesirable to confer on Councils or prefectural Governors judicial power to decide rights in realty, as between afforesters and land owners (Art. 19, para. 7), or to adjudicate claims for damages between afforesters and owners of forestry rights (Art. 21, para. 6). It is considered that the grant of such judicial authority to executive agencies conflicts with Article 76 of the Japanese Constitution.

b. The device of leaving to future Cabinet Order "necessary matters" concerning the Councils (Art. 24, para. 6), and leaving to Ministerial Ordinance the exercise of powers of another Council (Art. 15, para. 4), referred to in paragraph 2a, above, is likewise undesirable. These provisions are considered to be contrary to Article 41 of the Japanese Constitution and to Staff Memorandum No. 81.

c. The administration of the reference Bill by or with the assistance of Councils which may consist of industry representatives is inadvisable. The existence of such Councils would conflict with the objectives of reference SCAPINs and with recently emphasized policy of Headquarters concerning industry councils.

22

Draft Legislation

ESS

GS

8 March 1950

2
(Cont'd)

4. It is recommended that the Japanese Government be informed
of the above comments.

1 Incl
n/c

----- W. F. H. -----

22

THE AFFORESTATION TEMPORARY MEASURES BILL

FOM 145

1. Attention is invited to SCAPIN 1108, August 6, 1946, 1394 of December 11, 1946 and 1860 of February 16, 1948; ESB Instruction #3 of June 16, 1947 which deals with policy against control associations and substitutes thereof; Article 76 of the Japanese Constitution to the effect that judicial power is vested in the courts and may not be exercised by any executive agency and Staff Memorandum #81 dated October 1, 1947 condemning the exercise of legislative power by Cabinet Order.

2. This legislation proposes a compulsory national program of afforestation by artificial planting of trees on land designated by prefectural governors as requiring immediate afforestation. While the procedure for prior notice to owners of areas concerned and to other persons who use or take profits from such areas is provided for, there is no latitude provided for the owner to use the land for his own purposes and needs without violating the law. Similarly there is no provision made for compensating the owner for such loss as he might incur.

3. More specifically, it is considered undesirable to confer on councils or prefectural governors judicial power to decide rights in realty as between afforesters and land owners (Article 19, Paragraph 7) or to adjudicate claims for damages between afforesters and owners of forestry rights (Article 11, Paragraph 6).

4. The device of leaving to future Cabinet Order "necessary matters" concerning the councils (Article 24, Paragraph 6) and leaving to Minister of Ordinance the exercise of powers of another council (Article 13, Paragraph 4) is likewise undesirable. These provisions are considered to be contrary to Article 41 of the Japanese Constitution and to Staff Memorandum #81.

5. This bill further violates Article 29 of the Constitution of Japan by depriving private land owners of the right to use their own land without just compensation for the public use which would be compelled by this legislation. It is suggested that this bill be modified to emphasize a program of securing voluntary cooperation on land owners through offers of financial and technical assistance and should that not be possible a simple method could be adopted whereby the land could be expropriated upon adequate compensation for public use as a national forest area. If such modification is considered inadvisable and that a system of compulsory planting is the only practical one than it is suggested that a provision added in Article 11 granting the owners to whom the governor has denied permission to use their land for purposes other than planting trees a right to apply for state compensation for any loss suffered thereby.

6. Objection is also made to Article 30 because in effect this provision creates a conclusive presumption of guilt on the part of an employer (natural or juridical) for the criminal acts of his employees or agents even in cases where in reality the individual employer or the responsible officers of the juridical offices are completely innocent.

7. The administration of this legislation by or with the assistance of councils which may consist of industry representatives is inadvisable and would be in conflict with the objects of reference SCAPINS and recently emphasized policy of this Headquarters concerning industry councils.

GENERAL HEADQUARTERS
SUPREME COMMANDER FOR THE ALLIED POWERS

C H E C K S H E E T

(Do not remove from attached sheet) CW/JN/JW/CPG/eb

Subject: Draft Legislation

Note No. From: Govt Sec To: LS/LAJ Date: 3 April 1950

~~Copy Side~~
26-6076

1. Immediate introduction of the attached ~~draft~~ bill in the Diet is proposed by the Agriculture and Forestry Ministry.

2. Your prompt comment is requested.

1 Incl
Afforestation Temporary
Measures Bill

Cy to BSS, NRS C. W.

P & P DIV

no obj 4/5

22

A & F

*Afforestation Temporary
Measures.
4/3*

2

From: LS/L&J

To: GS

L.A. Otto 2635/420
Date: 6 April 50

LS has no objections to subject bill as revised. Recommendations in Checksheet, LS to GS, 18 March 50, have been complied with.

Incl w/d

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

*Recd 6/1
4/7/50*

(22)

GENERAL HEADQUARTERS
SUPREME COMMANDER FOR THE ALLIED POWERS

C H E C K S H E E T

(Do not remove from attached sheet) CW/JN/JW/CFG/gb

Subject: Draft Legislation

Case No. From: Govt Sec To: NRS Date: 3 April 1950
Attn: Mr. Cummings (memo) revised
Capt. Guida
26-6076

1. Immediate introduction of the attached/draft bill in the Diet is proposed by the Agriculture and Forestry Ministry.

2. Your prompt comment is requested.

1 Incl
Afforestation Temporary
Measures Bill

Cy to LS/L&J, ESS

2 From: NR To: GS

Mr F A Ineson 26-7192
HGS/HBD/FAI/wk
Date: 7 APR 1950

NR concurs in attached revised draft bill.

1 Incl
w/d

H G S
H. G. S.

Recd 65
4/7/50

22

GENERAL HEADQUARTERS
SUPREME COMMANDER FOR THE ALLIED POWERS

C H E C K S H E E T

(Do not remove from attached sheet) CW/JH/JW/CFC/gb

Subject: Draft Legislation

Capt. Guida

Date No.

From: Govt Sec

To: ESS

Attn: Mr. Eisenstein

Date: 3 April 1950

26-6076

revised

1. Immediate introduction of the attached draft bill in the Diet is proposed by the Agriculture and Forestry Ministry.

2. Your prompt comment is requested.

1 Incl

Afforestation Temporary
Measures Bill

Cy to LS/LAJ, NRS

C. W.

P & P DIV

No obj. (Eisenstein) 4/6

22

4/3

*Afforestation Temporary Measures
(Agri + For)*

2

From: ESS To: GS

[Signature]
WFM/ECW/LNS/sm
I. Eisenstein, 26-6664
Date: 7 April 1950

1. Reference is C/N 1 from GS to ESS, dated 3 April 1950, requesting comment on the revised Afforestation Temporary Measures Bill. Reference is also made to C/N 2 from ESS to GS, dated 8 March 1950, on a previous draft of said Bill.
2. It appears that the objections of ESS as expressed in reference C/N 2 dated 8 March 1950 have been substantially complied with.
3. ESS, therefore, interposes no further objections to the Bill, as revised.

Rec'd GS 4/7

Incl
w/d

-----W.F.H.-----

22

Bill

to be submitted for GS approval
Legislative Affairs Section, FOM
(TEL. 87-6010)

Feb. 28, 1950

1. FOM Number: 156
2. Name of Bill: Bill for Partial Amendments
to the Fisheries Agency Establishment Law.

3. Competent Ministry: Ministry of Agriculture & Forestry
4. Date of Cabinet Approval: Feb. 21
5. SCAP Section concerned: Mr. Nevill;
Fishery Division, NRS.

6. Remarks: (reference):
Law No. 78 of 1948 (Fisheries Agency Establishment
Law): Official Gazette dated July 1, Extra (1):
Amended by Law No. 155 of 1949 (Official Gazette
dated May, 31, No. 59.....
.....

7. G.S. Reviewers:

CS:
ESS
NRS
AS/W

Received by CS
Date 2/28/50

23

No. 37

Date: Feb 17, 1950

Title of ~~cabinet order~~ ^{LAW}

Revised Bill for Partial Amendments to the Fisheries
Agency Establishment Law

This draft ~~cabinet order~~ ^{LAW} has been approved by

the Administrative Management Agency.

Onogi Katsuhiko
Deputy Director ONOGI, Katsuhiko.
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) CW/JN/JW/CHH/vb

Subject: Draft Legislation

Note No.

From: Govt Sec

To: LS/LW

Capt. Norris

26-6076

Date: 28 February 1950

1. Immediate introduction of the attached draft bill in the Diet is proposed by **the Agriculture & Forestry Ministry.**
2. Your prompt comment is requested.

1 Incl

Partial Amendments to the
Fisheries Agency Estab-
lishment Law

C. W.

P & P DIV

23

GENERAL HEADQUARTERS
SUPREME COMMANDER FOR THE ALLIED POWERS

C H E C K S H E E T

(Do not remove from attached sheet) CW/JN/JW/CHN/vs

Subject: Draft Legislation

Capt. Norris
26-6076

Note No.

From: Govt Sec

To: ESS

Date: 28 February 1950

1. Immediate introduction of the attached draft bill in the Diet is proposed by the Agriculture & Forestry Ministry.
2. Your prompt comment is requested.

1 Incl

Partial Amendments to the
Fisheries Agency Establish-
ment Law

C. W.

I. Eisenstein, 26-6664
WFM/ECW/LNS/IE/sm
Date: 16 March 1950

2

From: ESS

To: GS

1. References are:

a. C/N 1 above, requesting comment on the Partial Amendments to the Fisheries Agency Establishment Law.

b. SCAPIN 1108, 6 Aug 46; SCAPIN 1394, 11 Dec 46; SCAPIN 1860, 16 Feb 48; Cabinet Order No. 56 of 1948; and ESB Instruction No. 3, 16 Jun 47; which deal with policy against control associations and substitutes therefor, such as industry advisory councils.

c. Art. 76 of the Japanese Constitution, to the effect that all judicial power is vested in the courts and may not be exercised by any executive agency.

d. Article 41 of the Japanese Constitution and Staff Memo No. 81, 1 Oct 47, concerning the exercise of legislative powers by Cabinet Order.

2. Reference bill increases the functions and powers of the Fisheries Agency by authorizing it to pass on matters concerning compensation for fisheries rights (Article 5(2)); provides for the organization of a Fishing Boat Research Institute (Article 7-2), the organization of which shall be determined by a Ministry Ordinance (Article 7-6, para. 4); and

Rec'd GS 3/16

23

GENERAL HEADQUARTERS
SUPREME COMMANDER FOR THE ALLIED POWERS

CHECK SHEET

(Do not remove from attached sheets)

File No.:

Subject:

Note No.:

From: ESS

To: GS

Date: 16 | March 50

2
(cont)

creates a Fishery Necessary Personnel Education Council (Article 7-7), the "organization, responsibilities, members as well as other personnel" of which are to be provided by Cabinet Order (Article 7-7, para. 3).

✓ 3. It is undesirable to confer on the Fisheries Agency judicial power to determine claims for compensation (Article 5(2)). It is considered that such grant of authority would conflict with Article 76 of the Japanese Constitution.

✓ 4. The device of leaving to Ministry Ordinance (Article 7-6, para. 4) or to Cabinet Order (Article 7-7, para. 3) important matters concerning Councils or Institutes is also deemed undesirable. These provisions are considered to be repugnant to Article 41 of the Japanese Constitution and to Staff Memorandum No. 81.

✓ 5. Objection is made to the administration of the Fisheries Agency Establishment Law by or with the assistance of Councils or other organs which may consist of industry representatives. The existence of such institutions would conflict with the objectives of reference SCAPINs and with recently emphasized policy of Headquarters concerning industry councils. It is noted that the present Fisheries Agency Establishment Law (Law No. 78 of 1947), as amended by Law No. 155 of 1948 and Law No. 268 of 1949 provides for several Councils, Institutes and Committees which conflict with said policy.

✓ 6. It is recommended that the Japanese Government be advised of the above comments and in particular be informed that there is objection to the continued existence of presently organized Councils, Committees and Institutes unless they are required to consist entirely of full-time Government employees.

1 Incl
w/d

WFM
W. F. M.

23

GENERAL HEADQUARTERS
SUPREME COMMANDER FOR THE ALLIED POWERS

C H E C K S H E E T

(Do not remove from attached sheet) CW/JN/JW/CHM/vs

Subject: Draft Legislation

Note No. From: Govt Sec To: NRS Date: 26 February 1950
Capt. Norris
26-6076

1. Immediate introduction of the attached draft bill in the Diet is proposed by the Agriculture & Forestry Ministry.
2. Your prompt comment is requested.

1 Incl
Partial Amendments to
Fisheries Agency Estab-
lishment Law

C. W.

2

From: NRS

To: Govt Sec

H. W. Yee 26-8492
HQS/WCH/HNY/erc
Date: 9 MAR 1950

1. The attached draft bill, "Partial Amendments to the Fisheries Agency Establishment Law" designates the Fisheries Agency of the Japanese Ministry of Agriculture and Forestry as the unit of the Japanese Government charged with the responsibility of enforcing the Fisheries Law and the Fisheries Rights Reforms embodied in the law. The bill further provides that the Production Department of the Agency will have the primary responsibility in the administration of the reform.
2. The attached draft bill also provides:
 - a. Changing the name of "Fisheries Experimental Stations" to "Fisheries Research Institutes".
 - b. Establishment of a "Fishing Boat Research Institute" to conduct work now done by the Fishing Boat Section of the Fisheries Agency.
 - c. Abolishment of the Marine Products Standardization Council.
 - d. Establishment of a new council within the Fisheries Agency. It is understood this council will advise the Minister on matters pertaining primarily to vocational education of persons

Rec'd 65 3/9

23

C/S, Govt Sec to NR, subj: Draft Legislation, dated 28 Feb 50

CN #2
(Cont)

engaged in the fishing industry.

3. Natural Resources has been informed by the Japanese Ministry of Agriculture and Forestry that the attached draft bill will be withdrawn. Further that a revised bill is being prepared and will be submitted to Government Section in the near future. According to the Ministry of Agriculture and Forestry officials, the revised amendments differ from the attached draft in that the Production Department will not be given full responsibility for the enforcement of the Fisheries Law.

4. Enforcement of the Fisheries Law and the reform embodied in the law is primarily a social and economic problem. The ultimate aim of the reform is to improve the social and economic welfare of the fishermen. This work is more closely associated with the work now conducted by the Administration Department than that of the Production Department. The manner in which the reform is executed will have a marked effect upon the democratization of the Japanese Fishing Industry.

5. NR believes that the revision set forth in para 2 above are matters to be decided by the Japanese Government and Diet.

6. NR recommends that the attached draft bill not be introduced to the Diet. Further that in any amendment made to the Fisheries Agency Establishment Law, the Production Department of the Agency should not be given the exclusive responsibility for the administration of the Fishing Rights Reform Program.

1 Incl
w/d

----- H. G. 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) CW/JN/JW/CFG/vs

Subject: Draft Legislation

Capt. Guida

26-6076

Note No.

From: Govt Sec

To: NRS

Date: 23 March 1950

1. Immediate introduction of the attached/draft bill in the Diet is proposed by the Agriculture & Forestry Ministry.

2. Your prompt comment is requested.

1 Incl

Partial Amendments to the
Fisheries Agency Estab-
lishment Law

Cy to LS/LAJ, ESS

C. W.

H. W. Yoe 26-8492

HGS/WCH/HWP/erc

Date: 1 APR 1950

From: NRS

To: Govt Sec

2

1. The attached draft bill "Bill for Partial Amendments to the Fisheries Agency Establishment Law" provides for:

a. The Fisheries Agency of the Ministry of Agriculture and Forestry being made responsible for the enforcement of "The Fisheries Law" (Law No. 267 of 1949) and the "Fisheries Rights Reform" embodied in this law.

b. Internal reorganization of the Fisheries Agency and reassignment of duties to the three departments within the agency to enable the agency to discharge the additional responsibilities resulting in the enforcement of the "Fisheries Law" with personnel available.

c. Changing the name of all "Fisheries Experimental Stations" to "Fisheries Research Institutes".

d. Abolishing the "Marine Products Standardization Council". The work of this council has been delegated to a council for standardization of all agricultural, fishing and forestry products established by a separate law.

e. Transfer of Jurisdiction over the First Fisheries Institute and the Tokyo University Fisheries College from the Minister of Agriculture and Forestry to the Ministry of Education.

23

C/S, Govt Sec to NRS, Subj: Draft Legislation, 23 March 1950


2. The Proposed Draft Bill in itself creates no new authority; it only delegates the Fisheries Agency responsibilities previously established by other laws. This draft bill modifies the original law for the establishment of the Fisheries Agency to the extent necessary to permit the agency to operate under the provisions of "The Fisheries Law" of 1949 rather than the Fisheries Law of 1901 in force when the agency was established and since abrogated.

3. NR believes that the internal organization of the Fisheries Agency is entirely within the scope of responsibility of the Japanese Government. The following comments on subject draft bill are offered in the form of advice which may be of value to the Ministry of Agriculture and Forestry at some future date. NR recognizes that work load and personnel limitations make the organization provided for in the attached draft the only feasible organization possible at the present. When a decrease in work load, such as may be expected when the "right" transfers provided for in the Fisheries Law are completed in 1952, alterations of the proposed organization should be considered. Technical matters such as management of fish hatcheries should be assigned to the departments and sections supervised and composed of technical personnel. When possible only administrative functions and matters pertaining to social and economic problems should be in the Administrative Department. The research work in social and economic problems should be shifted from the Research Department to the Administrative Department as soon as possible.

4. Telephone discussions with ESS/FTP indicates that ESS/FTP was not cognizant of the contents of legislation the Fisheries Agency is responsible for enforcing when the subject draft bill was reviewed by ESS/FTP. It was indicated that GS could secure clarification on specific comments made by ESS/FTP by contacting ESS/FTP via telephone.

5. NR recommends clearance of subject draft bill for immediate introduction in the Diet. It is essential that this bill be enacted if the Fisheries Rights Reform Program is to be implemented by the Japanese Government.

1 Incl
w/d


----- H. G. 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) CW/JH/JW/CFG/vs

Subject: Draft Legislation

Capt. Guida

Note No.

From: Govt Sec

To:

LS/LAJ

Date:

23-6076

23 March 1950

revised

1. Immediate introduction of the attached draft bill in the Diet is proposed by ~~the~~ Agriculture & Forestry Ministry.

2. Your prompt comment is requested.

1 Incl Partial Amendments to the Fisheries Agency Establishment Law

Cy to ESS, NRS

C. W.

P & P DIV

23

3/23

Subject: Partial Amendments to the
Fisheries Agency Establishment Law

Lewis

1.

K. Steiner
2635-479
Date: 28 March 1950

2. From: LS/LAJ To: Govt Sec

No legal objections.

1 Incl:
w/d

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

*Recd 65
3/30/50*

(23)

GENERAL HEADQUARTERS
SUPREME COMMANDER FOR THE ALLIED POWERS

C H E C K S H E E T

Subject: Draft Legislation

Capt. Guida 26-6076

From: Govt Sec

To: ESS

23 March 1950

1. Immediate introduction of the attached revised draft bill in the Diet is proposed by the Agriculture & Forestry Ministry.
2. Your prompt comment is requested.

1 Incl
Partial Amendments to
Fisheries Agency Estab-
lishment Law

Cy to MRS, LS/L&J

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

I. Eisenstein 26-6664
WFM/ECW/LNS/IE/md

30 MAR 1950

From: ESS

To: GS

1. Reference is C/N 1 from GS to ESS, 23 March 1950, requesting comment regarding Partial Amendments to Fisheries Agency Establishment Law. Reference is also made to C/N 2 from ESS to GS, 16 March 1950, commenting on a previous draft of the proposed amendments.

2. The present revised draft does not propose to create any additional advisory councils and to that extent complies with the recommendation of C/N 2 from ESS dated 16 March 1950. However, the revised draft

a. Again proposes to confer judicial power on the Fisheries Agency (Art. 4(3)), contrary to Art. 76 of the Japanese Constitution;

b. Leaves unchanged the provisions of present law concerning three industry councils (Art. 7(6)); and

c. Leaves unchanged the provisions of present law permitting important matters concerning councils to be determined by Ministry Ordinance (Art. 7(6), para. 4) and Cabinet Order (Art. 7-7, para. 3) contrary to Art. 41 of the Japanese Constitution.

3. It is recommended that the Japanese Government be again advised of the above comments, and in particular be informed that the continued existence of industry councils is undesirable.

1 Incl w/d

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

*Discussed by phone with Mr. Eisenstein
4/3. He was agreeable to clearance of
these amendments provided minority was
informed that councils should be
eliminated as soon as possible*

*Rec'd 6/5
2/20/50*

23

GENERAL HEADQUARTERS
SUPREME COMMANDER FOR THE ALLIED POWERS

C H E C K S H E E T

(Do not remove from attached sheet) CW/JN/JW/CFG/vs

Subject: Draft Legislation

Capt. Guida

26-6076

Note No.

From: Govt Sec

To: NRS

Date: 21 April 1950

1. Immediate introduction of the attached draft bill in the Diet is proposed by the House of Councillors.
2. Your prompt comment is requested.

1 Incl
Amendments to Bill for
Partial Amendments to
Fisheries Agency Estab-
lishment Law

C. W.

From: NR

To: Govt Sec

H. W. Yee 26-8492

HGS/WCH/HWY/erc

Date:

25 APR 1950

2

1. Attached draft bill provides for revision of the Fisheries Agency Establishment Law in such a manner that its contents are in conformity with those of the Fishing Port Law recently enacted by the Diet. The revisions are technical in nature and no basic change is made in existing legislation.

2. NR offers no objections to the introduction in the Diet of attached draft bill "Proposed Amendments to the Fisheries Agency Establishment Law."

1 Incl
w/d

H. G. S.

Recd 65
4/20/50

23

Bill

to be submitted for GS approval
Legislative Affairs Section, FOA
(TEL. 57-6010)

March 1, 1950

1. FOM Number: 158
2. Name of Bill: Bill for Partial Amendments to
Owner-Farmer Establishment Special
Measures Law and Others
3. Competent Ministry: Ministry of Agriculture &
Forestry
4. Date of Cabinet Approval: February 10, 1950
5. SCAP Section concerned:
Mr. Jensen, Agriculture Div., N.R.S
6. Remarks: (reference):
Election of Member of the House of Representative
.....
Law, (Law No. 47 of May 5, 1925) is attached
.....
herewith.....
Law No. 182 of 1948 (Food Maintenance Temporary
.....
Measures Law): Official Gazette dated July 20, No. 690.
.....
7. G.S. Reviewers:

CS:
NRS
LS/LJ
ESS
GS/PA

Received by GS
Date 2/2/50

(24)

GENERAL HEADQUARTERS
SUPREME COMMANDER FOR THE ALLIED POWERS

C H E C K S H E E T

(Do not remove from attached sheet) CW/JW/JW/CHN/vs

Subject: Draft Legislation

Capt. Norris

26-6076

Note No.

From: Govt Sec

To: ESS

Date: 2 March 1950

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

2. Your prompt comment is requested.

1 Incl
Partial Amendments to the
Owner-Farmer Establishment
Special Measures Law and
Others

C. W.

P & P DIV

(24)

Ag 4 For
3/2

Owner Farmer Law

EW
WFK/ICW/EN/SSN/EE
S.S. Moss, 26-6642
2 March 1950

From: ESS

To: GS

2.

1. Reference is C/N 1, dated 2 March 1950, from GS to ESS requesting comment regarding the proposed amendments to the Owner Farmer Special Measures Law and Others.

2. ESS finds objectionable that portion of the amendments which confer governmental authority to "industry or advisory councils" on land utilization planning.

3. It is recommended that the Japanese be advised that the proposed councils conflict with Occupation policy as regards non-governmental councils or committees participating in the formulation or implementation of governmental policy, as well as the policy regarding the elimination of the influence of control associations.

Rec'd 3/21/50

1 Incl

- *W/S* ----- W. F. H. -----

24

GENERAL HEADQUARTERS
SUPREME COMMANDER FOR THE ALLIED POWERS

C H E C K S H E E T

(Do not remove from attached sheet) **GW/JN/JW/CHH/vs**

Subject: Draft Legislation

Note No.

From: Govt Sec

To: **LS/LAJ**

Capt. Morris
26-6076
Date: 2 March 1950

1. Immediate introduction of the attached draft bill in the Diet is proposed by the Agriculture & Forestry Ministry.

2. Your prompt comment is requested.

1 Incl

Partial Amendments to the
Owner-Farmer Establishment
Special Measures Law and
Others

C. W.

24

Subject: Amendments to the Owner-Farmer
Establishment Special Measures Law
and Others

(Agr + Fm.)

3/2

1.

2.

From: LS/L&J

To: Govt Sec

R. B. Appleton
2635-473

Date: 15 March 1950

1. Subject bill consists of 71 pages of partial amendments to Agricultural Land Reform Laws contained in a printed volume 285 pages in length. The amendments are apparently technical in nature and of primary concern to NRS. A legal review of these amendments would require a thorough study of all the basic laws and would take at least a month of the entire working time of one lawyer.

2. Under these circumstances and in the light of the short time remaining of the present Diet session and the great mass of other legislation to be reviewed, Legal Section refrains from further comment.

1 Incl:
w/d

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

Rec'd GS
3/17

24

GENERAL HEADQUARTERS
SUPREME COMMANDER FOR THE ALLIED POWERS

C H E C K S H E E T

(Do not remove from attached sheet)

CW/JN/JW/CHN/vs

Subject: Draft Legislation

Capt. Norris

26-6076

Note No.

From: Govt Sec

To: NRS

Date: 2 March 1950

1. Immediate introduction of the attached draft bill in the Diet is proposed by the Agriculture & Forestry Ministry.

2. Your prompt comment is requested.

1 Incl

Partial Amendments to the
Owner-Farmer Establishment
Special Measures Law and
Others

C. W.

2.

From: NR

To: GS

Mr. B. M. Jensen - 26-8465

HGS/MBW/JLC/HMJ/dai

Date: 10 MAR 1950

1. Draft partial amendments to the Owner Farmer Establishment Special Measures Law and Others were prepared by the Ministry of Agriculture and Forestry in consultation with representatives of NR. They serve to implement the letter on land reform issued by the Supreme Commander for the Allied Powers to the Prime Minister on 21 October 1949 (incl 2). NR considers the legislation of vital importance and urges that it be given the highest possible priority.

2. The draft inclosed with check note 1 contains a number of minor self-explanatory typographical errors. In addition, the following passages which would be clarified by a slight change in English wording are noted. These changes do not affect the Japanese original.

- a. Page 1, line 14, insert "fall" after "which"
- b. Page 9, line 22, "difference between" for "amount reduced"
- c. Page 9, line 22, "and" for "from"
- d. Page 9, last line, insert (between "date" and "the"
- e. Page 11, line 17, delete "In the case where"
- f. Page 12, line 4, delete "is in charge"
- g. Page 28, line 1, "2 to 4" for "2 - (4)"

Recd GS
3/13

24

C/S, GS to NR, Subj: Draft Legislation, 2 Mar 50

CN #2
(Cont)

h. Page 34, line 12, delete "exclusive of the same law"

i. Page 35, line 17, "Art 5-(15)" for "the preceding article"

1 Incl

w/d incl - 1

Added 1 incl - 2

2. as indic in par 1 above

HGS
H. G. S.

GENERAL HEADQUARTERS
FAR EAST COMMAND
Public Information Office

IMMEDIATE RELEASE:

21 October 1949

"LAND REFORM FUTURE TESTS JAPANESE DEMOCRACY"--SCAP SAYS

General MacArthur today called the future of land reform in Japan a critical test of the capacity of the Japanese to meet the challenge of citizenship.

In a letter to the Prime Minister marking the third anniversary of the reform, he described the work completed thus far as "one of the most important single demonstrations of Japan's approaching maturity as a democratic nation."

Noting the world wide recognition accorded the program, the Supreme Commander stressed the necessity for continued legislative and administrative support required to forestall reversion to the prewar farm tenancy system. Full text of the letter follows:

21 October 1949

Dear Mr. Prime Minister:

Today marks the third anniversary of the inception of what is possibly the most successful land reform program in history. Three years ago today, the Japanese Diet enacted the historic legislation which forms the foundation of this reform. Now that the primary part of the program is drawing to a close, I take this occasion to pay tribute to the people of rural Japan for the magnificent accomplishment which their devotion to this task has made possible.

The world watched your work skeptically, in belief that the job was too big, that you would not approach it with sincerity, that feudalistic interests would render it only a token reform. Your progress shows no deviation from the high objective enunciated, and today you have earned the world's admiration. The pattern you have set for depressed peoples is already widely recognized. As Japan works toward re-entry into the family of nations, this achievement stands as one of the most important single demonstrations of her approaching maturity as a democratic nation.

The time has come now to appraise what has been done and what remains to be done, and to measure and define the nature of the obligation which rests with the people of Japan to keep faith with future generations of Japanese farmers. The benefits of the reform must become a permanent part of the texture of Japanese rural society. Any possibility of a gradual reversion to the land tenure system as it existed before the reform must be forestalled. Widespread establishment of owner-farmers on family-size farms and protection of the rights of cultivators must continue to be assured. Land reform laws must have teeth and toughness. They must be given adequate administrative support. Assurance of democratic application of the law at the local level must be guaranteed by continuance of a suitable commission system.

All of these factors are important. But if the present gains are not to be lost, the most essential requirement will be constant and continuing vigilance on the part of Japanese farmers in defense of their own rights. This is the basic privilege and obligation of citizenship. It is a right and a responsibility to be held in trust, to be used boldly now with justice and wisdom, and to be passed intact from generation to generation. The future of Japan is in the hands of the people of Japan. The future of the land reform program will constitute a critical test of their capacity to meet the challenge of citizenship.

Sincerely yours,

(signed) DOUGLAS MacARTHUR

Government Section
Buck Slip

3/22 1950

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

FOR:

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

No objection
- No

(24)

AMENDMENTS TO OWNER-FARMER ESTABLISHMENT SPECIAL MEASURES LAW AND OTHERS

FOM 158

1. Objection is made to that portion of the amendments which confer governmental authority to "industry or advisory councils" on land utilization planning. Such councils conflict with SCAP policy.
 2. The following passages would be clarified by a slight change in English wording. These changes do not affect the Japanese original:
 - a. Page 1, line 14, insert "fall" after "which"
 - b. Page 9, line 23, "difference between" for "amount reduced"; "and" for "from"
 - ~~no~~ c. Page 9, last line, insert (between "date" and "the"
 - d. Page 11, line 17, delete "In case where"
 - e. Page 12, line 4, delete "is in charge"
 - ~~no~~ f. Page 28, line 1, "2 to 4" for "2 - (4)"
 - g. ✓ Page 34, line 12, delete "exclusive of the same law"
 - h. Page 35, line 17, "Art 5-(15)" for "the preceding article"
 3. There are a number of typographical errors in this draft.
-

*See revised or corrected pages
1, 3, 4, 5, 9, 10, 11, 12, 16, 17, 17a, 22, 23, 28, 29,
34, 35, 38, 43, 44, 45, 46, 47, 48, inserted
herewith.*

B 3/24

GENERAL HEADQUARTERS
SUPREME COMMANDER FOR THE ALLIED POWERS

C H E C K S H E E T

(Do not remove from attached sheet)

CH/JH/JH/CPG/ed

Subject: Draft Legislation

Note No.

From: Govt Sec

To: LS/LAJ

Date: 19 April 1960

Capt. Guide

26-6076

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

2. Your prompt comment is requested.

1 Incl

Amendment to Amendments to
Owner-Farmer Establishment
Special Measures Law and Others

Cy to NRS, ESS

C. W.

P & P DIV

24

HR amendments
Orona Farmer Estates
4/19.

2

From: LS

To: GS

Mr. R. B. Appleton -
Meiji 473
Date: 24 April 1950

1. Subject bill proposes amendments which are technical and clarificatory in nature and of primary concern to NRS.
2. Necessarily hasty review reveals no legal objections.

1 Incl
w/d

A. C. C.

Rec'd GS
4/26/50

CW/JN/JW/CFG/gb

Subject: Draft Legislation

Capt. Guida

26-6076

Note No.

From: Govt Sec

To: NRS

Date: 19 April 1950

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

2. Your prompt comment is requested.

1

1 Incl

Amendment to Amendments to
Owner-Farmer Establishment
Special Measures Law and Others

Cy to ESS, LS/L&J

-C.W.-

Mr Bernhardt H. Jensen - 26-8465
HGS/MBW/JLC/BEJ/daj
Date:

2

From: NR

To: GS

25 APR 1950

NR has no objection to the proposed Amendment to Amendments to Owner-Farmer Establishment Special Measures Law and Others.

1 Incl

w/d

-H.C.S.-

Recd GS
4/26/50

24

GENERAL HEADQUARTERS
SUPREME COMMANDER FOR THE ALLIED POWERS

C H E C K S H E E T

(Do not remove from attached sheet) CW/JH/JW/CFO/gb

Subject: Draft Legislation

Capt. Guida

Note No. From: Govt Sec To: ESS Date: 26-6076
19 April 1950

1. Immediate introduction of the attached draft bill in the Diet is proposed by the House of Representatives.
2. Your prompt comment is requested.

1 Incl
Amendment to Amendments to
Owner-Farmer Establishment
Special Measures Law and Others

Cy to NRS, LS/LAJ

C. W.

P & P DIV

24

HR Amendment
Owner - Farmer Establishment
4/19

W.F.M.
WFM/ECW/HW/SB
H. Wohl, 26-6642
Date: 25 April 1950

From: ESS To: GS

2

1. ESS has no objection to the introduction of the subject draft legislation into the Diet.

Incl
w/d

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

Recd 65
4/25/50

(24)

Bill

to be submitted for GS approval
Legislative Affairs Section, FOM
(TEL. 57-6010)

March 17, 1950

1. FOM Number: 183
2. Name of Bill: Bill for Partial Amendments to the
Ministry of Agriculture and Forestry
Establishment Law
3. Competent Ministry: Ministry of Agriculture and
Forestry
4. Date of Cabinet Approval: March 14, 1950
5. SOAP Section concerned:
Mr; Williamson, Agr. D., N.R.S.
6. Remarks: (reference):
The Ministry of Agriculture and Forestry Establish-
ment Law (Law No. 153 of 1949), Official Gazette
No. 59:.. p. 14; May. 31. 1949.....
.....
.....
7. G.S. Reviewers:

OS:
NRS
ESS
LS/KJ
CS/CS

Received by OS
Date 3/17/50

25

No. 49

Date: Mar 17, 1950

Title of ~~cabinet order~~ ^{Law}

Bill for Partial Amendments to the
Ministry of Agriculture and Forestry
Establishment Law.

This draft ~~cabinet order~~ ^{Law} has been approved by
the Administrative Management Agency.

Onogi Katsuhiko
Deputy Director ONOGI, Katsuhiko.
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) **CH/JH/JW/CHM/vs**

Subject: Draft Legislation

Capt. Norris

Note No.

From: Govt Sec

To: **LS/LAJ**

Date: ²³⁻⁶⁰⁷⁶
18 March 1950

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

2. Your prompt comment is requested.

1 Incl
Partial Amendments to Min.
of Agriculture & Forestry
Establishment Law

Cy to NRS, ESS

C. W.

F & P DIV

(25)

Ag & For
3/18

Subject: Partial Amendment to Ministry of Agriculture
and Forestry Establishment Law.

From: LS

To: GS

F.C. Goodman-2635-269

Date: 30 March 1950

2.

1. Necessarily hasty review does not reveal serious legal objections to subject bill.

2. The bill, in several instances, anticipates the passage of proposed legislation including the Fertilizer Law and the Plant Quarantine Law neither of which bills have as yet been enacted into law. Subject bill should, therefore, be presented for passage after the enactment into law of the proposed bills referred to, or subject bill should be revised accordingly.

3. The provisions in subject bill which provide for the elimination and consolidation of various councils and other attached organs within the ministry are matters of policy and of primary concern to NRS and ESS.

1 Incl. w/d

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

Rec'd GS
3/31/50

25

GENERAL HEADQUARTERS
SUPREME COMMANDER FOR THE ALLIED POWERS

C H E C K S H E E T

(Do not remove from attached sheet) CW/JN/JW/CHN/vs

Subject: Draft Legislation

Capt. Norris
26-6076

Note No. From: Govt Sec To: NRS Date: 18 March 1950

1

1. Immediate introduction of the attached draft bill in the Diet is proposed by the Agriculture & Forestry Ministry.
2. Your prompt comment is requested.

1 Incl
Partial Amendments to Min.
of Agriculture & Forestry
Establishment Law

Cy to ESS, LS/L&J

[Signature]
C. W.

Miss D C Goodwin - 26-7860
HGS/MBW/JLC/DCG/mhk
Date:

2

From: NR To: GS

31 MAR 1950

1. Reference is made to:
 - a. NR check note 2 to c/s, GS to NR, subj. "Draft Legislation Bill for Agricultural and Forest Commodities Standards Law," 14 Feb 50.
 - b. Check note GS to NR, subj. "Draft Legislation Plant Quarantine Bill," 23 Mar 50.

2. In NR opinion, the Bill for Partial Amendments to the Ministry of Agriculture and Forestry Establishment Law is acceptable, subject to the following comments and suggestions:

- a. It is requested that the words "and Forestry" be deleted from the name of the "Agricultural and Forestry Statistical Research Offices" referred to in amendments to Articles 42 and 43. While there is no objection to having these offices gather data on forest products, collection of technical forestry data, entailing determination of tree species, estimates of growth and defect, and measurement of tree volumes should be the sole responsibility of the technical agency concerned. It is believed that inclusion of the word "Forestry" in the title of the offices might be interpreted as authority for their encroachment into the technical forestry field.

Rec'd GS 4/1

25

C/S, GS to NRS, Subj, "Draft Legislation," 18 Mar 50

CN #2
(Cont)

✓
b. Amendments to Article 4, item 20, Article 7, item 17, Article 34, par 1, and Article 65, anticipate repeal of the Designated Agricultural and Forest Commodities Inspection Law and substitution of the Agricultural and Forestry Commodities Standards Bill. The latter has not yet been introduced into the Diet. NR has recommended continuation of the present law (ref 1a) until the Standards Bill becomes law.

c. Article 34, par 1 of the original law provides for 24 councils, committees and commissions to serve as auxiliary organs of the Ministry of Agriculture and Forestry. These bodies are largely advisory in nature, although some are empowered to assist the Minister in carrying out administrative functions where it is considered important that public opinion be represented. Each body has its own enabling authority apart from the Ministry of Agriculture and Forestry Establishment Law. Composition of the bodies varies considerably, but most members are appointed by the Minister of Agriculture and Forestry from the general public, subject to qualifications for appointment specified in the enabling authority. Members are paid an honorarium but are not usually regular government employees. In most cases, the functions performed by these bodies are considered by NR to be essential to fulfillment of Ministry responsibilities in a manner consistent with the best public interest, and generally speaking, NR believes that the services involved can best be rendered through the advisory body type of organization. NR has advocated reduction in the number of such bodies, however, where the functions were considered nonessential, or where amalgamation of committees was deemed appropriate. In line with this position, the proposed amendments reduce the number of bodies from 24 to 12. Most of the remaining bodies are considered essential by NR, but it is pointed out that provision for a Plant Quarantine Council has been deleted from the Plant Quarantine Bill as submitted to NR with ref 1b and concurred in by NR. Similar provision should therefore be made in the Ministry of Agriculture and Forestry Establishment Law.

✓
d. NR requests that in addition to the proposed amendments, Article 33, par 1, item 3 in the original law be amended by deletion. This item provides for registration of breeding stock by government livestock breeding stations. Ministry of Agriculture and Forestry considers this to be a private rather than a government function and reports that provision to delete it was omitted from the amendments through error.

1 Incl
n/c

WHS

H. G. 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) **CW/JM/JW/CHR/vs**

Subject: Draft Legislation

Capt. Norris

26-6076

Note No.

From: Govt Sec

To: **ESS**

Date: **18 March 1950**

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

2. Your prompt comment is requested.

1 Incl
**Partial Amendments to Min.
of Agriculture & Forestry
Establishment Law**

Cy to NRS, LS/L&J

C. W.

(25)

Ag. & For
Ag. & For Establishment New
3/18/50

From: ESS

To: GS

^{EW}
WFM/ECW/EE
28 March 1950

2. 1. Reference is made to C/N 1 from GS to ESS, 18 March 1950, requesting comment regarding draft of Bill for Partial Amendments to Ministry of Agriculture and Forestry Establishment Law.

2. Reference draft legislation provides for the amendment of Article 34, paragraph 1, of the basic law specifying twelve (12) industry councils or committees to assist the Ministry in the administration of its functions. This Section considers objectionable such provisions as being in conflict with SCAP policy and particularly the intent of SCAPINs 1108, 1394 and 1860.

3. It is recommended that the Japanese Government be advised of the respects, indicated above, in which reference draft legislation conflicts with Occupation policy.

Incl

w/d

W. F. M.

Recd GS
3/28/50

25

CIVIL SERVICE DIVISION
Government Section

21 March 1950

(Agi + For)

SUBJECT: Bill for Partial Amendments to the Ministry of Agriculture
and Forestry Establishment Law

TO: Parliamentary and Political Division, Government Section, GHQ SCAP

1. Civil Service Division does not object to subject bill.

W. Pierce MacCoy
W. PIERCE MACCOY
Acting Chief

WPM/GWP/feh

Rec'd ES 3/22

25

AMENDMENTS TO THE MINISTRY OF AGRICULTURE & FORESTRY

ESTABLISHMENT LAW FOM 183

- ✓ 1. Amendments to Article 4, item 20; Article 7, item 17; Article 34, par 1, and Article 65, anticipate the repeal of the Designated Agricultural and Forest Commodities Inspection Law and substitution of the Agricultural and Forestry Commodities Standards Bill. The latter has not yet been enacted into Law, and therefore the present law should be continued in this respect.
- ✓ 2. Article 33, par 1, item 3 in the original law should be amended by deletion. This item provides for registration of breeding stock by government breeding stations. This is a private rather than a government function and reports from the Minister of Agriculture indicates that provisions to delete this ~~item~~ item was omitted through error.
- ✓ 3. Article 34, para 1 specifies for twelve industry councils or committees to assist the Ministry in the administration of its functions. This is an violation of SCAP policy and in particular the intent of SCAPINS 1108, 1394, and 1860.
- ✓ 4. It is recommended that the words "and Forestry" be deleted from the name of the "Agricultural and Forestry Statistical Research Offices" referred to in amendments to Articles 42 and 43. While there is no objection to having these offices gather data on forest products, collection of technical forestry data, *ing* entail-determination of tree species, estimates of growth and defect, and measurement of tree volumes should be the sole responsibility of technical agency concerned. It is believed that the inclusion of the word "Forestry" in the title of the offices might be interpreted as authority for their encroachment into the technical forestry field.
- ✓ 5. This bill, in several instances, anticipates the passage of proposed legislation including the Fertilizer Law and the Plant Quarantine Law, neither of which bills have been enacted into law. Subject bill should, therefore, not be presented for passage until the above bills have been enacted into law, or subject bill should be revised accordingly.

Ministry of Agriculture and Forestry

Japanese Government

4 April 1950

1.

<u>List of Councils/ etc. provided for in laws</u>	<u>Name of Laws</u>
Agricultural and Forest Commodities Standards Committee	Bill for Agricultural and Forest Commodities Standard Law (Cleared by G.S. on 3 April)
Committee for Losses Incurred by Agriculture and Forestry Credit Improvement Special Law	Special Loanings by the Central Co- operative Bank for Agriculture and Forestry and Loss Compensation Law (Law No. 32 of 1932)
	Agricultural Debts Disposition Association Law (Law No. 21 of 1933)
	Special Loanings for Agricultural Debts Disposition Funds and Loss Compensation Law (Law No. 77 of 1937)
	Temporary Agricultural Debts Disposition Law (Law No. 69 of 1937)
Agricultural Mutual Relief Reinsurance Committee	Compensation Against Agricultural Loss Law (Law No. 185 of 1947)
Central Agricultural Adjustment Council	Food Maintenance Temporary Measures Law (Law No. 182 of 1948)
Agricultural Materials Examination Committee	Agricultural Seeds and Seedlings Law (Law No. 115 of 1947)
	Agricultural Chemical Control Law (Law No. 82 of 1948)
Central Agricultural Land Conference	Agricultural Land Adjustment Law (Law No. 67 of 1938)
	Owner-Farmer Establishment Special Measures Law (Law No. 43 of 1946)
Veterinarian Licence Committee	Veterinary Licence Law (Law No. 186 of 1949)
Horseshoers Examination Committee	Horseshoers Law (Law No. 89 of 1940)

2. List of Councils not provided
for in laws

other
Agricultural Electrification and Mechanization Council Central
Central Crop Estimation Council
Horse Racing Council

25

GENERAL HEADQUARTERS
SUPREME COMMANDER FOR THE ALLIED POWERS

C H E C K S H E E T

(Do not remove from attached sheet) CW/JW/JW/CFS/gb

Subject: Draft Legislation

Site No. : From: Govt Sec To: NRS Date: 26 April 1950
Cont. Guide
26-6076

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

2. Your prompt comment is requested.

1 Incl
Amendment to Amendments
to Ministry of Agriculture and Forestry
Establishment Law

C. W.

P & P DIV

25

2

From: ER

To: GS

Miss D C Goodwin - 26-7860
HCS/MBW/JLG/DCG/mhk
Date: 28 APR 1950

1. Purpose of the original amendments to Article 15 of the Ministry of Agriculture and Forestry Establishment Law was to consolidate existing experiment stations to the maximum extent consistent with promotion of efficiency and economy.

2. Proposed amendment to the Bill for Partial Amendments to the Ministry of Agriculture and Forestry Establishment Law is believed inconsistent with this objective and is therefore objected to by ER.

1 Incl
w/d

----- H. G. S. -----

(25)

Bill

to be submitted for GS approval
Legislative Affairs Section, FOM
(TEL. 57-6010)

April 18, 1950

1. FOM Number: 203
2. Name of Bill: Bill concerning Provisional Measures for Subsidy by Treasury for disasters Rehabilitation Works Expenses for Facilities of Agriculture, Forestry and Fishery
3. Competent Ministry: Ministry of Agriculture and Forestry
4. Date of Cabinet Approval: April 14, 1950
5. SCAP Section concerned:
~~N.R.S.~~ Agri. Div. Mr. Johnson. Fisheries Div.
Mr. Yoe. Forestry Div. Mr. Ineson. E.S.S. Finance
Div. Mr. Mossler
6. Remarks: (reference:)
Reference copies are attached herewith.....
.....
.....
.....
.....
7. G.S. Reviewers:

CS:
NRS
ESS
LS/LJ.

Received by CS
Date 4/18/50

GENERAL HEADQUARTERS
SUPREME COMMANDER FOR THE ALLIED POWERS

C H E C K S H E E T

(Do not remove from attached sheet) CB/JN/JW/CHN/vs

Subject: Draft Legislation

Capt. Morris

26-6076

Note No.

From: Govt Sec

To: LS/L&J

Date: 18 April 1950

1. Immediate introduction of the attached draft bill in the Diet is proposed by the Agriculture & Forestry Ministry.

2. Your prompt comment is requested.

1 Incl

Provisional Measures for Subsidy by Treasury for Disasters, Rehabilitation Works Expenses, etc.

Cy. to NRS, ISS

C. W.

4/18

Subject: Provisional Measures for Subsidy by
Treasury for Disasters Rehabilitation
Works Expenses, etc.

(Ag + For.)

From: LS

To: GS

C.J. Smith-2635-405

Date: 28 April 1950

2.

1. The bill is objectionable in that it fails to provide standards for guiding the competent minister in prescribing the "necessary procedures and others for enforcement of this Law ... by Cabinet Order." See Art. 8.

2. Attention is invited to the Report on Japanese Taxation by the Shoup Mission wherein it is recommended (p.26) "that rehabilitation following natural disasters should be made entirely a national government responsibility." Subject bill provides for only a partial contribution by the government, leaving the remainder to be made up by the local public entity and proprietor concerned. This is a matter of policy for consideration by SCAP.

1 Incl. w/d

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

Rec'd as 5/1

GENERAL HEADQUARTERS
SUPREME COMMANDER FOR THE ALLIED POWERS

C H E C K S H E E T

(Do not remove from attached sheet) CK/JN/JW/CHN/vs

Subject: Draft Legislation

Capt. Norris

26-6076

Note No.

From: Govt Sec

To: NRS

Date: 18 April 1950

1. Immediate introduction of the attached draft bill in the Diet is proposed by the Agriculture & Forestry Ministry.

2. Your prompt comment is requested.

1 Incl
Provisional Measures for Sub-
sidy by Treasury for Disasters
Rehabilitation Works Expenses
etc.

Cy to ESS, LS/laj

C. W.

P & P DIV

26

*Agd For
Provisional measures for
Disasters Rehabilitation*

2

From: NR

To: Govt Sec

Lt Col N.P. Barnett 26-6810
HGS/WG/NPB/dk
Date: 27 APR 1950

1. NR offers no objections to the introduction of subject bill into the Diet, but recommends closer adherence to the Shoup recommendations if within the financial ability of the State. The Shoup mission specifically recommended that the entire cost of disaster rehabilitation should be borne by the central government, therefore, subject bill is a compromise to 50% liability on the part of the State.

2. For clarity it is suggested that article 2, paragraph 3, be rewritten as follows: "Fishing Port Facilities" in this law shall mean facilities mentioned in the fishing port law (Law No. ___ of 1950) and specified as follows:

- a. Contour facilities
- b. Mooring facilities
- c. Water facilities

The fishing port law was enacted by the Diet, 19 April 1950

1 Incl
n/c

-----H. G. S.-----

(26)

*Recd 65
4/27/50*

GENERAL HEADQUARTERS
SUPREME COMMANDER FOR THE ALLIED POWERS

C H E C K S H E E T

(Do not remove from attached sheet) CW/JN/JW/CHN/vs

Subject: Draft Legislation

Capt. Norris

Note to:

From: Govt Sec

To: ESS

Date:

26-6076
18 April 1950

1. Immediate introduction of the attached draft bill in the Diet is proposed by the Agriculture & Forestry Ministry.
2. Your prompt comment is requested.

1 Incl. Provisional Measures for Subsidy by Treasury for Disasters Rehabilitation Works Expenses, etc.

Cy to NRS, LS/LAJ

C. W.

P & P DIV

26

Proor measures for Subsidy
by Treasury for Disaster Rehabilitation

4/18'

File: 101(18 Apr 50)ESS/PF

From: ESS

To: Govt Sec

Emm
WFM/EMR/AMM/JHM/eb
Mr. Mossler, 26-6148

26 APR 1950

2

There is no objection to the immediate introduction in the Diet of the attached draft bill, Provisional Measures for Subsidy by Treasury for Disasters Rehabilitation Works Expenses, etc. as proposed by the Ministry of Agriculture and Forestry.

1 Incl:
n/c

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

*Recd 65
4/26/50*

(26)